

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

ONE HUNDRED THIRTEENTH LEGISLATIVE DAY

NOVEMBER 20, 1975



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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

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

Reverend Krueger: "In the name of the Father, the Son, and the Holy Ghost. Amen. Oh Lord, bless this House to thy service this day. Amen. Earl Faiser said if I spend as much time doing the things I worry about getting done as I do worrying about doing them, I wouldn't have anything to worry about. Let us pray. Oh Lord, Christ, who came that we might have life and have it more abundantly, come and break down all that hinders life. Come and give us wisdom and patience, courage and resolution to discover how thy good will may verify itself to all. Give us life that we may give our life. Give unity, give brotherhood, give peace for thine own sake. Amen."

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

Jack O'Brien: "House Bill 3210, Kornowicz et al. A Bill for an Act designating a design for the great seal of the State of Illinois and eliminating its reproduction and usage. First Reading of the Bill. House Bill 3211, Robert Dunn, Ralph Dunn, Hart, et al. A Bill for an Act to amend Section 16 of and add Section 16a to an Act creating the Department of Children and Family Services. First Reading of the Bill. House Bill 3212, Chapman. A Bill for an Act making an appropriation to the Department of the Aging. First Reading of the Bill. House Bill 3213, Chapman. A Bill for an Act to amend Section of an Act to provide for the ordinary and contingent expense of the Bureau of the Budget and the Executive Office of the Governor. First Reading of the Bill. House Bill 3214, Fennessey, Craig, et al. A Bill for an Act to amend Sections of the Illinois Library System Act. First Reading of the Bill."

Speaker Redmond: "Agreed Resolutions."

Jack O'Brien: "House Resolution 567, Grotberg. House Resolution 572, Telcser et al. House Resolution 575, Yourell. House Resolution 576, Richmond. And House Resolution 577, Grotberg."



Speaker Redmond: "Representative Giorgi for the Agreed Resolutions."

Giorgi: "Mr. Speaker, House Resolution 567 by Grotberg ah... honors the founder of our country during the Bicentennial year next year, President George Washington. 572 by Telcser honors the American House which is found on Chicago's west side. House Resolution 575 by Yourell honors the honorable Anthony Vacco, President of Elgin Evergreen Park. 576, Resolution by Birchler honors Miss Yvonne Morris in Who's Who among American students. And 577 by Grotberg honors the Fighting Saints of St. Charles High School Football Team. I move the adoption of the Agreed Resolutions."

Speaker Redmond: "The Gentleman has moved the adoption of the Agreed Resolutions. All in favor indicate by saying 'aye', 'aye'; opposed 'no'. The 'ayes' have it. The Resolutions are adopted. Further Resolutions."

Jack O'Brien: "House Resolution 578."

Speaker Redmond: "Committee on Assignment. Death Resolutions."

Jack O'Brien: "House Resolution 573, Kornowicz et al. Respect to the memory of Mrs. Gertrude Sonnenschein of Chicago. House Resolution 574, DiPrimia et al. In respect and memory of the Reverend Monsignor Matthew A. Canning."

Speaker Redmond: "Representative Kenny. Moves the adoption of the Death Resolutions. All in favor indicate by saying 'aye', 'aye'; opposed 'no'. The 'ayes' have it. Resolution's adopted. Representative Shea."

Shea: "Mr. Speaker, I move that the Regular Session now stand in adjournment until after the Third Special Session."

Speaker Redmond: "You've heard the motion. All in favor indicate by saying 'aye', 'aye'; opposed 'no'. The 'ayes' have it. Regular Session stands in recess. The hour of 10... In recess, yeh... The hour of 10:10 having arrived, the First Special Session will now come to order. Gentlemen, Members will please be in their seat. We'll be led in prayer this morning by the Reverend Krueger, the House Chaplain."

Reverend Krueger: "In the name of the Father, the Son, and the Holy Ghost. Amen. Oh Lord, bless this Special Session to thy service. Amen. It was said by James John Audobon. No work of mine shall be



other than true. If copper, copper. If gold, gold. But not copper gilded. Let us pray. Oh God, we have known and believed the love that Thou hast for us. May we by dwelling love, dwell in Thee and Thou in us. May we learn to love Thee who we have not seen by loving our brethern who we have seen. Teach us oh heavenly Father the love where with Thou hast loved us. Fashion us oh blessed Lord after thine own example of love. Shed abroad the holy spirit of love, the love of God and man in our hearts for thine namesake. Amen."

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

Shea: "Mr. Speaker, I move that the Roll Call, attendance of the Regular Session be the same Roll Call of the attendance of the first Special Session of the 79th General Assembly."

Speaker Redmond: "Any objection? Hearing none, leave is granted and the Roll Call of the Regular Session will stand as the Roll Call for the First Special Session. Representative Shea."

Shea: "Mr. Speaker, I move that the First Special Session of the 79th General Assembly now stand in adjournment until 10:10 a.m. tomorrow morning."

Speaker Redmond: "You've heard the motion. All in favor indicate by saying 'aye', 'aye'; opposed 'no'. The 'ayes' have it. First Special Session stand in adjournment until 10:10, Friday, November the 21st, the hour of 10:10. We'll now be at ease until 10:20. The hour of 10:20 having arrived, the Second Special Session will come to order. The Members please be in their seats. Reverend Krueger will pronounce the prayer."

Reverend Krueger: "In the name of the Father, the Son, and the Holy Ghost. Amen. Oh Lord, bless this Special Session to thy service. Amen. There is a Japanese proverb that says after a victory, tighten your helmet straps. Let us pray for acceptable service. Oh glorious and almighty God in whom all the spirits of the blessed place the confidence of their hope, grant to us Legislators that by thy help, we may ever be able to serve thee with a pure mind through Jesus, Christ, our Lord. Amen."

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

Shea: "Attendance of the Regular Session be used as the Roll Call of attendance to the Second Special Session of the 79th General Assembly



this date."

Speaker Redmond: "Any objection? Hearing none, leave is granted. The Roll Call of the Regular Session will be used in the Roll Call of the Second Special Session. Representative Shea."

Shea: "Mr. Speaker, I move that the Second Special Session now stand in recess until after the adjournment of the Third Special Session this date."

Speaker Redmond: "You've heard the motion. All those in favor indicate by saying 'aye', 'aye'; opposed 'no'. The 'ayes' have it. Second Special Session will stand in recess until after the adjournment of the Third Special Session. We'll be at ease till 10:30. The hour of 10:30 having arrived, the Third Special Session will come to order. We'll be led in prayer by the Reverend Krueger."

Reverend Krueger: "In the name of the Father, and of the Son, and of the Holy Ghost. Amen. Oh Lord, bless this Special Session to thy service. Amen. Ludwig Whitkinstein said everthing that can be thought at all can be thought clearly. Everything that can be said can be said clearly. Let us pray for heavenly wisdom. We ask of thee the wisdom the cometh from above which is pure and peacable without partiality and without hypocrisy. Teach us to think soberly of ourselves as we ought to think and bear each others burdens always. Make us fruitful if every good work to do thy will through Jesus Christ, our Lord. Amen."

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

Shea: "Mr. Speaker, I move that the Roll Call of attendance for the Regular Session be used for the Roll Call of the Third Special Session of the 79th General Assembly this date."

Speaker Redmond: "Any objection? Hearing none, leave is granted. The Roll Call for the Regular Session will be used in the Roll Call for the Third Special Session."

Shea: "I now move, Mr. Speaker, that the Third Special Session stand in recess until after the adjournment of the Regular Session this date."

Speaker Redmond: "You've heard the motion. All in favor indicate by saying 'aye', 'aye'; opposed 'no'. The 'ayes have it. Third Special



will stand in recess. House will come to order. Members please be in their seats. Order of business, House Bills, Third Reading. On House Bills, Third Reading appears House Bill 3147."

Jack O'Brien: "House Bill 3147. A Bill for an Act to amend Sections of the School Construction Bond Act. Third Reading of the Bill."

Speaker Redmond: "Representative Hoffman here? Take that out of the record. 3156."

Jack O'Brien: "House Bill 3156. A Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of the Board of Vocational Rehabilitation. Third Reading of the Bill."

Speaker Redmond: "Representative Boyle here? Here comes Representative Boyle. Clackety-clack, clackety-clack. Representative Boyle."

Boyle: "Well, thank you, Mr. Speaker. 3156 is the Bill that the distinguished Majority Leader had some problems with yesterday. I understand now that the Director Turner has ah... discussed this matter with him and that ah... I see he's gone, so I better not say too much. I just ask for a favorable Roll Call."

Speaker Redmond: "Any questions? Question is shall House Bill 3156 pass. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wished?"

Boyle: "Maybe I'd better give a little explanation. Some people are asking what it is. 3156 is the Bill we had yesterday that adds the new Section 2.1 to the operating and contingent expense appropriation for the Division of the Vocational Rehabilitation. This Section permits the expenditure of Federal funds and I repeat, it deals only with Federal funds for cases where services ah... were rendered in one year. It allows them to pay the obligation in a different fiscal year and that's all it does."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, before I had a chance to ask a question of the ah... I wonder if I'm too late, just a simple question."

Boyle: "Oh Angie, you're never too late."

Geo-Karis: "Thank you. How much money is involved Federally."

Boyle: "Well, what this is was a ah... a reappropriation... There's actually \$5,000,000 involved total Federal funds from FY75 ah... to D.V.R.'s FY76 ah... budget."



Geo-Karis: "And that's because they're short, is that right?"

Boyle: "Yes, this is a reappropriation ah... In effect, this money has been formally appropriated and not used."

Geo-Karis: "And this is for the Division of Rehabilitation, right?"

Boyle: "This is correct."

Geo-Karis: "Thank you."

Speaker Redmond: "All voted who wished? Clerk will take the record. On this question 110 'aye', no 'nay' and the Bill having received the requisite majority is hereby declared passed. Senate Bills, Third Reading. 1518. Rep..."

Jack O'Brien: "Senate Bill 1518. A Bill for an Act to amend Sections of an Act making a supplemental appropriation to the Space Needs Commission. Third Reading of the Bill."

Speaker Redmond: "Representative Brandt."

Brandt: "Mr. Speaker, Members of the House, this Bill repeals the two and a half million dollar appropriation from the General Revenue fund to the Space Needs Commission and transfers that amount in funds from the Capitol Development Bond fund to the Space Needs Commission. This bond money is to be used for all the acquisition of real property within the areas bounded by College, Monroe, First and Adams Streets and Third, Third Monroe and Second Streets and Capitol Avenue in the City of Springfield. This money is needed for the purpose of those buildings and I'd appreciate a favorable vote, ah... Roll Call."

Speaker Redmond: "Any discussion?"

Brandt: "The Senate passed this Bill by a vote of 48 to nothing."

Speaker Redmond: "Any discussion? Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. Will the Sponsor yield, please?"

Speaker Redmond: "He will."

Griesheimer: "By way of question, are we now spending more State money to increase the size of the Capitol Complex?"

Brandt: "Well naturally we've increased it. If we get the transfer of these moneys from the General ah... that we transfer from the General Revenue fund to the Capitol Development Board, we naturally issue bonds and ah... to the Space Needs Commission for the necessary pur... purchase of this ah... these properties."



Griesheimer: "I would like to speak to the Bill, Mr. Speaker. On the same day two weeks ago we were facing the question of the education over-ride. There appeared on the front page of the Journal here in Springfield a statement that the administration was backing an attempt to expend certain bond monies to purchase properties adjacent to the Capitol Complex so that in the future they could build more state buildings. I cut that article out of the newspaper and brought it back to my District as it was not generally published in the Chicago news media. There was certainly no other items that caused more dissention among the people and disgust of the people of my District than to feel that the State could not afford to support education but the state could afford to buy more property for free parking for state employees in Springfield and ultimately to build more buildings to house this bureaucracy. Now all though I deeply respect the Sponsor's desire to pass this Bill and very possibly there is a need for more space in the future. If we are truly tightening our belts in State Government to the point where we are cutting off over a hundred million dollars to our schools throughout the State then I think the City of Springfield and this giant bureaucracy we all work for can tighten its belt and forget about expanding at least this year. And I certainly urge you to vote no on this Bill."

Speaker Redmond: "Any further discussion. The question is, Representative Brandt."

Brandt: "I would like to correct the statement that was made by the Representative. The purpose of these buildings is not going to be for the purpose of parking facilities. This is for the purpose of trying to erect another office building that we need at the present time because we have spent a terrific amount of monies in rent throughout Springfield and I think by building another office building we will be able to save the taxpayers quite a bit of money. So I ask for a favorable Roll Call."

Speaker Redmond: "The question is shall Senate Bill 1518 pass. Those in favor vote aye, opposed vote no. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lechowicz."

Lechowicz: "A point of information, Mr. Speaker. Does this have an immediate effective date?"

Speaker Redmond: "I believe it does."





Lechowicz: "Does that require 107 votes then."

Speaker Redmond: "It does."

Lechowicz: "Just very briefly then Mr. Speaker, I would like to explain my aye vote. This is an item that did come out of the General Assembly just a few months ago and in turn there was alot of discussion as far as the property in vain that they were considering in purchasing. The property as Representative Brandt pointed out is a for the immediate Springfield complex and in turn it was discussed totally by the Space Needs Commission. It was discussed a number of times on this House Floor It's an item that will actually save the taxpayers of Illinois a tremendous amount of money in the consolidation of these offices and it is truly a very good Bill. I strongly recommend an aye vote."

Speaker Redmond: "Representative Ewing."

Ewing: "Yes, Mr. Speaker, in explaining my voice, vote. I would like to echo what Representative Griesheimer said about the way the people back home feel about the State of Illinois continuing to expand this bureaucracy when we can't afford to vote for education. Now I voted to sustain the Governor's veto of the education bill and I must vote against this because the two do not go together, and probably we ought to spend a little more time making our bureaucracy fit into the many buildings we already have than spending more money to expand it, and I would ask for a no vote on this measure. Thank you."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, some of these narrow arguments I have heard are the same arguments that were heard some years ago when Governor Stratton built the State Office Building across the street. There were many then who said that we were wasting money that we shouldn't be building a state office building. We saved alot of money by building it at that time. It is always going to be more expensive if you wait and you can go all around Springfield and look at state offices that the State is renting. We will save monies for the taxpayers by building a another state office building. So, I just can't buy those narrow arguments and those who are using this school issue with this issue. They are seperate issues and I think we ought to put the 107 votes on the board for it."

Speaker Redmond: "Have all voted who wish? Have all voted who wish? Clerk



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

will take the record. On this question there is 110 ayes, 42 no and the Bill having received the necessary majority is hereby declared passed. Representative Washburn."

11-20-76  
Washburn: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, it seems as though we have a little interlude here and I would like permission thank you, Mr. Speaker, during this interlude that we have here in the proceedings I would like permission to introduce a group of Astoria High School Students from Astoria, Illinois, with their instructor Mrs. Nancy Burnett. Now they are from the District represented by Representatives Kent, Schisler, and McClain. Will the students of Astoria High School please stand and be recognized."

Speaker Redmond: "House Bills Third Reading. On House Bills Third Reading appears House Bill 3147."

Jack O'Brien: "House Bill 3147, A Bill for an Act to Amend Sections of the School Construction Bond Act, Third Reading of the Bill."

Speaker Redmond: "Representative G. L. Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3147 comes about as a result of the Governor's veto this year of ten million dollars for special education construction that in the past we had taken out of General Revenue. What we do in House Bill 3147 is to put is to put Special Education in the same position as other school districts that get assistance for general building and provides for the sale of school construction bonds to the amount of ten million dollars, so I would appreciate your support of this Bill and would be pleased to respond to any questions. Local school district have already expended this money and we are reimbursing them for it."

Speaker Redmond: "Representative Tuerk."

Tuerk: "Will the Sponsor yield to a question."

Speaker Redmond: "He indicates he will."

Tuerk: "As you know we have talked about this privately, in your Bill it calls for 220,000 to a project that I'm interested in in Peoria. The school district claims it has 266 and then we had a figure yesterday of 233. Now how will this be resolved Representative Hoffman? Will it be just a normal procedure. Is it an automatic thing according to claim, or how does that work?"

Hoffman: "This does not change the procedure, the figure we had we were



looking at a claim form filed by your school district. These figures that I have come from the Office of Education and that difference will be agreed upon the same as it always has been in the past if he signs the ten million Bill. This is just getting the sources from someplace else."

Tuerk: "Thank you."

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

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

Speaker Redmond: "He indicates that he will."

Beatty: "Tell me geographically how these ten million dollars are spread out over the State of Illinois if you can briefly."

Hoffman: "The distribution of the ten million dollars is based on a existing formula which we provided assistance on the basis of the number of professional workers. The major losses and there are other school districts other than these, but the major districts that are involved are Chicago 2.2 million 969,205 dollars, Springfield 121,000 dollars, Elgin 182,000 dollars, Peoria 220 or 266 depending on which figure you take thousand dollars. East Peoria 144 thousand dollars, Rockford 218 thousand dollars, Tinley Park 139,000 dollars, East St. Louis 84,000 dollars and then lesser amounts for other school districts around the State who qualify."

Beatty: "Thank you."

Speaker Redmond: "Any further discussion? The question is shall House Bill 3147 pass. All in favor vote aye, opposed vote no. Have all voted who wish? Clerk will take the record. On this question there is, Schoeberlein, 124 aye, 6 no and the Bill having received the requisite majority is hereby declared passed. The order of Motions appears House Bill 3181, 3182, 3183. Representative Jones. Take it out of the record. On the order of business Amendatory Vetoes, acceptance of the Governor's specific recommendations, appears Senate Bill 24. 24 Senate Bill 24. Acceptance of Governor's specific recommendations is the order."

Jack O'Brien: "Representative Bradley in the Chair."

Bradley: "Regarding Senate Bill 24 the Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, Senate Bill 24 was a Bill that I started in the House as House Bill 218. Senate Bill 24 on the same subject matter was by Senator



Wooten. It deals with scholarships for members of the National Guard. We had amended it in the House to include the private institutions. The Governor by his Amendatory Veto took the private institutions out, but I think at least it is a step in the right direction and I would move for the acceptance of the Governor's specific recommendations for change."

Bradley: "Any discussion? The Gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker, I approach this knowing full well that what I say isn't going to make a great deal of difference, but I think it should be called to the membership's attention. What is involved here is a great deal of money. What is involved here is granting scholarships, an additional scholarship category to people who do not necessarily have the financial need for that scholarship, who are getting a scholarship that is entirely incidental to something else that they do, and I am sure that no one would join the National Guard because they got a tuition scholarship to a State University. Something that amounts to about \$600 and I suggest to you, that scholarships should not be given on this basis. They should be given on the basis of need and that's the direction we ought to be going in. Now in addition to that the Governor Amendatory Veto made a bad Bill worse because it removed the private Illinois colleges and universities from this application. So that a person eligible for one of these scholarships could not use it to go to one of the fine private Illinois colleges. Now that is wrong, we are diluting the taxpayers because it costs the taxpayers a good deal less to pay for a scholarship to a private college than it does to send them to a state university. I would urge that you vote no on the Gentleman's motion."

Bradley: "The Lady from DuPage, Mrs. Dyer."

Dyer: "Mr. Speaker and Ladies and Gentlemen of the House, our distinguished member of the Leadership on the Minority Side has expressed very very well all of the things that I was going to say. So, I am just going to very briefly remind you that if you vote yes on this Motion you are voting for a clearly discriminatory motion because for the Scholarship Commission to award a \$600 scholarship to these people who serve in this National Guard and to say that this \$600 tuition may not be applied to the private colleges and universities in this State is distinctly unfair. It breaks up the whole intent of the system of our scholarships in this State. So I urge a no vote on this Motion."



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

Hirschfeld: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. When I came down here five years ago and began serving on the Higher Education Committee, Don Hence was the Chairman of that Committee at that time from the Rock Island area, and he looked over at the two brothers Walsh and he said I want you to take their guidance on everything until we get to the subject of scholarship. Then I suggest you steer a wide path and I would suggest to the Members of this House this morning that we do likewise. I have sat on that Education Committee now five years and I am all for the private institution, but Ladies and Gentlemen of this House, there is a question of need here. As a matter of fact people will sign up for the National Guard in order to get this scholarship help. It's just that simple. That's one of the reasons behind the Bill. Secondly I think it should be pointed out as a matter of history in this House, while I don't favor the idea, generally what is happened is the public institutions come in first and the following year a Bill is introduced to grant coverage to private institutions and we bring them within the same gap that the public institutions have. It would be nice if we could do it all at one time, but those of us that are interested in education believe that half a loaf is better than none and I would recommend we support the Motion on the Amendatory Veto."

Bradley: "The Gentleman from Logan, Mr. Lauer."

Lauer: "Mr. Speaker, Ladies and Gentleman of the House, my thoughts were well expressed by Representative Hirschfeld, so I won't take the time of the House."

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

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

Bradley: "He indicates that he would."

Skinner: "What is this going to cost per year over the next couple of years?"

Shea: "If everybody utilized it probably around 600,000 dollars a year."

Skinner: "That is every member of the National Guard?"

Shea: "Every enlisted member."

Skinner: "Can you be drafted into the National Guard?"

Shea: "Not to my knowledge."

Skinner: "I don't understand the difference, I'm sorry. I have never been in the National Guard, how do you get in if you don't enlist?"



Shea: "You enlist, but when I used the term enlisted men, it's a technical difference between officers and enlisted men."

Skinner: "Well, back in McHenry County, we're everybody is equal. \$600,000 a year is not that much money, I guess, but well, what the Hell."

Bradley: "The Gentleman from Cook, Mr. Terzich, Mr. Terzich, please."

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

Bradley: "The Gentleman moves the previous question. The question is shall the main question be put. All those in favor will signify by saying aye, opposed no. The ayes have it. The Gentleman from Cook Mr. Shea to close."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I think it is a good program, I think it will help keep our militia up to strength. I think it is an opportunity for people to get an education that might otherwise not have it. I, too, like Mr. Walsh supported the Amendment to put our private institutions in, but it just was not available and I will not just throw one program away because I can't have my way in everything and I would appreciate the support of the House for 89 votes."

Bradley: "The question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 24 by adoption of this Amendment. All those in favor will signify by voting aye, those opposed by voting no. The Lady from Lake, Ms. Geo-Karis to explain her vote."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, I was for the original Bill but with the Amendment taking out the private colleges this would be a greater burden on the private colleges and if they all close they are going to make a greater burden on the taxpayer. And certainly if the private colleges were had been allowed to remain in this Bill we could have utilized their services in a more equitable manner. Therefore, much as I am in sympathy with the Bill I do not feel it is fair to restrict the way the Governor has done so and therefore, I vote present."

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

Maragos: "Mr. Speaker and Members of the House. I, too, wish to echo the remarks of the Majority Leader who is sponsoring this Legislation in this House in asking for the concurrence. We all agree and I agree that we should have the private sectors included in the school program I see we



have 93 votes so therefore at this time, I thank you for your support."

Bradley: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question we have 112 ayes, 40 no's, 1 voting present and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 24 and the Motion is adopted. On the calendar appears Senate Bill 66. Mr. Hart votes aye on Senate Bill 24. The Gentleman from Kane, Mr. Friedland."

Friedland: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I would move to accept the Governor's Amendatory Veto concerning Senate Bill 66. His Amendatory Veto corrected an error in the legal discription. I urge your favorable consideration."

Bradley: "Any discussion? If not, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation to change with respect to Senate Bill 66 by adoption of the Amendment. All those in favor will signify by voting aye, those opposed by voting nay. Have all voted who wish? Have all voted who wish? On this question, or the Clerk will take the record. On this question there are 151 ayes, no nay's, 1 voting present and the motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation for Senate Bill 66. On the calendar appears Senate Bill 223. The Gentleman from Dupage Mr. Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur in the amendatory veto of the Governor on Senate Bill 223. During the last Session of the General Assembly we passed House Bill 598 which established a schedule for maximum amounts collectible from responsible relatives on for people who were involved in developmental disabilities department. We provided for the schedule for people in private facilities would be the same as the schedule for people in public facilities. This Amendatory Veto brings Senate Bill 223 into conformity with House Bill 598 which was signed by the Governor by adding language and referring to some of the language in 598 and I would move for the acceptance of the Governor's Amendatory Veto on Senate Bill 223."

Bradley: "Discussion. If none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change in regard to Senate Bill 223 by adoption of this Amendment. All those in favor will signify by voting aye, those opposed by voting nay. Have all



voted who wish? Have all voted who wish? The Clerk will take the record. On this question we have 151 ayes, 1 nay, none voting present and the motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 223. On the Calendar appears Senate Bill 267. The Gentleman from Knox, Mr. McMasters."

McMasters: "Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 267 as passed deleted the requiremet for County Commissioners and the Commissioned Counties down state, deleted the requirement that they file a report for reimbursement of expenses incurred in the duties of County Commissioner. The Governor is deleting this part or putting it back in and I am in complete agreement. I think that the County Commissioners or County Board Members should all report their expenses to the County Board, so I am moving to concur in the Senate's actions on Senate Bill 267."

Bradley: "Discussion. Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 267 by the adoption of this Amendment. All those in foavor will signify by voting aye, those opposed by voting nay. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 148 ayes, no nays, none voting present and the motion prevails and the House does concur with the Senate by accepting the Governor's specific recommendations regarding Senate Bill 267. On the calendar appears Senate Bill 445, the Gentleman from Cook, Mr. Terzich."

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 449 the Governor's message correctly points to a technical error in the language requiring the deletion of act and an insertion of code in reference to the Illinois Pension Code, and I would urge an aye vote on this recommendation."

Bradley: "Mr. Terzich, I believe it is Senate Bill 445, correct sir."

Terzich: "That's correct."

Bradley: "Discussion. If none the question is shall the House concur with the Senate in accepting the Governor's specific recommendations for change in respect to Senate Bill 445 by the adoption of the Amendment. All those in favor will signify by voting aye, opposed by voting no. Have all





voted who wish? Have all voted who wish. The Clerk will take the record. On this question we have 155 ayes, no nays, 1 voting present and the Motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 445. Senate Bill 518, the Gentleman from Cook, Mr. Maragos."

Maragos: "Mr. Speaker, this time I move that we concur with the Amendatory veto of Senate Bill 518. The Amendatory Veto merely puts back into the Bill the law before it was amended the language which allowed the taxpayers to have in Cook County to have the same right the taxpayers have in the other counties regarding their appeal of assessments. Therefore I ask that we concur with the Amendatory Veto."

Bradley: "Is there any discussion? Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 518 by adoption of the Amendment. All those in favor will signify by voting aye and those opposed by voting nay. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 156 ayes, no nays, three voting present and the Motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 518. On the calendar appears Senate Bill 522. The Gentleman from Cook, Mr. Molloy."

Molloy: "Mr. Speaker and Ladies and Gentlemen of the House. I would move that the House concur on the Governor's specific recommendation on Senate Bill 522 which adds the restriction of loans made to officers and directors of credit unions and further clarifies what instruments credit unions may sell to their members."

Bradley: "Discussion. Hearing none. The question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 522 by the adoption of this Amendment. All those in favor will signify by voting aye, those opposed by voting nay. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 154 ayes, no nays, two voting present and the Motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 522. Senate Bill 617, the Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I move that



the House do concur with the Senate's recommendation to accept the Amendatory Veto of the Governor on Senate Bill 617. Senate Bill 617 as it passed originally totally exempted from the Child's Labor Laws dealing with minors employment for those who were in a comprehensive employment training program. That Bill as it originally passed also exempted these children who were in the CETA program from the regulations of the Child Labor Law. The Governor in his Amendatory Veto indicated that he felt that we were going too far by exempting them from the protections of the Child Labor Law Act. His Amendatory Vety places language in there which would allow the exemption from some of the provisions of the Child Labor Laws but not those that are of a protective nature and I move that we accept that recommendation."

Bradley: "Discussion. Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 617 by the adoption of the Amendment. All those in favor will signify by voting aye, those opposed by voting nay. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 156 ayes, 1 nay, none voting present, and the Motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation for change regarding Senate Bill 617, and Mr. Richmond wants to be recorded as voting aye. On the calendar appears Senate Bill 699. The Gentleman from Peoria, Mr. Mudd."

Mudd: "Yes, Mr. Speaker, I would move to accept the specific recommendation of the Governor as to Senate Bill 699 in the manner and form as follows: On page 5 by deleting line 7 through 26 and inserting in lieu thereof received salary any fireman who shall enter the service after the effective date of this Amendatory Act shall be examined by one or more practicing physicians appointed by the Board and if said examination discloses enfarmment of the heart, lungs, or respiratory tract such as firemen shall not be entitled to receive occupational diseases disability benefits unless and until a subsequent examination reveals no such empartment. This is the only Amendment that was made to this Bill and other than this it remains in the exact form that it left the House and Senate so I would move to concur with those specific recommendations."

Bradley: "Discussion. Hearing none, the question is shall the House concur



with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 699 by the adoption of the Amendment. All those in favor will signify by voting 'aye'; opposed by voting 'nay'. Have all voted who wished? The Gentleman from Cook, Mr. Duff, wishes to be recorded as 'aye'. Have all voted who wished? On this question there are 144 'ayes', 7 'nays', 3 voting 'present' and the motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 699. Senate Bill 701. The Gentleman from Adams, Mr. McClain."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would move that we accept the specific recommendations put forth by the Governor to Senate Bill 701. He's altered the Child Labor Act that we passed ah... here last spring to include that 14, 15 year olds cannot also work in gasoline stations and also that during the summer months, that is between June 1 and ah... September 1, that now they may work up to 9 p.m. Previously they were forbidden and I would move to accept these recommendations put forth by the Governor."

Bradley: "Is there any discussion? Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change regarding Senate Bill 701 by the adoption of the Amendment. All those in favor will signify by voting 'aye' and opposed by voting 'nay'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question we have 145 'ayes', no 'nays', 5 voting 'present' and the motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 701. Senate Bill 707. The Gentleman from Fulton, Mr. Schisler."

Schisler: "Mr. Speaker, Ladies and Gentlemen of the House, I move that we accept the Governor's specific recommendation to Senate Bill 707. It simply ah... provides that the ah... State Scholarship Commission and its Chairman shall be appointed with the advice and consent of the Senate and the House of Representatives. Now the Governor's ah... recommendation deletes the provision for the Governor's designation of one member to be Chairman of the State Scholarship Commission to be with the ah... advice and consent of the Senate and I move



that the House concur with the Governor's specific recommendation."

Bradley: "Discussion? Hearing none, the question is shall the House...

Pardon me, the Gentleman from Cook, the Majority Leader, Mr. Shea."

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

Bradley: "He indicates that he will."

Shea: "Does the Amendatory veto say that none of the members are to be approved by the Senate or what?"

Schisler: "No, the ah... the rest of the members will be ah... with the advice and consent of the Senate. Only the Chairman will be ah... deleted from that."

Shea: "Well why is it that when you appoint members to a board and you designate one of them Chairman, why should the members of the board, should there be advice and consent on the members but not on the Chairman?"

Schisler: "Ah... I can't answer why the ah..."

Shea: "Gale, could you take this out of the record so we could talk about it?"

Schisler: "Be happy to."

Shea: "Thank you."

Bradley: "Take it out of the record. On the Calendar appears Senate Bill 827. The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 827 is the downstate transportation Bill and inadvertently got into the Bill where the State would to be obligated indefinitely and the Governor's specific recommendation is to change that to one year which was the original intent. So I move that we accept the Governor's ah... specific recommendation to Senate Bill 827."

Bradley: "The... Any discussion? If none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 827 by the adoption of the Amendment. All those in favor will signify by voting 'aye'; those opposed by voting 'nay'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 140 'ayes', 3 'nays', 3 voting 'present' and the motion prevails and the House does concur with the Senate



in accepting the Governor's specific recommendation regarding Senate Bill 827. On the Calendar appears Senate Bill 845. The Gentleman from Cook, Mr. Terzich."

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, ah... Senate Bill 845 amends the Personnel Code. The Amendment states that after an appeal if an employee is reinstated, the employee shall receive full compensation for the time he was off work. Ah... the Governor's Amendment simply states that the reimbursement would be less any remunerations that the person would receive such as unemployment compensation and I would ah... request a ah... we sustain the Governor's Amendatory veto."

Bradley: "Discussion? Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 845 by the adoption of the Amendment. All those in favor will signify by voting 'aye'; those opposed by voting 'nay'. All voted who wished? Have all voted who wished? The Clerk will take the record. On this question 136 'ayes', 3 'nays', 9 voting 'present' and the motion does prevail and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 845. The Speaker has given the permission for some pictures to be taken for the next ten minutes. We just call to the Members attention that they will be taking some pictures on the floor of the House. On the Calendar appears Senate Bill 1022. The Gentleman from Cook, Mr. Merlo."

Merlo: "Mr. Speaker and Members of the House, I move that the House accept the Governor's specific recommendation regarding Senate Bill 11, 1022. It seems that ah... the exemption of refunds from attachment and garnishments procedures was deleted from the Bill and of course this did not then meet the recommendations of the Pension Laws Commission. This has been a standard exemption in our Illinois Pension Laws for the past fifty years. Again, Mr. Speaker, Members of the House, I recommend the, that we adopt the specific recommendations of the Governor."

Bradley: "Discussion? Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 1022 by adoption of



the Amendment. All those in favor will signify by voting 'aye'; those opposed by voting 'nay'. 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 129 'ayes', 11 'nays', 7 voting 'present' and the motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 1022. For what purpose the Gentleman from Cook, Mr. Schlickman, arise?"

Schlickman: "Mr. Speaker, I have an inquiry with regards to a specific recommendation for change that we'd acted upon previously. It involves Senate Bill 699 and I'm wondering if the Clerk could confirm that the recommendation does not ah... concur with the Governor's specific recommendation and if that's the case, I'd like to move to reconsider having voted on the prevailing side."

Bradley: "We're waiting for that to come back down, Mr. Schlickman. Could we go ahead for the next Bill while we're waiting?"

Schlickman: "I'm advised by staff that what we accepted is not consistent with the Governor's recommendation. Now if that's the case, I'd like an explanation from the Sponsor that's satisfactory or else I'm going to move to reconsider it."

Bradley: "The Gentleman from Peoria, Mr. Mudd."

Mudd: "Yes, Mr. Speaker, I'd like to know what specific areas that ah... he is ah... talking about. The Bill is very broad and unless he can identify some specifics, it would be almost impossible for me to answer it."

Schlickman: "Sure, if I may. The Governor's recommendation was a second problems involves the Amendments to Section 4-114 which increases the pension rate for a minor child from 8% to 12%. According to the Commission, Pension Laws Study Com... ah... I guess the Pension Laws Study Commission..."

Mudd: "Okay."

Schlickman: "The 12% rate exceeds the recommended rate of 10% of salary as stipulated by the Commission for Chicago policemen and that's not in your Amendment."

Mudd: "Mr. Speaker, I think that ah... Mr. Schlickman, I have a, a letter of October 31 where this Bill was again reviewed by the Governor's



office and staff and ah... they made a new recommendation for this of October the 31st. I have that."

Schlickman: "Oh, the Governor revised his recommendation for change?"

Mudd: "Yes, sir. That's probably why there's misunderstanding, but this is the way it came out of the Senate 54 ah... to nothing. It was the same motion that ah... Senator Shapiro used."

Schlickman: "Let me speak to the Sponsor. Thank you, Mr. Speaker."

Bradley: "You ah... you don't wish to make a motion, right, Mr. Schlickman?"

Schlickman: "Well, I'd like to speak to the Sponsor first."

Bradley: "All right, could we go ahead with the order of business and you two work it out and we'll get back to you."

Schlickman: "Please, yes, thank you. Thank you."

Bradley: "Now on the Calendar appears Senate Bill 1108. The Gentleman from Cook, Mr. Epton."

Epton: "Mr. Speaker, Ladies and Gentlemen of the House, I move acceptance of the Governor's specific recommendations on Senate Bill 1108. This Bill originally prescribed the distribution of an insurance companies assets after liquidation. The Governor thought that the authorities of the government should be removed from State Class 4 to Class 2 and although the Insurance Study Commission is not particularly thrilled with that Amendment, the fact remains that the Bill itself is a step forward. And, therefore, I ask for a favorable vote."

Bradley: "Discussion? Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 1108 by adoption of the Amendment. All those in favor will signify by voting 'aye'; those opposed by voting 'nay'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 153 'ayes', 1 'nay', 1 voting 'present' and the motion prevails and the House does concur with the Senate in the, in accepting the Governor's specific recommendation for ah... on Senate Bill 1108, Mr. Marovitz would like to be recorded as voting 'aye'. On the Calendar appears Senate Bill 1157. The Gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. I would move at this time to



accept the specific recommendation of the Governor on ah... Senate Bill 1157. This was the deputy sheriff or auxiliary sheriff Bill sponsored by Senate Latherow in the Senate. The Governor recommended that the deputy ah... would have to engage in certain mandatory training in order to ah... engage in this. It's my understanding from what Senator Latherow told me that the recommendation is 40 hours of police training and I would move the acceptance of this recommendation."

Bradley: "Discussion? Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation... Gentleman from Cook, Mr. Lechowicz."

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

Bradley: "He indicates that he will."

Lechowicz: "Who is supposed to pick up the cost of this training?"

Griesheimer: "I would presume that is going to be a cost born by the State, but I can't specifically answer the question."

Lechowicz: "You want to take the Bill out of the record until we find out?"

Griesheimer: "I will be more than happy to take it out of the record."

Bradley: "Take it out of the record."

Lechowicz: "Thank you."

Bradley: "Senate Bill 1392. The Gentleman from Franklin, Mr. Hart."

Hart: "Ah... Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Ah.. in moving the accept the specific changes recommended by the Governor, I would advise the Membership that ah... I think the Governor's Amendatory veto does clear, clear up an, an ambiguity that existed and all it does is it provides that this ah... benefit will be available only when the employee of the Department of Corrections are working within the penal institutions. So I would move to accept."

Bradley: "Discussion? Discussion? Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 1392 by the adoption of the Amendment. All those in favor will signify by voting 'aye'; those opposed by voting 'nay'. Have all voted who





wished? Have all voted who wished? Marovitz 'aye'. On this question, er... the Clerk will take the record. Mr. Getty wants to be recorded as voting 'aye'. Would you put him on there. Record Mr. Getty as voting 'aye'. The Clerk will take the record. On this question there are 143 'ayes', 2 'nays', 1 voting 'present' and 1... and the motion does prevail and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 1392. Now we'll go back to Senate Bill 707. The Gentleman from Fulton, Mr. Schisler."

Schisler: "Mr. Speaker, Ladies and Gentlemen of the House, I ah... now renew my motion that ah... we accept the Governor's specific recommendation to Senate Bill 707."

Bradley: "Discussion? Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 707 by the adoption of the Amendment. All those in favor will signify by voting 'aye'; those opposed by voting 'nay'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 148 'ayes', 5 'nays', 2 voting 'present' and the motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 707. Mr. Griesheimer, have you and Mr. Lechowicz come to an agreement on the... Take it out of the record. On the Calendar under Amendatory veto motions appears a motion to concur with the Senate in overriding the Governor's specific recommendation for change with respect to Senate Bill 45. On the question, on that motion the Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 45 amends an Act that was passed in the last session of the Legislature, I believe, that would ah... require renters in Chicago, cities of 500,000 to pay ah... to pay interest on security deposits. This Bill ah... extends that to suburban Cook County and to downstate Illinois. Ah... An Amendment was added in the House that would permit the interest be held until the security check is returned. The Governor used the Amendatory veto to remove that from ah... provision and I would ask your support in overriding his



Amendatory veto of this Act. The Senate has taken this action and I would ask the House to do likewise."

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

Merlo: "Mr. Speaker and Members of the House, as the principle Sponsor of the existing statute that directs itself to the payment of interest on security deposits on residential property 25 units or more, I appeal to you to oppose the motion to override the Governor's veto. As amended, the Bill postpones the time when the owner or the operator is obligated to pay this interest. Instead of being required to pay such interest annually, the owner would be relieved of his obligation to pay it until the time of the return of the interest. Several serious problems would be created if we were not to vote against this override. Under the provisions of Senate Bill 45, the renter is denied access to interest income due him for the inter... for the long period of time. The Bill circumvents the basic intent of the Act being amended which provides an annual interest income on security deposits held by the landlord. Further, in order to be consistent with the basic concept of an interest payment under the existing law, if the annual interest payment is to be delayed then the law should also provide for compounding of interest. It does not do this. Under the present provisions, interest would be paid at the time of the return of the security deposit. It is not clear what the status of the interest is if the security deposit is not returned. The intent of the present Act is clearly to pay interest on security deposits regardless of the final disposition of the deposit. Computation of interest due after a long period would be more difficult for the renter than a simple annual calculation. This Bill, there is no doubt, is a big ripoff. It's a special interest Bill as it is written and was initiated by the teal estate lobbyists. These deposits are lining the pockets of many of these high-rise owners. I think we, as Legislators, should consider the newly-wedded, the adult individual on a fixed income, the young because this is money they have on deposit. It's their money and certainly they should receive their interest so they can use of this interest money on an annual basis. This is a very important issue and the Governor's Amendatory veto of Senate Bill 45 is one that is



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

just and I think it's necessary and I appeal to every Member of the House to support me on a 'no' vote."

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

Lundy: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, one of my major interests in ah... joining this Body has been to attempt to improve the lot of tenants in the State of Illinois by changing some of the archiac landlord-tenant law that still prevails in this State. I certainly support the original objective of this Bill which was to extend to tenants in downstate areas the benefit of getting interest on security deposits held by their landlord. I think it is most unfortunate that an Amendment was added which deprived tenants of the right to receive the payment of that interest on an annual basis or at least the right to have it credited on an annual basis against their rent due. As the Bill stands with the Amendment, tenants would not have that right. They would have to wait until the end of the lease term which in the case of some long-term tenants might be as much as 20 or 30 years before they would be entitled to the payment of that interest. So, in effect, it will be denying that interest to many tenants. Now I feel badly that the Sponsor in the Senate decided to try to override the Governor's Amendatory veto which would have removed that bad Amendment from what was basically a good Bill. Since that decision was made, I understand that the House Sponsor has no other choice than to also try to override, but I oppose that action and I would urge Members of this Body who care about tenants, who care to see that tenants in residential property are getting a fair shake to oppose this override. The Governor's Amendatory veto should have been accepted. If we fail to override here which I urge that we do and sustain the veto, we can try in the spring session to, to accomplish the original salutary purpose of this Bill which is to extend to downstate renters as well as to those in the City of Chicago, the right to receive interest on their security deposits, but if this Bill is overridden and becomes law in the form it passed the General Assembly, it will be a gigantic step backwards for the tenants of the State of Illinois."

Bradley: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. I speak in favor of the motion."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

One of the things I think that people tend to overlook or ignore is the fact that needless regulations, additional red tape does not cost money. Now it does cost money. It costs money to write a check. It costs money to keep books. It costs money to figure out what the interest is from March 1 down to December 1 to whatever the annual period would be. It costs money to keep these books, to hire bookkeepers and to process these checks. Now by requiring that these checks be made out every single year as opposed to one at the end, you're increasing the cost of the landlord doing business. He has no alternative but to raise rents. So the tenant is going to pay for it anyway. Why not take a step in the direction of reducing the costs of the landlord doing business so that they can reduce rent. Now one or two things can happen. If there is, in fact, competition among landlords to rent rooms, you're going to have reduced rent. However, they cannot reduce their rent below a, a proper return and either that or they go out of business. If you want to increase the cost of, of doing business and cause increased rents, then I suppose you should oppose the motion. But I think the only sensible thing is to if we're going to require that the landlord pay interest on deposits, try as much as possible to reduce the cost to the landlord of making these payments and this is a step in the right direction. I support of the motion."

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

Marovitz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I've heard some talk about reducing costs to the landlord and then we get reduction in rent. When was the last time we saw reduction in rent. I don't think anybody in this House is fooled that we're going to get reduction in rent if we vote for the override of this Bill. I think it's about time that we oppose this override and vote 'no' and start about the leasee, the renter. You're not going to get lower rent and just because you're saving a few dollars in checks, you're helping the individuals who are continually getting raises in their rent. Let's start thinking about the people that put us here and vote 'no' on this override."

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

Schlickman: "Thank you, Mr. Speaker, Members of the House. In



considering the motion to override the Governor's specific recommendation for change, I think it's well that we review the present law as well as reviewing this Bill as it was introduced and as it was amended here in the House previously. The law presently provides that only in the City of Chicago shall a leasee receive interest on his or her security deposit. This is discriminatory. That same benefit should be available to suburbanites and downstaters. Earlier this year there were three Bills introduced. One by a Cook County suburbanite, one by a Legislator from DuPage, and one by a downstater. Each of these Bills basically provided that the benefit now received by leasees in the City of Chicago will be received by suburbanites and downstaters. Thereby, eliminating the discrimination that presently exists. Now this Bill, Senate Bill 45, was amended here in the House to provide that the interest shall be made available less frequently than the law presently provides. Instead of every year, it shall be provided at the term, at the termination of the lease. Now that was a compromise, Mr. Speaker and Members of the House; and without that compromise this Bill would not have passed. And the Bill as amended here in the House was passed by this House by 120 votes 'aye' and only 4 'nay'. Now where do we stand now, Mr. Speaker, Members of the House? If we do not override the Governor's veto, Senate Bill 45 will be defeated and the discrimination that presently exists will continue. All that the Sponsor of this Bill is requesting by his motion to override, is exactly what this House did earlier this year and was to pass this Bill. We simply suggest, Mr. Speaker and Members of the House, that the Governor in his wisdom, made an error and that we should correct that error by overriding his veto. Thereby, putting Senate Bill 45 into law and thereby eliminating the existing discrimination. This Bill is not a ripoff. This Bill is reform and will provide to suburbanites and downstaters who are leasees the benefit that is now received only by leasees in the City of Chicago and I respectfully suggest and sincerely solicit your 'aye' vote on this motion to override."

Bradley: "The Gentleman from Madison, Mr. Wolf."

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



Bradley: "The Sponsor indicates that he will."

Wolf: "Sir, could you tell me what the average amount of a security deposit would be?"

Kempiners: "The average amount? Well, not state wide in my area. It's generally a one month's rent..."

Wolf: "Let's say in your area."

Kempiners: "In my area would probably be between \$125 and \$150."

Wolf: "\$150. We're talking about interest on \$150?"

Kempiners: "Right."

Wolf: "It seems to me this is kind of ridiculous that we'd be talking about refunding, paying interest to a person for one year. The cost of the check would probably more than the interest in most cases, wouldn't it?"

Kempiners: "Well, this is the point that I'm making, sir, that ah... it's going to cost more than the ah... renter is going to get back ah... so what we're doing is ah... accumulating this interest and making it in one payment after the termination of the lease."

Wolf: "Thank you very much."

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

Skinner: "I'm usually willing to settle for what's good enough for Cook being good enough for my area, but in this case, it seems to me that if I follow Representative Lundy's logic, I will have no interest being drawn, being paid on my ah... my tenant's deposit unless we can get a Bill passed this spring. Now I'd rather have the interest accruing and having the landlords pay some interest than have no interest and I would really almost plead with the Members from Chicago that if this is wrong, if it should be paid annually ah... let's change it next spring, but for Pete's sake let us have something like you have. Let our tenants have some rights. If this motion is defeated, our tenants will be getting nothing back on their deposits. Now the comment has been made that ah... a tenant may live in a, in a ah... an apartment building for 20 or 30 years and I would respectfully submit that the tenants in downstate Illinois move around an awful lot more than the tenants do in Chicago. Whereas a senior citizen may live in a residential hotel for 20 years ah... In the apartment building that I lived in



in Crystal Lake, my heaven's, they were turning over almost every two years or under every two years and so they would be getting money back within a reasonable period of time. I really think we ought to override this veto and next year if you think that it needs to be paid annually, you in Chicago who don't represent anyone who will be getting any of this interest, I'll be happy to go along with that."

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

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

Bradley: "The Gentleman moves the previous question. The question is shall the main question be put. All those in favor will signify by saying 'aye'; opposed 'no'. The 'ayes' have it. What purpose does the Gentleman from Cook, Mr. Lundy, arise?"

Lundy: "Thank you, Mr. Speaker. A point of parliamentary inquiry. I understand that the Senate has adopted a motion to override the ah... Governor's specific recommendation for change on this Bill. Ah... And I... My question to the Chair is this. Should the House fail to adopt a similar motion, that is, should the House refuse to override the specific recommendation for change, would it then be in order for the Sponsor of the Bill or for some other Member to move to accept the Governor's specific recommendation for change and then to permit the Bill to go back to the Senate for a vote on the motion?"

Bradley: "I understand that the Attorney General, from the Parliamentarian the Attorney General has issued an opinion that there is no way for us to reconcile the differences between the House and the Senate on a veto. So your answer, the answer to your question, sir, would be 'no'."

Lundy: "Thank you."

Bradley: "Now back to the question. The Gentleman from Will, Mr. Kempiners, to ah... close debate."

Kempiners: "Thank you, Mr. Speaker. I would like to close by saying that the charge has been made that this is a special interest Bill. Well let me tell you this. The special interest you're referring to downstate don't want this Bill because they're going to lose 5% a month on their security deposit. Now it's true that the Amendment



was put on at the request of some realtors, but I did this because a person in my district who rents building said that if the Amendment didn't go on, he would have to increase rent and he wouldn't increase them for less than \$5 a month. That means the renter would be paying \$60 a year to get 7% er... \$7 in interest back. Well that just doesn't make sense to me. Now the other problems that's been brought up is payment of interest due to the renter. I would be willing to support in the next session, in fact, I'd be willing to introduce a Bill that would mandate a return on the, on the ah... or interest paid whether the deposit is returned or not because I feel that the renter is due this money. So if there's a problem there, fine. I'd be willing to help correct it. And as far as reduction of their rent, I'll make charge... claim that there's a reduction in the rents, that there would be with this Bill passed; but I would say that if we did what others would like us to do, there certainly would be an increase in rents and I don't want to be responsible for that and I don't think the Members of this Body would want to be responsible for that. Now those of you who are from suburban Cook County and downstate Illinois if you vote against this motion, you're voting against the renters in your district. If you vote for this motion, you're going to be doing something on behalf of the people who rent units in your district and I would appreciate an 'aye' vote on my motion."

Bradley: "The question is shall Senate Bill 45 pass, the Governor's specific recommendation for change notwithstanding. All in favor will signify by voting 'aye'; opposed by voting 'nay' and the Gentleman from DeKalb, Mr. Ebbesen, to explain his vote. Well, his light was flashing. I'm sorry. The Gentleman from Cook, Mr. Mugalian, to explain his vote."

Mugalian: "Mr. Speaker, I ah... I'm not going to explain my vote 'cause I'm not sure yet how to vote, but I have a question that perhaps the Sponsor or someone else can answer it in connection with this Bill and that is whether or not this Bill affects the existing law in Chicago. Would the passage of this Bill also require ah... Chicago tenants to wait for the lifetime of their lease or does it not affect the existing law in the Chicago situation?"





Bradley: "Mr. Matijevich to answer the question, explaining his vote."

Matijevich: "Yes ah... Mr. Speaker, Members of the House, I think the proper vote on ah... this Bill is if you're outside of Chicago, you vote 'aye' and that's what I'm voting for ah... 'aye' because I'm outside the City of Chicago. We don't have any benefits to the lessees. If you're within the City of Chicago, I'd vote 'no' because it does damage to the existing law and I agree entirely with Representative Merlo and Representative Lundy and I disagree with ah... Schlickman when he said the Governor was wrong. The Governor was right because he wanted to extend the benefits of the existing laws state wide and, and I think that that was right. The person who was wrong was Senator Fawell in ah... trying to have it total override in the Bill ah... So I think anybody from the City of Chicago ought to be voting 'no'. If you're outside the City of Chicago, you ought to be voting 'aye'."

Bradley: "Does the Gentleman from Lake, Mr. Griesheimer, wish to explain his vote? Mr. Griesheimer."

Griesheimer: "Mr. Speaker, in explaining my vote, I would just like to say that it appears that this Bill has been compromised to the point where it's completely impractical ah... to be used in the average situation. Anybody that has ever had any association with owning property and renting property knows that when they open up a savings account on which to draw the interest on these security deposits, they must also give their taxpayers identification number or their social security number and each year the landlord must report that as part of his income. The way this has been improved now is that the landlord would hold this money anywheres from 5 to 10 years or as long as the tenant is in the building and would end up ah... trying to get away with not paying income tax on it on the theory that the interest is being returned and I think I.R.S would all over every landlord. Ah... I think the Bill has been improved to the point where it's totally disrupted and we cannot allow a Bill like this to go into law."

Bradley: "The Gentleman from Cook, Mr. Merlo, to explain his vote."

Merlo: "Mr. Speaker and Members of the House, I think you all agree with me that this subject has been very, very close to me and I



think that I know what I am talking about. I want to tell you this that when Representative Schlickman rose and said it was a compromise, I will agree. It was a compromise and the only way they could of passed this Bill is that they would agree with the Illinois Real Estate board because Bob Cook mentioned to me whether I would accept it and I said 'no'. Now let me tell you what you are doing. You are now saying to the landlord that you not can only hold the security deposit at the termination of the lease, but you'll know be able to hold the interest and neither will be returned to the tenant. If you think you're doing the downstaters a big deal by passing this Bill, go ahead. They'll never get a cent because all of your problems occur at the termination of the lease and when the money is returned. Now you're giving them two, two means of lining the pockets of these greedy, high-rise owners. And I particularly refer to them because it relates to only units, 25 units or more of residential property. But go ahead, let them hold security deposits, let 'em hold the interest as well if this is what you want."

Bradley: "The Gentleman from Sangamon, Mr. Jones."

Jones: "Mr. Speaker and Members of the House, in explaining my vote.

One of the Bills that I introduced was in the same vein and is ah... the Senate Bill was passing... Our Bill was tabled in the Senate. We just simply want to do for downstate what we're doing for Chicago to give the, the ah... renters the interest on their, on their deposits and that if you make it a big problem with the landlords, they're going to raise the rent and wipe it out and that ah... surely is not the objective. It's like the homestead. Some of the people say to me, you gave me a \$1,500 homestead tax exemption, but then erase my taxes and wipe it out. So ah... in all fair play that the ah... downstate ah... renters should receive ah... this interest just as they do in Chicago and I urge your support to get 89 votes on this board."

Bradley: "The Gentleman from Madison, Mr. Wolf, to explain his vote."

Wolf: "Mr. Speaker, Mr. Speaker, to explain my vote. I do resent the phraseology of the one Representative with reference to real estate developers and apartment owners. I think this is an unfortunate statement. There are a lot of people in this House who do have



interest in real estate and I think they resent the remarks of this Gentleman. Also, I'd like to ask him one question. We've been talking about an astronomical sum and a exaggerated lease. Somebody will have to show me where a tenant in an apartment building has signed a 20 year lease. All the leases that I've been familiar with of tenants in apartment buildings have been anywhere from 3 to a maximum of 5 years. So we're still talking about a very low sum, a very low amount of interest and I think that the cost in so far as the apartment owner in trying to refund interest on an annual basis on an average deposit of \$125 is absolutely ridiculous. Thank you."

Bradley: "The Gentleman from Will, Mr. Kempiners, to explain his vote."

Kempiners: "Thank you, Mr. Speaker. I think in some of the explanation of votes, we got away from the primary concern of this Bill and that is should downstate and suburban Cook County tenants receive interest payments on their security deposit. If you think they should, you ought to be voting green. If you think they shouldn't you ought to be voting red. That's as simple as this is. Now, I suggest that this original law covered only Chicago for a reason and I think that reason probably was and I'm suggesting this. I'm not saying it's the case because that wouldn't haven't gotten passed without taking out downstate. Well, all right, we're realistic. We know that we've got to give and take. Well I want to give my constituents who rent something and that's interest payment on their security deposits. I represent suburban and downstate communities. If you want your people, if you're from suburban and downstate to have that same interest, vote green. If you don't, vote red. It's as simple as that."

Bradley: "Have all voted who wished? Have all voted who wished? For what purpose does the Gentleman from Cook, Mr. Merlo, rise?"

Merlo: "A point of personnel privilege. ...Representative back here was talking about the sums involved in some of these transactions that are taking place and made reference that perhaps I ah... wasn't aware of some of the amounts that are, are in some... on deposit. Let me give you some figures. Unfortunately, these are 1970 and appeared in the Tribune on May 10, Burden Warner. \$2,000,000 in security deposits. \$2,000,000. Lakeshore Management, previously



Mid-Continental \$1,140,000. Rhuebloff 4,000 units, approximately \$300,000 and they're talking about cost. At an interest rate of as high as 9 and a half percent and you're going for this. You downstaters better watch because they are going to get nothing, nothing; and one other thing. I will support a Bill when we come back in January to make this state wide, but of course not with the Amendment that was attached to the Bill. I urge you again to vote 'no' on this proposition."

Bradley: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 81 'ayes', 68 'nays, 12 voting 'present' and the motion fails and the Governor's specific recommendation, or the Governor's... Pardon me, the Governor's veto is sustained. Now if we might go back to Senate Bill 1157 under the acceptance of Governor's specific recommendation and the Chair recognizes Mr. Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. This Bill was just up a few moments ago and there was some question raised by Representative Lechowicz concerning where the funds would come from to train these special deputy sheriffs. It has been ascertained now the funds will come from the State of Illinois. They will not come from the counties. I believe that was the only question on it and I would now move to ah... concur with the Senate and also to adopt the specific recommendation to the Governor."

Bradley: "Any discussion? Hearing none, the question is shall the House... The, the Gentleman from Stephenson, Mr. Rigney."

Rigney: "Ah... Would the Sponsor yield?"

Bradley: "He indicates that he will."

Rigney: "Does this mean then that, for instance, say you have a mounted patrol in your county that you're going to require 40 hours of training out of each of those people as well?"

Griesheimer: "If they intend to carry a weapon, yes."

Rigney: "That is the distinction as to whether or not they're carrying a weapon."

Griesheimer: "This, this as I understand, arises out of a ah... Bill that was previously written into this in that the specific recommendations are that these men must go through training on the



presumption that they will be carrying weapons."

Bradley: "The Gentleman answered your question, sir? Further discussion? Hearing none, the question is shall the House concur with the Senate in accepting the Governor's specific recommendation for change with respect to Senate Bill 1157 by the adoption of the Amendment. All those in favor will signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wished? Please change Bradley's vote from 'no' to 'aye'. Have, have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 133 'ayes', 3 'nays', 8 voting 'present' and the motion prevails and the House does concur with the Senate in accepting the Governor's specific recommendation regarding Senate Bill 1157. Amendatory veto motions and on ah... the Calendar under Amendatory vetoes appears a motion to concur with the Senate. Pardon me, concur with the Senate in overriding the Governor's specific recommendation for change with respect to Senate Bill 1152 and on that issue, the Gentleman from Henderson, Mr. Neff."

Neff: "Ah... Thank you, Mr. Speaker. Senate Bill 1151 and 1153 I would like, er... 1152 and 1153 I would like to consider, Mr. Speaker, both of these as they pertain to the same subject."

Bradley: "Does the Gentleman have leave to hear both of them at the same time including Senate Bill 1153. Hearing no objections, we will consider both those together. Proceed, Mr. Neff."

Neff: "Thank you, Mr. Speaker. These Bills passed the ah... Senate and the House last spring without very few dissenting votes. It passed both Committees. The Governor ah... did see fit to ah... veto them and I'd like to explain the Bills just a little bit again to reminisce just a little bit. These Bills require the Department of Transportation to publish and give the Governor and the General Assembly by July the 1st, 1976 a 20 year masterplan for state highways, waterways and aeronautics mass transit and the railroad system. The Bill would also require the D.O.T. to publish its annual highway program for the first, for the next fiscal year by the first Wednesday in June in 1976 and in 1977, by the first Wednesday in May and then the ah... in 1978, reduce it down to be ah... submitted to the Legislators by April, 1978. Now the Governor says that he



doesn't have the time to ah... there isn't enough time, but we know it when they submit the budget in March, they must have these figures and I think Legislators should have some figures to go by that know what, before they vote on the highway budget to know just what they're voting on. That's the problem we have had in the past and we're giving them a leeway of time, several years to move this back up ah... to ah... April and I think we are giving them enough time. I don't think there should be any problem on that as ah... As Legislators, we must be responsible for the D.O.T. budget. We must approve each year. For too long our Appropriations Committee has had to consider the D.O.T. budget without knowing specifically what the annual road budget will be. Well the Governor's attempt to moving the late date to the first week of June is of some help. That still means Appropriations Committee will have to vote a Bill out of Committee without having the full information on the road ah... road ah... road program. Now a special House Subcommittee has worked on this ah... and held meetings over the State and come up that they believe that the passage of this legislation will greatly enhance the Legislators effort to keep the Department of Transportation accountable. Now the second Bill, 1153, makes the Amend... amends a Section of the statute dealing with the publication of annual road program. Ah... the arguments for both of these Bills are identical and I believe that the Legislators should have this information earlier than they have it and, therefore, I would hope that we would ah... override the veto."

Bradley: "Discussion? Discussion? Hearing none, the Gentleman... I'm sorry, the Gentleman from Adams, Mr. McClain."

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

Bradley: "He indicates that he will."

McClain: "Representative Neff, on ah... Senate Bill 1153, would you say that those dates are reasonable considering ah... the magnitude and the problems we've had with the Illinois Department of Transportation in getting their programs?"

Neff: "Ah... Representative McClain, now you're asking about the one ah... to move the regularly yearly budget up. Ah.. isn't that right?"

McClain: "Listing the improvements, sir."



Neff: "Listing the improvements. Why ah... ah... they... Mack Aveis should have this when they submit the highway er... the total budget. I would think they would have to have it and, therefore, it will give us, as Legislators, now we're taking ah... we're giving the court a little leeway. Now next year it would be June of 1976 and then the following year 1977 we're giving them a little more time, but cutting it a month shorter to May of 1977 and then we're asking to have this report in April, 1978. As we have studied and the hearings as a Subcommittee over, we think this is practical. We've talked to Department of Transportation. They don't seem to feel personally as I've talked to them that this is going to be any real hangup. I think they can do it all right and I was a little disappointed in the Governor saying that he thought it was questionable they'd do it, but I think any Governor... We're not talking about any one Governor, any Governor sitting in here. I think we should know here before we vote on the Bill and particularly the Appropriation Committee just what their plans are and in the past as you know, we've had these ah... ah... actual facts come in to us after it was almost ah... the Bill was passed and heard in Committees, Appropriations Committees and Transportation Committee and I think this is wrong for the Legislators to be voting on something they don't know what the plans are."

McClain: "Okay, thank you, Mr. Neff. Mr. Speaker, may I speak to the Bill, please? Mr. Speaker and Ladies and Gentlemen of the House, I sincerely wish we had not taken the two Bills collectively ah... and I'm sorry I did not object when the time was ah.. right. However, I would urge you to ah... consider strongly the effects of Senate Bill 1153. What we are, in effect, doing is saying statutorily when ah... listing of improvements and road programs shall be given to the ah... this Body ah... next year, fiscal year 1977 and I charge you with ah... problems that we might have if indeed we have a ah... a new Governor in the year 1977. The problem that we're going to have is that entire road program will have to be listed to us on a Wednesday in May. That's almost physically impossible for a new Governor and, in fact, even for an old Governor after going through an arduous campaign and I suggest to you that at this time, considering



the awesome effect that we choose the wisdom of the ah... Governor and the Illinois Department of Transportation and oppose ah... this motion by Representative Neff."

Bradley: "Further discussion? The Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I stand in support of ah... Senate Bill 1152 and 1153 and let me just recall to you the serious problems we've had over the years in trying to get... whether it was Governor Ogilvie or Governor Walker to come in with his road program for a timely evaluation when we consider the Department of Transportation's budget. Let me also reflect to you, just this past year we tried in every way possible and I know that Representative Totten can attest to it as well in trying to get the information from the Department. Every time, they try and delay it. They try to make it a big political announcement procedure. They try to hold it up, make it an item of secrecy which it should not be. They try to make it an item where anybody gets the roads in their respective districts. Everybody runs around and gets all the publicity after the fact. Ladies and Gentlemen, we are trying to construct a good program. A program where everyone is informed prior to the review of the Department of Transportation's budget to see for what, when, and where these roads are going to be build. This is a good concept. It should be adopted. It should of been adopted years ago. I want to congratulate the Sponsor in his fortitude and I would hope that this House would support a very good measure. Thank you."

Bradley: "Further discussion? Hearing none, the Gentleman from Henderson, Mr. Neff, to close."

Neff: "Ah... I'd like to ah... make a statement ah... that Representative made. I'd like to ah... state some facts on that. Now he made the statement that if a new Governor was elected, why it would be a little bit tough on him to come back we'll say in '77 and have this by May. We know that the Department of Transportation is tact. They've got to be working on the programs regardless of what new Governor comes in. I think that's a rather ridiculous to think that we have to set the Governor and ah... again I want to repeat ah... this has been a problem as been stated here regardless of what





Governor is in. That's been the same old problem and ah... and if we as Legislators don't change it, it'll still be a problem regardless who sits in the Governor's chair. I think this is a must that these people that's handling these appropriations and trying to do a decent job on 'em, have this information before they have to vote on 'em. Therefore, I would hope that we would override the Governor's veto."

Bradley: "The question is shall Senate Bills 1152 and 1153 pass the specific recommendation for change notwithstanding. All in favor will signify by voting 'aye' and those opposed by voting 'nay'. Have all voted who wished? Have all voted who wished? The Gentleman from Madison, Mr. Steele, to explain his vote."

Steele: "Ladies and Gentlemen of the House, in explaining my vote, this is a very good piece of legislation which is designed to let in some sunlight and to shed some light on the decision-making process that we have here in the General Assembly. Right now, we have to vote on these budgets, on the highway budgets and we really don't have the necessary information to make good, sound, responsible judgments and so this Bill merely requires that this information be made available to us at a proper time, at an earlier time and these budgets are submitted by the Department of Transportation by their own testimony to their... from their various divisions and various departments back in December and November and surely within several, four or five months, and that's all that this Bill requires is that within a several month period they get that same information here to us in the Legislature so we can make the proper, necessary, and responsible decisions to properly pass upon these budgets. I think it's an excellent Bill, deserves all the green lights possible. Thank you."

Bradley: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 126 'ayes'; 15 'nays', 8 voting 'present' and the motion prevails and Senate Bills 1153, Senate Bill 1152 and Senate Bill 1153 are declared passed, the Governor's specific recommendation for change notwithstanding. For what purpose does the Gentleman from Stephenson, Mr. Brinkmeier, arise?"



Brinkmeier: "Point of inquiry, Mr. Speaker. What is the intention of the Chair in so far as lunch is concerned. Are we going to break or are we going straight through."

Bradley: "To answer your question the Gentleman from Cook, the Majority Leader, Mr. Shea, for a motion. The Gentleman from Cook, Representative Berman, Chairman of the Democratic Conference."

Berman: "Thank you, Mr. Speaker. I would move that the House stand in recess for 30 minutes for purposes of a Democratic conference in Room 114. I'm sorry, make it recess for an hour and a half; but we will, the Democrats will go down..."

Bradley: "What I understand the motion is, there will be a recess of an hour and a half. We will return to the chambers at approximately 2 o'clock and there will be a Democratic conference immediately upon recessing for about one half hour and the Democrats will have about an hour to catch some lunch. I think the ah... Is there any Republican announcements? Mr. Walsh. We'll hold, we'll be at ease for a second. Okay, you heard the motion ah... We will recess then in five minutes to allow the Clerk to read messages from the Senate and all in favor of the motion say 'aye'; opposed 'nay'. The 'ayes' have it. We will be in recess until 2 o'clock and we will have the Democratic conference in 5 minutes for a half hour. The House stands in recess. No, the House does not stand in recess. We will read the... The House is at ease while we read the messages from the Senate."

Jack O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the passage of the following Bills, House Bill 1668, 1851, and 1966. Passed by the Senate November 19, 1975 by three-fifths vote, the veto of the Governor contrary notwithstanding. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's Amendments to the following Bills, House Bills 221, 300, 416, 504, 626, 658, 727, 741, 752, 759, 1127, 1388, 1503, 1683, 1722, 1807, 1849, 1939, 1964, 2089, 2160, 2704, 2815, 2096, 2964, and 3093. Concurred in by the Senate



November 19, 1975. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate refused to concur with the House in the adoption of the Governor's Amendment to the following Bill, House Bill 898. Action taken by the Senate November 19, 1975. Kenneth Wright, Secretary. Committee Reports. Mr. Lechowicz from the Committee on Appropriations I to which Senate Bill 1508 was referred; reported the same back with the recommendation the Bills do pass. Introduction and First Reading."

Bradley: "Introduction and First Reading."

Jack O'Brien: "House Bill 3215, Deavers, Leon. A Bill for an Act to amend Section 4 of an Act in relation to the rate of interest and other charges in connection with sales and credit and the lending of money. First Reading of the Bill. House Bill 3216, Ebbesen et al. A Bill for an Act in relation to the management, control, operation, and maintenance of Northern Illinois University. First Reading of the Bill."

Bradley: "Constitutional Amendments, Second Reading."

Jack O'Brien: "House Joint Resolution Constitutional Amendment #35. Resolved by the House of Representatives of the 79th General Assembly, the State of Illinois, the Senate concurring herein. There shall be submitted to the electors of the State for the adoption or rejection at the general election next occurring at least six months after the adoption of the Resolution. A proposition to amend Section 4 of Article IX of the Constitutional to read as follows. Article IX, Section 4. Real Property Taxation. (a) Except as otherwise provided in this Section, taxes upon real property shall be levied uniformly by valuation ascertained as the General Assembly shall provide by law. (b) Subject to such limitations as the General Assembly may hereafter prescribe by law counties may classify or to continue to classify real property for purposes of taxation. Any such classification shall be reasonable and assessments shall be uniform within each class. The level of assessment or rate of tax of the highest class in the county shall not exceed two and one-half times the level of assessment or rate of tax of the lowest class in that county. Real property used farming in a county, in a county



shall not be assessed at a higher level of assessment than single family residential real property in that county. (c) Any depreciation in the value of real estate occasioned by a public easement may be deducted in assessing such property. Second Reading of the Constitutional Amendment. No Committee Amendments."

Bradley: "Third Reading. All right, the House now will stand in recess. The House now stands in recess until the hour of 2 p.m. and a reminder all Democratic Members to ah... go to Room 114 for the purpose of a conference so that we can get in and get out just as quickly as we can. Thank you."

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

Bradley: "The House will come to order and the Members will be in their seats. The hour of 2 o'clock has arrived. Gentleman from Christian, Mr. Tipsword, for what purpose do you rise, sir?"

Tipsword: "Mr. Speaker, I was just wondering since there appears to be very little interest in the session this afternoon, do you want me to make a motion to adjourn sinedie."

Bradley: "I don't think we've got a quorum, sir. You'd better hold that motion. Mr. Tipsword, we have a second to your motion. Mr. Deavers will second the motion. About 16. On the Calendar under full vetoes appears a motion to concur with the Senate in overriding the Governor's veto with respect to Senate Bill 16. The Gentleman from Madison, Mr. Lucco."

Lucco: "Mr. Speaker, I think that under the, under the conditions, Mr. Schlickman yelling over there notwithstanding, I think I'll pass at the moment with the understanding that we'll get to it in proper sequence later in the afternoon, right?"

Bradley: "We'll get back to you, Mr. Lucco."

Lucco: "He's out of order, but that's all right."

Bradley: "We'll get back to you then. Take that out of the record."

Lucco: "Thank you."

Bradley: "...calling them that there are some Members over in their offices. Maybe they'll get on over here so we can get with the business of the House. On the Calendar under total vetoes appears a



motion to concur with the Senate in overriding the Governor's veto with respect to Senate Bill #32. On that motion, the Gentleman from DuPage, Mr. LaFleur. Is Mr. LaFleur in the chambers? We have a volunteer. The Gentleman doesn't seem to be in the chambers. On the Calendar under vetoes appears Senate Bill 55. On that motion, the Gentleman from Cook, Mr. Kosinski. Asks that that be taken out of the record at this time. On the Calendar appears Senate Bill 103 regarding a motion. Is Mr. Porter in the chambers? On the Calendar under total vetoes appears a motion to concur with the Senate in respect to Senate Bill 200. Mr. Kane. Take it out of the record. On the Calendar under total vetoes appears a motion to concur with the Senate in overriding the Governor's veto with respect to Senate Bill 279. Is Mr. McPartlin in the chambers? We'll take it out of the record. On the Calendar under total vetoes appears on the Calendar a motion to concur with the Senate overriding the Governor's veto with respect to Senate Bill 526. Representative Collins. Is he in the chambers? Mr. Kane, we've called your Bill. Do you wish to take that up at this time, sir? Good. On the Calendar under total vetoes appears a motion to concur with the Senate in overriding the Governor's veto with respect to Senate Bill 200. On that motion the Gentleman from Sangamon, Mr. Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 200 is a Bill which would allow the State Board of Investments to have a closed meeting or to close their meetings ah... when the State Board is discussing the sale or purchase of securities. The State Board of Investment invests about \$450,000,000 worth of pension funds that belong to the State employees to the ah... General Assembly retirement system and to the Judges retirement system. And with this amount of money to invest and with the purchase and sale of this amount of securities, the feeling of the State Board is that these discussions should be in a closed session so that the confidentiality of the transactions could be maintained. The reason why these transactions or the discussion of these transactions ahead of time need to remain confidential is that if they are made in public, if the decisions are made in public, it will have an affect on the price of the security that is being either ah... purchased or sold.



## GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

If other investors know what the State Board is doing with this \$450,000,000 ahead of time, they can either get out into the market and purchase those securities ahead of time, wait until the State Board comes in with its purchase to drive the price up and can make a killing or if the State Board is going to sell some securities, ah... they could out and sell first. With the State Board selling, the price would go down and they would also be able to sell short and ah... make a profit. Now the problem with this is that any time that this occurs, it's going to cost the State Investment Board money and it's going to cost the pension systems that the State Board invests money for. It's going to cost them money also. The veto of the Governor or the Governor's veto message indicated that if these ah... meetings and discussions were held in closed sessions that the accountability of the State Board of Investment would be impaired and that public trust in the actions of the Board would be in danger. I think that the Governor misunderstands the function and role of the State Board of Investments. All of the transactions that the Board makes, all of the purchases that it makes, all of the sales that it makes are public record. They are public record after the fact. After either the purchase or the sale of the security so that there is no attempt here to keep from the public what the State Board is doing or has done. All of the records of the State Board are open to inspection. What this Bill would do is simply allow the State Board of Investments when they are discussing perspective purchases or sales of investment to discuss those perspective purchases and sales in a closed meeting. It comes very close to the exemption now in the open, Open Meetings Act which allows any public Body when they are discussing the purchase or sale of real estate to hold those discussions in closed session for the same reasons because if the purchase or sale of real estate was discussed publicly, with public knowledge in advance would have an affect on the price of the real estate and it would cost the taxpayers considerable money. With these things in mind, I would move that the, that Senate Bill 200 ah... become law, pass the veto of the Governor notwithstanding."

Bradley: "The Gentleman from Cook, the Republican Whip, Mr. Duff."



Duff: "Mr. Speaker, Ladies and Gentlemen of the House, ah... I note there are not many people on the floor which is sort of too bad on this Bill because I rise to oppose the motion of the Sponsor. Ah... I frankly believe that if there ever were a reason for public meetings it is in the precise kind of situation that we're dealing with here. I believe that to have the ah... actions of the Board public and to suffer the possible ah... efforts of individuals to take advantage on prices is one thing, but to close the meetings and open up the possibility ah... not necessarily this time, but in any time in the future where politicians or appointees could use private deliberations for their personal gain is precisely the reason why the people are benefited best when we have open meetings so that the press, the opposition, and all interested parties can be aware and inform the public of what is, in fact, going on. I don't think it's appropriate to allow people to sit in closed rooms and make multi-million dollare presentations to the possible benefit of a few people. If there is, in fact, public manipulation as a result of deliberations of public Bodies, at least it's in the open. And people will lose their gain in a free and open way by their own mistakes, but I think that we should not override this veto. I think the necessity of the people's right to know is something that we should constantly try to protect and in particular in this situation."

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

Skinner: "Would the Sponsor yield to a couple questions?"

Bradley: "He indicates that he will."

Skinner: "Who comes to your meetings?"

Kane: "I beg your pardon?"

Skinner: "Who comes to your meetings?"

Kane: "Our meetings are open. They are ah... published ahead of time. Anybody can come."

Skinner: "Who does come?"

Kane: "Who does come? Ah... not very often does anybody come, but ah... any body in the investment community ah... anybody who is a broker, real estate investor whoever can come and they have come in the past."



Skinner: "So this is, has it been a problem in the past, do you sense?"

Kane: "Well..."

Skinner: "Do you know?"

Kane: "What is happening in the Board now is that in the past, the Board has used investment advisors and so the investment advisor Tiero Price and others have had charges of money and they have bought and sold stocks and then reported to the Board of Investments the stocks and bonds that they have sold. But the State Board of Investment is in the process of doing now is to bringing, bringing that money and those portfolios in house. Ah... The Board feels that this can be in a much ah... inexpensive manner. We can save money this way. The fees that the ah... investment advisors charge are fairly high and ah... since these money, this money is being brought in house ah... the discussions on the purchase and sale of these stocks and bonds are going to be done by the State Investment Board rather than as they are now done in the closed meetings of the investment advisors and in the investment advisors offices of Tiero Price ah... Faya Sarafim in Houston ah... the First National Bank in Chicago and others. That's where the decisions are being made now."

Skinner: "So they're being made in secret now?"

Kane: "They are being made in secret now ah... by private investment counselors."

Skinner: "Do you think that the rate of return will increase by making this shift from the private advisors to the tea room staff on your own Board?"

Kane: "Ah... You don't know..."

Skinner: "Will it be better..."

Kane: "You don't know. It will be better in terms that we will have more control over immediate policy. The Investment Board will have more control over the portfolio. The bond, the two bond advisors, for example, in the last year ah... turned the bond portfolio over three times and it took the Investment Board almost six months to bring that kind of activity to a halt. Now if that's being done in house, we can stop it today."





Skinner: "No, each time they turned it, they took a cut off the top, I imagine."

Kane: "Not the, not the investment advisors. They had a flat fee, but ah... the commission that went to the broderage house that bought or sold the bonds ah... that came off the top."

Skinner: "Did they use the same brokerage house all the time?"

Kane: "No, there are a variety of brokerage houses that are used, but the commissions that are generated ah... by that kind of bond turning is fairly substantial."

Skinner: "I have one question that may be irrelevant to this Bill, but I'd like to ask it anyway. Ah... Does, do the pensions over which your Board has authority have substantial holdings in the, any New York City or New York State or moral or direct obligation bonds?"

Kane: "No, we have no New York bonds."

Skinner: "God bless you."

Kane: "We also didn't have any W.T. Grant bonds."

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

Schlickman: "Well, Mr. Speaker, Members of the House I think it's important that we consider that this proposed Amendment to the Public Meetings Act deals not only with the purchase of securities and investment contracts by the State Investment Board, but also involves the sale and I respectfully suggest that to amend the Public Meetings Act to provide for secrecy to the State Investment Board for the sale of securities, we ought then to provide an identical exception fror municipalities who have the authority to issue and sell bonds. It seems to me, Mr. Speaker, Members of the House, that a very severe, great burden lies upon anybody who proposes to amend the Public Meetings Act and to provide secrecy with respect to public matters. I personally am not satisfied that that burden has been met and I don't think that the privilege of secrecy should be given to one Body and not ah... to others. It seems to me if it's good for one, it should be good for the other. If it's not good for one, it shouldn't be good for the other. So I would suggest a 'no' vote on this motion to override the Governor's veto."

Bradley: "The Speaker has given permission for a Gentleman unbeknownst to us to take pictures. So ah... beware of the fellow in the blue



suit. I think it's Mr. LaFleur back there taking some pictures. Further discussion? The Gentleman from Cook, Mr. Mugalian. Pardon, pardon me. Could we come back to ah... Mr. Totten for an announcement."

Totten: "Thank you, Mr. Speaker. It's unfortunately a rather sad commentary on today's day and age that I have to arise..."

Bradley: "I think all Members would be interested in this announcement."

Totten: "Ah... arise to just inform of ah... something that happened in Miami just a few minutes ago. Ah... and that was that the newly announced candidate, Governor Reagan, for the Republican nomination was attacked by a man apparently with a gun right after his first campaign speech in Miami. The report that's over the wire service right now is that ah... he was unhurt fortunately ah... and ah... has retired ah... to an office, but ah... I don't know what else has with it. That's just what's on the wire service right now and I thought you might be interested."

Bradley: "Thank you. Now back to the issue. The Gentleman from Cook, Mr. Mugalian."

Mugalian: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Bradley: "Pardon me."

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

Bradley: "Yes, he indicates that he will."

Mugalian: "Representative Kane, I, I understand the purpose of the secrecy to be that the market may be substantially affected by decisions of the Board. Ah... and I accept that as a sufficient reason, but I think there should, we should try to ah... ascertain the volume ah... that's normally transacted and whether or not that volume is in equity or whether it is in bonds or possibly in U.S. government. Ah... It would make a substantial difference as to the kind of securities being involved, the volume concerned, and the total outstanding securities in the marketplace. For example, substantially large acquisition or sale of A.T. & T. would have a relatively modest affect whereas the same dollar amount in an unlisted company could have a very important affect. Could you tell us briefly or even at length the history of the ah... investment policy and your projections as to what it may be in the future?"



Kane: "Right now we have about \$450,000,000 in these pension funds.

About 30% of, of this money is in equities, about 60% is in bonds, about 10% is in cash or cash equivalent that is invested by the State Treasurer. I think that the question that were raising as far as the purchase and sale of equities is concerned is similar ah... to the purchase and sale of equities that ah... Representative Schlickman was raising and whether or not ah... we are purchasing and selling unlisted securities. Ah... The existing statute forbids the State Board of Investment to deal in unlisted securities. Ah... We can only deal in listed securities. We can only purchase equity in corporations ah... that are, one, approved by the State Board of Investment. They have to have at least a ten year history of ah... issuing dividends for each of the ten preceding years and so basically we are dealing in substantial corporations ah... some of them, of course, much large than others. Ah... But ah... we could be purchasing or selling anywhere from ah... a few thousand dollars worth of one security to ah... a million or a million and a half dollars worth of a security which could have a substantial affect in the market. And it's not only just the decision to purchase or sell a security that's important. Ah... I think that ah... for example, when W.T. Grant ah... company a couple of months ago defaulted is that if we, if we had had W.T. Grant securities which we did not ah... but the State Teacher's Pension Fund did and that, and it came to the attention of the Board that W.T. Grant was getting ready to go under and we had, we had investments in that company. We want to discuss that in a private meeting because if, if we know that and decide to sell and it becomes public knowledge and every investor knows it, ah... you know there isn't going to be a market for the sale of the securities that we're trying to get out of."

Mugalian: "Ah... If I may just ask one more question to amplify, I really haven't made up my mind how to vote on that. I'm wondering if you can indicate, if you know, whether there have been any purchases or sales in the last year or two that had a substantial affect on the market. I mean, I'd like to know if that..."

Kane: "Well, ah... as I mentioned in reply to Representative Skinner,



is that up until the very ah... near past is that the decision to sell or purchase a particular security has been made by investment advisors. The money is these, in the Investment Board has been turned over to these, to these investment advisors and they make the decision to purchase or sell. They're private advisors. They make those decisions on our portfolio just as they do on any private portfolio and so the decision has been made in private up until now. We're now bringing that, we are closing out those portfolios and bringing the money into the Investment Board which changes the whole way in which ah... these decisions are arrived at."

Mugalian: "Well, I'm sorry. That really wasn't quite my question. I just wonder if they made any acquisitions or sales even though it was private in the past that was such, of such a quantity and of such an issue that there was a real effect on the market either up or down."

Kane: "Well, the question is, is not whether or not there is going to be ah... an effect on the market after the purchase or after the sale. The problem is is if there's a time lag between the decision to purchase and sell and the actual purchase and sale. We don't care if there's an effect on the market subsequent to the sale or subsequent to the purchase. What we don't want is a ripple effect between the time that the decision is arrived at and the time that we can execute the decision in the marketplace and that's the crucial time. Once we have made our purchase or made our sale, we don't care what happens to the market."

Bradley: "The Gentleman from Sangamon, Mr. Kane, to close the debate."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I think I have already addressed myself to the objection that Representative Schlickman raised which is dealing in unlisted securities and what the effect of a sale of an unlisted security would have and the potential for a conflict of interest if that kind of decision is made in private. The question that I would like to address myself to is the objection that Representative Duff raised and that is that whoever gains or loses as a result of a decision made by the State Investment Board that gain or loss is going to be public. Well, I would suggest to him that if anybody can come in and sit in and listen to a decision of



a State Investment Board to make a, make a subsequent purchase or sale, nobody is ever going to know whether that person who sat in on that meeting made a profit as a result of the information that he gained while listening to the decision made by the Investment Board. We're not going to know. Nobody is going to know whether he or his family or anybody else made a profit or if he did make a profit, what kind of a profit and how big it is. As far as the people who are involved in the decision itself making a profit, the State Board of Investments now has a ah... very stringent code of ethics for its employees which forbid those employees to deal in stocks that are purchased and sold by the Investment Board. We also have a similar code of ethics for members who are on the Investment Board so that any knowledge that is gained by the actual members who are participating in that decision that they can not make a private gain as a result of a decision that they are making as a member of a public body. Again, Mr. Speaker and Ladies and Gentlemen of the House, I would move that the veto of the Governor of Senate Bill 200 ah... be overridden and that Senate Bill 200 become law despite the veto of the Governor."

Bradley: "The question is shall Senate Bill 200 pass the veto of the Governor notwithstanding. All in favor will signify by voting 'aye'; all opposed by voting 'nay'. The Gentleman from Cook, Mr. Duff. Wish to explain your vote, sir? The Gentleman from Cook, Mr. Downs, to explain his vote."

Downs: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, ah... this is one of those Bills where I have ah... found it necessary to listen carefully to the debate and there was a question asked whether or not there has been, in fact, a ripple effect or a ah... impact on the market when such a decision of the Board was executed and the question was not answered and I believe it is a relevant question and that there is a relationship possibly between investment policies and the market, but if the question was not answered, I can only reasonably infer that there apparently is not such an effect and therefore I'm going to vote 'no'."

Bradley: "The Gentleman from Cook, Mr. Walsh, to explain his vote."

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, I can't



really see how anyone can fail to see the benefits in this Bill. It has an adverse effect in each direction whether they are buying or whether they are selling securities, the State, the pension funds are going to have to pay more or get less as the case may be if it is public information before that sale is consummated. Now the Sponsor has assured us that securities must be unlisted exchanges for which there is a market, for which there is a market established outside of anything that that Board may do and their decision is simply to sell at market. Now market is going to be a whole lot different and I think it has been pointed out if they're dealing in a relatively obscure and not very often traded security that is listed and does have a market then it would be if A.T. & T. were being traded; but in the event and because of those changes that can occur if the meetings are open and believe me, the only people that are going to attend meetings such as this are people who are going to benefit from the sale or exchange of these securities. If, if that happens then the State is going to and the pensions funds are going to suffer whether it is a sale or whether it is a purchase. Now this certainly is a valid exemption to the Open Meetings Act and we should override this veto."

Bradley: "Have all voted who wished? The Gentleman from Sangamon, Mr. Kane, to explain his vote."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to address myself to the issue raised by Mr. Downs as to whether or not there has been in the past a ripple effect in the market. I think that I explained very carefully that we're not concerned with ripple effects after the consummation of the, of either the purchase or the sale. Anytime in which there is a large purchase or sale in the market, there is going to be an effect on the price. What we are concerned with is an effect on the price that is in an... is in anticipation of a large purchase or sale. And I thought I made very clear that in the past, the decision to sell or purchase equities by the the financial advisors to the Board of Investment have been made in the private of ah... in the privacy of those corporation offices. So that there has been no chance for an advance ripple effect and it's the advanced ripple effect that we're concerned with. We don't want



to have to pay more for a security because we are going to be purchasing 5,000 or 10,000 shares of that security because other people know that we are going to purchase it so that they go out into the market and purchase 100 shares of those. Say you don't want a lecture in economics, just an answer to the question. Well, has there been a ripple effect? Well, no, there hasn't been a ripple effect before because there hasn't been a public decision before and the question is on the timing of the, of the time in which the decision is made public and the time in which the effect is ah... er... the purchase is ah... is consummated. I think it's very important that if we are going to protect the integrity of these pension funds that confidentiality of the decision prior to the consummation of that decision be maintained. I'd urge an 'aye' vote."

Bradley: "The Gentleman from Cook, the Majority Leader, Mr. Shea, to explain his vote."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I think this is an extremely good Bill and I think it's extremely important to all of us. Here's a Board that invests the money that we have in pension plans and not only our pension plan, but every pension plan in this State. Now we're constantly called on down here to fund these plans and if when you make a large purchase, an eighth or a half of a point is a substantial amount of money. I think that this is good legislation. I think it will protect the investment plans of this State and I would hope that it would get 107 votes."

Bradley: "Have all voted who wished? Have all voted who wished? Mr. Skinner, do you wish to explain your vote, sir?"

Skinner: "Well only if it doesn't get to 107."

Bradley: "Well, have all voted who wished? The Clerk will take the record. On this question there are 112 'ayes', 39 'nays', 5 voting 'present' and the motion prevails and Senate Bill 200 is declared passed, the veto of the Governor notwithstanding. On the Calendar appears Senate Bill 526 and with respect to the motion the Chair recognizes the Gentleman from Cook, Mr. Collins."

Collins: "Ah... Thank, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 526 is identical to House Bill 1121, both Bills of which passed both Houses by an overwhelming majority. Ah..."



They, both Bills were sponsored by the Members of the Legislative Audit Commission in both Houses and you'll recall in House 1121 which you have previously overridden the Governor's veto on, 526 is the, is the identical Bill in that it would require State agencies to co-operate promptly with the Auditor General when he is ah... in compliance with instructions of this Body or the Legislative Audit Commission and if there is no co-operation forthcoming, that he will promptly ah... report this ah... to the Speaker of the House and to the President of the Senate. I don't I have to tell anyone how, where this Bill came from. It was in the controversy ah... over the so-called shadow agencies where people who were working for these agencies that were not appropriated for by the Legislature wound up on payrolls of other State agencies and when the Legislative Audit Commission attempted to find out where and who these people were working through the Auditor General, they ah... met with resistance on the part of these various agencies which was upon directive of the executive. Ah... Obviously, the Auditor General if he does not receive the co-operation of the State agencies, will be unable to perform his duties. This House and the Senate agreed with both of these Bills, but the House Bill on two occasions. The Senate Bill on once and I would ask the House that these, the House ah... act favorable upon Senate Bill 526 once again and pass this Bill, the veto of the Governor notwithstanding."

Bradley: "Discussion? If none, the question is shall Senate Bill 526 pass, the veto of the Governor notwithstanding. All in favor will signify by voting 'aye', those opposed by voting 'nay'. All voted who wished? LaFleur, the cameraman, 'aye'. Have all voted who wished? The Clerk will take the record. On this question there are 129 'ayes', 9 'nay', 2 voting 'present' and the motion prevails and Senate Bill 526 is declared passed, the veto of the Governor notwithstanding. On the Calendar under total vetoes appears the motion to concur with the Senate in overriding the Governor's veto with respect to Senate Bill 944 and the Chair recognizes the Gentleman from Vermillion, Mr. Campbell. And would the Gentleman, Mr. Walsh, please sit down so I can see Mr. Campbell. Thank you, sir."

Campbell: "Mr. Speaker, Ladies and Gentlemen of the House, I have some





strange reason that the timing would be bad indeed if I called these Bills at this time. I'd like to withdraw 944, 946, and 1460."

Bradley: "The Gentleman..."

Campbell: "For the time being."

Bradley: "Taken out of the record..."

Campbell: "Out of the record."

Bradley: "All right, sir. On the Calendar under total vetoes appears a motion to concur with the Senate in overriding the Governor's veto with respect to Senate Bill 1175. And regarding that, we... The Chair recognizes the Gentleman from Will with Mr. Leinenweber... Take it out of the record. Calendar under total vetoes appears a motion to concur with the Senate in overriding the Governor's veto with respect to Senate Bill 16. The Gentleman from Madison, Mr. Lucco. Is he in the chamber? He was here a minute ago. Mr. Lucco? He's coming down the aisle on the Republican side. Give the Gentleman a chance to catch his breath and the Chair recognizes the Gentleman from Madison, Mr. Lucco, in regards to Senate Bill 16."

Lucco: "Mr. Speaker, Mr. Speaker, Ladies and Gentlemen of the House, my privilege to present to you why I believe we should override..."

Bradley: "Would you hold off just a second. For what purpose does the Gentleman from Cook, Mr. Walsh, arise."

Walsh: "Mr. Speaker, I'm sorry. I have not been following the total veto motions. Have we gone completely through the Calendar and are we starting all over again?"

Bradley: "Mr. Campbell withdrew the ah... for the present time, the Senate Bill 944, Senate Bill 946, and Senate Bill 1460, 60 and Mr. Leinenweber did the same and we've started back at the top."

Walsh: "I've been waiting for Mr. Leinenweber's and I, I didn't recall it being called."

Bradley: "He thought you were. That's why he took it out of the record."

Walsh: "Thank you."

Bradley: "All right, now with the permission of the Minority Leader, we'll back, er... the Assistant Minority Leader, we'll go back to the Gentleman from Madison, Mr. Lucco."

Lucco: "Thank you again and thank you, Mr. Walsh. You're allowed to do that once a day. You've had your turn, now take it easy. I want



to speak on behalf of the override of Senate Bill 16. 200 year ago, of course, and we are going to be celebrating this year, the birth, shall I say, of freedom in American. I want to talk to you today a little bit about the birth of freedom in southwestern Illinois. This particular Bill I want to cover just two or three things. First, what the Bill will not do. Thank you, Mr. Speaker."

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

Lucco: "I want to cover what the Bill will not do. Secondly, what the Bill will do and that gives you just a brief chronological sequence of the growth and development of southern Illinois University at Edwardsville. The Bill will not necessarily open up any avalanche of any other university seeking this particular Bill. However, I will say this, that if any other university feels that it's in the same position that southern Illinois Edwardsville is then I welcome them to do the same thing. This particular Bill should not, will not increase the cost of the Board of Trustees. In fact, if this particular Bill were to be enacted, I think that in due time, the cost maintenance of the Board could actually be reduced. This particular Bill will not eliminate or weaken the power, responsibility, or authority of the Board of Higher Education. In fact, by creating another Board we could have better representation on the Board of Higher Education, get more co-operation, get more articulation between the B.A.T. and the various State universities. What will this Bill do? This Bill will enable Southern Illinois University at Edwardsville to provide, to set up its own Board of Trustees. We feel that the Board is necessary in Edwardsville because Edwardsville is entirely different area than the, what we used to call the home base, at southern Illinois, Carbondale. Carbondale is primarily a rural area. Our area area the metro east which includes Madison, Sinclair County. We're talking about Alton, Edwardsville, Collinsville, Wood River, East St. Louis, etc. which is highly industrial in steel mills, oil refineries. We believe that the curriculum of Southern Illinois Edwardsville ought to be dictated and planned with the articulation of the Board of Higher Education of a planned program to benefit the young people of our area. 20 years ago when Southern Illinois University at Edwardsville was born, it was just an idea.



The Chamber of Commerce of Edwardsville and the surrounding areas and metro east raised by individual subscription actually \$464,191 with which 1,700 acres of fine land was purchased for the establishment of this univeristy. Dr. Dwight Morris of Southern Illinois, Carbondale was a man of great vision. He saw the need for such a university in the metro east area. He went along with it. Then we'll find that in 1965 that..."

Bradley: "For what purpose does the Gentleman from Hardin, Mr. Winchester, arise."

Winchester: "Thank you, Mr. Speaker. I rise on ah... point of order. Could we please have some quiet ah... on the House floor. This is important Bill. I'd like to hear what Mr. Lucco has to say."

Bradley: "Your point is very well taken, sir; and the Chair will ask that we have some order for Representative Lucco and it is a very important issue to Mr. Lucco."

Lucco: "Thank you. He needs all the order and help he can get. Thank you, Representative Winchester. In 1955 then, the people of this are bought this land. It was not bought by taxes or anything else. In 1956, the Southwest Educational Council for Higher Education was formed working with S.I.U. at Carbondale. Carbondale has been very, very good to Edwardsville. We have in Edwardsville now School of Dentistry, School for Nursing. We want a School for Engineering. Carbondale's Board of Trustees includes our campus now says we don't need it. Well, they don't understand our undustrialized situation. The situation in Edwardsville is different than any other campus in the State of Illinois because 'long about 1969 President Dwight Morris said, we will now separege the two campuses. Since that time, they've both been known, one as S.I.U.C., Carbondale. The other one is S.I.U.E., Edwardsville. So there was a definite thinking back as early as 1969 that these two campuses were and as of a right ought to be separate and independent of each other. Then in 1971..."

Bradley: "Mr. Lucco, would you bring your remarks to a close as quickly as you can."

Lucco: "Am I on time? Well, I didn't get your question."

Bradley: "On my watch, sir, would you bring your remarks to a close



in the next few minutes?"

Lucco: "Next three minutes?"

Bradley: "Couple of minutes, yes, sir."

Lucco: "I heard you. In 19, in 1971, the Board said we believe that S.I.U. Edwardsville has developed so far that we want them to have their separate and own President. So since that time, Edwardsville has had its own President as long, along with the President of Carbondale. The President of Carbondale, Dr. Brandt, testified the other day before our Committee on Higher Education, Monday at 1 o'clock. He did not object to Edwardsville having its own Board. And he said that he believed that in the future \$750,000 might be saved by having local boards for the various universities. Again, I want to emphasize we are not trying to destroy the system of system. We're not trying to destroy the Board of Higher Education, but we do want representation on that Board. We want a Board of our own so that we can plan the curriculum such as we have done. We have a labor institute at Edwardsville which takes no back seat to anyone and for the sake of gravity, I say that every church, every local school system has its own Board of Trustees. So I'm asking that today after 20 years of working with Carbondale and with having good relationship, but having outgrown that relationship, we ask for freedom. We believe that Edwardsville should have its own Board. So I solicit your vote today. I want your help today. I'm a firm believer in the fact that S.I.U. Edwardsville should have its own Board of Trustees. I know not what other universities may say, but I know that we expect it. Thank you, Speaker."

Bradley: "Your time was running out in overtime there. The Gentleman from Jackson, Mr. Richmond."

Richmond: "Speaker, Ladies and Gentlemen of the House, I rise to support the Governor's veto of Senate Bill 16. I'm very happy to have another chance to defeat this bad Bill. Ah... I do it with some sorrow to have to battle with my dear friend, Joe Lucco. However, we are on opposite sides on this issue and ah... perhaps ah... I can explain my position to you. The Bill was ah... debated at great length in the Spring Session and I will keep my remarks brief. Ah... Any promise... First, any promise of independence that has been insinuated



ah... by the proponents of this Bill that S.I.U. would ah... E. would receive is not based on fact. Number 2, a stepchild image that has been portrayed by the proponents of the Bill, I think, is very far from the truth because ah... all we have to do to, to ah... dispute this particular image is to look at the accomplishments, the great accomplishments that have, and the tremendous growth which I think is testimony to the extraordinary ah... attention that has been given and support has been given by ah... the S.I.U. Board. Neither House nor the Senate Committees responsible for higher education had adequate hearings on this Bill. I think this is a very important point."

Bradley: "Mr. Richmond, would you hold off just a minute. It is an important issue and I think Mr. Richmond should have the same opportunity to be heard. Let's give him some order."

Richmond: "Thank you, Mr. Speaker. I, I repeat, this is an important point. I think that neither ah... Committee responsible for higher education in the House or the Senate had adequate hearings on this Bill. Ah... I think the Bill could not of gotten this far on its own merit. I think the Bill is detrimental to the Illinois Higher Education. The recent study by the Board, Illinois Board of Higher Education has recommended that no basic change be made in present institution-board relationship. In other words, the Higher Board is in opposition to this Bill. I want that ah... to be very clear. It's true that Northern and ah... Western Universities have openly stated that they are interested in this same type of arrangement. So I think this is a point that you should keep in the back of your mind in deciding on what you want to do when it comes time to push the button on this Bill. A separate Board would cost anywhere from \$250,000 to \$4,000 annually. Now this is a lot of money. If this Bill is a forerunner of other actions of this type, then we can multiply that many times. Another point I think that should be very seriously considered is that the management of the bonded indebtedness that has been entered into by the present S.I.U. Board would become an incredible task to separate should this ah... should this override be successful. Further, this issue, I believe, goes much deeper than just the territorial thing down in southern Illinois between



S.I.U. and Edwardsville. Do you want the chain reaction that might be started by the passage of this Bill. And I think this should be a very serious consideration. Senate Bill should not become law. Your support in preventing an override of the veto is urgently requested. A green light will be a vote to further fragment, to further fragment the higher education governmental overview in the State of Illinois and a red light will avoid the creation of a precedent that will, that will be back to haunt us on numerous occasions in the future. I urge your support of the Governor's veto."

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

Deavers: "Mr. Speaker and Ladies and Gentlemen of the House, I also rise to oppose the override motion on Senate Bill 16. It's not often that I like to oppose a fellow coach like Joe Lucco and his argument was very persuasive, but there's certain things that you should be involved with and know about in this situation. In my district, I also have Illinois State University. It's a university of about 18,500 students and if you do this for S.I.U. at Edwardsville, then I guarantee I'll be back in the spring asking for the same thing for Illinois State and that wouldn't really be a fiscally responsible move by myself and I cannot feel that this separate Board for S.I.U. at Edwardsvill is also very fiscally responsible. But also, it creates legal ramifications because instead of the bond revenue programs that are in effect for some of the different buildings, athletic facilities, etc. You're looking at increasing the cost of operation for Board member travel, clerical services, and professional staff and mainly, probably it opens the door for further expansion. I know Joe Ebbesen today I think introduced a Bill for separate for northern Illinois and knowing the hunger of college Presidents to build monuments to themselves, I can guarantee you'll be in there building a new mansion for President, 82 dormitories, 4 field houses and anything else that you can think of that he can put his name on. It is my opinoin that we do not override the veto on Senate Bill 16."

Bradley: "The Gentleman from Knox, Mr. McGrew."

McGrew: "Thank, thank you very much, Mr. Speaker. Somewhat reluctantly that I rise to oppose Senate Bill 16. As a member of the Higher Education Committee... May I have a little order, please?"



Bradley: "Your point is well taken. Let's give the Gentleman... Let's give some order so he can be heard."

McGrew: "Thank you very much, Mr. Speaker. As a member of the ah... Higher Education Committee, we held a hearing Monday and discussed with the various Presidents, the method of governments that we now have for the universities. To be quite honest with you, there is some conflicting information at this time as to whether or not this will be a fiscally responsible or irresponsible move. In other words, there are university systems around the United States that every university has a Board. There are systems around the United States that they only one Board that governs all universities. The problem that we actually cannot ascertain at this moment is how much does it cost to run each one of these Boards. In other words, the administrative expenses for a local Board could well be hidden in the administrative expenses of a university and therefore, rather hard to dig out. So we don't know where we stand to be quite honest with you. Possibly Representative Lucco was right. He normally is. But the problem that we now face is that we simply do not have enough information to decide. So, for that reason, I think it's ill advised to move to override House, er... Senate Bill 16 and I suggested to my fellow colleagues ah... at least give the Higher Education Committee time to decide what is going on in this regard, what is the most expensive and things like this. So I would, therefore, urge a 'no' vote."

Bradley: "The Gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Ah... Yes, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this ah... motion for the override and ah... am very happy that Representative McGrew ah... did bring up the fact that at least he said he didn't have reliable statistics and input, but I have done some research since Monday when we had this ah... meeting of the Committee of the House on Higher Education. And since that time, I have been in touch with ah... university system in Ohio and the State of Michigan. Now I want to advise the Members of this House when they cast a vote that ah... personally I have been an advocate of the ah... each university, not only in Illinois, but specifically Illinois, having its own Board. It was



my intention prior to Senate Bill 16 to introduce such legislation for Northern Illinois University in hopes that it could be phase I or step I in seeing a change in the government for the State of Illinois. Now I'd like to point out some statistics in being in touch with the State of Ohio, Bowling Green University which I think is ah... other than the University of Illinois of comparable size in the State of Ohio to Southern, Northern, and the Illinois State and what have you here in Illinois. They ah... have their separate Board. It costs them each year between thirty-five to fifty thousand dollars. Now if you look at the total picture as far as Southern is concerned going fiscal year '74 through '77, they started out with \$790,000 in '74. Now listen to this, in 1977 the proposed ah... with a single Board is \$759,000 which is a decrease in the amount of operation as a single Board for a single university. Now if you will look at the ah... other three systems other than the University of Illinois and take the Board of Governors, the Board of Regents and the Illinois Community College Board, in those same fiscal years we see ah... percentages of increase of operation anywheres from 25 to 75%. Now if those numbers and when you talk about fiscal responsibility are not indicative that and proof that a single Board can operate more fiscally responsible as far as the taxpayers are concerned ah... than I'm not doing by arithmetic correctly. As far as ah... the State of Ohio is concerned ah... the Gentleman that I was in touch with was in charge of a Committee in the State of Ohio which just completed a survey and a study nationwide relative to government for the State of Ohio. Their question was are we operating as efficiently and affectively and fiscally responsible as we could. Their study included the State of Illinois and they came to final conclusion that their system was operating very well and they saw no reason ah... for such a change and ah... ah... I would just ah... encourage everyone ah... to take these figures into consideration. The State of Michigan operates like the State of Ohio. They do it effectively and with fiscal responsibility and I certainly for one would encourage everyone to evaluate whatever attitude they've had up to this point and case a favorable vote for this override."

Bradley: "The Gentleman from Franklin, Mr. Hart."





Hart: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I think the real problem with this Bill is that nobody really knows what the ramifications of it are or the impact of it will be. Many serious and good questions have been proposed on the floor of this House about what would happen if this Bill became law and I don't think the answers that have been received have been satisfactory. And I think sometimes we forget what we're here for. Well we're not legislating down here on personalities or for this Legislator or against this Governor of so and so forth. We're down here to legislate for the people of the State of Illinois based on what's good for them and we've had a Board of Higher Education in the State of Illinois which has been established and makes recommendation on matters such as this and the Board of Higher Education recommends that this Bill not become law. And I think you have to give that great weight and this Bill ah... we remember the history of it. This Bill lost on the first Roll Call in the Senate and the matter was postponed and the Sponsor was able to get the votes and pass it out of the Senate. It came over to the House and wasn't assigned to the Committee where it ordinarily of gone, to the Committee on Higher Education, but if my memory serves me right, it was assigned to the Committee on Executive and that Committee passed it out and it subsequently passed the House of course or we wouldn't be here. But I think we have to listen to the debate on the matter and we have to ask ourselves what seems the more likely and it just seems ah... to me that ah... it's not within the realm of possibility that it would be more efficient to operate two Boards than it is to operate one Board. It's going to, in my judgement, cost the State of Illinois really untold millions of dollars in the future to the development of the two-Board system. And I think in this time of ah... fiscal posterity and when the State of Illinois really can't afford any new programs, really can't afford any new kind of approaches such as this provides, ah... that we ought to vote 'no' and we ought to vote to sustain the veto of the Governor and I urge that the Membership at this time oppose the override of this Bill and sustain the veto of the Governor and if more study needs to be had about the whole idea, then we can do that. But I don't believe that we have



the answers ah... before us that would ah... give us the information sufficient to make a judgement on this Bill and ah... in ah... as far as the Governor's veto and I urge a red vote on this motion."

Bradley: "The Gentleman from Madison, Mr. Steele."

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

I rise in support of this very good legislation. In these days when we're having our fiscal problems and our educational problems here in Illinois, it's not often that we have an opportunity to vote on a Bill that's going to both save us money and improve education at the same time and I would point to testimony of both the President of the Carbondale campus at S.I.U. and the testimony of the President of the Edwardsville campus who have stated that a separate Board for each campus would not only improve the educational ah... benefits of the students at each campus, but it would save money. The Chancellor down, er... the President down at Carbondale quoted in the Committee hearing yesterday that it might save up to \$750,000. Now there has been literature distributed which would indicate that maybe a separate Board would cost more money. I say to you that that's impossible. It's impossible for several reasons. Number 1, the Illinois Chamber of Commerce has come out in support of this separation Bill and I assure you they would not support any measure if it were going to thrust greater burdens upon the taxpayers of this State. They're in favor of economy and they support this Bill. Secondly, the present structure at S.I.U. is a very cumbersome, unwieldy, expensive kind of structure. Number 1, S.I.U. is the only university in Illinois with two Presidents. How can you run any organization right with two Presidents. How can you run any business right with two Presidents and because of the cumbersome and unwieldy current situation of S.I.U. they have found it necessary to create a super staff in between the two Presidents and the present one Board. That super staff is grown to 40 people which cost a million dollars a year. Now if we had individual Boards, each President responsible to his Board which would eliminate this million dollar super staff which at present has made the administrative costs at S.I.U. the most expensive in the State of Illinois. I say that we do have administrative problems here at S.I.U. and let's make a change.



Let's make a change for the better. Let's improve the structure and let's give them separate Boards. A reference has been made to the bonded indebtedness. That is absolutely no problem. I point out to you that in the Bill we're considering in Section 28, it specifically provides a mechanism to guarantee the meeting of the bonded debt obligation presently underway and so the answer to that problem is written into the bill. I say to you this is a step forward in the education of the kids at each of these campuses. It's a step forward in economy and efficiency and I urge you to vote for it."

Bradley: "The Gentleman from Moultrie, Mr. Stone. Mr. Stone, would you turn Mr. Stone on, please. Could we have some order."

Stone: "Mr. Speaker, Ladies and Gentlemen, I have been listening intently to the debate on this Bill. I sincerely believe that it is one of the most important Bills that we have voted on this session that affects higher education in the State of Illinois. Now I don't know much about government and I'll be the first to admit it. If there's any one thing I know a little about, I believe that it would be higher education. I have been involved in it for a long, long time. Now first I, I think it might be helpful to you if I would give you just a little background on the governments of higher education in the State of Illinois. Originally... Mr. Speaker, am I imagining or is it noisy?"

Bradley: "Give the Gentleman some order please."

Stone: "Thank you very much. Originally, the State of Illinois had two governing Boards. One was the Teacher's College Board and one was the Board of Trustees of the University of Illinois. The Teacher's College Board had 5 schools under it and those schools were Carbondale, Normal, Macomb, Charleston, and DeKalb. Carb... ah... Carbondale, the school at Carbondale, Southern Illinois, what is now Southern Illinois University wanted a Board of their own. In as much as they were growing larger and larger, the Legislature granted them their own Board and that left the Teacher's College Board and the Board of Trustees of the University of Illinois. Now the Teacher's College Board became the Board of Governor's and when the State of Illinois took over the governments of the two teacher's colleges ah... in



Chicago it was split into the Board of Governor's and the Board of Regents. Now each of those Boards has an executive officer of the Board so that all of the Presidents of all of the regency system schools and the Presidents of all of the Board of Governor's schools go through the executive officer of the Board. Now Southern Illinois University has a different set up for their Board. They do not have an executive officer of the Board, but the President of Southern Illinois University acts as the executive officer of the Board. So that they have no one else to, to channel things through except the President and he presents to the Board what he wants them to have. Now there is a little bit of a problem at Edwardsville, but it's one that can easily be corrected and it should be corrected in my judgement by having an executive officer of the Board then the two Presidents in the system would then report to the executive officer of the Board just as they do in the other systems in the State of Illinois. Now there, there's been a lot mentioned here about the, the cost of ah... doing this or not doing it and I think that the cost factor either way is not that serious. However, if you will have noticed, ah... Representative from DeKalb in which is located Northern Illinois University is now supporting this, this Bill. Up until recently, he was against the Bill. He is now supporting it because he wants a separate Board for Northern Illinois University and when Northern gets one, then certainly Illinois State at Normal should have one and, Ladies and Gentlemen, we will then have 12 Boards, 12 governing Boards in the State of Illinois and this in my judgement would absolutely be chaos. It would in, in ah... to a certain extent... Well, I, I would like to have a Roll Call, too, but sometimes you know things get so serioud to us that we feel impelled to at least say something in ah... hope that others might listen and, and understand things as, as you believe you understand 'em and I hope that you can bear with me a little while. Now I don't get up often and maybe I could have a minute or two from some other time that I don't get up. This is so serious, Ladies and Gentlemen, to higher education in Illinois that I believe all of us should have all of the facts that are available before we are called upon to vote upon this question. I don't think that higher education could



operate in Illinois with 12 Boards and if, if Carbondale is entitled to, Southern Illinois University is entitled to ah... if their Board is split then there's certainly no reason why ah... Northern Illinois University shouldn't have their Board because they older and much better established and larger than, than ah... ah... Southern Illinois at, at Edwardsville. It isn't a matter of whether you want to do something for a friend. I see the Senate Sponsor is walking up and down here and I sort of think he shouldn't be, but I'm not going to ask him to quit because Sam is a friend of mine; but this, Ladies and Gentlemen, goes far beyond friendship. It is in my humble judgement, a question of whether we're going to have the best for higher education or whether we're going to start a splinter group. I think that we definitely should, should uphold the Governor's veto of this Bill."

Bradley: "The Gentleman moves the previous question. The question is shall the main question be put. All those in favor will signify by voting 'aye', er... saying 'aye'; opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Gentleman from Madison, Mr. Lucco, to close the debate."

Lucco: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I want to be as brief as I can in closing here. I want to be sure that Representative Stone gets this point. The Board of Higher Education has had a long history of having more studies. He's talking about let's study this more. We've been 20 years studying things that the Board of Higher Education of been piddling around with. They've done an awful lot of good things, but I don't believe we need any more studies. I don't think that you can compare the situation at Southern Illinois University at Carbondale and Edwardsville with any other university. The University of Illinois does not have a separate President. At ah... the Chicago circle, they have a Chancellor. At the University of Southern Illinois, there is a separate President of both of these campuses which are 125 miles apart. Southern Illinois Edwardsville has an enrollment of 12,608 students. I believe that they're entitled to be permitted to plan their curriculum to meet the needs of the student of their area which is an industrialized area in opposition to the rural area



of Carbondale. We need both areas, but each one of them should have the right to plan for the needs of the immediate area. I ask you for an 'aye' vote."

Bradley: "The question is shall Senate Bill 16 pass, the veto of the Governor notwithstanding. All in favor will signify by voting 'aye'; all opposed by voting 'nay'. The Gentleman from Logan, Mr. Lauer, to explain his vote."

Lauer: "Speaker, I've listened to this debate with a certain amount of dispassion and with a certain amount equanimity, but I heard that it was brought to the Executive Committee out of the usual order last spring. I will admit this is true. I will admit also, Mr. Speaker, that when the Senate Sponsor came to me and asked me for a vote to get it out of Committee, I said, Sam, for anybody else in the world there is no possible I would do this, but okay I'll give you a vote because it never occurred to me that it would pass on the floor and that is with due respect to both the Senate Sponsor and the House Sponsor. I would like to point out, Mr. Speaker, that I am not known as a friend of the Board of Higher Education. In fact, I am probably one of their most intracable enemies in this House; but it is the case, Mr. Speaker, that the Board of Higher Education and the efforts of higher education in this State, not necessarily represented by that Board are fragmented by more and more and more governing Boards. We cannot have a cohesive thrust to the extent that we do not duplicate programs, that we do not duplicate efforts that are State funded in this State if we do not have some sort of an equitable and some sort of a cohesive direction enhance to higher education in the State. I don't like the Board of Higher Education. I think they are potentially destructive force, but an even more destructive force is a, an individual governing Board from each one of the public universities. We would go right back to the situation where each one is in there scraping for their own funds and you'll probably have U of I coming off as they usually do like a bunch of Chinese bandits and everybody else picking up the crumbs. I would please, Ladies and Gentlemen of the House, for the force of higher education and the thrust of higher education and to the extension of, of higher education as funded by the State in this State and respectfully request a



'no' vote as I am voting."

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

Ebbesen: "Yes, Mr Speaker, not really explain my vote, but for a point of clarification personal privilege. My name was mentioned in debate by Representative Stone and he said that I was now supporting this because I wanted a Board for Northern Illinois University. I'd like to make the point clear that ah... certainly I want ah... Northern Illinois University to have its own Board, but I also want every other university ah... in the State of Illinois to have their own Boards because as I indicated, I am and advocate of this system. It works effectively, efficiently with a great deal of fiscal responsibility in the States of Michigan and Ohio. I think especially after Monday of this week when the Board of Higher, er... the Committee on Higher Education met ah... that was made very clear that ah... there are universities that feel this way and for that reason, it's not just for Northern Illinois University, but I'm and advocate of the system and it is a well-run, fiscally sound and I thank you very much."

Bradley: "The Gentleman from DuPage, Mr. Hoffman, to explain his vote."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, just very briefly to correct a statement that was made, the Illinois State Chamber of Commerce is not in support of this motion. They opposed the Bill during the session and their ah... their newsletter which went out ah... includes a typographical error. I talked to them specifically about this Bill. They are not in support of this motion. In fact, they're opposed to it."

Bradley: "The Gentleman from Madison, Mr. Wolf, to explain his vote."

Wolf: "Mr. Speaker, Members of the House, I rise in support of this motion to override. This university is located in my district. I'm well aware of the desires and the wants of the people of this community. These are the same people who worked hard and diligently to raise over \$600,000 to acquire the ground necessary to build buildings of this institution. These are also the same people who worked hard and endured the heartaches and the hardships of land condemnation, endured insults. These are two separate types of educational institutions. One serving a predominantly rural area,



and one serving a predominantly industrial area. They are not compatible. This was illustrated and brought out by Representative Lucco when he indicated the appointment of a separate President for the institution at Edwardsville. All of us have got the most respect for the Board of Higher Education. We don't question their integrity, but we certainly question their wisdom in obstructing the separation of this unit. No parent would tie a permanent apron string to their child once it had maintained and had reached maturity. The same should be true in this case. I urge your support of this override motion. Vote 'yes' on Senate Bill 16 and I invite you to join with me and watch this university become one of the great educational institutions of this State. Thank you."

Bradley: "The Lady from DuPage, Mrs. Dyer, to explain her vote."

Dyer: "I, I wouldn't touch Roll Call. I just want to congratulate the Members of the General Assembly for understanding the issue here that if you had voted 'yes' on this, you would have 12 children sitting around the Christmas tree every year at budget time grabbing for the goodies. Now we can continue with our system of having public Members analyze what's good for education. We will be looking at government more closely, but thank you for this vote. I hope we'll take a Roll Call soon."

Bradley: "We're certainly going to. Have all voted who wished? Have all voted who wished? I'm sorry. Gentleman from Madison, Mr. Byers, you wish to explain you vote, sir. Turn on Mr. Byers."

Byers: "Thank you, Mr. Speaker. I'd like to explain my vote. I live in Madison County also and I ah... while I think this is a laudible effort on Senator Sam's part to have a separate Board, I don't feel at this time that it's ah... ready for a separate Board and secondly I have to look at this as if I were living in some other part of the State would I vote for a Bill if it was in Rock Island or ah... DeKalb and I wouldn't support a separate Board there neither. So I, that's the reason I'm voting 'no' on this particular Bill."

Bradley: "Have all voted who wished? Have all voted who wished? The Gentleman from Madison, Mr. Lucco."

Lucco: "Looking at the scoreboard, I think we'll take another shot. Would you please put it on postponed?"





Bradley: "The Gentleman asks that the Bill be placed on postponed consideration. We've given other people the same ah... favor when they ask for us to do that and so the Bill will be placed on postponed consideration. The Gentleman from Lake, ah... Mr. Matijevich. For what purpose do you rise, sir?"

Matijevich: "Record my objection to the postponed consideration."

Bradley: "Record Mr. Matijevich's objection to placing Senate Bill 16 on postponed consideration. On the Calendar under total vetoes appears a motion to concur with the Senate in overriding the Governor's veto with respect to Senate Bill 55 for which the Chair recognizes the Gentleman from Cook, Mr. Kosinski. It's been indicated ah... for the information of the Members that 32 will not be ah... the Sponsor does not wish to call it today."

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, I wish to sustain the Senate's action in overriding the Governor's veto on Senate Bill 55. If you remember..."

Bradley: "Could we give these Gentlemen some order please."

Kosinski: "If you remember, Senate Bill 55 passed handily in this House of Representatives ah... The issue was essentially this. The Department of Revenue wished to prosecute tax cases in Sangamon County or/and possibly Chicago putting an extreme burden on communities outside of these areas necessitating their coming to these centers over and over for continuances when they were faced with economic disaster. I ask for, we sustain the Senate's override and vote 'aye'. Thank you."

Bradley: "Discussion? If none, the question is shall... Pardon me, the Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to oppose the Gentleman's motion to override the Governor's veto of Senate Bill 55 and I do it for the reason that the inevitable effect if this veto is overridden is that the State will lose sales tax revenue. Currently, cases involving sales tax are tried in Sangamon County only. This would seek to change that provision and provide that the cases be tried in the various counties where the offenses are alleged to have taken place. Now I submit to you, Mr. Speaker, that there are very few counties in this State that are equipped to



handle cases like this. We have many counties, as you know, that they have part-time States Attorneys, in effect, part-time States Attorneys who have their hands full with many, many other matters and who cannot and do not have the staff to become experts in sales tax matters. This is a specialty. It is not too much of a hardship to have offenders brought to Springfield to defend their action in sales tax matters. This is a very, very significant Bill, very significant motion and if the State is not to lose more revenue, then we'd better sustain the Governor's veto and vote 'no' on the Gentleman's motion."

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

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I couldn't agree more with my colleague, Bill Walsh. This is a matter that involves tax collection for the State of Illinois and is critical in the process in bringing about the taxes that are due under the sales tax in Illinois. I would point out to you that the Bill deals primarily with the prosecution. That is to say, the second phase of the tax collection process which ends up in the court. There is indeed administrative review. This Bill originally addressed itself to the problem of venue and where those cases should be heard where taxpayers have failed to comply with law based upon the investigations of the Department of Revenue. In each and every case under administrative review, the Department of Revenue attempts to hold those administrative review hearings as close as possible to the taxpayers. The Department of Revenue has a hearing section in Chicago to handle the northern Illinois cases. The Department of Revenue also has hearing offices throughout the State of Illinois and in administrative review, those cases are heard as close to the taxpayers location as possible so that the inconvenience that this Bill attempted to eliminate ah... does not arise. It's only in the cases where the taxpayer appeals the administrative review and the taxpayer ends up filing suit in the court system that we're talking about and indeed Representative Walsh is exactly true. There are very few State's Attorneys throughout the State of Illinois that have the expertise on their staff to bring about adequate prosecution in, in State tax cases. It would be foolhardy on our part to tie the arms behind the back of the Department of



Revenue in its enforcement procedure by mandating that all cases be prosecuted in the 102 counties of this State rather than in, by the, those public officials who have the expertise ah... to handle the matter and I would certainly hope that we would sustain the Governor's veto."

Bradley: "The Gentleman from Cook, the Majority Leader, Mr. Shea."

Shea: "Well, Mr. Speaker, I feel a little more comfortable now that Mr. Walsh and I are not on the same side. I think that this Bill ought to become law and I will tell you why. Somebody has forgot to tell you that the Department if you live in Chicago can file their complaint in Springfield or if you live in Springfield, they can file it in Chicago. Now why not make the law the same as it is in almost every instance and that is where the transaction occurs and where the defendent resides. That is where the person ought to have the opportunity to have his hearing. Where he lives and to be tried if he wants it by a jury of his peers. I think that this is a good Bill and it ought to become law."

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

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I am appalled to hear some of the arguments saying that well State's Attorney offices do not have the sufficient information or the expertise to try these cases. I think every Legislator here has the duty to represent his or her respective constituent, but we have constituents who are involved with Internal Revenue, the State of Illinois. They live in my county, for example. I think they are entitled to be tried there, not going all the way from Lake County, Illinois to Sangamon which is 240 miles away. I think the argument about the lack of expertise as I said ah... on ah... on the State's Attorneys is absolutely without foundation because any State's Attorney or Assistant thereof worth his salt to certainly have enough sense to research their laws to prepare this case in the site where it happens. I think it's a very unfair ah... Bill and ah... It's a very unfair statement to expect people to travel 300 miles away or 500 mils away and, therefore, I would like to ah... support the override on Senate Bill 55."

Bradley: "The Gentleman from Lawrence, Mr. Cunningham."



Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I make it a habit of standing with the Majority Leader and the distinguished Sponsor of this Bill when they're right and they're right in this instance. It'd make no sense at all that you give such an edge to the State of Illinois, the Department of Revenue to scare out the small taxpayers who have to go to the expense to come from the far reaches of the State to have their day in court and get their verdict. It makes no sense at all to say that it's reasonable to have your, to have your administrative review hearings where the taxpayer is located, but if your administrative review hearing is unsuccessful, then you have to go away, far away to find what big government gate will be meted out to you. If you believe that the State is right in staying, having the administrative review near the taxpayer, why in the name of common sense and goodness shouldn't they have the review in the same place. It's nonsense to suggest that the judges are any less smart in the 54th District than they are here in Sangamon County. If you follow that to its logical conclusion, you'd decide the Legislators were smarter in Cook County and Sangamon County and we hold that isn't true either. Now in the name of fairness, think just a little while about your constituents, the taxpayers that you have, the small businesses that you have in your area and get off of this kick that you have to do something every day on behalf of government to squeeze out the last dime or nickel's worth of tax. Ah... But I'm proud to vote 'aye' with Kosinski."

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

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

Bradley: "He indicates that he will."

Madison: "Representative Kosinski, ah... it seems like in the discussion on this Bill an aspect of this Bill has been left out which seems to me to be very important. As I understand it, this Bill also prohibits the Department of Revenue from contacting a person represented by an attorney except from the initial contact. Is that not true?"

Kosinski: "That is perfectly correct."



Madison: "Would you explain the rationale for that House Amendment?"

Kosinski: "...added that Amendment on the premise that once the original taxpayer was contacted and turns this matter over to an attorney..."

Madison: "Mr. Speaker, I've having difficulty hearing him. I don't know if it's his mike or what."

Bradley: "Let's give the Gentleman some order and possibly turn his mike up a shade."

Kosinski: "You're understanding, Mr. Madison, is perfectly correct. This was in the form of an Amendment offered by Representative Berman on the premise that once the taxpayer is contacted by the Department of Revenue and has the good judgement to turn this over to a competent attorney, in the future, the Department would then deal through the attorney so that the taxpayer is properly represented and the answers are correct. You're right, Mr. Madison."

Madison: "Ah... What is your reaction to the argument, Representative Kosinski, that this procedure interferes with the individuals rights of being informed of the status of a suit or hearing?"

Kosinski: "Ah... I have a negative reaction to that statement in that the taxpayer is originally contacted. His rights are told him. He knows the subject of the case. He knows the problems of the case and only after that and after consideration of thought does he turn it over to a tax ah... attorney to represent him and I think that man is most fitted properly to represent the taxpayer."

Madison: "Thank you very much."

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

Garmisa: "Ah... Well, Mr. Speaker and Ladies and Gentlemen of the House, I want to correct some misinformation that's being passed out about this Bill on the floor here this afternoon. The prosecution of these cases is not in the hands of the State's Attorney. It's the Auditor General that prosecutes these cases and the Auditor General is adequately represented in each of every countyh of the State of Illinois and when we're going to be calling upon the small businessman, the small retailer, the cigar store-owner, or the candy store-owner to travel from Chicago down to Springfield or whether it be in Cunningham's district down to Springfield. This in itself costs this taxpayer to be represented here in Illinois and all the travel



expenses involves makes it absolutely inhibitive for him to do anything but to come actually pay whatever he, he thinks might be a wrong imposition of the tax. This is a good Bill. The Governor's veto should be overridden. I would ask for a green of every Member of this House."

Bradley: "The Lady from Cook, Ms. Willer."

Willer: "I'd like to ask the Sponsor a question."

Bradley: "He indicates that he will yield."

Willer: "I keep hearing ah... sort of heart-tugging references to the small cigar store-owner, the little businessmen. Do you have any ah... statistics, Roman, on how many ah... business people of their type would be involved or effected by this as opposed to the large businesses?"

Kosinski: "I have no such statistics, but we know in this period of time, small businesses face a crisis and the number of bankruptcies of small businesses are very apparent to all of us. They're a great portion of this problem."

Willer: "You say there are ah... Am I on? Over 50%? Over 50%?"

Kosinski: "I don't know the actual statistics. My guess would be in excess of 50%, Ann."

Willer: "Thank you."

Bradley: "The Gentleman from Cook, Mr. Kosinski, to close. Pardon me, Mr. Schraeder, did you want to speak on the issue? I'm sorry. The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, Members of the House, there's some talk about small businessmen and the hardship this would occur to the small businessmen. But I would like to point out one thing. This isn't directed to the small businessman. This is directed to the retail merchants who do a number of things. One, they failed to fail ah... failed to file a return. Two, they filed fraudulent returns or otherwise do things that are contrary to the law. Now we're having ah... imposition on a small businessman which is incorrect. We're talking about the people, the small retail merchants, the large retail merchants and we're talking of thousands and thousands of retail taxes that have been collected and have not even been reported to the State. And so this Bill hits at the heart of the matter. Do



we want fraudulent claims filed? Do we want these merchants just left alone and not be prosecuted for not paying their tax or even filing the form? I think not. I think it's the Department of Revenue's obligation to go after these people who have not filed the form nor paid the tax. These merchants have received the tax and I say this Bill has got to be maintained as it presently is with the veto and I would ask you to vote 'no'."

Bradley: "Back to the Gentleman from Cook, Mr. Kosinski, to close the debate."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, big business is well capable of taking care of itself and if the amounts involved are sufficient, I'm sure the Department of Revenue and the legal background of that Department is well capable of prosecuting big business in this need. However, the victim of this sort of action is small business and historically, Ladies and Gentlemen, both the Democratic Party and the Republican Party have had great empathy for small business. On that basis, I ask for this relieve and a vote for the override. Thank you."

Bradley: "The question is shall Senate Bill 55 pass, the veto of the Governor notwithstanding. All in favor signify by voting 'aye'; those opposed by voting 'nay'. The Gentleman from DuPage, do you wish to explain your vote? The Gentleman from DuPage, Mr. Hoffman, to explain his vote."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, in explaining my vote, everyone is crying for the small businessman. I haven't heard from one businessman in my district who is in favor of overriding the Governor's veto on this Bill. I think it should be very obvious to some of us where the interest for this Bill is coming from and if you have some understanding of the location of where that interest is, you'll see why you should sustain the Gov... You will know why you should sustain the Governor's veto and in that way, I would like to explain my 'no' vote."

Bradley: "The Gentleman from Sangamon, Mr. Londrigan, to explain his vote."

Londrigan: "Mr. Speaker and Ladies and Gentlemen of the House, I can assure you that Sangamon County does not want to handle all this additional business themselves. We're happy to spread it around



at a cost thereof to the rest of the State. The small businessman and small people in general deserve this consideration. Who says they made a mistake? The State of Illinois. Let the State of Illinois go to their locality and further besides which I have checked Representative Kosinski's voting record. He has an outstanding voting record. I would suggest that we help re-elect a fine Representative and give him some more green lights to pass this Bill."

Bradley: "Have all voted who wished? Have all voted who wished? Lauer 'no'. Have all voted who wished? The Clerk will take the record. The Gentleman from Cook, Mr. Kosinski, asks that this Bill be placed on postponed consideration and we have done the same in the past for other requests. So we will place Senate Bill 55 on postponed consideration. On the Calendar under the total vetoes... Mr. Matijevich wants the record to indicate that he objects to the Bill being placed on postponed and it shall so be recorded. On the Calendar under total vetoes appears a motion to concur with the Senate in overriding the Governor's veto with respect to Senate Bill 103 and the Chair recognizes the Gentleman from Cook, Mr. Porter."

Porter: "Mr. Speaker, Ladies and Gentlemen of the House, ah... Senate Bill 103 is Senator Glass's Bill and it provides that the distributions in 1971 from qualified pension plans would be taxed the same way as all other distributions during the term of the Illinois Income Tax Act. You'll recall that in 1972, this General Assembly provided relief for senior citizens by exempting qualified pension ah... fund distributions from the Illinois Income Tax Act. Subsequently, after our action there was a court decision in the Illinois Supreme Court that exempted distributions made in 1970 and also those made in 1979 which was the year that the Income Tax Act came into being. This left 1971 distributions only as those taxable under the Act. I think this is an equitable for those senior citizens who received their distributions in that one year. When this Bill was considered, the Department of Revenue was neutral in respect to it and it had a fiscal implication according to their estimates of not more than \$100,000 on a one-time basis and in actual, practical ah... fiscal implication of about \$20,000. The Governor's veto message was simply in error because he did not take into account





the fact of the court decision exempting 1970 and 1969 distribution. The Bill originally passed in the Senate 41 to 1. It passed this House 153 to 1 and ah... two weeks ago the override in the Senate was 44 to nothing. If we can correct this inequity, there is a one-time impact only and I would urge the Members of the House to override the Governor's veto which was made simply in error."

Bradley: "Discussion? Hearing none, the question is shall Senate Bill 103 pass, the veto of the Governor notwithstanding. All in favor will signify by voting 'aye'; those opposed by voting 'no'. The Gentleman from Cook, Mr. Madison, to explain his vote."

Madison: "Mr. Speaker, I wanted to ask... raise a question of the Sponsor."

Bradley: "Mr. Madison, I leaned back and looked at this board waiting for some light to come on and ah... it didn't come on so after I announce it, if you want to ask it, I'm sure that the Sponsor will answer the question in explaining his vote."

Madison: "Yes, ah... What I wanted to know ah... Mr. Speaker, was what... I heard the Sponsor indicate ah... that ah... this Bill was related basically to the ah... the effect would be ah... a positive effect on senior citizens, is that correct, Mr. Sponsor?"

Porter: "I don't ah..."

Bradley: "If you want to ask a question, fine. And then he answer it in ah... ex... Well, if you have other questions, I suggest you ask them and ah... he'll answer them ah... he'll answer them ah... when he explains his vote, sir."

Madison: "I'll just turn around and ask him, Mr. Speaker."

Bradley: "Fine. That would be an excellent idea. Have all voted who wished? Have all voted who wished? The Clerk will take the record. The Gentleman from Cook, Mr. Porter."

Porter: "Well, it seems very obvious that ah... maybe the Members weren't listening since 121 votes aren't up there. The Bill is a very limited Bill to correct an inequity in the Illinois Income Tax Act that provides for the taxing of the pension distribution income for one year only and this is the result that occurred by our action in exempting pension income completely for the years 1972 and thereafter and the result of a court case that exepcted it for 1969 and 1970.



people or the elderly a single little bit and if you will recall, I'm the one that passed an exemption to the Illinois Income Tax which was prospective from the period of August 1, 1969 to the present."

Shea: "Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. The Gentleman from Cook, Mr. Porter, wishes to place this on postponed consideration and that will be it. Now Mr. Matijevich, the Gentleman from Lake, wishes to object for the purposes of the record. Mr. Palmer."

Palmer: "Parliamentary inquiry, Mr. Speaker. And it has to do with a question as to when we can get out of here. There are a number and have been a number of Bills that have been placed on postponed consideration although a good part of the Calendar has been whipped. Perhaps today there are Special Sessions that we have to attend to and it would seem to me that the direction that we are going now will indicate that we're going to be down here for some time. I believe that we can conduct the affairs of this House and get to the business that we have to conduct in a faster time than perhaps we're doing it right now. But my question to you, sir, is whether or not or when we can reasonably expect to ah... get out of here so that we can go home."

Shea: "It's the intention of the Chair on the Regular Session, to call one more motion. Could you hold you question for a minute, sir?"

Bradley: "On the Calendar appears House Joint Resolution Constitutional Amendment 35 on Second Reading. The Sponsor indicates he would like to move it to Third Reading today and hold it on the Calendar. I, Mr. Marovitz, I understand from the Clerk that that is on Third Reading right now. We moved it from Second to Third. It was read a third time when we stood in recess for five minutes. The Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, I move that the Regular Session of the House of Representatives stand in recess until after the Second Special Session."

Bradley: "The Gentleman moves that we will stand in, the Regular Session will stand in recess until after the Second Special Session. All in favor will... The Gentleman from Cook, Mr. Walsh."

Walsh: "Well, in line with the question that ah... Representative Palmer



asked as to what we can expect of the Regular as well as the Special Sessions ah... I wonder if the Majority Leader would ah... respond to the question he raised. When can we expect to adjourn the Regular Session until January 10th or 13th or whenever?"

Shea: "Tomorrow sometime, we hope."

Walsh: "Ah... We've gone through, it has been pointed out, every Bill on the Calendar in the Regular Session, every override. Now why can't we give those few that were postponed an opportunity this afternoon, adjourn the Regular Session, and ah... deal only with the Special Sessions this afternoon."

Shea: "Because you know, Mr. Walsh, that we were going to keep that session open until tomorrow."

Walsh: "Well, I didn't know that we were keeping it open."

Shea: "That's what we had talked about, Mr. Walsh."

Walsh: "With whom? You talked with whom?"

Shea: "I talked with the Minority Leader about it."

Walsh: "Well, that makes it fairly official, but it seems to me to be a good idea, Mr. Majority Leader, to ah... get rid of that and ah... get on to the other matters. That would seem to be a whole lot more orderly process than what we're going through now."

Bradley: "In response to Mr. Palmer, I think if you can wait about 30 minutes, we can give you a positive answer ah... to your inquiry, sir. Now the motion to recess the Regular Session and go into the ah... until after the Second Special Session. All in favor will say 'aye', 'aye'; opposed 'no'. The 'ayes' have it. The Gentleman from Cook, Mr... We are now in the Third Special Session and will the... Introduction, First Reading."

Jack O'Brien: "House Bill #7, Skinner. A Bill for an Act to amend Sections of the School Code. First Reading of the Bill."

Bradley: "Committee on Assignment. Further Introductions. The order of business on the House Calendar appears in the Third Special Session on the Calendar appears on Second Reading, House Bill 5. Mr. Matijevich. Read the Bill a Second time."

Jack O'Brien: "House Bill 5, Third Special Session. A Bill for an Act to provide for the selection of delegates to National Nominating Conventions for established political parties. Second Reading of



the Bill. No Committee Amendments."

Bradley: "Amendments from the floor?"

Jack O'Brien: "None."

Bradley: "Third Reading. On the Calendar on Third Special Session on the order of Third Readings appears House Bill 1. The Majority Leader, the Gentleman from Cook, Mr. Shea."

Jack O'Brien: "House Bill #1, Third Special Session. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

Bradley: "The Gentleman from Cook, Mr. Shea. We're in the Third Special Session. We recessed the House till after the Second. We're in the Third."

Shea: "This morning, Mr. Schlickman, we had the Third coming after the Regular and the Second after the Third. One was adjourned until tomorrow morning."

Bradley: "The Gentleman from Cook, Mr. Shea, on House Bill 1."

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

Bradley: "Pardon me, Mr. Speaker. The ah... Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, we haven't had a Roll Call. We haven't had a prayer. We haven't had anything."

Bradley: "We did that this morning, sir, and we just recessing that session, this session until after the Regular Session and that's where we are now?"

Walsh: "It wouldn't hurt us to have another prayer, Mr. Speaker."

Bradley: "You want another prayer? I think it costs us \$25 a prayer, so we'll move that... Somebody want to move that the previous prayer be used. The Gentleman from Cook, Mr. Collins."

Collins: "Mr. Speaker, this is House Bill 1 dealing with the Election Code?"

Bradley: "On the Third, on the Calendar on Third Reading in the Third Special Session, not the Second Special Session."

Collins: "Well, I believe the Clerk just read House Bill 1, ah... an Amendment to the Election Code which is a Bill dealing with the State Board of Elections."

Shea: "No, Phil, you're on the wrong Session."

Collins: "I thought you were. That's my question."



Bradley: "On page 11 in today's Calendar."

Shea: "We're in the Third Special Session, Phil."

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

Duff: "Mr. Speaker, to save \$25, I move that Monsignor Walsh lead us in prayer."

Bradley: "Is he available? The Gentleman from Will, Mr. Kempiners."

Kempiners: "Parliamentary inquiry, Mr. Speaker. For those of us who do have Bills..."

Bradley: "Would you ah... We do, we do have a correction. Mr. Collins is absolutely right. We read, we read the wrong Bill. The Clerk will read the correct Bill."

Jack O'Brien: "That's House Bill 1, Third Special Session. A Bill for an Act to provide for the selection of delegates to National Nominating Conventions for established political parties. Third Reading of the Bill."

Bradley: "Now, back to ah... Mr. Kempiners ah..."

Kempiners: "Mr. Speaker, I know which Session we're in and my parliamentary inquiry relates to, did we skip Special Session Two. Are we going back to it or what's the situation there?"

Bradley: "Two, Two comes after Three."

Kempiners: "Okay, so we're going..."

Bradley: "That's a new rule in the House. We're... I hope there aren't any school children up there. All right, now let's get back to ah... to Mr. Shea ah... the Gentleman from Cook, regarding House Bill 1, Third Special Session."

Shea: "Mr. Collins, I apologize. I didn't realize he rang, he read the wrong Bill. Too many House Bill 1's. Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1 has to do with one of the methods of delegate selection within our Election Code. It only deals with what is commonly referred to as Alternate B and that is on page 20 of the Elec... er... of the Bill. Alternate A makes no change and that's on change, er... on page 19. The change by this Amendment in Alternate B and I will read you the language. It states that the Board shall utilize as the formula to determine the number of delegates or alternate delegates as the case may, may be to be elected from each Con... Congressional District whichever



formula is certified to the Board by the State Central Committee as being on in conformity with the rules of the national committee of that party. Such certification shall be made to the Board by the State Central Committee at the same time the Committee designates the alternate to be utilized in allocating delegates and alternate delegates. That is the change with regard to the method of selection of delegates. There is another change in the Bill and that is on page 11 and it says that if the State Central Committee so certifies, the person named as presidential preference may file within 5 days after the last day for filing petitions, a signed request that the State Board of Elections that such person named be stricken as his presidential preference. In that case, the State Board of Elections will certify the candidate as uncommitted. Those are the two changes within the Bill. I would appreciate the support of the House and I would attempt to answer questions from any of my colleagues with regards to the Bill."

Bradley: "Discussion? The Gentleman from Lake, Mr. Pierce."

Pierce: "Would the Gentleman yield to a question? He said he would.

Ah... When the State Central Committee designates a method, how do they vote? Do they vote individually? Or by weighted vote based on a previous primary?"

Shea: "Mr. Pierce, you remember at least within my party, the Democratic State Central Committee and you know far better than I do that answer to that question, but I'll attempt to answer it with my limited knowledge. Those people elected have a weighted vote determined by the amount of primary votes in the previous primary election to the best of my knowledge."

Pierce: "And that designation would be certified by the Chairman and Secretary of that Committee ah... to the State Board of Elections so we will have one and they will then designate how many delegates will be elected each district, is that correct?"

Shea: "By a formula designated by the State Central Committee, sir."

Pierce: "And in compliance with the rules of the national committee of that particular party."

Shea: "Yes, sir."

Pierce: "And the, and the Bill applies equally to Republicans and



Democrats, is that right?"

Shea: "The Bill only deals with Alternate B which is the alternate additionally used by our party. Certainly if another major party wished to avail themselves of that alternate, they could."

Pierce: "But the statute doesn't ah..."

Shea: "It's not statutory."

Pierce: "It doesn't limit it to one party. Well, in this late stage of the game, Mr. Speaker, I don't see ah... anything wrong with this Bill even though I looked at it and thought there might be something wrong with it ah... We're at a very late stage here. We have national conventions coming up. We have a primary election in March to elect delegates because I know Representative Fennessey withdrew his motion to override on the May primary. We're a March primary. The filing period is January 7th to 14th for delegates. So we haven't got a heck of a lot of time. We're just about out of time in this session and there is no legal way that my party, the Democrat party, under present statute can conform with the Democrat National Committee's rules and elect delegates to the National Convention. Now I'm not completely happy with the formula that the State Central Committee on which I serve came up with. I think it does deprive the suburban and downstate areas of delegates and maybe weighs to heavily towards to the more Democratic Congressional Districts and yet at this late stage, when I think it's our responsibility as Legislators and our responsibility as party leaders to come up with a valid formula that will stand the test of New York City ah... next summer so that we don't have the same disgrace that we had in Miami Beach four years ago when valiantly elected delegate were thrown out, thrown out of the National Convention even though they were elected by the people of their districts which in my opinion despite what may have been said later on by the Supreme Court, in my opinion, was in derogation of the Democrat process. I certainly don't want to see that happen again and although I may not agree with the formula that the Democrat State's Central Committee came up with, even though I serve on that Committee, I think at this late stage, House Bill 1 is a valid solution in ah... Third Special Session, House Bill 1



is a valid solution that I think we're going to have to live with if we are to elect delegates to the National Convention and have them seated and represent our State at the National Convention next summer. And, therefore, I have no alternative but to support House Bill 1 and will vote for it and feel that we all should support it now that we're coming up to the date for filing and have to have some certainty as to how many delegates will be elected in each district prior to circulating petitions."

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

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill I have just looked at and it was thoroughly misrepresented to me by the Majority Leader in earlier conversations. This he said to me was an alternative for the Democrat party and did not effect the Republican party. It does indeed effect the Republican party. This Bill in effect repeals everything that has gone before. Alternative A and Alternative B are now gone with this Bill and the State Central Committee of each party can do as they damn well please. Now, Mr. Speaker, I'll tell you this is a very, very bad Bill and it's a very, very dangerous Bill. This puts in the hands of a few powerful men who will represent the 11,000,000 of this State at these, at the National Nominating Convention. That's wrong, that's very wrong and I would ask that the Majority Leader respond to my charge that this Bill was misrepresented to me and other interested Republicans because he did not tell me that this was an alternative that Democrats traditionally use. The Republican State Central Committee can use this, too; and I'll tell you something. They'd be happy to use it. They'll jump on this so fast it'll make your head swim because we have some power man people, too. I urge you to vote 'no' on this Bill. It's a terrible Bill."

Bradley: "The Gentleman from Cook, Mr. Shea, indicates he will respond, sir."

Shea: "I'll respond, Mr. Walsh, 'cause I've never misrepresented anything to anybody on this floor to the best of my knowledge. I told you this morning when you talked to me about this Bill that it dealt only with Alternative B. The one traditionally used by the Democratic party. I told you it did not touch or at all in any method alter





Alternative A. I put a new alternative in there because you know full well, you know full well, sir, that we could not pass a law to be used only by your party or my party 'cause that would be special legislation. So don't try to kid the people here. What you're saying here, what you're saying here is you don't like this method because you don't trust some people in your party. So that's your problem, not mine; but don't get on the floor of this House and tell any Member of this House that I ever misrepresented anything 'cause I value my word and my representation and when I give it to a person on this floor, I keep it. And when I tell them something, it's the truth, by God."

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

Epton: "How'd I manage to pick this spot?"

Bradley: "Just by the luck of the draw."

Epton: "Well, I'm glad you didn't say by the luck of the Irish. That would really... Ah... I had a question to ask the distinguished Leader, but ah... I think if he will relax for a moment, he'll know that I probably dislike both parties at this moment ah... which gives me somewhat of a problem. Is it possible under your Bill and this question is similar to the one I asked Representative Walsh yesterday, is it possible under this Bill that my district which has seen the light that has only a bare handful of Republicans left that no representation would be allocated at the convention?"

Shea: "Representative Epton, I don't know how your national party works. I know that under the alternative formulas that our Democratic National Committee has said our allowable formulas for us to get to the convention, members of my party. It has two or three methods that I'm sure could vary delegations by Congressional Districts 1 or 2. I will tell you, sir, that I have no intent whatsoever to change any of your districts."

Epton: "Oh, I'm sure you have no intent, Mr. Leader, ah..."

Shea: "Is it possible? I can't tell the answer to it."

Epton: "I think that Speak... Minority, Assistant Minority Leader, Walsh, was right. We have some power hungry State Central Committeemen and Ward Committeemen and ah... since there aren't more than 12



or 14 Republicans in my whole district, we'd feel pretty badly if they ran somebody for President without our approval."

Bradley: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, nobody has misrepresented me on this Bill. Ah... However, I'm going to make some, some of my own judgements. Based on what I think the Bill is, I, I feel I made a mistake when we were in the Regular Session in voting for the ah... delegate selection plan because ah... as I look back at what happened, it really favored the Chicago districts and opposed to the downstate and suburban districts and I think that's wrong. Now ah... what Gerold Shea did tell me after he presented the Bill, he said look at all the power I'm putting in your hands because I'm a State Central Committeeman. Believe me, ah... I don't want that power, Jerry. Ah... I'd rather have it in the hands of people where it belongs and ah... I really think what we've got to understand here, both political parties, that the State Central Committee of both political parties wants to take the rights away from people and I know what's going to happen ah... in the Democratic State Central Committee. They're going to come out with the formula that isn't going to be in the best interest of all the people of the Democrat party. It's the same old ramrod and I happen to agree with the Assistant Minority Leader. Your party is no different than mine. It, it will be run by the select few, the power hungry and I think that we, the individual Members of this Legislature, ought to stand firm and say we don't agree with that process and now I have some doubts about what'll happen. I know that ah... this was all coming on us late and I think this is more by design than anything because the Democratic State Central ah... powers, I think they don't want a Bill because under the Democratic ah... national rules I believe all you have to do is show an attempt that you tried to get a delegate selection Bill and then they're going to be able to say, well we tried. And we came down to the wire and we couldn't get it and they're going to run the show the way they want and I think that's bad. I think that we as individual Members have got to be opposed to this type of politics. It's not people politics. It's power politics and I would urge Members on both sides of the aisle



to vote against House Bill 1."

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

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House I arise also in opposition to this Bill for many of the same reasons ah... that have been stated by the prior speakers. Ah... In essence, what we are doing is putting a provision into the law regarding the selection of delegate candidates by giving the State Central Committee the complete power to select by any method they deem a feasible ah... how the delegates are to be selected. We have completely emasculated the elective process on electing delegates by providing this provision. This is probably of the four Bills that are in on ah... delegate selection, the most dangerous and the biggest power grab by a few elected officials to naming these entire delegations for both parties. Your party over there, the Democratic, and ours on this side. I caution every Member of the General Assembly who is concerned about the electorate having a voice in their party affairs to look carefully at this House Bill 1. I deserves nothing more than maybe the vote of the Sponsor. Thank you."

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

Lundy: "Thank you, Mr. Speaker and Members of the House. Would the Sponsor of the Bill yield for some questions?"

Bradley: "Mr. Shea, Mr. Lundy has a question for you, sir. He indicates he'll yield, sir."

Lundy: "Ah... Representative Shea, has this Bill been endorsed by the State Central Committees of either the two major parties?"

Shea: "Not to my knowledge."

Lundy: "Ah... with regard to the provision of the Bill which permits the State Central Committee to ah... select for that party the method of allocating and selecting convention delegates. Do you know has either of the State Central Committees already decided on any such method allocation or selection?"

Shea: "Sir, it is my understanding that the Democratic State Central Committee met and I stand to be corrected by my two colleagues on the floor, three that are part of the Committee that they have already met. They selected a method that they thought should be



used and that was the method that passed out of this House in House Bill 3052. It would be my understanding of the law, sir, that if this Bill becomes law that that State Central Committee would again have to meet in conformity to this law and select at least to my knowledge there's an Alternative 1, 2 or 3 and 4's the one that gets me where it says, any combination of the above three. And so at least in our party, sir, the D.N.C. gave us some alternatives and if you can tell me what 4 means, you're better than I am."

Lundy: "Well, then your understanding is that ah... at least for the Democratic party the State Central Committee has made at least a tentative decision of what it considers a proper allocation and selection method, but that that would have to be re-adopted after the enactment of this Bill?"

Shea: "Yes, sir. And may I go through that with you, sir?"

Lundy: "Well..."

Shea: "Can I please or..."

Lundy: "I think it would be very helpful to the Members if, if it is at least part of the intent of this Bill to, in effect, authorize the State Central Committee to ah... make legal a system that's already decided on that we know what that system is and that was going to be my next question to you. Could we get some information on the system that the State Central Committee has adopted for allocation and selection of delegates."

Shea: "Again, sir, I say I think they would have it adopt a new plan. Either 1, 2, 3, or 4. But I'd like to go through at least my conversation with the Speaker of this House, Mr. Tuhy who is now the State Central Committee Chairman of my party. He tells me that that Committee and filed with the D.N.C. its plan. Not one person from the State of Illinois, not one group from the State of Illinois went to the D.N.C. and filed an objection to that plan. Nobody from this State wanted to object to the method or plan filed with the D.N.C. The D.N.C. then approved tentatively that plan. There has been still no objection to the plan with the D.N.C. The State Central Committee through Subcommittees has held hearings throughout this State to impliment an affirmative action program that's been required. Sir, I can't think of that Committee doing anything more



to try to comply with the rules of the Democratic National Committee and if I look at a Supreme Court case that came out that said, in effect, that we are bound by what the D.N.C. said, not this Legislature. I get more confused."

Lundy: "Mr. Speaker, would the Sponsor yield for a couple more questions?"

Shea: "Yes, sir."

Lundy: "Ah... Am I correct that if we pass this Bill out of the House and it does become law that we have no guarantee or no assurance that the delegate selection and allocation method that the Central Committee has ah... opted for at this point would be the one that would opt for after this becomes law?"

Shea: "No, sir."

Lundy: "We have no way of knowing that, do we?"

Shea: "No, sir. We have no assurance. All I can tell you is we have two members of that Committee sitting on the floor of this House, three, I'm sorry. And I would be happy... Stan, that I get confused about. That could possibly tell you better than I could, sir."

Lundy: "Ah... One last question, Mr. Shea. The Bill also amends the Section of the statute on ah... the replacement of vacated delegate seats and it says that ah... those vacated seats will be filled by the person receiving the next highest number of votes, or the alternate receiving the highest number of votes unless a different method is selected by the State Central Committee."

Shea: "That's only for many conventions is it not, sir?"

Lundy: "Oh, I'm not sure. Is that correct?"

Shea: "That's my understanding of that provision."

Lundy: "All right, that, that provision applies, does not apply to the National Nominating Committee."

Shea: "No, sir. The National Convention would be the election of delegates and the election of alternates and if the delegate was not present at the Roll Call at the time ah... that the whoever is in charge ah... the alternate would take that delegates place."

Bradley: "Is that all, Mr. Lundy?"

Lundy: "That's all I have, Mr. Speaker."

Bradley: "Thank you. The Lady from St. Clair, Mrs. Stiehl. Mr. Matijevich



has already spoken on the Bill. Mr., Mr., just a minute, Mrs. Stiehl. The Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, Mr. Matijivich tells me what I said was not correct and if I'm wrong, I want to correct it right now and John knows more about this subject ah... probably than I do and I'd like him to explain that."

Bradley: "Let's go to the Gentleman from Lake, Mr. Matijevich for an explanation and we'll get to Mrs. Stiehl."

Matijevich: "Yes, Mr. Speaker. Under Section 7-91 it mentions State or National Nominating Conventions where there are vacancies. So I think you're wrong in your response to Representative Lundy that where there is a vacancy to a National Nominating Convention that the State Central Committee would have the power to ah... select a different procedure. They wouldn't even have to select the next highest alternate. They could outline their own procedure and in effect it's been my ah... objection that the power ah... block, the power people can run the show and it isn't just in many conventions. It is the National Nominating Convention."

Bradley: "Mr. Shea."

Shea: "Well, John, it was not my intention to do that and if..."

Matijevich: "Hold it back on Second Reading until we take a look at it, will you."

Shea: "John, let me get through this. If it passes, I'll take it out..."

Matijevich: "...you'll hold it back, I'll take a look at it for a while."

Shea: "I'd like to pass it today or at least get a Roll Call, John."

Bradley: "All right, the Lady from St. Clair, Mrs. Stiehl. Turn on Mrs. Stiehl, please."

Stiehl: "Thank you, Mr. Speaker, but my questions have been answered."

Bradley: "Fine, then the Gentleman from Cook, Mr. Shea, to close."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think every Member on the floor of this House knows what is in this Bill. It takes 107 votes to get it ah... immediately effective and I would appreciate the ah... support of the House."

Bradley: "The question is shall House Bill 1 in the Third Special Session pass. All in favor will signify by voting 'aye'; those opposed by voting 'no'. The Gentleman from Cook, Mr. Walsh, to explain his



vote."

Walsh: "Well, Mr. Speaker, I have every hope that an explanation of my vote won't be necessary, but I would like to respond very briefly to what the Majority Leader said and perhaps I was precipitous in saying that he misrepresented this Bill to me. He either misrepresented it though or is grossly ignorant of what it provides. Take your choice, Mr. Majority Leader and I will say in your defense that you have not misrepresented things to me or any other Member that I know of in the cast. But this Bill does precisely what Mr. Lundy was getting to the point of and what Mr. Matijevich confirmed, but was too gentle to say to the Majority Leader what ah... I'm sure he had on his mind and what I definitely have on my mind. I suggest to you, Mr. Speaker, that this is a terrible, terrible Bill. I suspect that the Majority Leader knew that when he told me about it ah... as being the Democrat proposal. The Democrat proposal, you see, Mr. Speaker, was altogether different and by Democrat, I mean Mayor's proposal was altogether different when it passed this House in the Regular Session and I was given to believe that that's what this Bill does. The Majority Leader knows very well that this alternative that he pro... provides in this Bill is available not to just one party, but to two. So I urge you to vote 'no'."

Bradley: "Have all voted who wished? The Gentleman from Lake, Mr. Pierce, to explain his vote."

Pierce: "Mr. Speaker, there is... I don't want to get in the controversy. Ah... I think both... I think Representative Shea, the Majority Leader was correct. This does, it allows the Democrats to do what ah... what happened to the Bill that passed the House that I opposed and Mr. Walsh favored. That Bill applied to both parties as well so I'm not as excited about that controversy, but I would say there's something in this Bill that's very good and that was in the Bill that passed the House and I hope if this doesn't pass, it's going to be in one of the Bills. And that is it allows the Presidential candidate to eliminate overfilings in his name so that you don't get 15 people filing for candidate who elects 5 delegates ah... from that district and then another candidate just files 5 and he



elects all 5 even though the majority of the people of the district are for the candidate who had the overfiling or 15 delegats. On the bottom of page 11, this authorizes a Presidential candidate to designate within 5 days after the last date for filing a petition which delegate candidates may represent him on the ballot and the other delegates remain on the ballot, but as uncommitted. I know 4 years ago those of us that ran as Muskie delegates were hurt to an extent by overfilings. He was the favorite at the time of the filings in December, er... January and many, many people filed over and above the correct number which gave the ah... delegate candidates for candidates an advantage by only having the exact number to be elected. Now the Republicans may face this problem as well. Another problem cause is the fact that certain delegates may file for Presidential candidate who aren't really for him. Everyone knows they're not really for him. They're just treading on his name, trading on his name to get elected delegate and so this Bill does a very fine thing on the bottom of page 11 by amending Section 7-10.3 in allowing the Presidential candidate to eliminate both overfilings that water down his vote and phony filings by delegates who do not really favor that Presidential candidate, but are merely trading on his name to get elected and then to leave him immediately after being elected in the primary as delegates. So that provision is good in this Bill whether it passes or not. I hope it's in the Bill that we finally do pass, but I think at this late date this Bill may be as well as we can do and therefore, I ah... intend to vote and am voting 'aye'."

Bradley: "The Gentleman from Grundy, the Minority Leader, Mr. Washburn, to explain his vote. And would the Gentlemen right in front of him sit down so we can see him."

Washburn: "Thank you ah... Mr. Speaker and Representative Telcser. As I understand this Bill, House Bill 1, it permits the Central Committees of both parties to choose what other numbers they desire ah... to run in each Congressional District and to choose the numbers that the Central Committees themselves desire to have run at large. Well it would seem to me that ah... we elect our State Central Committeemen and we should have some faith in them to do what is best for their





own particular party and I would ah... hope that this open option to the Central Committees be granted. It does affect the Republican party, I believe, as much as the Democratic party. However, it doesn't spell out any stipulations at all. It gives them the option of doing what they think is best for the parties and I would certainly ah... ask for a ah... green vote."

Bradley: "The Lady from St. Clair, Mrs. Stiehl, to explain her vote."

Stiehl: "Thank you, Mr. Chairman. I think that there is some confusion about this Bill and I'd like to explain my vote. This Bill will really have no affect on the selection of delegates for the Republican National Convention. As Co-chairman of the Rule 29 Committee in Illinois, we hold, we held meetings throughout the State in order to get input from every area of the State and in order to comply with the rules of the Republican National Convention. This is simply an option and an alternative that will be on the statutes. It will not apply to our Republican National Convention because it's in conflict with the rules of electing delegates to that convention. Since this is an alternative that is important or would apply to the Democratic party, I would suggest an 'aye' vote."

Bradley: "The Gentleman from McHenry, Mr, Skinner, to explain his vote."

Skinner: "I'm voting 'present' on this Bill because it seems to me this is probably a party matter and I think we ought to have a party conference to explain this party matter."

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

Shea: "Well, Mr. Spekaer, Ladies and Gentlemen of the House, I'd like to see a few more green lights up there. I don't know how many of you have served as delegates to a National Nominating Convention. I had the privilege of being elected last time to represent my party, but before I got there I will tell you, by God, I was challenged and challenged ad challenged and the two people that challenged or challenged the delegation from my district were two people whose name appeared on the ballot. They were thoroughly and soundly defeated by the voters of my district. They then went on and proceeded to challenge before the Democratic



National Committee and was seated, er... No, let me say one other thing. They filed for at large delegates and were not selected, then on their third chance, they filed and were seated and two delegates from my district that were elected of my district were told they couldn't vote for a Presidential candidate within my party. I will tell you it was the worst, worst thing that I've ever seen happy... happen and as a Democrat, I was not pleased nor was I satisfied. And I want to ask my colleagues both on this side of the aisle and on that side of the aisle to help me pass a Bill so that when an Illinois delegation is selected and elected by the people of this State, that nobody, nobody will kick them out of a convention because I think the electoral process is great and when you sit and say that the people's vote, that the ballots from the people in your district don't count I wonder just what in the hell's going on."

Bradley: "Have all voted who wished? Have all voted who wished? The Gentleman from Cook, Mr. Peters, to explain his vote."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, the proposals we have before here, ah... before us in regard to the election of delegates and alternates to the convention is a series of Bills and ideas here which really go to our attitudes in regard to the electoral process. As Republicans, we have some problems. Those problems have been alluded to in discussions here by Representative Epton. We have certain national rules which forbid us according to our national party rules to make a distinction between one district and another district. ah... I think in my opinion, those rules ought to be abided by. I think that in Alternative B here we should be giving to the State Central Committee to the parties, the options that are presented here. That is one place where this kind of fight can be carried out. If the decisions made there are, in fact, wrong decisions, I am sure that those people who have been aggrieved by the decision of the rules committee can appeal those decisions when they come to the convention, but certainly the party should have as much freedom within the rules we set down by the State to fit in ah... with those rules which are provided by their national committees so that we can really keep to a minimum



the number of fights that go on in conventions. For that reason in regard to B which has not been historically an alternative chosen by the Republican party, but one by the Democrat party, I am going to cast my vote as 'aye' to give to the Democrats that option is in fact that's they want and what their Central Committee decides to have."

Bradley: "The Gentleman from Fulton, Mr. Schisler, to explain his vote."

Schisler: "Mr. Speaker and Ladies and Gentlemen of the House, ah... I wonder if the ah... there's several things that some of us down-state aren't clear on. I wonder if the Gentleman would consider taking this out of the record at the present time so we can have time to think about it?"

Bradley: "Have all voted who wished? Have all voted who wished? The Gentleman from Rock Island, Mr. Jacobs, to explain his vote."

Jacobs: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, you know I just can't sit here and then remember what happened in the last national convention. We are sent down here by the people of our district and con... and constituents placed us here. Our constituents, the same ones who sent us here, voted for the delegates and what are we doing now? But just stop and figure, what did we have in the last general election. The other side of the aisle had nobody and we had a little bit left. Now my, my argument is this. If we send delegates to represent us and to represent our constituents, they should have the right and power to take and represent us and what happened in the last national convention was just terrible. And, Ladies and Gentlemen of the House, I think if we ever do anything now, we should do it to see that both parties are in control of each party and I ask for an 'aye' vote."

Bradley: "Have all voted who wished? The Gentleman from Kankakee, Mr. Ryan, to explain his vote."

Ryan: "Well thank you, Mr. Speaker and Ladies and Gentlement of the House. I'm going to make an appeal to the Republican Members of this chamber to cast a green vote for this and for one reason, Ladies and Gentlemen of this side of the aisle. We're going to have a Bill come along here shortly that you're going to need Democrat help on and I so I think that it benefits us and behooves us to



cast a green vote for this Bill and I would encourage an 'aye' vote."

Bradley: "The Gentleman from Peoria, Mr. Schraeder, to explain his vote."

Schraeder: "Well, Mr. Speaker and Members of the House, I wasn't going to speak because this is becoming somewhat an unusual situation when the people in ah... some leadership position on the Republican aisle seem to think that they ought to help the Democrats do their work. Well let me say this. I think the Democrats ought to be able to do their own work and we don't have to have a majority of the State Central Committee dictating to downstate Democrats and that's exactly what's going to happen with the passage of this piece of legislation. And while Republicans may want certain elements in the Democratic party to control the State of Illinois as far as the Democratic party is concerned, I want my downstate State Central Committeemen to have a voice in how our party is run and I happen to think this is going to give a substantial control if not absolute control to a group of leaders in the Democratic party control of the delegation. I want my Democratic State Central Committeeman to have a voice and he will have no voice whatsoever nor will other State Central Committeemen from downstate have a voice. Their time is going to be wasted. It's going to be run by a few individuals within the party and I think that's wrong and I'd ask everybody, particularly those Republicans that are trying to assist northern Democrats to vote red."

Bradley: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 93 'ayes', 56 'nays', 16 voting 'present'. This Bill having received the Constitutional majority is hereby... The Gentleman from Cook, Mr. Walsh."

Walsh: "Well, what's the effective date of this Bill, Mr. Speaker? Is there an effective date on it? I think it's a three-fifths majority and having failed to receive that is hereby declared lost."

Bradley: "The Section 2 of the Bill on the last page, this Amendatory Act takes effect upon its becoming a law. 89 votes. So this Bill having received the Constitutional majority..."



Walsh: "Just, just a moment."

Bradley: "The Gentleman from Logan, Mr. Lauer."

Lauer: "Mr. Speaker, ah... this Bill having passed after July 1 of 1975 would not under ah... the present rules become effective until July 1 of 1976. Having received less than 107, is that not so?"

Bradley: "That's correct."

Lauer: "Then ah... for the next ah... selection of delegates, this Bill would not be in effect, is that also not so?"

Bradley: "Probably true."

Lauer: "Thank you, sir."

Bradley: "All right, now the, this Bill... Mr., what purpose does the Gentleman from Cook, Mr. Duff, arise."

Duff: "Well, parliamentary inquiry, Mr. Speaker, to clarify that last point. While the Gentleman from ah... ah... Lincoln has indicated that ah... this Bill would not take place as far as the election of delegates is concerned, isn't it a fact that if the Bill provides that a Central Committee could select delegates by a method after the first of July that the Bill would indeed be in effect?"

Bradley: "Pardon me, sir. Would you restate that question, sir?"

Duff: "If the Bill provides... Let me start over, if the Gentleman's inquiry indicates to the effect that delegates elected in a primary and that would not be covered prior to the first of July, but if the Bill provides that the Central Committee could take action subsequent to the first of July to determine the selection of delegates, then the Bill would have passed. Is that not correct?"

Bradley: "I don't believe, I don't believe so, sir. All right, this will declare the Bill passed. Gentleman from Cook, Mr. Schlickman."

Schlickman: "Well, Mr. Speaker, I call to your attention rule 39. Would you mind referring to it?"

Bradley: "State your point, Mr. Schlickman."

Schlickman: "It states in A, a Bill passed after June 30th shall not become effective prior to July 1 unless an earlier effective date is specified in the Bill and it is approved by 107 Members and if I, if you'll refer to page 22 of the Bill, Section 2 it says this Amendatory Act takes effect upon its becoming law. So we have less than 107 but referring to 39B, if 89 of the Members fewer than



107 vote affirmatively then the vote on the Bill is automatically deemed reconsidered. This Bill hasn't been passed."

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

Shea: "Well, Mr. Speaker, I think you're absolutely right. The becomes effective July 1 of next year because it received less than 107 votes. It becomes effective when it becomes law and the statutes very clear that unless it receives 107 votes and the statute on laws said unless it receives 107 votes, it doesn't become effective until July 1 of next year."

Bradley: "Your point's well taken, sir. Mr. Schlickman."

Schlickman: "Mr. Speaker, within the last day, there was a Bill involving the State Police training facility. It had an immediate effective provision, Section and the ruling of the Chair was that not having received 89 votes, but requiring 107, rule 39A applied. The Gentleman ah... the Sponsor of that Bill subsequently brought it back to Second Reading and had the effective date provision amended out. We've got an identical situation here."

Bradley: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, I think Representative Houlihan wants a verification, but on that point the Majority Leader is right because there isn't an early effective date in this Bill ah... even though it won't amount ah... it'll just be worthless ah... in the event that the Senate also passed it ah... and in the event the Governor signs it, it is very unlikely ah... but it would be effective July 1, 19 ah... after next year which wouldn't be any good for the ah... convention. But that's what the State Central Committee wants anyway, right, Jerry?"

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

Houlihan: "Mr. Speaker, lest we confuse ah... the statutes and lest we confuse the Democratic National Committee and purposely try to misguide them in terms of our affirmative efforts, I'd like to ask for a verification. There are other Bills which we have as vehicles to ah... provide and effective remedy to the situation we're in. So I would respectfully ask for a verification."

Bradley: "You'll have your verification, sir. The Gentleman from Cook, Mr. Shea. What purpose do you rise, sir?"



Shea: "Would you poll the absentees please, sir?"

Bradley: "We'll poll the absentees. Will the Clerk poll the absentees."

Jack O'Brien: "Arnell, Beaupre, Choate, Duff, Dyer."

Bradley: "What purpose does the Gentleman from Effingham, Mr. Keller, arise?"

Keller: "Yeh, Mr. Speaker, ah... I think if you go back and check the tape, you've already declared this Bill passed and I think this is just fiddling..."

Bradley: "We had an objection though to that, sir; and the point ah..."

Keller: "Well, I don't think you can go back without a Roll Call for something and take a Bill out that's already passed."

Bradley: "We ah... The Gentleman from Cook, Mr. Houlihan."

Houlihan: "I would just request to be verified at this time. I have to leave."

Bradley: "All right, the Gentleman has requested that he be verified. Ah... Mr. Houlihan, is that all right with you, sir. All right, continue with the Call of the absentees."

Jack O'Brien: "Flinn, Gaines, Getty, Klosak, Mulcahey."

Bradley: "The Gentleman from Moultrie, Mr. Stone, on a point of order."

Stone: "Mr. Speaker, my point is merely this. The Speaker declared this Bill passed some ten minutes ago and I, I for the life of me can't see how under our rules, we can now verify the Roll."

Bradley: "We exactly the same thing with a piece of legislation the other day and an objection was made at that time that I was quoting or stating rule 39 and we're going to do exactly the same thing with this Bill to verify to see if we have 89 or not and it was asked for, request for verification and that's the position we find ourselves in at at this time."

Stone: "Well, may I ah... ask for a parliamentary inquiry then. Assuming that there are only 88 votes verified, what is the ah... position of this Bill?"

Bradley: "I'm going to at that time make a ruling, sir. We'll come to that at the proper time. Go ahead with the ah..."

Jack O'Brien: "VonBoeckman."

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

Madison: "Mr. Speaker, if after the verification is ended, this Bill



receives more than 89 votes, will the Chair, more than 89, but less than 107, will the Chair rule this Bill on ah... postponed consideration?"

Bradley: "That would be in the ah... if the Sponsor requested that, sir, we would at that time address ourselves to that problem, but I don't want to anticipate what the Sponsor of the legislation might do, sir."

Madison: "If I understand rule 39B, Mr. Speaker, it says the Bill is automatically deemed reconsidered."

Bradley: "It still has to be a motion, sir, and we'll... of the Sponsor? No telling what the Sponsor might like to do with the Bill if he doesn't get 89 votes or if he does get 89 without 107. So let's go ahead with the verification, sir, as requested. Poll the affirmative Roll."

Jack O'Brien: "E.M. Barnes, J.M. Barnes, Beatty, Berman, Birchler, Bradley, Brandt, Brinkmeier, Brummet, Caldwell, Campbell, Capparelli, Capuzi, Craig, Cunningham, D'Arco, Davis, DiPrima, Ralph Dunn, Epton, Ewell, Ewing, Farley, Fennessey, Fleck, Friedrich, Garmisa, Geo-Karis, Giglio, Greiman, Grotberg, Hanahan, Hill, Dan Houlihan, Huff, Jacobs, Emil Jones, J.D. Jones, Keller, Kelly, Kempiners, Kent, Kornowicz, Kosinski, Kozubowski, Kucharski, LaFleur, Laurino, Lechowicz, Leon, Leverenz, Londrigan, Lucco, Madigan, Maragos, McAuliffe, McAvoy, McLendon, McPartlin, Merlo, Molloy, Nardulli, Patrick, Peters, Pierce, Polk, Pouncey, Randolph, Reed, Richmond, Rigney, Ryan, Sangmeister, Schoeberlein, Shea, E.G. Steele, C.M. Stiehl, Stone, Taylor, Telcser, Terzich, VanDuyne, Vitek, Wall, Washburn, Washington, White, Williams, Winchester, Wolf, Younge, Yourell, Mr. Speaker."

Bradley: "Question of the... For what purpose does the Gentleman from Bureau, Mr. Mautino, arise?"

Mautino: "I'd like to change my 'present' vote, Mr. Speaker, from a 'present' to an 'aye'."

Bradley: "Change the Gentleman from 'present' to 'aye'. Now questions of the affirmative vote. Mr. Houlihan."

Houlihan: "Mr. Speaker, could you ah... give me the count at this time before we start the verification?"





Bradley: "Mr. Clerk, what's the count?"

Jack O'Brien: "94 'aye'."

Houlihan: "Mr. Beatty."

Bradley: "Mr. Beatty on the floor? Is he in the chambers? Mr. Beatty. Yeh, he's back in ah... Mr. Madigan's chair."

Houlihan: "Mr. Birchler."

Bradley: "Mr. Birchler in the chambers. He's not in his chair. Take him off the Roll."

Houlihan: "Mr. Brinkmeier."

Bradley: "Mr. Brinkmeier in the chambers. In his Chair? I don't see him back there. Take him off the Roll Call."

Houlihan: "Mr. Brummet."

Bradley: "Mr. Brummet is in his seat."

Houlihan: "Mr. Craig."

Bradley: "Mr. Craig is in ah... the aisle."

Houlihan: "Ralph Dunn."

Bradley: "Ralph Dunn's stading next to his seat, sir."

Houlihan: "Ah... re..."

Bradley: "The Gentleman from Cook, Mr. Shea. Put Mr. Birchler's in Mr. Hanahan's seat. Would you put Mr. Birchler back on the Roll, please."

Houlihan: "Mr. Ewell."

Bradley: "Mr. Ewell. Mr. Ewell in the chamber? Next to Yourell, where's Mr. Ewell? Take him off the Roll."

Houlihan: "Representative Farley."

Bradley: "Mr. Shea, for what purpose do you rise, sir?"

Shea: "Mr. Speaker, I don't mind the Governor assistants being on the floor and helping the Governor, but I don't want 'em helping in the verification of a Roll Call."

Bradley: "Would the desist from helping. Now what was ah... the last request, Mr. Houlihan? What was it?"

Houlihan: "I couldn't quite understand Representative Shea's remarks."

Bradley: "Well, let's get on with the verification."

Houlihan: "Ah... Representative Fennessey."

Bradley: "Representative Fennessey. He's not in his seat. Is he in the chamber? Take him off the Roll."



Houlihan: "Representative Fleck."

Bradley: "Representative Fleck is standing behind his seat."

Houlihan: "Representative Friedrich."

Bradley: "Representative Friedrich is in the chamber, sir."

Houlihan: "Representative Giglio."

Bradley: "Representative Giglio. Is Representative Giglio here in the chambers? Take him off the Roll."

Houlihan: "Representative Greiman."

Bradley: "Representative Greiman. I can't see his seat. He's not there. Is he in the chambers? Take him off the Roll."

Houlihan: "Representative Grotberg."

Bradley: "Representative Grotberg is in his chair."

Houlihan: "Representative Hill."

Bradley: "Representative Hill is not in his seat. Is he in the chambers? He's right here in the, front of the Clerk's desk."

Houlihan: "Representative LaFleur."

Bradley: "Representative Who, sir?"

Houlihan: "LaFleur."

Bradley: "LaFleur. He... Representative LaFleur back there? I can't see he's in his chair or not. They indicated he's not there. Is he in the chambers? Representative LaFleur. Take him off the Roll." Further questions, sir?"

Houlihan: "Representative Maragos."

Bradley: "Representative Maragos is in his seat."

Houlihan: "Representative McAvoy."

Bradley: "Representative McAvoy. Representative McAvoy. Somebody said here. Where's Representative McAvoy? I don't see him in the chambers. Take him off the Roll. Representative Greiman has returned to the chambers. Would you put him back on the Roll."

Houlihan: "Representative Molloy."

Bradley: "Representative Molloy is in the aisle."

Houlihan: "Representative Polk."

Bradley: "Representative Polk. Representative Polk in the chambers? He's in his seat."

Houlihan: "Representative Reed."

Bradley: "She's in her chair or in the chambers anyway."



Houlihan: "Representative Shea."

Bradley: "I believe Representative Shea is in his seat, sir."

Houlihan: "Representative Stiehl."

Bradley: "Celeste Stiehl and both Steele's are here, sir."

Houlihan: "Representative Wall."

Bradley: "Representative Wall. Representative Wall back there? I don't see him. How is the Gentleman recorded?"

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

Bradley: "Take him off the Roll."

Houlihan: "Representative Kucharski."

Bradley: "Representative Kucharski is in his seat."

Houlihan: "Representative Dave Jones."

Bradley: "Representative Dave Jones is not in his chair. Is he in the chambers? I don't see him. How is he recorded?"

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

Bradley: "There he is in the back of the chambers. Representative Ewell has returned. Put him back on the Roll."

Houlihan: "No further questions."

Bradley: "Mr. Clerk, when you get the tally, would you give it to me. For what purpose the Gentleman from Cook, Mr. Stearney, arise."

Stearney: "Mr. Speaker, would you change my vote from 'present' to 'aye'."

Bradley: "He changed his vote from 'present' to 'aye'. On this question. For what purpose does the Gentleman from Kankakee, Mr. Beaupre, arise?"

Beaupre: "Mr. Speaker, I believe I'm not recorded. I'd like to be recorded 'aye'."

Bradley: "Record the Gentleman as voting 'aye'. On this question there are 90 'ayes', 56 'nays'. This Bill having received the Constitutional majority is hereby declared... The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Speaker, I call to your attention rule 39B which it says that if 89 Members vote for a Bill, but fewer than 107 and ah... for a Bill passed after June 30 with an earlier effective date, then the vote on the Bill is automatically deemed reconsidered and that's exactly the posture of this, this State Police training



facility Bill. Now let's be consistent. Just because we've got different speakers."

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

Shea: "Well since we got ah... in this posture, maybe I can solve the problem. With leave of the House, I'll take it back to Second Reading, put the Amendment on it, and then run it back to Third. Oh, no Mr. Walsh. We had that one yesterday."

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

Walsh: "Yeh, well, well, of course, Mr. Speaker, we're got going to consider it the same day because then the Bill will have been amended and our Speaker has ruled time and time and time again that he will not consider a Bill that has been amended on the same day that it was amended."

Bradley: "I think that to be consistent when the Amendment is on the desk ah... the Speaker has on, gone to this order of business on... Go to Third Reading. Mr. Shea."

Shea: "Well, if I get it back on Second, let's get the Amendment on and back to Third and then we'll talk about where we're at, huh?"

Bradley: "The vote is deemed reconsidered. All right, Mr. Schlickman. All right, we're at that posture now. The Bill is on ah... is... the position or posture of being reconsidered. Mr. Shea is going to offer an Amendment and pursuant to rule 39."

Shea: "Can I take it back to Second Reading."

Bradley: "I don't believe you have to, Mr. Shea. I believe it's in 39, the last sentence in B provides that you have a right to ah... offer that Amendment and ah... without it, as far as I can read in B, going to back to ah... Second Reading."

Shea: "All right, I offer the Amendment."

Bradley: "All right... All right, I think we should go back to Second for the purpose of an Amendment. So the Bill ah... we'll return the Bill to Second Reading and that's the posture it is in now. The Gentleman from Cook, Mr. Houlihan. What purpose do you rise, sir?"

Houlihan: "Mr. Speaker, what is required to move that Bill back to Second Reading if there is ah... not leave of the House?"

Bradley: "I believe under the rules, he has the absolute right to do this



under 39B. To of... to offer that Amendment it says so ah... one Amendment and to ah... take care of the ah... the effective date and that's in 39B, sir. It doesn't have to have leave of the House to do that."

Houlihan: "You mean that he can go..."

Bradley: "It's automatic, sir. If'll you refer to rule 39B, yes, sir. Only for that, for that, for that one Amendment, sir. Now we're back to Second Reading with for the purpose of that Amendment if that Amendment is ah... been offered, sir. The Gentleman from... All right, the Gentleman from Cook, Mr. Walsh, what purpose do you rise, sir?"

Walsh: "Well ah... ah... just for the purpose of objecting to the consideration of this Amendment because it has not been distributed."

Bradley: "I was going to find out from the Majority Leader, if you'll let me, sir. Mr. Shea."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, the Amendment takes off the effective date clause. Now if as I read 39, all the Amendment says is it takes off the effective date clause and I don't know if under 39, the Speaker wants to rule that it has to be distributed. Does it, sir?"

Bradley: "I would say that we have to have the Amendment distributed because I'm sure that there would be objections, sir, to not having it on the desk and in order to be consistent, we'll rule that it should be on the desks, Member's desk. The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Well, Mr. Speaker and Members of the House, I think he offer the Amendment and we can adopt it, but we can't reconsider the Bill until the Amendment has been distributed."

Bradley: "All right, then Mr. ah... Mr. Shea, offer the Amendment."

Shea: "Mr. Speaker, I offer Amendment #1."

Bradley: "Would you read the Amendment please?"

Jack O'Brien: "Amendment #1, First Special Session..."

Bradley: "Mr. Clerk. What purpose does the Gentleman from Lake, Mr. Matijevich, arise?"

Matijevich: "Well, Mr. Speaker, I was going to suggest to the Majority Leader as long as this Bill's on Second Reading, why not do what ah..."



we ought to do and clean up that part of the ah... the ah... Bill that you even had objection to and you said it wasn't your intent. Here we are now on the Amendment stage ah... we're not going anywhere for a while, why not leave it there and I'm serious about it now. Leave it there and work on it now."

Shea: "John, I'd be very happy to, but there's only one thing I ask you. Will you support...?"

Matijevich: "No."

Shea: "No, I'm not saying the Bill. Will you get it back to Third Reading with me so I can get a vote today?"

Matijevich: "I'll do that, but I won't vote for it. Not that everybody else will support you, but..."

Shea: "Well, that's what I'm afraid of, John."

Bradley: "Mr. Shea offers ah... Would you please read the Amendment, Mr. Clerk."

Jack O'Brien: "Amendment #1."

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

Walsh: "Mr. Speaker, I call your attention to rule 34B which says that no Amendment may be adopted unless it has been reproduced and is on the the Member's desk. Now this is an exercise in futility. Let's ah... abide by the rules and take this up at the proper time."

Bradley: "Would you talk to the Gentleman next to you. He was the one that came ah... suggested we do it this way and ah... under 39B ah... I think that the Gentleman is correct in being able to offer that ah... Amendment and that is the only Amendment that ah... we can address ourselves to. Mr. ah... The Gentleman from Lake, Mr. Matijevich."

Matijevich: "I make the point of order, he can't even offer it until it's printed because the ah... 39B says the Amendment if offered shall be printed and placed on the desks of the Members before that Bill is reconsidered. He can't even reconsider it until it's printed."

Bradley: "The question is moved because we're, they're being distributed now ah... Mr. Matijevich and ah... it says before it's reconsidered and so I think he can go ahead and offer the Amendment and ah... we are not in the posture of reconsidering that Amendment until it's



distributed so he's offering the Amendment. If I will rule if it's not distributed when we're ready to vote on it..."

Matijevich: "All right."

Bradley: "Then it will be ah... we will accept your ah... ruling. So go ahead and let's read the Amendment."

Jack O'Brien: "Amendment #1, Shea. Amends House Bill #1, Third Special Session on page 22 by deleting lines 28 and 29."

Bradley: "Mr. Shea on the Amendment. Mr. Houlihan, what purpose do you rise, sir?"

Houlihan: "Mr. Speaker, before we adopt this Amendment would you direct your attention once again to rule 34B."

Bradley: "34?"

Houlihan: "34B."

Bradley: "34B reads no Amendment may be adopted unless it has been reproduced and is on the Members desk. I won't... That's an extra sir and we haven't adopted it and we will not adopt it unless it has been distributed on the Speaker... and on the desk. Mr. Shea on the Amendment."

Shea: "Well, Mr. Speaker, I move for the adoption of the Amendment and it has been distributed and on the Member's desk."

Bradley: "The Gentleman moves the adoption of Amendment #1 to House Bill #1 in the Third Special Session. Discussion? The Gentleman from Cook, Mr. Downs. Oh, Gentleman from Cook, Mr. Madison on the... on the... The Gentleman moves to adopt Amendment #1 which I said and all in favor say 'aye'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Third Reading. Representative Shea."

Shea: "Mr. Speaker, ah... I think everybody knows what's in this ah... Bill. I would appreciate the support of the House."

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

Walsh: "Mr. Speaker, Mr. Speaker, you, you are jeopardizing your reputation for being fair. Now if you consider this Bill after what the permanent Speaker, Mr Redmond, has consistently ruled with respect to these matters. Yesterday, that latest, that when a Bill is amended it may not be considered the same day. It must be considered the next Legislative Day. That is what is happening here and I ask you, Mr. Speaker, to be consistent and to rule with the



permanent Speaker in... Mr. Speaker ah..."

Bradley: "I'm listening, sir."

Walsh: "Were you paying attention? Would you call the permanent Speaker to the rostrum to rule on this question. Now ah... I think this is reprehensible that the permanent Speaker when there is a ruling to make that there's not consistent with what the Majority Leader wants absents himself from the Chair. Now that is transparent..."

Bradley: "That's not... That's not a point of order, sir."

Walsh: "It certainly is a point of order. I'm speaking on the ruling that I hope you do not make, but I'm afraid that you may make because you're being prevailed upon by the Majority Leader and I ask you, I implore you for your own good and the good of your good reputation that you ask the permanent Speaker to assume the Chair and have the guts to make the ruling that you're about to make."

Bradley: "Mr. Walsh, we have the... we have precedent concerning this various use of..."

Walsh: "Yeh, yesterday when the Temporary Speaker at that time as the Sponsor of a Bill this time and I suggest that he has too much control over what happens on that Chair."

Bradley: "The Gentleman from Moultrie, Mr. Stone."

Stone: "Mr. Speaker, the rules of this House specifically states that the Speaker shall not enter into discourse and argue with Members and I wish the Speaker would abide by the ruling."

Bradley: "I am attempting to do so. Would the ah... Minority Leader, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Even though the Assistant Minority Leader have differences of opinion as to the ah... propriety of these Bills, I certainly couldn't agree with him more on the procedure that ah... we afraid that's going to be followed here today. He is so right when he says that time after time that ah... the Chair has ruled that a Bill could not be advanced and acted upon Third Reading the same day that they passed through the Amendment stage and I think that if you rule in that direction today, you're contrary to the rulings of the past and I think that the Chair is ah... is a sham. The Speaker's been running around here all afternoon saying that he wants to bring up





the rules today. The rules, the official rules or the permanent rules of this House. Well if you rule in the direction that ah... ah... you have so indicated you might, I can see no rule, no reason at all to bring up any system rules for this House because they won't be followed anyway. They haven't been followed up to this point and I would suggest that ah... you be consistent and hold this Bill Third Reading until a further day."

Bradley: "The point that Mr. Stone made is well taken and I don't intend to get into a debate, but I would like to point out to ah... Mr., the Minority Leader and Mr. Walsh that the exact same thing was going on yesterday with Mr. Londrigan's Bill and he did amend that Bill, Mr. Walsh, and we did recon... we did reconsider it, the Bill, on Third Reading at that time on the same day that it was amended. Well, in order to be consistent, sir, we will go ahead with Mr. Shea with the Bill. The Bill has been advanced to Third Reading and the House, er... the Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think every Member of this House is certainly well aware of what's in the Bill and I would ask for a favorable Roll Call."

Bradley: "The question is shall House Bill 1 to ah... in the Third Special Session pass. All those in favor will vote 'aye' and those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? All voted who wished? Mr. Davis, David Jones wants to be recorded as voting 'aye'. Have all voted who wished? The Clerk will... Mr. Peters wants to be recorded as voting 'aye'. The Gentleman from Cook, Mr. Shea, to explain his vote."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, ah... Jerry, just take the Roll Call and I'll ask to poll the absentees on... please."

Bradley: "All right, the Clerk will take the record. Mr. Shea asks for a poll of the absentees. The Clerk will poll the absentees as soon as it comes out of the machine. Poll the absentees, Mr. Clerk."

Jack O'Brien: "Arnell, Choate, Darrow, Duff, Dyer, Ewing, Flinn, Gaines, Getty, Giglio, Greiman."

Bradley: "Mr. Greiman wishes to be recorded as voting 'aye'."



Jack O'Brien: "Griesheimer, Dan Houlihan, Katz, Klosak, LaFleur, Marovitz, McAvoy, Mulcahey, Polk, Porter, Rose."

Bradley: "I believe Mr. Grotberg wishes to be recorded as voting 'aye'.  
Correct, sir? Mr. Grotberg votes 'aye'."

Jack O'Brien: "Rose, Telcser, Wall, Winchester, Mr. Speaker."

Bradley: "The Speaker wishes to be recorded as 'aye'. On this question there are 87 'ayes'. The Gentleman from Cook, Mr. Shea."

Shea: "Postponed consideration, please."

Bradley: "The Gentleman asks for postponed consideration and it will so appear on the Calendar, sir. Mr. ah... on the Calendar appears another con... noncontroversial Bill, House Bill 2. The Bill has... we'll read the Bill a third time."

Jack O'Brien: "House Bill 2. A Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Hoffman: "Ah... Mr. Speaker, I'd like to have leave of the House to pull the Bill back to Second Reading for the purpose of an Amendment."

Bradley: "Does the Gentleman have leave? Hearing no objection, we'll return the Bill to Second Reading for the purpose of Amendment."

Jack O'Brien: "Amendment #1, Gene Hoffman. Amends House Bill #2, Third Special Session on page 19..."

Bradley: "The Gentleman from DuPage, Mr. Hoffman. Now you realize that after we go to ah... we can't go to Third Reading on the vote on this now, Gene?"

Hoffman: "Who said that?"

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

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

Bradley: "What, what purpose does the Gentleman from Sangamon, Mr. Kane, arise."

Kane: "About an hour ago you said that in 30 minutes you would give us a definitive answer on what our schedule is going to be tonight and for the rest of the week. Ah..."

Bradley: "I can give it to you for tonight. I think you just got your answer on that last Bill. We'll be here some time. We're going to attempt to go through these Bills and go to the rules of the House."



Kane: "We're going to take up the rules of the House?"

Bradley: "Yes, sir. Yes, sir."

Kane: "Eleven months after we ah... came into session?"

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

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 to House Bill 2 ah... does a number of things. It ah... changes ah... for the school year beginning July 1, 1976 the assessment level of which we match and reduces the ah... reduces the ah... ah... levy for ah... matching purposes for ah... unit districts and elementary districts by ah... three cents on one and two cents on the other. This is similar to a provision that was in Senate Bill 1493. It also provides that any district may elect to include the transportation tax in calculating their operating tax rate ah... beginning January 1 of 197 ah... 6. The estimated cost of that in this fiscal year is ah... \$9,000,000. The other ah... change in it provides that for those school districts who are in a posture of rolling back their taxes ah... may ah... supercede the state law by ah... a direct referendum in their district for all or part of the amount that they are to roll back. Now with that explanation, I would move for the adoption of Amendment #1 to Senate Bill 2."

Bradley: "The Gentleman moves the adoption of Amendment #1 to Senate Bill 2, er... House Bill, House Bill 2. Ah... Discussion? The Gentleman from Cook, Mr. Berman."

Berman: "Will the Sponsor yield?"

Bradley: "He indicates that he will, sir."

Berman: "Gene, would you explain again the last part about the referendum to the tax rate?"

Hoffman: "Yes. For those districts who are involved in a roll back, in order to overcome the ah... decision by ah... the State Legislature, it would be necessary in those districts to have a direct referendum by the people to hold all or any part of that ah... tax rate which they are required by law to roll back."

Berman: "Is this similar to the Amendment that you wanted to put on with ah..."

Hoffman: "Yes."

Berman: "Well, may I address myself to the Amendment?"



Bradley: "You certainly may, sir."

Berman: "Ah... I ah... take issue with the last part of this Amendment.

Yesterday we approved a Bill that would eliminate the roll back requirement for the high expenditure suburban districts and what this Amendment, I believe, does is to require that ah... before you can eliminate that roll back, you have to go back to referendum in your local school districts. Now for those districts that are affected by this ah... they reach these tax rates by submitting these ah... tax rates to the ah... vote of their constituency and ah... they had approved these. Now what you're asking them to do is to go back, ask the school boards to go back and require another referendum in order to maintain those levels of expenditure. I think that in view of what has been done primarily through to the veto of the Governor on Bills such as ah... Senate Bill 209 that eliminated the ah... the ah... the effect of a decrease in the multiplier ah... we are requiring these people, the school boards to go back and try to pass referendum in order to maintain their local tax rate. I think this is an undue imposition on these school boards. Ah... The effect of the multiplier has decimated their local tax base as it is and I think that this is an unfair imposition on those school boards and the money that ah... they ought to be able to receive. This is a very small relief ah... to these school boards. I think imposing this requirement of a referendum is an undue imposition upon them and I would oppose this Amendment based upon that provision."

Bradley: "The Gentleman from DuPage wish to close? I'm sorry, I'm sorry I didn't see your light. Mr., the Gentleman from DuPage, Mr. Schneider on the Amendment."

Schneider: "Thank you, Mr. Speaker, Members of the House. I don't understand the apprehension of the previous speaker. Yesterday when I talked on the referendum as a possibility to be ah... considered on the roll back, I, I guess he was concerned and all I'm trying to say ah... in terms of agreeing with the Sponsor of the Amendment is that ah... the attitude of the local constituency ought to be somehow represented and I don't know how else to do it, but ah... then to adopt an Amendment that gives them an opportunity to ah..."



wrestle with the question of quality education at a local level and I think the ah... attachment of this, in this Amendment ah... of that referendum is ah... fair. It's fair in the sense that it does ah... test this very important question of whether or not the local people really want to respond to increasing or decreasing taxes on the basis of their point of view. We've made a lot of out that issue on this floor here. We've presumed a lot mostly. We've presumed that taxes will increase automatically ah... because of our previous actions on other Bills, but ah... that presumption is frail in as much as it forgets to consider that the local people will make that choice. I think we ought to give them the opportunity to do that in this proposal and I think that this Amendment will give us a ah... Bill and a ah... method for dealing with education from now and through July 1 and then to look forward to a period beyond that. So I would ask that we support the Amendment and then hopefully ah... Third Reading, pass the legislation out."

Bradley: "The Gentleman from DuPage, Mr. Hoffman, wish to close?"

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I don't know about ah... some of you, but I'm not afraid of taxpayers. I think they have rights. I think they have the same rights, as much right as the school board has. When we passed House Bill 1484 before we said we are going to give taxpayers relief in high expenditure districts. What this Bill does, it is a compromise between the total elimination and keeping what we have now. I really believe that we ought to keep it the way it is now, but there seems to be some sentiment due to some changing circumstances in terms in changes of multipliers and other factors in those areas of these high expenditure districts. So I say all right let's give the people in those districts a chance to keep that if they want to and if they don't want to, they ought to have a right not to. And, therefore, I urge that you vote 'yes' for this Amendment."

Bradley: "The question is on the adoption of Amendment #1 to House Bill 2 in the Third Special Session. All those in favor will signify by saying 'aye'; and opposed 'no'. I think we better have a Roll Call. All those... The question is on the adoption of the Amendment to House Bill in the Third Special Session. All in favor will



signify by voting 'aye' and those opposed by voting 'nay'. Have all voted who wished? Have all voted who wished? All voted who wished? The Clerk will take the record. On this question there's 68 'ayes', 47 'nays', the Speaker votes 'aye' and 2 voting 'present' and the Amendment is adopted. Further Amendments? No further Amendments, Third Reading. On the Calendar in the Third Special Session appears House Bill 3. The Minority Leader, the Gentleman from Grundy, Mr. Washburn. Mr. Minority Leader. Okay. That Bill has been read a third time ah... so it's back on Third Reading, Mr. Hoffman. The Gentleman from Grundy, the Minority Leader, Mr. Washburn."

Washburn: "Thank you ah... Mr. Speaker. I'd like to take this out of the record for the time being."

Bradley: "How about House Bill 4, sir? Take it out of the record also?"

Washburn: "That isn't my Bill."

Bradley: "I'm sorry. I looked at his... Mr. Walsh. All right, take... House Bill 3 is out of the record. On the Calendar in Third Special Session are House Bills, Third Reading appears House Bill 4. The Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, while I have not the slightest doubt that I could charm this one through, I would request at this time that you take it out of the record."

Bradley: "All right, let's take this out of the record. The Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, I move that the Third Special Session now stand in recess until after the Regular, the adjournment of the Regular Session this date."

Bradley: "Now the Gentleman has moved that we, the Gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker, I, I wonder why we ah... are recessing the Third Special Session and why we don't adjourn it until tomorrow since we have covered everything on the Calendar in the Third Special Session."

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

Shea: "Because the Speaker requested me to do that 'cause there's something coming over from the Senate, Mr. Walsh."



Walsh: "And is that all that will take place in the Third Special Session?"

Shea: "Sir, I don't have the foggiest."

Bradley: "You heard the motion. All those in favor of the Gentleman's motion will signify by saying 'aye'; opposed 'no'. The 'ayes' have it and we recess the Third Special Session. So after the adjournment of the Regular Session and we are... second... we're... Now the House shall be in the Second Special Session. On the Calendar in the order of Second Reading in the Second Special Session appears House Bill 1. Mr. Kempiners. Read the Bill a second time."

Fred Selcke: "House Bill 1, Second Special Session. A Bill for an Act to amend the Election Code. Ah... Second Reading of the Bill. ah... Bill, is there an Amendment on 1? Committee Amendment 1, amends House Bill 1 Second Special Session page 1 and so forth."

Bradley: "The ah... Gentleman from Will, Mr. Kempiners, on Amendment #1."

Kempiners: "Thank you, Mr. Speaker. Committee Amendment #1 provides for the appointment of the members to the ah... Board of Elections. It also outlines the procedure for confirmation by the Senate and ah... calls for the appointment of a fifth member who shall serve as Chairman and I would move for the adoption of this Amendment to House Bill 1 in the Second Special Session."

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

Shea: "Mr. Kempiners, as I understand it, the Amendment changes the entire Bill. Could you tell us how the Bill was introduced and what the Amendment does?"

Kempiners: "It doesn't change the entire Bill. The Bill was not drafted the way I requested from the Reference Bureau provided for two year terms for five members of the Board of Elections and the Bill ah... was drafted so that the five members are appointed for five year terms on a ah... staggered basis. Now that's part of it. It also requires a three-fifths consent of the Senate ah... It provides a timetable for implementation of this Bill should it be enacted by the Legislature and it defines the requirements for, that must be met by the fiscal member of the Board."

Shea: "Is the three-fifths requirement, sir, by the Amendment constitutional?"



Kempiners: "In my opinion, it is, Mr. Shea. I have asked a Professor at the University of Illinois about this and he in his opinion has indicated to me that it is constitutional."

Shea: "Well, as I understand the Constitution, it provides that we can provide a method or that certain officers should approved with the advice and consent of the Senate."

Kempiners: "That's what I..."

Shea: "I can find no place where we can make a greater majority, but you're of the opinion we can."

Kempiners: "The Constitution has a phrase in the appointment procedure that states unless as otherwise provided, period. It does not say as provided by law or as provided by the Constitution."

Shea: "Thank you."

Bradley: "The Gentleman moves the adoption of Amendment #1 to House Bill 1. All those in favor of the Amendment will say 'aye'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments? No further Amendments, third Reading. House Bill 2, Mr. Kempiners."

Fred Selcke: "House Bill 2, Second Special Session. A Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Bradley: "Any Amendments from the floor?"

Fred Selcke: "Amendment #1, Kempiners. Amends House Bill 2, Second Special Session, page 1, line 8 and so forth."

Bradley: "The Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you, Mr. Speaker. This Amendment is being offered by myself on the floor of the House as a result of some of the comments made in Committee with regard to the compensation ah... payable to the ah... to the Chief Clerk. They felt that it was somewhat low at \$15,000, \$25,000, so I'm raising it ah... for a salary of between \$20,000 and \$30,000."

Bradley: "The Gentleman offers the adoption of Amendment #1 to House Bill 2. All those in favor will signify by saying 'aye'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Are there further Amendments? Third Reading. House Bill 3. Read the Bill, Mr. Clerk."





Fred Selcke: "House Bill 3, Second Special Session. A Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Bradley: "Amendments from the floor? Third Reading. House Bill 4. Read the Bill a second time, Mr. Clerk."

Fred Selcke: "House Bill 4, Second Special Session. A Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Bradley: "Amendments from the floor?"

Fred Selcke: "Amendment #1. Amends House Bill 4, Second Special Session, page 1 by striking line 12 and so forth."

Bradley: "The Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you, Mr. Speaker. Again, this is an Amendment that was drafted after the Committee hearing to respond to some of the questions and that is regarding the rate of payment for the members of the Board and the Amendment basically sets the rate at \$200 for every day on which such member attends a meeting of the Board, but not more than \$22,000 per year and the reason for this was that it would have to be a regular board meeting and not just a member coming in to ah... ah... put in a day's work for \$200 and I would move the adoption of the Amendment."

Bradley: "The Gentleman moves the adoption of Amendment #1 to House Bill 4. All those in favor will signify by saying 'aye'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments? Third Reading. House Bill 5. Would you read the Bill a second time."

Fred Selcke: "House Bill 5, Second Special Session. A Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Bradley: "Amendments from the floor?"

Fred Selcke: "None."

Bradley: "Third Reading. House Bill 6."

Fred Selcke: "House Bill 6, Second Special Session. A Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Bradley: "Amendments from the floor?"



Fred Selcke: "No Amendment from the floor."

Bradley: "No Amendments, Third Reading. House Bill 7."

Fred Selcke: "House Bill 7, Second Special Session. A Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Bradley: "Amendments from the floor."

Fred Selcke: "Amendment #1, Kempiners. Amends ah... House Bill 7, Second Special Session, page 1, line 8 and so forth."

Bradley: "The Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you, Mr. Speaker. This is similar to a previous Amendment on another Bill as it relates to the Director of the Board of Elections ah... increasing the minimum and maximum amounts of salary to twenty, between \$20,000 and \$30,000 and also requiring that that person ah... shall be ah... hired upon the affirmative vote of at least three members of that Board and I would move its adoption."

Bradley: "The Gentleman moves for the adoption of Amendment #1 to House Bill 7. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments. No further Amendments, Third Reading. On the... Mr. Shea for a motion. Shea, turn Mr. Shea on, please."

Shea: "Mr. Speaker, Members of the House, Senate Bill 1 passed the Senate, the Second Special Session, was sent over here, was read a first time yesterday and is sitting on the Speaker's Table. I would now move that Senate Bill 1 be off, ah... at the Second Special, be advanced to the order of Second Reading, Second Legislative Day so that it could be read a second time and be in a posture to be voted on tomorrow. The reason, the reason for my motion, Mr. Speaker, is that this Bill, I feel, is essential to the continued operation of State government and I would ah... certainly be happy to try to explain the Bill if anybody's got any question about it."

Bradley: "I think there are objections, Mr. Shea. The, the Gentleman from..."

Shea: "I'm entitled to a vote, am I not?"

Bradley: "Yes, sir, you are. You want call... Would ah... you want to call or answer a question. I think there's a question..."



Shea: "I would be happy to answer any questions before I ask for a Roll Call."

Bradley: "All right, the Gentleman from Grundy, Mr. Washburn."

Washburn: "Ah... Mr. Speaker and Ladies and Gentlemen of the House, ah... would you repeat the motion that Representative Shea made. I was kind of tied up over..."

Bradley: "The Gentleman from Cook, Mr. Shea, would you please repeat your motion?"

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I now move that Senate Bill #1 of the Second Special Session be taken from the Speaker's Table, placed on the order of Second Reading, Second Legislative Day so that it could be read a second time this date and be advanced to the order of Third Reading."

Washburn: "Thank you. In other words, you want to bypass Committee."

Shea: "Exactly."

Bradley: "It appears..."

Washburn: "All right, well, Mr. Speaker, I would ah... oppose that motion that the Majority Leader has just made. There, there were two House Bills ah... pertaining to this same subject as I recall that went through Committee and were heard by Committee. These Bills or those Bills plus Senate Bill 1 ah... pertain to ah... new structuring of the State Board of Elections and those of you that were here in this Body when the original Bill was drawn, it took many, many, many months to structure that piece of legislation and I think that Bills as far reaching as this one and the other House Bills certainly should not be acted upon hastily. They're far reaching. If we came up with a Bill after spending months and months and a couple years on it that ah... doesn't work quite properly, I certainly don't think that ah... we could come up with Bills ah... that could work properly in a short period of time especially not having them heard in Committee. These are extremely important, extremely vital to all of us and to honest elections in the State of Illinois and I would oppose the Majority Leader's motion."

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

Lundy: "Thank you, Mr. Speaker and Members of the House. I rise to oppose this motion for two reasons. First and with all deference



to the ah... to the Majority Leader, first there were House Bills introduced on this same subject and efforts were made to expedite the consideration of those Bills and they were referred to Committee. Now it seems to me the Senate has never been especially solicitous about expediting the consideration of House Bills when they get over there. It seems to me that we ought to give this Senate Bill at least the same scrutiny by sending it to Committee as we did with the Bills introduced by our own Members here in the House. Secondly, looking at the substance of this Bill it seems to me it contains many, many problems. Indeed the whole reason the Third Special Session was called was because a Circuit Court of this State has said that Members of the Legislature and Legislative Leaders may not participate in the process of selecting members of the State Board and Senate Bill 1 provides specifically for appointment, direct appointment of members of the State Board by the Legislative Leaders. Now if the reason for the Third Special Session is that the existing Board is invalid because of Legislative appointment, then who should we bypass Committee on a Bill which reinstates precisely the same kind of appointment method. It seems to me senseless. This is a Bill that needs work by the Elections Committee. It ought to go to the Elections Committee and be the subject of hearings and I oppose the motion to bypass Committee."

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

Collins: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I can only endorse everything that the previous speaker said. Now we've had a number of House Bills introduced in this House dealing with this problem of an agency which is really falling apart at the seams. We had eight separate Bills introduced in the House and they were all heard in Committee, seven on 'em were on the floor and were just advanced to Third Reading and now we have a new Bill, House... er... Senate Bill which has come before us. I don't even the Clerk has it on his desk, but ah... that may or may not make any difference, but this Bill, I don't believe, had a hearing in the Senate. I think it was advanced over there. It deals with this most sensitive agency. It is a serious departure from what was the way we have constituted the agency ah... previous to this and,



furthermore, it flies right in the face of a court decision which is hanging prior over the State Board of Elections now. Now if the lower court has already held that this mor... this form of appointing members to the Board is unconstitutional, what do we gain by, by doing the same thing over again and indulging in another unconstitutional act or if it is constitutional and the higher court holds it, then why do we do anything at all at this time. Furthermore, there some other items in this Bill that should be considered in Committee. I don't know if you've noticed that there is one Section in this Bill that prohibits members of the Board from ah... political office. Now personally, I think that's a good idea, but it certainly is a slap at two sitting members of a Board ah... who are on the Board right now, one Democrat and one Republican and would disqualify them immediately. This is a Bill that must go to Committee. Certainly deserves close scrutiny. We have been working to, trying to develop a viable State Board of Elections now for nearly four years. We've been a dismal failure over these four years and I don't, I don't think we should rush ah... precipitously into a new Bill that no one on this floor has really had a chance to digest. I think that very few have even had an opportunity or an inclination to read. This Bill should go to Committee. It really would make a mockery of the whole process if we should advance this Bill at this time and I ask for a 'no' vote on this motion."

Bradley: "The Gentleman from Cook, Mr. Shea, wish to close the debate."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, with regards to the court decision that Mr. Lundy and Mr. Collins talked about, I wish that they had a opportunity to re-read that court decision in this Bill because what Judge Ackerman said in that decision was two things that I think this Bill addresses itself to and certainly does solve. The first part it solves is in the Ackerman decision in a Circuit Court out of Sangamon County, Judge Ackerman said you cannot mix Executive and Legislative decisions and he said in effect by appointing the Legislative Leaders by naming two people and then letting the Governor choose between the two mixes Legislative and Executive. This Bill provides by, for direct appointment by the



Leaders of the Legislature elected by their peers. With regards to the second point, the tiebreaking argument, Judge Ackerman said that by casting lots and reducing from four to three the number of people that make a decision that this violates the Constitutional provision of equal protection of the law. This Bill addresses itself by creating a fifth member of the Board to be selected in a process similar to the process we use the Auditor General of this State. A man selected and suggested to this Legislative Body by the Election Laws Commission and approved by three-fifths of the Members of each House. I would ask for a favorable vote to get this Bill on Second Reading."

Bradley: "The Gentleman moves that Senate Bill #1 of the Second Special Session shall be taken from the Speaker's Table, moved, advanced to the position of Second Reading, Second Legislative Day and that it be read a second time. On that question all those in favor will signify by voting 'aye' and those opposed by voting 'nay'. The Gentleman from Cook, Mr. Collins, to explain his vote."

Collins: "Mr. Speaker, in explaining my vote, I would just suggest to the Majority Leader that he re-read the Ackerman decision himself. What Judge Ackerman said was that the Legislature could devise any other method of appointment other than making the appointment directly by themselves. This Bill obviously goes in the face of that and whether Judge Ackerman is right or wrong, this Bill certainly comes under that cloud."

Bradley: "Have all voted who wished? Have all voted who wished? Bradley 'aye'. Have all voted who wished? The Clerk will take the record. On this question there are 59 'ayes', 79 'nays', none voting 'present' and the Gentleman's motion fails. The Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, I move that the Second Special Session of the 79th General Assembly now stand adjourned until 10:20 a.m. tomorrow morning."

Bradley: "The Gentleman moves that the Second Special Session does stand adjourned until 10:20 tomorrow morning. All those in favor will say 'aye'; opposed 'no'. The 'ayes' have it. The Second Special Session is adjourned. We will return now to the Regular Session of



the General Assembly."

Speaker Redmond: "Messages from the Senate."

Fred Selcke: "Messages from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House the Senate has concurred with the House in the passage of item veto in the following Bill. The item of the Governor the contrary notwithstanding. House Bill 1079, passed by the Senate, November 20, 1975 by three-fifths vote. The item veto of the Governor to the contrary notwithstanding. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House the Senate has concurred with the House in restoration of items by the Governor in the following Bill. House Bill 1947, concurred in by the Senate, November 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House the Senate concurred with the House in the passage of Bill of the following title, the veto of the Governor contrary notwithstanding. House Bills 582, 777, 1499, 1539, 1617, 3028. Passed by the Senate November 20, 1975 by a three-fifths vote, the veto of the Governor to the contrary notwithstanding. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House the Senate has refused to concur with the House in the passage of the following Bill, the veto of the Governor the contrary notwithstanding. House Bill 496. Action taken by the Senate November 20, 1975. Kenneth 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 Governor's Amendment to the following Bills. House Bill 222, 2193, 2216, 2229, 2249. Concurred in by the Senate November 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House that the Senate has refused to concur with the House in the adoption of the Governor's Amendment to the following Bills. House Bill 600, 601, 2832. Action taken by the Senate, November 20, 1975. Kenneth Wright, Secretary. No further messages."

Speaker Redmond: "Introduction, First Reading."

Fred Selcke: "Ah... House Bill 3217, Cunningham et al. Amends the Illinois Inheritance Tax Act. First Reading of the Bill."

Speaker Redmond: "Representative Washburn."

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



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

House. I would like to have the attention of all Members, if I might, Mr. Speaker, ah... for the purpose of a very pleasant announcement. One of our Members on this side of the aisle is just returned from Washington, D.C. after attending a conference and at this conference, a new, national organization was formed. It's called the Black Elected Republican Officials, a national organization and our Member was, had bestowed upon him a very distinguished honor and I must one in which he is entitled. The new President of the National Organization of Black Elected Republican Officials is Representative Charles Gaines from Chicago and, Charlie, all of us are extremely proud of you."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I am just utterly delighted because I think I have one of the best seat mates in Charlie Gaines and I think it's just great."

Speaker Redmond: "Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker. I would like to move for the suspension of the appropriation rule for the immediate consideration of House Resolution 556. I have talked to Representative Walsh and the leadership on this side about this particular Resolution. It is the one that admonishes the United States Congress to pass legislation saying that we as Legislators would be able to deduct our living expenses while in Springfield from our income tax. As I'm sure, many of you know we had ah... recent court decision saying that it was questionable whether or not ah... we could deduct expenses here and I would like to move for the immediate consideration of this Resolution."

Speaker Redmond: "You've heard the motion. Any ob... All those in favor indicate by saying 'aye'; opposed 'no'. The 'ayes' have it. 556. Representative McGrew."

McGrew: "Thank you, Mr. Speaker. I appreciate this suspension of the rules for the immediate consideration and I'd now like to move for the adoption of that ah... Resolution."

Speaker Redmond: "The Gentleman has moved for the adoption of the Resolution. All in favor indicate by saying 'aye'; opposed 'no'. The 'ayes' have it. Resolution's adopted. The order of... We're in





the First, in the Regular Session. The order of business is ah... on Speaker's Table it appears House Joint Resolution 70, Representative Mudd."

Mudd: "Yes, Mr. Speaker and Members of the House, this particular Resolution I tried to move to discharge Committee several days ago and we sent to Committee ah... with Chairman Pierce. We had a full and entire hearing. The Committee report shows that it was passed out do pass. However, there was a discrepancy. We voted at a time when the House was in Session. There was a ah... protest filed by a Member of the House, Representative Meyer, and I agree with Mr. Meyer that this ah... this should not be considered because the vote was taken after the House was in Session and I think that ah... I want to thank Representative Meyer for bringing it to the Houses attention so that any action taken on this Resolution would not be in conflict with the rules. I've also filed a motion because of the hearing and because of the discrepancy in the vote to discharge Committee which I think is a fair motion at this time. So I would like the unanimous consent of the House to discharge Committee so that this Resolution could be heard at this time and I so move."

Speaker Redmond: "Representative Pierce."

Pierce: "Mr. Speaker, as Chairman of the Committee, we did, we did hold hearings two weeks ago that lasted about an hour, an hour and a half and we had to go into Session so we had to recess ah... so yesterday morning rather... till... yes, Wednesday morning, yesterday morning at 8 a.m. many witnesses came from the ah... Peoria and Toulon area pro and con. We gave them all a full hearing. We started at eight. When it came time to vote, it was approximately 9:30 when the House was supposed to go into Session we, we started the Roll Call a few Members explained their vote. It sometimes happens in Committee. It was about 9:40 when we finished the Roll Call which as I recall was 6 to 5 for do pass as amended. At that time, the House had gone into Session at 9:30, had a prayer and conducted no business other than moving from one Special Session to another and standing at ease. When we came up from the Committee room, the House was standing at ease and no Speaker was in the Chair about 9 ah... 40, 9:45 when I came up. So I would say although technically the vote may have taken



place, the final vote at least been announced after the House went into Session at 9:30. No business was missed. I do sympathize with Representative Mudd who did have a full hearing and although I voted against his Resolution, it was approved, as I recall, on a ah... on a 6 to 5 ah... vote ah... in the Committee and, therefore, I think he is entitled to consideration ah... here and I make no objection to this motion to discharge ah... my Committee."

Mudd: "I think it was ah..."

Speaker Redmond: "Representative Mudd."

Mudd: "Ah... question, ah... Mr. Speaker. Do you feel that ah... you could rule that this particular Resolution is still in Committee because of the ah... vote taken after we were..."

Speaker Redmond: "I think the rule is rather clear that when the House is in Session, the Committee should not be meeting. So I would have to rule that it is still in Committee. Representative Mudd."

Mudd: "Then I would call my motion which has been filed with the Clerk to discharge Committee for immediate consideration of, of ah... House Joint Resolution 70."

Speaker Redmond: "Gentleman has moved to discharge the Committee so that ah... House Joint Resolution 70 could receive immediate consideration. All in favor vote 'aye'; opposed vote 'no'. Representative Beatty."

Beatty: "Mr. Speaker, Members of the House, as a Member of this Committee when this Bill was heard and I did try to expedite the hearing. It was rather prolonging, went on from about 8:20 and near the time when the House was going to go into action, I had asked for a Roll Call vote. It was the opposition to the act... to this Bill in Committee that actually slowed the work down. We had the vote. I the Democratic process really should call for this Bill to come before the House and not be sidetracked. I think Mr. Mudd did the job and he had his constituents there and I think he should be ah... ah... for fair plays purposes, should be given some consideration by the House here. Thank you."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Mr. Speaker, I ah... it's probably my fault. I explained my vote ah... It was a 'no' vote on that Resolution, but I explained



it and I think I took too much time. I think ah... with all due respect, we should give ah... the Gentleman an opportunity to present this Resolution. It did have the votes to get out on the Committee so I think we should vote it out."

Speaker Redmond: "It requires 89 votes. Have all voted who wished? Representative Kosinski."

Kosinski: "Mr. Speaker, in explanation of my vote, I was in that Committee hearing. The motion did pass. Essentially it's a technicality involved here whether we were in Session or not and I think the Sponsor of the motion deserves this consideration. The Chairman of the Committee has not objected and I recommend we get the proper number of votes. Thank you."

Speaker Redmond: "Representative Pierce. Have all voted? Representative Pierce."

Pierce: "Mr. Speaker, in fairness ah... to the Committee, sometimes it's hard to know around here whether we're in Session or not; but I, I seen that no one was on the Speaker's stand ah... when we came up. I might want to say this as well. We have two rules we have to obey in Committee. One is to allow all people to testify, the public that comes to a hearing and desires to testify and we did that and trying to accommodate the public, we did run against the 9:30 time squeeze because it is a rule of the House that the public that comes to testify should be entitled to testify and so Representative Mudd was caught between two rules here and I really sympathize with him, though I don't agree with the Resolution."

Speaker Redmond: "Have all voted who wished? Clerk will take the record. On this question there are 116 'yes', 4 'nay'. The motion carries. Representative Mudd. Read the Resolution, House Joint Resolution 70, Mr. Clerk."

Jack O'Brien: "House Joint Resolution #70. Whereas the Illinois Department of Conservation is presently engaged in site and campground development at the Toulon Parkway Project, and whereas it was and is the intent of the 79th General Assembly that such work cease for the financial... fiscal year ending June 30, 1976, and whereas such intent of the 79th General Assembly was expressed when the \$300,000 appropriation for the above project was deleted from House



Bill 1552 by the Senate and the adoption of Senate Amendment #5, and by the House of Representatives concurrence in such Amendment, and whereas House Bill 1552 subsequently became law, Public Act 79-277 without the \$300,000 appropriation for site and campground development at the Toulon Parkway Project. Therefore, be it resolved by the House of Representatives, the 79th General Assembly, the State of Illinois, the Senate concurring herein that we again state that it is the intent of the 79th General Assembly that work cease during the fiscal year ending June 30, 1976 on site and campground development at the Toulon Parkway Project and that a copy of this document be presented to the Governor and the Director of Conservation."

Speaker Redmond: "Representative Mudd."

Mudd: "Mr. Chairman, first of all I want to thank all the Members for this consideration and I also want to thank Representative Meyer for bringing to our attention that there was a discrepancy in the vote. It did come out do pass and at this time, I'd simply ask that the House adopt House Joint Resolution #70."

Speaker Redmond: "Representative Meyer."

Meyer: "Mr. Speaker, I rise in opposition to Representative Mudd's ah... motion. This, this involves two questions, Mr. Speaker. First of all, it's the public policy of the State of Illinois, I believe, and I believe it's correct that there should be public access to public lands. These people, these farmers don't want to be adjacent to public property. They don't want hikers and campers and walkers and, yes, people who probably ride horses down this trail going along side their property. They would rather that the fences be up, barbed wire be put around the place, a moat be dug and it be filled with crocodiles. Secondly, and this is important, Mr. Speaker, the contracts have been let and the State of Illinois has obligated itself to spend tens of thousands of dollars on these projects. Now what the expenditure of the public funds will do will improve the, the access to the property. Those... They're building bridges across the, the, the creeks and rivers so that the hikers and people who are using it, the parkway, won't have to cross over into public property and I just don't see how you can stop a project or why anybody would want to stop a project and then leave the taxpayers of



the State of Illinois obligated to pay the bill and enriching the contractor because he's, he's going to get paid whether he does the work or not. This is a contractors ripoff if this Resolution passes."

Speaker Redmond: "Representative Mudd, the Clerk advises me that there's an Amendment on this that has not yet been adopted, is that correct?"

Mudd: "Mr. Speaker, the Amendment ah... clarifies the, the ah... name of the trail from the Toulon Parkway to the Rock Island Trail and ah... it was just a clarification of title of the project. Had no ah... real ah... ah... basis for any ah... substantive change ah... I'd just move that it be adopted."

Jack O'Brien: "Amendment #1, amends House Joint Resolution 70 in the first and fourth whereas clauses and then the resolve clause by change 'Toulon Parkway Project' to 'Rock Island Trail State Park'."

Mudd: "It puts the Bill in the proper form so I would ask that it be... ah... leave for the, for the ah... Amendment to be adopted."

Speaker Redmond: "Gentleman has ah... moved the adoption of Amendment #1 to House Joint Resolution 70. All in favor indicate by saying 'aye', 'aye'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Representative Mudd, to close. Representative Kosinski, pardon me."

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, as a Member of that Committee I think some clarification is in order. The merits of the trail or using it or not using it was not the issue in Committee. The issue in Committee was legislative intent and Representative Walter Kozubowski, the Sponsor of the Amendment in the House, came in in support of Mr. Mudd in terms of his intentions of that Amendment. Senator Bloom came in in a prior Committee meeting in support of Representative Mudd by an interpretation of his legislative intent which was to stop progress at this time on this trail and I think that we owe it to Mr. Mudd in terms of legislative atten... intent to sustain his Resolution."

Speaker Redmond: "Representative Tuerk."

Tuerk: "Well, Mr. Speaker, Members of the House, this project is probably one of the most controversial projects that the State has under way at the present time. I don't think we should at this point as Representative Kosinski stated, deliberate the merits of the project



in and of itself. I think what Representative Mudd is attempting to do with this Resolution is to put a stop order on this project until such time that the controversy can be resolved and some of the issues brought forward so that not only the property owners along this trail, but also those who seek the trail can be satisfied. I would say to you and I've said this to Director Dean in person that the Department of Conservation has handled this project in the worst possible way imaginable. They have flown against the intent of the Legislature in terms of what the original intent was. They have said the hell be damned with the Legislature and just proceeded without any consideration given to the people in the area or to the Legislative Representatives within the district. I say that this Resolution should be adopted at this point so that there can be work done with Conservation. We send Conservation a message that we don't particularly appreciate the way that they've handled it and ah... give us time to work out the Resolution of the controversial aspects of this project. I would urge adoption of the Resolution."

Speaker Redmond: "Representative Wolf."

Wolf: "Mr. Speaker, Members of the House, as a Member of that Committee I would just like to concur in the remarks of the previous speaker in that the purpose of the Committee was to review the Resolution presented by Representative Mudd, not to determine the merits of the trail; but to determine the intent of House Bill 1552. I urge adoption and support of Resolution 70."

Speaker Redmond: "Representative Molloy."

Molloy: "Mr. Speaker, I would like to yield to Representative Meyer."

Speaker Redmond: "Representative Meyers."

Meyer: "Thank you, Representative Molloy. Mr. Speaker, I have in front of me the transcript of 6/29/75 of the House proceedings and I will quote verbatim from this. Representative Kozubowski, quote, 'I'm sorry I didn't hear you, Representative.' Representative Schraeder, 'Does Amendment #2 on the reappropriation cover the Rock Island Trail?' Representative Kozubowski, 'I don't believe it does.' Representative Schraeder."

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



Kosinski, pardon me."

Kosinski: "...this Body that Mr. Kozubowski appeared in Committee to clarify his intent without reading of the transcripts."

Meyer: "May I proceed, Mr. Speaker?"

Speaker Redmond: "Go ahead."

Meyer: "Representative Schraeder, 'Does any of those five Amendments cover it?' Representative Kozubowski, 'I don't believe they do.' Repr... Mr. Speaker and Ladies and Gentlemen of the House, this is all a charade getting back to the basic issue of public access. If you believe in public access to public lands that the State should, should take care of the citizens and provide park and recreation space, you'll vote down this Resolution. If you don't believe in it, if you believe that we should fence off the public lands that the taxpayers of this State own, vote in favor of Representative Mudd's Resolution."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker, Members of the House, the words quoted by the previous speaker were absolutely correct. It so happens that I was keenly interested in this piece of legislation in the amount of the appropriation and the reason the questions were raised with the Sponsor of that Bill was because Senator Bloom had introduced an Amendment deleting the appropriation, some 250 to \$300,000 and I questioned the Sponsor in trying to find out whether this would indicate the legislative intent whether or not the Department of Conservation would have the authority to proceed with the trail when it was so highly controversial and public hearings had not been held. It so happens whether or not anyone on this floor is in sympathy with the construction or not is immaterial. The question and the only question that I see it is whether or not the legislative intent has been followed and it seems to me that the legislative intent has not been followed and in view of that fact whether you're for or not against recreational needs what construction of this trail, we have to vote to sustain Representative Mudd so that the Legislature is listened to and the Department and not only Conservation will know what our intent is and they will follow us and for that fact, I will support Representative Mudd."



Speaker Redmond: "Representative Pierce."

Pierce: "Ah... Mr. Speaker, Ladies and Gentlemen of the House, I read the House transcript and believe me when I read it, if anyone could tell me what the legislative intent was from reading that, they really have to be clairvoyant or a ah... psychiatrist. Ah... After reading the transcript, it's quite unclear what the intent of the House was although I am, I am convinced Representative Bloom's intention in the Senate was to eliminate the Rock Island Trail. It's too bad he didn't word his Amendment properly so we could tell that's what he was doing; but in the House transcripts, any court that looks at it will be quite confused and not know what the intent was and therefore I don't think we've established any legislative intent. Moreover, the Circuit Court in Stark County at Toulon had a suit filed by the land owners who opposed the ah... work being done on the trail and it's my understanding that the Department of Conservation was successful in having that suit dismissed so the Circuit Court ah... of Stark County was unable to determine what legislative intent was, dismissed the land owners suit, and that's where we are today. This, I might remind you, is a House Joint Resolution. It's not a statute or a Bill we're passing and I'm clear in my own mind as an attorney what affect, if any, House Joint Resolution, a mere Resolution, can have on a ah... appropriation Bill that's passed and signed into law. Perhaps the courts will have to look that one, but certainly there is good reason to ah... say that the legislative intent to eliminate the Rock Island Trail was not established in the House transcript as Representative Meyer indicated by reading it and therefore to oppose and vote against the Resolution."

Speaker Redmond: "Representative Kosinski. Representative Kozubowski."

Kozubowski: "Thank you very much, Mr. Speaker. I'm glad you made that verification. Mr. Speaker and Ladies and Gentlemen of the House, I feel it incumbent upon myself to rise in support of the House Joint Resolution offered by Representative Mudd. As the House Sponsor, I feel that I should declare to the Body what our intent was. The intent was not to be opposed to the construction of the Rock Island Trail, but merely to halt the funds for one year. It is our





intent to go ahead and proceed with the Trail, but we would like to hold back funds for one year. I would ask for your support of this Resolution."

Speaker Redmond: "Representative Mudd, to close."

Mudd: "Mr. Speaker, in the interest of time, I'm going to be very brief. I think that the issue before this House is one that is very clear. I support the parkways, the parks, the Conservation Department 100% when it operates in a position or operates from a position of following policy that we direct them to follow. I, I feel that this Body is a policy-making Body and at times, I do not agree with some votes that come before this House, but you'll never find me not supporting the action that this House takes as a collective Body whether I agree with it or not, I will support my Bodies decision and this is what we're talkin' about tonight that we tell the Department heads that we are decision-making Body and when we make decisions, we expect them to be followed. So I would ask for everyone to support this. Send a message to the Conservation Department and the Governor of the State of Illinois and say we are the policy decision-making Body, not you. So I ask for a favorable vote."

Speaker Redmond: "The Gentleman moves that House Joint Resolution 70 be adopted. All those in favor vote 'aye'; opposed vote 'no'. All voted who wished? All voted who wished? Representative Meyer."

Meyer: "Mr. Speaker, for the last time, I'd just like to point out to all those people that are voting green that contracts have been let for tens of thousands of dollars of physical improvements in this property. Those contracts will have to be honored. The improvements will not be put up and the contractor will get paid. That's silly, tax paying policy."

Speaker Redmond: "Representative VanDuyne."

VanDuyne: "Ah... Mr. Speaker, Ladies and Gentlemen of the House, ah... really this thing is being clouded. I think the issue is so simple that ah... ah... we should just give Joe a little support here. This thing is whether or not, it is not whether or not it's going to be built. It's just whether it's going to be built this year. As far as Representative Meyers states, there's many and many a contract that has been let that have already been delayed time and



time again. Now as far as I'm concerned, ah... I would love to see these trails ah... ah... not perpetuated, but at least the right of way kept. I think of the year 2500 or the year 2000 even where if the State lets these ah... ownership of these properties go back to the original landowner or the adjacent landowners that the money that would cost to replace these ah... these right of ways would be absolutely astronomical, but I don't think the ah... the ah... idea whether this trail is built this year or whether it's built next year is even relevant and enough to argue about and I would ask ah... the people to support Joe's motion."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, my 'yes' vote there is on the board because I don't think this resolves the subtle question of a parkway. I think this resolves the subtle question whether this Body will support its Membership in their legislative intent where a Bill is concerned. Now we have heard very clearly from Representative Kozubowski and Senator Bloom in Committee what the legislative intent of the Senate and the House was. Now if we can't support our own intent, the issue is not important and I recommend a green light."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. Representative Reed. This requires a simple majority."

Reed: "Thank you. I, too, serve on that Conservation Committee and Representative Mudd's Resolution addresses itself three times to legislative intent. Legislative intent in relation to the Rock Island Trail was established in fiscal year 1974 with a \$300 appropriation and I think that Representative Mudd's Resolution is absolutely out of order. He has not established intent in any way. It was established in '74 by this Body."

Speaker Redmond: "Clerk will take the record. On this question there are 91 'aye' and 41 'no' and the Resolution is adopted. Representative Hanahan, for what purpose do you rise?"

Hanahan: "Mr. Speaker, Members of the House, I, I rise ah... for the purposes of ah... suspending the rule to consider House Resolution 587, immediately adopt and consider House Resolution 587, immediately. In support of that motion, it is in connection with the request to



investigate the Department of Conservation almost arbitrary, insolent attitude towards to the taxpayers of this State and their rights of usage of the State Parks. Specifically in northern Illinois where a lot of people reside that happen to have interests such as horse owning and horse riding, snowmobiling, and any other type of recreational interest the people of northern Illinois for the last two and a half years have attempted to obtain the rights to use some of the State Parks for recreational purposes and in appealing for that right, Representative Waddell, Representative Skinner, myself, many other Representatives I know have asked for permission for these various taxpayers to utilize their State Parks and were arbitrarily denied that right. And then later we find out that the arbitrary decision was not even appealable. We don't know where and how the rules came by which would allow the setting aside of bridal paths, of snowmobile trails, so that we are not confronted in our areas, in the residential areas of people using residential streets illegally for the usage of recreational snowmobiles. So House Resolution 587 which I'm asking for your vote to vote to suspend the rules so that we could immediately allow the Resolution to be adopted for that the House or the Illinois Legislative Investigating Commission to, number 1, investigate alleged denials of citizens to State Parks, to compile the rules and regulations of the Department of Conservation regarding admission to and use of State Parks. Number 3, to determine that such rules and regulations are fair and equitable and, most important, are fairly applied by the Department and Number 5, to make recommendations for change in such rules and regulations or changes in State law if any are indicated and file its report with the General Assembly within 6 months of the adoption of this Resolution. So I move at this time to suspend the appropriate rule so that we could immediately consider this Resolution that many people in northern Illinois and especially and I know around the State would like to have an investigation of the Department of Conservation and their attitude to the taxpayers that would like to use their State Parks."

Speaker Redmond: "Any discussion? Representative J... ah... Gene Schlickman."



## GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Schlickman: "Mr. Speaker, Members of the House, it seems to me that any Resolution calling upon the Legislative Investigating Commission to appropriate or expend funds to investigate a code department ought to at least go to Committee for consideration rather than it being perfunctorily discussed and disposed of here on the floor ah... at this hour of the day and, therefore, Mr. Speaker, I ah... arise to object to the suspension of the rules so that this Resolution can be considered."

Speaker Redmond: "Representative James Houlihan."

J.M. Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House, I also rise to oppose bypassing Committee for this particular Resolution. We have seen time and time again Resolutions introduced and reports directed ah... where we could have in fact done the initial investigation by the Committee system. If we are ever going to hope to have our Committees operating effectively, we're going to have to give them some responsibility and I think this would undermine the effectiveness particularly of the Energy Environment Committee and, therefore, I would ask for a 'no' vote on this particular motion."

Speaker Redmond: "Representative Waddell."

Waddell: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this action for the simple reason that after holding hearings, these hearings have been held. The hearings have been held, the Director and the people were adequately aware of what has been determined in those hearings. They had held the hearings in such areas as they could not get the full support of the people. They intentionally did this in the very area that you're talking about. Horses that had been ridden in this area, had been ridden there for years and it was the intent of when they took those properties over that they would continue with that recreation. Instead of that, it was closed down. As far as the snowmobiles are concerned in that area, we had heard some of the phony baloney that in that area if you ran a snowmobile over the snow and the frozen ground, it was going to disturb something or other below. Well any of you that have any farm experience or knowledge of the out of doors know you, you know that that is sheer baloney. I suggest to you that we did try to go the right way and now we're appealing to you again



to give directions. I vote, hope that you vote for its support."

Speaker Redmond: "Representative Skinner."

Skinner: "Well, I suggest if Tom is coming off the wall with this Resolution, I would suggest as not to take into account the files that I have on letters to Tony Gaines, back to me. First time I wrote him he said they ought to go to somewhere in DeKalb County and ride horses if they want to ride them in State Parks. The most recent letter I received said that, well, 'gee whiz', maybe we'll let 'em ride in part of the Chain-O-Lakes State Park. Well, we don't mind taking land off our tax rolls to provide playgrounds for Chicago area state ah... constituents ah... of our colleagues, but it seems to us that some recreational value should be allowable for the people that live in the area. Ah... I don't think this ah... Resolution calls for the Legislative Investigating Commission. Oh, you change it? Oh God, here we go again. The Legislative Investigating Commission, eh...? I'll sit down and shut up."

Speaker Redmond: "Representative Wolf."

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

Ah... Tom, in your Resolution the fact that ah... many of the State Parks have been authorizes to allow hunting and the shooting of game. Would that have any bearing on the Resolution you're presenting before this Body?"

Speaker Redmond: "Representative Schlickman."

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

Speaker Redmond: "State your point."

Schlickman: "The discussion that is now taking place is on the merits of the Resolution."

Speaker Redmond: "Your point is well taken."

Hanahan: "Mr. Speaker."

Speaker Redmond: "Representative Hanahan."

Hanahan: "I believe that last Gentleman raised the point of order ah... but it was all right when he violated that point of order. He, he violated it a few minutes ago when he spoke on this very issue and an undebatable question. I think it's only fair that in explaining to a Gentleman like Representative Wolf that, that the issue before us on the Resolution and the request of the suspension of the rule



that he take in account that this Resolution isn't just for snow-mobiles or horsemen, that it does include the game shooting preserves and the determination who should use it and who should not that all of these are factors that should be weighed in each Legislators mind and whether or not they could use the State Parks."

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

Schlickman: "Mr. Speaker, the Gentleman is out of order."

Speaker Redmond: "You are correct."

Schlickman: "He is addressing himself to the merits of the Resolution and the only comments I made earlier were as to the propriety of suspending the rules and I just..."

Speaker Redmond: "Your point is well taken and ah... Representative Meyers."

Meyer: "Mr. Speaker, no getting involved in the debates of the merits of the Resolution, but I think it's an extremely dangerous precedent for this General Assembly, this House..."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Well, I wasn't going to make the point ah... usually in the suspension of the rules, we allow two parties to give both sides of it, but I think we're carrying it a little too far and the rules call for no debate on this motion."

Speaker Redmond: "You are correct. Bring your remarks to a close, Representative Meyers, and stop debating."

Meyer: "Well, I'd just like to point out that in my experience that there every one of the Resolutions that created action on the Legislative Investigating Committee has gone to Committee and I think it's very poor policy to, to precipitate this type of action without having a Committee act on it."

Speaker Redmond: "Representative Hanahan, do you have any remarks to close?"

Hanahan: "Yes, Mr. Speaker. In support of my motion, I'd just like to urge the Membership of the General Assembly to be placed in the position that at the last hour that we had waited for the Director of Conservation to answer the questions put to ti by many, many citizens of this State that to the request of usage and utilization



of their State Parks that I ask the suspension of the rules so that we could immediately undertake an investigation of the Department on its arbitrary and unfair, unreasonable method of allowing the usage of the citizen's State Park in many areas, not only in snowmobiling or horse riding, but also in game preserves and all the other fishing and all the other recreational sports that people that pay for these State Parks would like to utilize in the State Parks. I do not easily ask for this suspension of the rule in order to bypass the Committee, but I find myself in a last ditch effort to have something done in behalf of the taxpayers so that their demands of this Department, this Code Department be answerable to somebody and the reason why the Investigating Committee was the source of the Legislative Investigating Committee is both the Co-Chairmen agreed to undertake this. It's something that has to be done on behalf of the people of Illinois so that they, the taxpayers, could utilize their State Parks and I urge an affirmative vote only if for no other reason, only to see, only to see whether or not the Department of Conservation is properly answering the citizens needs in this area of recreation. I urge an 'aye' vote."

Speaker Redmond: "The question is on the suspension of rule 41A or the bypassing of Committee so that House Resolution 586 can be advanced to the order of Second Reading. All those in favor vote 'aye'; opposed vote 'no'. It takes 107 votes. All voted who wished? All voted who wished? Representative Luft. Clerk will take the record. On this question there's 66 'aye' and 26 'nay' and the motion fails. Representative Shea. Point of information. We're trying to wind down here now. Originally intended to take rules today, but it got too late and we'll do that the first thing tomorrow morning at 9 o'clock. Representative Deuster."

Deuster: "Yes, Mr. Speaker, with reference to your announcement concerning the, no, the... Yes, the question of the rules, I do want to make this inquiry ah... since I know many Members will be interested in the rules ah... I know tomorrow the rules will be considered ah... presumably and Amendment will be offered and I was wondering if the Chair could indicate how many ah... persons will be ah... necessary to be present on the floor of the House for the



consideration of the Amendment ah... and the second question, Mr. Speaker, so we know in advance ah... how many votes will be required for the adoption of the House rules in the event we take up House Resolution ah... 237."

Speaker Redmond: "89 is the answer to both questions."

Deuster: "89 will be ah... necessary for ah..."

Speaker Redmond: "That's the quorum and 89..."

Deuster: "...approval of an Amendment as ah... or for the quorum, I see."

Speaker Redmond: "89 for the quorum and 89 for the adoption of the rules."

Deuster: "Fine and, Mr. Speaker, I might inquire, I have at the Clerk's desk a motion ah... which is..."

Speaker Redmond: "We'll take that up tomorrow morning."

Deuster: "Would that be taken up before the rules?"

Speaker Redmond: "I don't whether it's before or after, but it'll be taken up tomorrow morning. Representative Hill."

Hill: "Mr. Speaker."

Speaker Redmond: "Representative Hill."

Hill: "Mr. Speaker, I'd like to ah... ask a question. If we come in at 9 o'clock in the morning and you start on the rules, are you going to continue on those rules until completion before you take any other business up?"

Speaker Redmond: "The only interruption would be to convene some of the Special Session that might be in there, but then they will be recessed and we'll go right on with the rules."

Hill: "Thank you very much."

Speaker Redmond: "Representative Matijevich. Matijevich."

Matijevich: "Mr. Speaker, Members of the House, I would suggest, Mr. Speaker, if we're going to get on the rules tomorrow and we have a full House right now that if anybody's not in their and they have an Amendment tomorrow that we just withdraw that Amendment and it be known right now because I don't think we ought to be sitting around all day waiting for somebody who isn't there when they should be."

Speaker Redmond: "Representative Washburn."

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





the House. Many Members are wondering, including myself, what your projection is as to ah... checking out of motel rooms in the morning. Was that your answer?"

Speaker Redmond: "I yield to Representative Grotberg. I don't know."

Grotberg: "That was my question, Mr. Speaker. If you had an appointment Saturday back in the district, would you cancel it tomorrow morning?"

Speaker Redmond: "If I was running for the Senate, I might go home."

Grotberg: "Thank you."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, for the information of the Members, I would like to indicate that I have a motion at the desk ah... which will be considered tomorrow morning and I hope many who are interested will be here because it is a motion to adopt the temporary rules of the House as the permanent rules of the House. I think it's utterly ridiculous we have 77 Amendments..."

Speaker Redmond: "That matter will be tomorrow morning, Representative Deuster."

Deuster: "If I might just complete my remarks, I'll be very brief. Ah... if we spent ten minutes on each of those 77 Amendments, it'll take us 13 hours and I'm hopeful that there'll good attendance tomorrow so we can give ah... fair consideration to the motion to adopt the temporary rules and avoid this ah... marathon consideration of all the Amendments. Thank you, Mr. Speaker."

Speaker Redmond: "Five of those are yours, Representative Deuster. So we can... Representative Stone."

Stone: "Parliamentary inquiry, Mr. Speaker. I wonder how many of those Amendments are of the Gentleman that just spoke..."

Speaker Redmond: "Five."

Stone: "And if five of them are his, then ah... if they were important then, why wouldn't they be important now?"

Speaker Redmond: "Representative Boyle."

Boyle: "Thank you, Mr. Speaker. I have a motion on the Clerk's desk concerning House Bill 3148 ah... and I'd appreciate it if the Clerk would read the motion."

Speaker Redmond: "Representative Boyle. Ah... Read the motion."



Jack O'Brien: "I hereby move to suspend the appropriate rules to discharge Appropriations II Committee and advance the following Bill to the order of Second Reading, Second Legislative Day. House Bill 3148."

Speaker Redmond: "Representative Boyle."

Boyle: "I've ah... talked with the ah... Representative Ryan and ah... it's my understanding that it's agreed this is the Bill which appropriates the \$10,000,000 from the School Construction Fund to the State Board of Education for reimbursement for Special Education Building Program."

Speaker Redmond: "Any discussion? The Gentleman has moved to discharge the... Representative Shea."

Shea: "Isn't Appropriations II going to meet?"

Boyle: "No ah... the other two Bills ah... Representative Shea, will be held over ah..."

Shea: "Well my understanding was that you wanted a Committee meeting tonight or tomorrow morning. Now have you changed your mind on that?"

Boyle: "Yes ah... we could not get agreement ah... with the ah... Minority Leader concerning the other two Bills and ah... so we're going to have to hold those Bills."

Speaker Redmond: "Questions on the Gentelman's motion. All in favor indicate by voting 'aye'; opposed vote 'no'. The motion to discharge the Committee. Have all voted who wished? 89 votes required. Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question there's 91 'aye' and 3 'no'. The motion is carried. Representative Shea."

Shea: "I have a Resolution up there I'd like to..."

Speaker Redmond: "Read the Resolution, Mr. Clerk."

Jack O'Brien: "House Resolution 586, Shea, Ryan. Whereas the Illinois Department of Public Aid, I.D.P.A., has been charged by the General Assembly to provide medical assistance to citizens of Illinois and to assist such citizens to obtain medical diagnosis, treatment, testing and evaluation pursuant to Article IV of Section 7 of the Illinois Public Aid Code, and whereas I.D.P.A. has made contractual and other commitments to provide such medical assistance to Illinois



citizens in this fiscal year, and whereas the I.D.P.A. purchases medical services or reimburses on behalf of any individual clients medical services throughout the State of Illinois, and whereas in the early months of fiscal year 1976 Members of the General Assembly began receiving reports both from individual I.D.P.A. clients and from medical professionals throughout Illinois that I.D.P.A. was not meeting the statutory mandates. Therefore, be it resolved by the House of Representatives, the 79th General Assembly, the State of Illinois that the Auditor General is directed pursuant to Section 3-2 of the Illinois Auditing Act to conduct a management audit and a program audit of the activities of the Illinois Department of Public Aid to determine, 1) whether the objectives, responsibilities and duties imposed by the medical systems statute of I.D.P.A. are being carried out. 2) whether the intended beneficiaries of the medical assistance activities for the Department are being officially and effectively served by I.D.P.A. 3) whether the medical assistance program be performed or administered by I.D.P.A. are being performed and administered in accordance with applicable statutory administrative requirements; and 4) whether the funds appropriated by the General Assembly for fiscal year 1976 are adequate to permit I.D.P.A. to serve the intended beneficiaries of its medical assistance programs or whether any reductions in service provided by the I.D.P.A. are the result of fiscal or other mismanagement. And be it further resolved the audits directed by the Resolution be conducted in consultation with and under the supervision of the Legislative Audit Commission, and be it further resolved that the results of this management audit and this program audit shall be reported to the Legislative Audit Commission, the Governor, and the Department Director of I.D.P.A. at the earliest practical date on which the Auditor General can submit such a report ah... consistent with his other duties and responsibilities, but no later than March 1, 1976."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I discussed this with the Leadership on the other side of the aisle. There was no objection to the Resolution, but they didn't think that it should



go through as an Agreed Resolution and I would, therefore, move to suspend the appropriate rule for the immediate hearing and consideration of the Resolution."

Speaker Redmond: "Representative James Houlihan."

J.M. Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to suspending the rules and having immediate consideration of this Resolution. It appears to me that this again is another effort, political effort by our Majority Leader to involve politics in an area where there should be sound and reason judgement. It's not a responsible effort. We have Committees that are already involved in this area. We're just beginning to investigate ourselves just for headlines and I think Representative that you have been entirely out of order to bring this up at this time when the Membership is ah... very, shall we say, scattered and ah... sparse and I don't think we should have suspension of the rules to have immediate consideration. We ought to send this to Committee."

Speaker Redmond: "Representative Mann."

Mann: "Yes, would the Gentleman yield to a question?"

Speaker Redmond: "Indicates he will."

Mann: "Ah... Representative Shea, have you discussed this... Have you discussed this with Senator Moore, who is the Chairman of the Legislative Advisory Committee on..."

Shea: "No, sir. I have not."

Mann: "Well, wouldn't you think that ah... since we will be here tomorrow and ah... I do think I have some expertise in this area that ah... it wouldn't hurt to ah... hold this Resolution until tomorrow?"

Shea: "I have absolutely no objection because I know you've been very interested in this field and ah... certainly I want you to take a look at it because I think it's the right thing to do and I would like to answer one of the previous speakers. There's nothing political at all in this request of our Auditor General. It isn't some Committee to go out and just look, but it's an honest inquiry into where we're spending our money and why. Not too long ago, \$50,000,000 was cut out of the public aid budget in, for medical and yet, I sat with the Director, Director Trainer of the Department of Public Aid, and he tells me we'll not only need that \$50,000,000 but another



\$62,000,000..."

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

J.M. Houlihan: "Mr. Speaker, I think the ah... speaker at this time is completely out of order. He's..."

Speaker Redmond: "Your point is well taken. Representative Shea, did you indicate a willingness to have this matter considered..."

Shea: "Absolutely, I want to talk to ah... Representative Mann and Davis. I'm sure Representative Ryan and I want to do the right thing with this."

Speaker Redmond: "Take that one out of the record. Order of business Announcements. Representative Barnes."

J.M. Barnes: "Thank you very much, Mr. Speaker. Mr. Speaker and Members of the House, on the Calendar on ah... there's a scheduled meeting for the Transportation Committee that is inaccurate. It is the Subcommittee for Hazardous Materials. We will be meeting immediately after adjournment in Room A1 in the State Office Building. That's the Subcommittee for Hazardous Material."

Speaker Redmond: "Tonight, you mean?"

J.M. Barnes: "Tonight, it will be very brief in A1, very brief."

Speaker Redmond: "Any further Announcements? Again may I call your attention to the fact we'll have rules the first thing in the morning. All the rules tentative have been distributed. There should be one on everybody's desk. We've also submitted a, a ah... Digest of all of the rules. You should have that on your desk, too. Representative Shea."

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

Speaker Redmond: "You've heard the motion. All in favor indicate by saying 'aye', 'aye'; opposed 'no'. The 'ayes' have it, the House stands adjourned until 9 tomorrow morning. Representative Shea."

Shea: "I think there's one Special Session still open, isn't there?"

Speaker Redmond: "We got... The House will come to order in the Third Special Session."

Shea: "Mr. Speaker, I move that the Third Special Session now stand adjourned until 10:30 a.m. tomorrow morning."



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Speaker Redmond: "You've heard the motion. All in favor indicate by saying 'aye', 'aye'; opposed 'no'. The 'ayes' have it. Third Special Session stands adjourned until tomorrow morning. You want to be sure to get here at 9 o'clock in time for the rules."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES