

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

181ST LEGISLATIVE DAY

DECEMBER 1, 1976



GENERAL ASSEMBLY

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

Speaker Redmond: "House will come to order, 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. Been asked to remember the wife of Representative Jack Hill who is ill. So I ask you to pray with me for Belva. Watch over Thy servant, Belva, and those who administer to her Thy Giving Gift that she may continue daily to grow in strength and health; give her courage and confidence in Thee so that she may be restored to her former health. Amen. The Chinese philosopher, Wang Yang Ming, said 'the sages do not consider that making no mistake is a blessing. They believe that the great virtue of man lies in his ability to correct his mistakes and continually to make a new man of himself'. Let us pray. O Lord, Heavenly Father, the Creator and Author of all things we plead Thee to inspire our minds and hearts to meet the challenges and responsibilities of this day. May all that we do be for the betterment of the life which Thou alone has created so that we may make Thy Laws our laws and so effectually a better society may evolve. We ask this in Christ's Name. Amen."

Speaker Redmond: "It looks like two or three of our Members are still in the library in the Museum so we better stand at ease until 11:30. And will Representative Schlickman send out the 'skirmishers' toI think we will hold the quorum call until 11:30...for fear there would be a problem."

AT EASE

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

Speaker Redmond: "House will come to order. Roll Call for attendance. Committee Report."



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Clerk O'Brien: "Representative Boyle, Chairman of the Committee on Appropriations 2 to which the following Bills were referred, action taken November 30, 1976, reported the same back with the following recommendations: Do Pass on House Bill 4012, 4017 and 4020."

Speaker Redmond: "House Bills Second Reading, on House Bills Second Reading appears House Bill 3167, Representative Palmer."

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

Speaker Redmond: "Representative Palmer on the floor? Whose Amendment is it? Representative Palmer on the floor? Out of the record. 3204, Representative Kosinski, you want that out of the record temporarily? 4009."

Clerk O'Brien: "House Bill 4009. House Bill 4009, a Bill for an Act making appropriations to the Department of Transportation. Second Reading of the Bill. Four Committee Amendments. Amendment #1."

SHEA IN THE CHAIR

Speaker Shea: "Mr. Williams, is there any objection do you know to any of these Amendments? Turn Mr. Williams on. Turn Mr. Williams on, please. Are there any objections to any of these Amendments, do you know?"

Williams: "Well, since the Amendments don't specifically direct themselves to flood control projects..."

Speaker Shea: "All right, then, let's take them one at a time. Mr. Totten, for what purpose do you arise, Sir?"

Totten: "Mr. Speaker, for a question of the Sponsor. He had agreed in Committee to hold this, I believe, until we got the revenues ...companion Bill out of Revenue so we could run it together..."

Williams: "If I might address myself to that, the Bill passed out of Revenue this morning, understand it'll be on...on the Supplemental Calendar and then I would move at that time to get it on Second Reading Second Legislative day since they're both in the same posture."

Speaker Shea: "You want to hold that until that Revenue Committee is



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in then, Mr. Williams?"

William: "Fine, thank you, Sir."

Speaker Shea: "Mr. LaFleur, for what purpose do you arise, Sir?"

LaFleur: "I arrived at my desk late and I was trying to understand what the Gentleman from Cook County was doing with this motion."

Speaker Shea: "Well, I think he just passed the Bill. You voted for it."

LaFleur: "Well, that's all right, then."

Speaker Shea: "He is...I called the Bill, at the request of Mr. Totten, he is waiting until House Bill 4010 catches up. My understanding Mr. Schraeder will have a report from the Committee on Revenue; after that report is read and the Bill is on a Supplemental Calendar, Mr. Williams is then going to attempt to make a motion to move it to Second Reading Second Legislative Day and see if we can't vote, or get the package to the posture of Third Reading so that tomorrow we may vote it up or down."

LaFleur: "Thank you."

Speaker Shea: "Does that explain the hopes of the Chair?"

LaFleur: "Very well, Jerry."

Speaker Shea: "Thank you. On the Order of House Bills Second Reading appears House Bill 4011, Mr. Matijevich, or Mr. Lechowicz. Are either one on the floor? On the Order of House Bills Second Reading appears House Bill 4014. Is Mr. McMasters here? House Bill 4016, Mr. Taylor is here. Read the Bill. Yeah. Well, I'm sorry Mr. Taylor. Mr. McMasters, I didn't see you there."

McMaster: "House Bill 4014, no Committee Amendments and there's no Amendments that I know of from the floor."

Speaker Shea: "Read the Bill a second time, Mr. Clerk."

Clerk O'Brien: "House Bill 4014. A Bill for an Act in relation to Township Government Laws Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Shea: "Are there any Amendments from the floor? Hearing none, Third Reading. House Bill 4016. You want to be recognized before we read the Bill, Mr. Taylor?"

Taylor: "Mr. Speaker, I'd like to take that Bill out of the record at



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this time. I'm waiting for the litigation that have been in the Court of Claims."

Speaker Shea: "All right. Jim, Mr. Taylor, could you come up to the podium, please? House Bill 4019, Mr. Terzich. Is Mr. Terzich in the chamber? House Bill 4021, Mr. Tipsword. Read the Bill, he's here."

Clerk O'Brien: "House Bill 4021. A Bill for an Act to amend sections of the Coal Mining Act. Second Reading of the Bill. No Committee Amendments."

Speaker Shea: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Shea: "Third Reading. House Bill 4024, Mr. Garmisa. Take it out of the record. House Bill 4025, Mr. Bradley."

Clerk O'Brien: "House Bill 4025. A Bill for an Act to direct transfer of money between funds in the State Treasury. Second Reading of the Bill. No Committee Amendments."

Speaker Shea: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Shea: "Third Reading. House Bill 4027."

Clerk O'Brien: "House Bill 4027. A Bill for an Act making an appropriation to the Department of General Services. Second Reading of the Bill. No Committee Amendments."

Speaker Shea: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Shea: "Third Reading. On the Order of House Bills Third Reading appears House Bill 7021. Take it out of the record. Mr. Beaupre, on your Consideration Postponed Bill would you want to hear that today? Take that out of the record. On the Order of Vetoes. Total Vetoes. House Bill 2115, Mr. Kane. On page 3 of the Calendar, Total Veto Motions appears House Bill 233. Mr. Wolf? Take it out of the record. House Bill 1914. J. David Jones, you want to call that today? House Bill 3721, Mr. Miller? Take it out of the record. House Bill 3803, Mr. Porter? Take it out of the record. House Bill 3924, Mr. Taylor, you want to go with 3924? Take it out of the record. What about 3973, Mr. Taylor?"



Take it out of the record. Total Veto Messages...or Total Veto Motions, Consideration Postponed, House Bill 3858. Mr. Brinkmeier, 3858, you want to hold that? Take that out of the record. Item and Reduction Vetoes. House Bill 3376, Miss Chapman? All right, House Bills 3377, Mr. Byers? Are... Mr. Byers, do you want to go on 3377 now? All right, those are Mr. Dunn's...all right, Mr. John Dunn. Is Mr. Dunn in the chambers? Is Mr. John Dunn in the chambers? All right. On Item and Reduction Vetoes, Miss Chapman, 3376, or Mr. Davis' motion. He's not here. Mr. Boyle on 3403? Gentlemen, seeing we've been through the Calendar once does the Speaker have leave to go up and down the Calendar? Is there objection? Well,...there has been objections. House Bills Second Reading. House Bill 4011, Mr. Matijevich."

Clerk O'Brien: "House Bill 4011. A Bill for an Act to provide for the ordinary and contingent expense of the Chain of Lakes-Fox River Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Shea: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Shea: "Third Reading. Mr. Hoffman, on House Bill 721, do you want to hear that today or take it out for the entire day? Mr. Beaupre, Mr. Beaupre, on your Bill do you want it out all day? Do you want to call it any...turn Mr. Beaupre on please."

Beaupre: "Mr. Speaker, I would like to have it called but I want to get some information from my office before we..."

Speaker Shea: "All right. On the Order of House Bills Second Reading appears House Bill 4024. Mr. Garmisa, do you want to call that Bill now?"

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

Speaker Shea: "House Bill 4024."

Clerk O'Brien: "House Bill 4024. A Bill for an Act to provide for the ordinary and contingent expense of the Department of Transportation. Second Reading of the Bill. No Committee Amendments."

Speaker Shea: "Are there any Amendments from the floor?"

Clerk O'Brien: "Amendment #1. Skinner. Amends House Bill 4024 on page



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1, line 1, by deleting '24,339,063' and inserting in lieu thereof '16,339,063'."

Speaker Shea: "The Gentleman from Lake, Mr. Skinner's Amendment.
Mr. Skinner."

Skinner: "This Amendment, which I apologize to the Members of the House for not having been distributed yet, deals with the RTA Appropriation out of the Public Transportation Fund which flow from the sales tax receipt. Originally, the Bureau of the Budget estimated the receipts from the sales tax to be a 122.5 million dollars. The Senate in its wisdom, in its great wisdom, decreased the appropriation to \$98,000,000 and, we in the House sat stupefied, as a motion was made to accept all of the Senate Amendment during the final part of the Session last year. Now, this Fall, comes the Gentleman from Cook asking for basically a supplemental appropriation for the Regional Transportation Authority of \$24,000,000. What this Amendment does, is lower the amount of money that we would appropriate to the RTA to the amount of money that the RTA has budgeted, a 114.5 million dollars. I see absolutely no reason whatsoever to give the Regional Transportation Authority, which has not lived up to its proponents promises of quote, public transportation when and where you need it throughout the region, unquote, than they, than they request. And that is what this Amendment does, it gives them what they requested in their budget."

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

Garmisa: "Mr. Speaker and Ladies and Gentlemen of the House, if this Amendment were adopted, what you would be doing to the suburban bus carriers would be forcing carriers such as the Joliet Mass Transit District, the North Suburban Mass Transit District, those that are in the north trans of South Suburban Safeway Line, Waukegan-North Chicago District, and other carriers that have a severe cash flow problem to discontinue operations. You'd be requiring fare increases more than 20% in addition to the recently



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implemented increases further reducing the level of ridership. And, in all probability, you'd be compelling some of these carriers to halt their services. You'd shut down the entire suburban system resulting in the layoff of as many as 600 employees on the 24 suburban bus carriers that are now funded by the RTA. And the impact on the 12,500 riders who use the suburban bus service daily, 80% of them that are dependent upon bus services are home to school, or worse yet, for each bus would be that you'd be removing some service, you'd be putting 17 additional automobiles added to the highway congestion. And our highways are congested just as badly as we want them to be right now, we don't need any further congestion. We'd be doing irreparable damage to the commuter railroads that are now under contract to the RTA. The damage that would be done by reducing this appropriation that has already been earmarked for the RTA would be irreparable. I would ask each and every Member of this House to vote down this very pernicious Amendment."

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

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, the previous speaker, I...I just can't understand his remarks regarding what the effect of reducing this may have on the Regional Transportation Authority, it's just absolutely not true that this would in any way impair any services. The fact of the matter is, the monies to be transferred from the Public Transportation Funds will nowhere near amount to the one hundred twenty-two, five that the Agency has requested by this appropriation being increased. In effect, in the Public Transportation Fund they only have in it what is the amount of money that the Representative from McHenry has proposed in the Amendment. In testimony before the Committee yesterday. the Appropriations 1 Committee, the Members of the RTA Board were very hesitant as to whether they would accept...not hesitant but maybe reluctant, as to whether they would accept an Amendment of this nature because they realize that the fund only had that much money in it. The only way you're going to get more money for the twenty-four, five, is to increase the three thirty-seconds in the motor "



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vehicle registration fees in the city of Chicago that go into this fund to supply the money for the total appropriation that's requested here. By reducing that by eight million as requested in the Amendment it'll in no way impair services; should there be more money in the fund at the end of...toward the end of the fiscal year they can request that those monies be appropriated. And I see no reason why at this time we should be stamped into something we shouldn't be considering in the first place because we could do this in March without impairing any services. And this Amendment is warranted and should be supported."

Speaker Shea: "Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, I'm opposed to this Amendment. Here we have a chance to get some funds for use in the suburban area for public transportation and if the proponents of the Amendment were sincerely for suburban public transportation; and in my belief they're against any public transportation either in the suburbs or the city, where they are sincerely for suburban public transportation they would oppose this Amendment and they would help us get the funds we need to operate even the ^{meager} ~~meager~~ suburban services we presently have. And therefore, I'm going to support the Sponsor of the legislation, the Gentleman from Cook, Representative Garmisa, in opposing this Amendment even though I am a suburban, in fact even a nonCook County legislator. Because certainly we can on one hand complain we're not getting enough service, public transportation service in the suburbs and on the other hand, vote to decrease the state funds that will go to maintain and improve the suburban service. And therefore I'm going to oppose this Amendment."

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

Deuster: "Would the Sponsor of this Amendment yield for a question?"

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

Deuster: "Representative Skinner, I have in front of me a Republican staff memorandum from the Committee on Appropriations which suggests that this Bill, unamended, or the Bill as introduced



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and before us would be appropriating money that hasn't been received. And the memo indicates that the Public Transportation Funds would only have about 114,000,000 that this Bill would wind up appropriating 122,000,000. And I'm just wondering whether that is your information and what the effect would be of your Amendment. Would...does your Amendment reduce it down to the actual amount of money that is there so we're not doing ...making a useless and senseless gesture by appropriating money that isn't there?"

Skinner: "Well, in answer to your general question, I suspect the General Assembly appropriates money that's not collected yet all over the place on a regular basis. But certainly this is what is in the RTA budget and that is what I'm trying to do. Give them the amount of money that their budget says they think they're going to get from the state."

Deuster: "Has the RTA indicated to you that they're going to adjust their budget upward....as I understand your Amendment you amend the Bill down to the actual amount of the RTA budget, is that correct?"

Skinner: "That is correct."

Deuster: "And Mr. Garmisa would like to have the appropriation beyond their budget. Do you have any direct information that the RTA has communicated a request for this additional money?"

Skinner: "Representative Deuster, in my opinion the RTA can spend all the money that we could ever find it....to give it. So I'm not sure how to answer that question."

Deuster: "All right, thank you."

Speaker Shea: "The Gentleman from Lake, Mr. Simms, to close, or McHenry, Mr. Simms. Or Skinner."

Skinner: "There are a couple of questions at stake here, Ladies and Gentlemen of the General Assembly. One is a simple question of leverage between Chicago and the rest of the state. What is being attempted in this Bill and what I am attempting to decrease is to eliminate any possibility of leverage on RTA next year. Now people from downstate supported RTA for various reasons



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the first time around and have supported it for various other reasons since then. And if you are one of them I would suggest that you probably will be in a better position next year to make a decision of whether or not to support a full appropriation for the Regional Transportation Authority that you are this year. I would point out that you will have a...you will have a Governor who will be flashing once in a while with the forces from Chicago. And if nothing else this will be a little trading pawn on the big chess game of the General Assembly. From a logical viewpoint, however, the General Assembly has appropriated \$98,000,000 to the Regional Transportation Authority. At the level Representative Garmisa says that the RTA needs it would go up to a \$122,000,000. Now if one divides a \$122,000,000 by 12 one finds that the RTA spends approximately \$10,000,000 of your taxpayers money each month. I am suggesting subtracting \$8,000,000 from that 122 because we're just not sure whether the money is there. The RTA, apparently, doesn't think the money is there. And wait until next June to find out whether really need it, number one. And number two, whether we really have it. And for that reason I would ask for your support of this important Amendment."

Speaker Shea: "The Gentleman's question is shall Amendment #1 be adopted. All those in favor will say 'aye'; those opposed 'no'. In the opinion of the Chair the 'no's' have it. I see we want a Roll Call. All those in favor of the Gentleman's Amendment will vote 'aye'; those opposed will vote 'no'. Shea, 'no'. All voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 46 'ayes' and 84 'nays'. For what purpose does the Gentleman from McHenry, Mr. Skinner, arise?"

Skinner: "I would like a poll of the absentees, please. I believe if you will...I just want to know who everybody is."

Speaker Shea: "Mr. Ewell, 'no'. All right, let's go through at Mr. Skinner's request because we have nothing else to do, poll the absentees and then I'm sure he'll want a verification. Will..."



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will those people that are indicating that they want to vote please vote when their name is called if they're not on the Roll."

Clerk O'Brien: "Arnell, Beatty, Beaupre, Boyle, Campbell, Capuzi, Daniels,..."

Speaker Shea: "Capuzi, 'aye'."

Clerk O'Brien: "Daniels, Downs, John Dunn, Ralph Dunn, Ewell,..."

Speaker Shea: "Ewell voted 'no'."

Clerk O'Brien: "Ewing, Fleck, Gaines, Hill, Jim Houlihan, Jaffe, J. D. Jones..."

Speaker Shea: "Katz votes 'no'."

Clerk O'Brien: "Keller, Kent,..."

Speaker Shea: "Kent votes 'no'. Klosak, 'no'. Ewing, 'aye'. Continue with the Roll Call, please."

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

Speaker Shea: "Mahar, 'aye'."

Clerk O'Brien: "Mann, 'no'."

Clerk O'Brien: "Maragos."

Speaker Shea: "Maragos is Dawson, Dawson votes 'no'."

Clerk O'Brien: "Marovitz."

Speaker Shea: "Marovitz votes 'no'."

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

Speaker Shea: "McMasters votes 'aye'. McGrew votes 'no'."

Clerk O'Brien: "Molloy, Mudd, Mugalian,..."

Speaker Shea: "Mugalian votes 'no'."

Clerk O'Brien: "Richmond."

Speaker Shea: "Richmond votes 'no'."

Clerk O'Brien: "Rose, Satterthwaite, Schneider,..."

Speaker Shea: "Schneider votes 'no'."

Clerk O'Brien: "Sevcik, Sharp, Stearney, C. M. Stiehl,..."

Speaker Shea: "C. M. Stiehl votes 'aye'."

Clerk O'Brien: "Stubblefield."

Speaker Shea: "Stubblefield, 'no'."

Clerk O'Brien: "Telcser, and Younge."

Speaker Shea: "Mr. Dunn votes 'aye'."

Clerk O'Brien: "Ralph Dunn?"



Speaker Shea: "Yeah. Miss Kent, for what purpose do you seek recognition?"

Kent: "Thank you, Mr. Speaker, I would like to change my vote to 'aye', please."

Speaker Shea: "Change Miss Kent's vote from 'no' to 'aye'. Mr. Ebbesen, for what purpose do you seek recognition?"

Ebbesen: "Mr. Speaker, I'd like to change my vote from 'no' to 'aye'."

Speaker Shea: "Change Ebbesen from 'no' to 'aye'. Campbell is 'aye'. Daniels is 'aye'. Hanahan will go from 'no' to 'aye'. Mautino..."

Clerk O'Brien: "Wait a minute. Wait a minute. That was Hanahan..."

Speaker Shea: "Hanahan 'no' to 'aye'. Mautino votes 'no'. Give me the Roll Call, Mr. Clerk. Mr. Neff, you wish to change your vote?"

Neff: "Yes, I'd like to change my vote to 'aye', please."

Speaker Shea: "All right. And Mr. Steele goes to 'aye'. Mr. Coffey wishes to be voted 'aye'. On this question there are 60 'ayes' and 92 'nos' and the Gentleman's motion fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Shea: "Third Reading. Mr. Terzich, are you ready on 4019? House Bill 4019."

Clerk O'Brien: "House Bill 4019. A Bill for an Act making an appropriation to the Law Revision Commissions. Second Reading of the Bill. No Committee Amendments."

Speaker Shea: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Shea: "Third Reading. All right, that...House Bill 3024, Mr. Kosinski or Mr. Palmer, are we ready with either of our Death Penalty Bills this morning? Mr. Kosinski."

Kosinski: "You're Second Reading 3204?"

Speaker Shea: "We're not calling that Bills, we want..."

Kosinski: "We have an Amendment in process at the moment, or the Committee Amendments, it will be..."

Speaker Shea: "Well, we're passed those two Bills. We're on Third Reading and I doubt if we're going to get back there today."

Kosinski: "I beg your pardon?"



Speaker Shea: "Committee Reports."

Kosinski: "...Are you calling on Third?"

Clerk O'Brien: "Representative Matijevich the Chairman of the Committee on Executive to which the following Bills and Resolutions were referred, action taken December 1, 1976, reported the same back with the following recommendations: Do Pass House Bill 4008. Do Pass as amended, be adopted as amended, House Resolution 997."

Speaker Shea: "Are there any further Committee Reports? Page 5, Item and Reduction Veto Motions appears House Bill 3377. But before I get there, Mr. Dunn, Mr. Hart, I'm sorry, for what purpose do you arise? Mr. Hart, please. Would you turn on Mr. Hart, please?"

Hart: "I wanted to ask leave of the House for Representative Keller to be excused from today's Session because of illness."

Speaker Shea: "I thought I took care of it but...."

Hart: "I think I asked you to but I think it...was neglected. Okay."

Speaker Shea: "...All right. Let the record indicate that Mr. Keller is excused because of absence.....illness. On the Order of Item and Reduction Veto Motions appears House Bill 3377 and on that, the Gentleman from Decatur, Mr. Dunn...or Macon County."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, at this time I would like to ask leave of the House to consider the three reduction vetoes shown on page 5 of the Calendar under my name, under this Bill, House Bill 3377, the last three. I would like to ask leave to consider those on one Roll Call."

Speaker Shea: "The Gentleman asks leave, is there objection? Hearing none, leave is granted. Now you filed four separate motions, is that right, Mr. Dunn?"

Dunn: "That is correct. The first motion filed takes a three-fifths vote and so that will have to be considered separately. The three that leave has just been granted for take a simple majority as I understand it."

Speaker Shea: "All right, now, so that we know exactly where we're going. Mr. Dunn, the Gentleman from Macon, has moved with



regards...House Bill 3377, that the items reduced by the Governor shall be restored to its original amount notwithstanding the reduction of the Governor on the following item. To restore the reduction on page 1, line 16; to restore the reduction on line 1, page 29 and to restore the reduction on line 1,...page 1, line 33 to their original amounts. Now, on that the Gentleman from Macon to explain the motion."

Dunn: "Thank you, Mr. Speaker. These three motions when taken as a package from my standpoint in asking for an override are an attempt to restore 6.8 million dollars to the Mental Health Budget which was placed on the Mental Health Budget by Amendment in Appropriations Committee last spring, approved by the House and Senate, sent to the Governor. And the Governor has vetoed these funds. The 6.8 million dollars represents additional grant monies to local community mental health agencies for the mentally ill and developmentally disabled. This is the so-called Consumers Amendment that many of you have received correspondence about and have received contact about. These are funds, these grants, for mentally ill and developmentally disabled are funds, grants, for your local agencies at home to treat the people who need the kinds of help these agencies provide in your community. The Consumers Amendment was sponsored by coalition of groups which provide services to the mentally ill and developmentally disabled. The Illinois Association for Retarded Citizens is behind this Amendment. The Illinois Association for Mental Health, the Illinois Association of Community Mental Health Agencies, the United Cerebral Palsy Association of Illinois. The Illinois Society for Autistic Children. The Coordinating Council for Handicapped Children. The National Epileptic League and the Epileptic Foundation of America. We have found over the past years that as everyone knows there has been a tremendous shift in population to bring people out of our mental institutions and bring them back home and to treat those at home who have problems before they become severe enough so that they require institutional treatment. Eighty percent of the people



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who need this kind of treatment are back home in your local communities in your own districts. Unfortunately, 80% of the funds available for mental treatment in the State of Illinois remain with the major institutions. To do something about this problem of lack of funding, the 6.8 million dollars, was approved and sent to the Governor. At this time we are asking to restore that 6.8 million dollars. And for those of you who are concerned, as I am, about our tight financial picture I would like to point out to you that in asking to restore 6.8 we are asking for authority for an appropriation for the entire fiscal year that we are now in. And that fiscal year is approximately half over. So if this Body sees fit to restore the entire 6.8 million approved previously by the House and by the Senate, it is very unlikely that any more than half of that can be spent during the course of this year. So we're really talking about, I would say, about 3.4 or 3.5 million dollars for your local agencies back home. This is the best money you can spend. We're all concerned about stretching tax dollars and if you send this money back home to your local agencies they will match it with some kind of local effort, either through your local 708 boards or through private contributions by means of the United Way or otherwise. And your tax dollars from the state will be matched this way to provide services and health to those who need them back home. From a technical standpoint I would like to point out that the total requested add to more than 6.8 million dollars. Governor Walker vetoed an additional \$5,000,000 and indicated in his Veto Message that he would approve a restoration of that \$5,000,000 in the Mental Health Fund. So he cut \$5,000,000 out of the General Revenue and said that he would approve \$5,000,000 in the Mental Health Fund. There is a Bill pending in the Senate at this time to add \$5,000,000 to the Mental Health Fund for this purpose. However, that Bill requires a three-fifths majority. And in order to get that Bill approved by both Houses there will have to be a three-fifths majority approval in each House. We are not at all certain as



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to whether that can be done and because of the Constitution and because we cannot restore an item reduced only in part, we must restore it all together. I must come here and ask you to restore not only the 6.8 million dollars that I have asked for but the \$5,000,000 in addition that the Governor has cut but said he is willing to approve in a different form. I have the understanding from the Department of Mental Health that should this Body approve the 6.8 million and the additional 5,000,000 that the 5,000,000 will not be spent twice. So you can feel confident that if the Bill pending in the Senate is approved, comes here and is approved, and if this item or this reduction is overridden the money will not be spent twice. I would certainly urge a favorable Roll Call. This is a small sum of money, less than a tenth of one percent of our funds in the General Revenue Fund. And I think it's an item of high priority for the State of Illinois and its citizens who badly need this kind of help and sorely deserve it. So I would urge a favorable Roll Call."

Speaker Shea: "The Gentleman has moved that those items be restored.

Is there questions? The Gentleman from Cook, Mr. Kosinski."

Kosinski: "Will Representative Dunn yield to a question?"

Speaker Shea: "He indicates he will."

Kosinski: "John, just to clarify this in my mind, it's not a total of \$11,000,000 but with not spending 5,000,000 it reduces it 6.2 which in turn is reduced to 3.4 in the final figure. Is that correct?"

Dunn: "That...that is correct. What I'm really asking for is technically 6.8 million but we're half way through the fiscal year and couldn't spend all of that if we wanted to. We have to ask for the full restoration but obviously can't all be spent. So we're really talking about restoring about 3.4 or 3.5 million dollars."

Kosinski: "And yet the reduction veto is on the 6.2."

Dunn: "Six point eight, actually."

Kosinski: "That's correct."

Dunn: "Six point eight."



Kosinski: "So this is half way to meeting the Governor in terms of his reduction."

Dunn: "That's not...the total amount is over 10,000,000 because the Governor, in addition to cutting the 6.8 that I worked on earlier this past year, he cut an additional 5,000,000. He is willing to restore that 5,000,000 in a different fund. So I...I must ask for 5,000,000 plus 6.8."

Kosinski: "I understand. Now, John, the...in the final analysis of 3.4, whatever it is, what is the breakdown of expenditure? What is salaries? What goes directly to the recipient? What goes to the homes that will take care of them? Do you have a breakdown on that?"

Dunn: "The breakdown that I have is simply this, that these are grants to local agencies in each legislative district in this state and there was a handout distributed to each of the Members last week, last time we were in Session, indicating which agencies in each legislative district perform the kinds of services that these funds are directed to. Because they are grants the...I think you can understand that the personnel, the kind of figures that you are asking for will vary local agency to local agency. These are not..."

Kosinski: "Give me a ballpark situation of percentages. What goes to people for performing services, what goes to facilities for housing these unfortunates?"

Dunn: "These are all outpatient services, so it's my understanding that really none of this goes for housing people. Except there is one item of \$1,000,000 that is for temporary psychiatric care in your local hospital for those who must be hospitalized temporarily."

Kosinski: "...Otherwise, where does that money go?"

Dunn: "Otherwise the money goes to...for outpatient care to people served by your local community mental health agency."

Kosinski: "Would you define that further, outpatient care?"

Dunn: "Well, by outpatient care, that would mean someone who is not a resident of a nursing home or a skilled care home. This...these funds do not apply to those kinds of situations. For example,



there was a front page story on one of the Chicago newspapers in the past week about some problems that have come up in what they call 'halfway houses'. These funds don't apply to that situation at all."

Kosinski: "What do they apply to?"

Dunn: "They apply to local community mental health agencies. I live in the city of Decatur and we have an organization called the Decatur Mental Health Center and that's partly funded by local 708 tax referenda, local tax effort in our community, and they receive money in grant form from this line item. And they perform services to people in our community who are in need of mental treatment by way of, well, whatever kind of treatment they need is on...."

Kosinski: "Principally inpatient or outpatient?"

Dunn: "No, all outpatients, all outpatients."

Kosinski: "Is any of this money that goes forward to these individual institutions matched in any way by federal funds?"

Dunn: "That I don't know. I don't believe so but I don't know that for sure. These...these are all General Revenue Funds that we're talking about here."

Kosinski: "But you don't know whether there are matching federal funds to these General Revenue Funds?"

Dunn: "I don't believe they are."

Kosinski: "But in the final analysis we're going about 3.4 instead of 10-something?"

Dunn: "That is correct."

Kosinski: "Thank you, John."

Speaker Shea: "Is there any further discussion? The Gentleman from Macon, Mr. Dunn...Mr. Washburn, do you seek recognition, Sir?"

Washburn: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This isn't totally clear to me. We're talking about a lot of money, eleven point eight total, I understand. Six point eight million which was added by the General Assembly and not requested by the Department of Mental Health..."

Speaker Shea: "Mr...Mr. Minority Leader, we are only taking the last



three of the four motions."

Washburn: "All right, maybe that's where I couldn't understand..."

Speaker Shea: "So I...I want..."

Washburn: "...The conversation."

Speaker Shea: "The Gentleman asked leave to hear the last three of those four motions as a package. And he is asking for items one, or three...two, three and four."

Washburn: "All right, then this is the six point eight million..."

Speaker Shea: "Yes, Sir."

Washburn: "That was added by the General Assembly..."

Speaker Shea: "Yes, Sir."

Washburn: "To that Bill and not requested by the Department?"

Speaker Shea: "Yes, Sir."

Washburn: "Thank you."

Speaker Shea: "Now, Mr. Dunn, to close."

Dunn: "Mr. Speaker, I don't want to leave any...any wrong impressions with the Minority Leader. Now the amount that we are asking for, restoration now, includes not only the six point eight million that was restored before but the five million in addition to that that the Governor cut out of General Revenue Fund and says he is willing to support in the Mental Health Fund. That's money that, I understand it, has already been spent by the Department. So because that five million was cut out of...reduced out of these lines as well, because that five million was reduced out of these same lines and because the Constitution provides that to restore a reduced amount you must restore in full. I must ask for the five million plus my six point eight million. And I have the commitment of the Department of Mental Health that if this Body approves the five million and the six point eight million and if they are lucky enough to get it approved again in another form in a Bill pending in the Senate that they will not spend it twice."

Speaker Shea: "All right, Mr. Washburn, for what purpose do you seek recognition, Sir?"

Washburn: "I know he's closing debate on this but could I ask...would you yield to a question...you were answering mine...."



Speaker Shea: "...Minority Leader..."

Washburn: "...Then the Speaker indicated answering my question that we're only....you are only asking to restore six point eight million but apparently he was wrong. You're restoring the entire eleven million. Your motion is to restore the entire eleven million."

Dunn: "It's actually..."

Washburn: "...Five million of which is coming through on another Bill."

Dunn: "Essentially that's right. However, there is 950,000 of that 11,000,000 in the fourth motion that I have on file which requires the three-fifths majority. So these three are the 11,000,000 less 950,000. May I close, Mr. Speaker?"

Speaker Shea: "Proceed, Sir."

Dunn: "Once again I would just like the attention of the Members to respectfully request a favorable vote on this motion to override because it means funds for your local agencies in each of your legislative districts. It's the best way I know to stretch tax dollars in a tight year when money is difficult to come by to spend a few state dollars and have them match locally, by local efforts. It's a good way to help unwind bureaucracy. We're all in favor of that. We have sent people home from the mental institutions, now we just need to provide a little money to take care of them on an outpatient basis while they're back at home and to provide some dollars for preventive treatment to avoid hospitalization and institutionalization for those who need this kind of care. We have a deep moral commitment in this state to care of those who are less fortunate than we who are not healthy for one reason or another. And this is a very inexpensive way to proceed to honor that commitment. I urge a favorable Roll Call."

Speaker Shea: "The questions are, shall the items on page 1, line 16; on page 1, line 29 and page 1, line 33 of House Bill 3377 be restored to their original amounts notwithstanding the reduction of the Governor. All those in favor will vote 'aye'; those opposed will vote 'nay'. This question, or these questions take



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89 votes. The Gentleman from Cook, Mr. Totten, to explain his vote."

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, the Sponsor did not point out in this that this 'annualizes' out to about \$13,000,000 and that there's a 10% increase in grants already under this and so it's highly unlikely we can afford this right now with the increases we've already had in the long term repercussions, I think would be quite dangerous."

Speaker Shea: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The...have all voted who wish? Take the record, Mr. Clerk. On these questions there are 108 'aye' votes; 30 'nay' votes; 11 Members voting 'present'. And the items are restored, the veto of the Governor notwithstanding. Vote Mr. McMasters 'no' on these questions. Vote Mr. Terzich 'aye' on these questions. Miss Stiehl wishes to be voted 'no' on these questions. The intention of the Chair is now to take a break for one hour and thirty minutes. Mr. Dunn, I...I just want to explain what the position of the Chair will be. When we finish with Mr. Dunn's Bills we will take a break for an hour and thirty minutes so that the Members may get some lunch. And also so that certain Committees may have meetings during that period of time. So that...if any Committee Chairman wishes to hold the meeting between the hours of 1 and 2:30, would they please come and indicate to the Chair? Now, Mr. Jaffe, you look like you want to ask the Chair a question."

Jaffe: "Yes, Mr. Speaker, was my understanding that we would be calling motions on House Bills 4030 through 4033 this morning."

Speaker Shea: "Those Bills just came out of Rules and have not been assigned to any Committee yet, Sir."

Jaffe: "I know but, this...Mr. Speaker, if you'll look at the call you'll find out that we did not have a motion on it and it was my understanding with the Chair that they would be called this morning."

Speaker Shea: "Well, we can do it after lunch, Mr. Jaffe."

Jaffe: "Well, we would prefer to do it before lunch, Mr. Speaker,



because we feel that after lunch there might be a little dissipation of the Membership."

Speaker Shea: "Well, let's see where we're at, Mr. Jaffe. Committee Reports. I'll get back to you, Mr. Dunn."

Clerk Selcke: "Representative Schraeder, Chairman of the Committee on Revenue, to which the following Bills were referred, action taken December 1, 1976 and reported the same back with the following recommendations: Do Pass House Bill 4018. Do Pass as amended House Bill 4010. No further Committee..."

Speaker Shea: "Back to the Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, there is one more motion in this package. This is to restore the item vetoed at page 1, lines 23-24 of House Bill 3377, a \$950,000 item. This is an item to provide funds for residential pilot projects to serve mentally retarded people, mainly, youngsters; pilot programs to provide foster care on an experimental basis, some small group home activities probably with houseparent and maybe even an apartment building with houseparents with a larger group with ten to fifteen people. These are pilot funds, requires the three-fifths majority. I urge a favorable Roll Call."

Speaker Shea: "The Gentleman's motion is that the...shall the items on page 1, lines 23 and 24 of House Bill 3377 pass notwithstanding the item veto of the Governor. Is there discussion? The Gentleman from Grundy, the Minority Leader."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, as far as I can determine the last vote that was taken here restored somewhere in the neighborhood of 10.8 million, override of the Governor's reduction in Mental Health. Now this is another motion to restore approximately another million. And as I understand it, the 11.8 million...of the 11.8 million, 6.8 wasn't even asked by the Department originally. It was added by the General Assembly and the remaining five million is in another Bill over in the Senate which is moving through the chambers as I understand. So there we are, again, with another million dollars that the Department did not seek in the first place. It



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was added, we've already, we just added by the last vote 10.8 million and I would certainly hope that we would not add another million that was not requested by the Department."

Speaker Shea: "Is there further discussion? The Gentleman from Macon, Mr. Dunn, to close."

Dunn: "I would just ask for a favorable vote on this Roll Call, Mr. Speaker."

Speaker Shea: "The question is, shall the item on page 1, lines 23 and 24 of House Bill 3377 pass notwithstanding the veto of the Governor. It requires 107 votes. All those in favor will vote 'aye'; those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 63 'aye' votes; 66 'nay' votes, 8 Members voting 'present'. And the Gentleman's motion fails. On the Order of Amendatory Veto Motions appears House Bill 3485. Turn Mr. McMasters on, please. Now, Mr. Duff, do you have a question before I proceed? Turn Mr. McMasters on House Bill 3485."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3485 is a permissive pay increase for township assessors. What it does is raise the maximum in the various population categories. It does not mandate any pay. There is no minimum salary for assessors. It's strictly up to the township board to approve or disapprove of any pay increase for the assessors. The Governor in his amendatory veto tied 3485 to House Bill 3486 which would require qualifications of assessors. I would like to try 3485 first and attempt to override his veto on it."

Speaker Shea: "Is there any discussion? Mr. Friedrich."

Friedrich: "Mr. Speaker, Members of the House, I think this amendatory veto is a good example of abuse of the amendatory veto as it was conceived by the Constitutional Convention. It was never intended at the Convention that the Governor could rewrite a Bill. Now I'm aware that the court has declared he has a right to do it but I certainly at this point and would be glad to repeal that ability for the Governor to have an amendatory veto because this puts a whole new context into the Bill that was



passed by this Legislature, so I urge an override of this veto."

Speaker Shea: "Is there further discussion? The Gentleman from Adams, Mr. McClain."

McClain: "Mr. Speaker, would the Gentleman yield?"

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

McClain: "Mr. McMaster, it was my understanding that the Assessor's Association was in agreement with the Governor's amendatory veto, is that not so?"

McMaster: "No. You're completely wrong. The State Assessor's Association is in complete opposition to the Governor's veto."

McClain: "Amendatory veto?"

McMaster: "Yes."

McClain: "I just talked to my assessor from Quincy this morning and he seemed to have a contrary opinion but I'll...I mean I'm sure you're right. Thank you very much."

McMaster: "Well, Mike, as far as I know, I don't know what your assessor over there, what his opinion was but I do know the opinion of the State Association and I have had a number of letters from assessors and they're in complete opposition to the amendatory veto."

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

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, in view of the fact that this Bill leaves it up to the township trustees, and I think it really is up to them to make the decision. I think it's a good Bill. I'd like to speak in favor of the override."

Speaker Shea: "Is there further discussion? The Gentleman from Knox, Mr. McMasters, to close."

McMaster: "The only think I can ask for, Mr. Speaker, is an override of this veto and a green light when we put it on the board."

Speaker Shea: "The question is, shall House Bill 3485 pass notwithstanding the Governor's specific recommendations for change. Requires 107 votes. All those in favor will vote 'aye'; those



opposed will vote 'nay'. Shea, 'aye'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 132 'aye' votes, 11 'no' votes, 2 Members voting 'present'. And House Bill 3485 is declared passed, the specific recommendation for change of the Governor notwithstanding. Madison, 'aye'. House Bill 3486. Turn Mr. McMasters on on House Bill 3486."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, the Governor in his amendatory veto to 3486 left all of the decisions in regard to qualifications of tax assessors to the Department of Local Government Affairs. The Bill originally provided for two means of assessors to qualify, by taking a course administered by either the Department of Local Government Affairs or the Illinois Property Assessment Institute or the equivalent. It also established three or four ways by which an assessor could qualify without taking the minimum course and examination. This Bill was proposed by the Assessor's Association. They are attempting clean up their own image to become better qualified as tax assessors. And I would certainly encourage an override on...a green vote on this Bill."

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

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I...it's with reluctance I rise to oppose the motion made by my good friend and able Member of the Counties and Townships Committee but in Committee and on Third Reading when this Bill was discussed I brought to the attention of the Members that it has one fatal defect, in my judgment, and that is I don't see how you can write legislation that requires qualifications. And then, after the electoral process has taken place and the candidate has been duly elected by his constituents, that he can, that office can be declared vacant and the Board of Auditors then appoints somebody to take his place. I think if we're going to have this kind of legislation we should have the qualifications and the criteria placed before the act and as a condition of



election rather than as a condition of removal from office. And if this Bill passes in its present form, it's very possible that Members of the General Assembly, or candidates for the General Assembly may have an opportunity at a future date to have qualifications or criteria sent to the office and then have you remove them, perhaps somebody appointed in your place by the Governor. This could apply to many offices statewide and I suggest that you deny the motion to override. Thank you."

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

Skinner: "Mr. Speaker and Members of the General Assembly, I apologize for voting 'present' on the last Bill, I thought it was this Bill. I wanted...the assessors definitely deserve to be paid more. On this Bill, I'd like to tell you what the variable alternatives are and I am rather indifferent as to which choice is made. If this total override is allowed there'll be two ways of more or less licensing assessors. They can either be licensed through their private association, which is probably illegal, unconstitutional. Or they can be licensed by the Department of Local Government Affairs. Now that, obviously, is not ploughing any new ground because we have the Department of Registration and Education which licensed, I mean the whole reason for its existence is to regulate licensed professions, so if we vote in favor of this Amendment, or this motion, the assessors will have those two alternatives. Their unprofessional association may do the certification, number one, or the Department may do the certification and there are three or four other designations that they may have gotten that would allow them to be qualified. If, however, this Amendment, this motion, receives less than 107 votes I'm hopeful...or if it is not already filed someone would file a motion to accept the Governor's recommendation it would require 89 votes and that would allow only the Department to set qualifications. Now I'm not strictly scared that the association is going to give tests that will be any stiffer or any softer than the Department will. In fact, when the last



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time the association gave the test for the certified Illinois assessing officers I think that about half of the assessors that took it failed. So I don't think that's a danger we have to worry about. Nevertheless I'm going to vote 'present' because of my total ambiguity on the issue."

Speaker Shea: "Is there further discussion? The Gentleman from Knox, Mr. McMasters, to close."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, I'll be very brief. I would like to have a green vote to override the Governor's amendatory veto on House Bill 3486."

Speaker Shea: "Are you through, Sir? The question is, shall House Bill 3486 pass notwithstanding...and being the specific recommendations for change of the Governor. All those in favor will vote 'aye'; those opposed will vote 'no'. Shea, 'no'. Have all those who voted...have all those voted who wish? Have all those voted that wish? Take the record, Mr. Clerk. On this question there are 74 'ayes'; 69 'nays', 6 Members voting 'present' and the Gentleman's motion fails.Wonder if the House would stand at ease for about four or five minutes, please? We will break about 1 o'clock but I'm waiting for the Speaker. The Gentleman from Cook, the Assistant Minority Leader, Mr. Duff."

Duff: "Well, Mr. Speaker, if this is the appropriate time, I wanted to announce the Subcommittee meeting immediately on recess. Of the Subcommittee of the Audit Commission on Higher Education. Will meet to adopt the recommendations in the Minority Leader's Office immediately after recess."

Speaker Shea: "Mr. Katz on an announcement. Mr. Katz on an announcement."

Katz: "There will be a meeting of the House Rules Committee to conclude the work begun this morning, but not quite concluded, immediately upon the recess for this noon luncheon hour. That will be in Room 122-B immediately upon the recess. And it'd be appreciated if all the Members of the Rules Committee will go there so that we don't have to wait to get a quorum so that everybody can have lunch."

Speaker Shea: "Representative Matijevich, would you come up here, please,



for a second?"

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to tell the Members of the Executive Committee it appears as though we are going to meet right after we adjourn. I believe that Jaffe's Bill has been assigned to Executive Committee. So I want every Member of the Executive Committee, it's urgent that we meet in Room 114 immediately after the adjournment. And on that, Mr. Speaker, I'd like to have unanimous consent and use the Attendance Roll Call to waive the posting notice on House Bills 4030, 31, 32, 33, assigned to Exec so they can be heard immediately after this House recess."

Speaker Redmond: "Is there any objections? Leave...hearing none leave..."

Matijevich: "Thank you, Mr. Speaker."

Speaker Redmond: "Attendance Roll Call will be used...to suspend the appropriate rule. Any...else seeking recognition? Representative Shea. Shea."

Shea: "Mr. Speaker, I move the House now stand in recess until the hour of 2:45."

Speaker Redmond: "You've heard the motion, all those in favor indicate by saying 'aye'; 'aye'; opposed 'no'. The 'ayes' have it. Motion has carried. We now stand in recess."

RECESS

Speaker Redmond: "House will come to order. Committee Reports. Representative Geo-Karis seeks recognition. Do you have an inquiry? Parliamentary inquiry?"

Clerk O'Brien: "Representative Matijevich, Chairman, Committee on Executive to which the following Bills were referred, action taken December 1, 1976, reported the same back with the following recommendation: Do Pass on House Bill 4030, House Bill 4031, House Bill 4032 and House Bill 4033. No further Committee Reports."

Speaker Redmond: "Lee, can you come up here a moment, please?"



Clerk O'Brien: "Pages to the floor, please."

Speaker Redmond: "Have all the Members met the new Clerk?"

Giglio: "Are we ready, Mr. Speaker? I see we have the Comptroller here, the checks will be on their way. Everybody at ease. ...Attorney General, Mr. Scott, welcome aboard. Is the pay raise Bill ready?"

Speaker Redmond: "It's on the way to the Senate."

Giglio: "Okay."

Speaker Redmond: "I understand the Governor signed it already."

Giglio: "All right, all those entitled to the floor..."

Speaker Redmond: "Not entitled... Mr. Clerk, I understand there's a former Member from Madison County back there with Representative Wolf."

Giglio: "...We'd like to recognize one of our former Members, Leland Kennedy. Welcome back, Lee."

Speaker Redmond: "Is the representative from the Governor's Office on the floor? Is there a representative from the Governor's Office on the floor? Will you talk to Representative Williams? House Bills Second Reading. House Bills Second Reading. House Bills Second Reading returns House Bill 3167, is it the first one on the list? Representative Palmer."

Clerk O'Brien: "House Bill 3167. A Bill for an Act requires the imposition of the mandatory death sentence. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1. Palmer."

Speaker Redmond: "Representative Palmer."

Clerk O'Brien: "Amends House Bill 3167 on page 1."

Palmer: "Yeah, Mr. Speaker, I wonder... Representative Kosinski had the 3204 and I think if you'll hold that for just a bit, unless he's..."

Speaker Redmond: "He's right here. He's right here, will that help any?"

Palmer: "Mr. Speaker, has the Amendment to 3167 been distributed?"

Speaker Redmond: "Has it been distributed? I understand it has."

Palmer: "Is there a second Amendment?"

Clerk O'Brien: "Yes, the second Amendment by Palmer, Cunningham, on file."



Palmer: "Mr. Speaker, then I'll ask leave of the House to withdraw Committee Amendment #1 and ask for the adoption of Amendment #2. And the only difference is that Amendment #2 puts on an effective date."

Speaker Redmond: "Representative Palmer, I'm advised Amendment #2 is not printed. Does that make the Amendment #1 palatable or do you..."

Palmer: "...My withdrawal of Amendment #1 at this time and ask you to hold it."

Speaker Redmond: "You want it held, is that correct? Take it out of the record."

Palmer: "Take it out of the record."

Speaker Redmond: "3204, Representative Kosinski."

Clerk O'Brien: "House Bill 3204. A Bill for an act to require imposition of mandatory death sentence. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3204 on page 2, line 17 by deleting 'arson' and so forth."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker, the Cosponsor, Mr. Sangmeister, is handling that. I would like a word with him."

Sangmeister: "Mr. Speaker, are you calling..."

Speaker Redmond: "Representative Sangmeister."

Sangmeister: "...You calling Amendment #1?"

Speaker Redmond: "Yes."

Sangmeister: "We're asking that Amendment #1 be tabled and we have Amendment #3 which is replacing that."

Speaker Redmond: "Any objection? Hearing none, Amendment #1 is tabled. Any further Amendments?"

Clerk O'Brien: "Amendment #2 was tabled in Committee. Amendment #3. Sangmeister, Kosinski. Amends House Bill 3204 on page 1 by deleting all of lines 1, 2 and 3 and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative Sangmeister."

Sangmeister: "We would move for the adoption of Amendment #3."

Speaker Redmond: "Is there any discussion? Representative Duff."

Duff: "Mr. Speaker, I didn't hear the Amendment explained."



Speaker Redmond: "Explain the Amendment."

Sangmeister: "Well, we have done is actually placed the...put into the Bill a more liberal terminology as far as the defendant being able to mitigating circumstances. We did not think, as the Bill was originally drafted, that the defendant had the right to present all the mitigating factors that he wished. And what we have done, Representative Duff, is broaden that so at this point the defendant can offer anything at the hearing and litigation which he feels is relevant."

Speaker Redmond: "Representative Duff."

Duff: "I'm sorry, I couldn't hear the Gentleman, there's a lot of conversation going on on the floor and in the vicinity so I think the Amendment is important and I would appreciate it if we could hear it. And I...it's a very important Amendment to a Bill that was....defeated in Committee. The Chairman of the Committee is not on the floor and I would appreciate it very much if we could hear more of it and perhaps some attention of the Members to it."

Speaker Redmond: "Gentleman is correct. Please give the Gentleman order."

Sangmeister: "Okay, specifically, there were two additional items that were added to the aggravating section of the Bill, Representative Duff. One was we felt that we should add that particular situation whereby, for example, there may be a bomb thrown in a public place. So we added that as one of the aggravating factors for which a person could get the death penalty. Also we added if a person was a judge or a former judge or state's attorney or former state's attorney was murdered during the exercise of his official duties, we added that as an aggravating circumstance and we got those... The reason for that being done is because of the public hearings that we held there was testimony to the fact that that would be important to put it in there and we have. Also in the mitigating circumstances we elaborated to the standpoint that we are allowing the defendant now to present anything that he feels is germane to his case and mitigation to the imposition of the death penalty."

Speaker Redmond: "Representative Duff."



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

Sangmeister: "Yes."

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

Speaker Redmond: "Indicates he will."

Duff: "Representative Sangmeister, you indicated that you have added, and I suppose in some small way I should see comfort, the fact that one should have mandatory death penalty for killing a judge. But I..."

Sangmeister: "I understand that you used the word 'mandatory' and I don't think you meant to do that. Representative..."

Duff: "Aggravating. then."

Sangmeister: "That's correct."

Duff: "Then I would...you added that it would include state's attorneys."

Sangmeister: "That is correct."

Duff: "Now I seriously wonder why, when you added state's attorney, you did not add everybody else in the court room? Why should a state's attorney, for example, be selected out instead of a public defender or a witness or a baliff or a clerk or the League of Women Voters maybe sitting in the back of the room watching the judge? I really wonder if that is not a capricious decision? Is there a rationale that you can give us for it?"

Sangmeister: "Well, there has to be a line drawn somewhere. Frankly, if the League of Women Voters person in the back of the court-room did not present themselves at the hearing and say that they wanted to be involved..."

Duff: "Well, what about the public defenders?"

Sangmeister: "We had no input although we had a number of public defenders testify and none of them asked that they be included in the Bill."

Duff: "And what about the witnesses?"

Sangmeister: "Same thing. If you felt that that was important, Representative Duff, you could have filed an Amendment to add those yourself."

Duff: "Well, I think that's true of any Member of the Body, to be sure. The fact remains, as it seems to me, that if the court is going



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to be looking at a carefully drawn Capital Punishment Bill, it should not feel that selections have been made in a capricious or special manner for particular officers of the court and not others."

Sangmeister: "Well, I don't agree with you that it was capriciously done. There are now nine categories spelled out here and of course you could go on ad infinitum in which you are going to include."

Duff: "But the point...well, Mr. Speaker, may I address myself to the Amendment?"

Speaker Redmond: "Proceed."

Duff: "Well, Mr. Speaker, the whole subject of capital punishment, as we will see when this Bill reaches Third Reading is very difficult. In fact, as of yesterday, the Supreme Court has decided once again to look into the whole question capital punishment, specifically and particularly in the amandatory areas taking a very complex decision which the Judiciary Committee decided should not come out of Committee because of the complexity of the subject at this time. This Body decided that Committee's decision should not be upheld. Nevertheless, on this Amendment we are taking very particular attitudes of some people toward certain officers and others. And that's a very good example of why capital punishment Bills should have even you, regardless of whether you're going to support it or not support it, the Bill itself should have integrity within its own drafting and not a selection process by people who happen to think that prosecutors should be protected with capital punishment and public defenders not protected with capital punishment or whatever selection they might choose to make. I would suggest that the Amendment itself speaks to the very reason of why the Judiciary Committee did not pass the Bill out at this time. I think that the Amendment only serves to confuse an already confusing situation."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "I'm sorry, but I've looked for the Amendment, I don't have it. Could I ask the Sponsor of the Amendment to restate what



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it does, please."

Speaker Redmond: "He indicates he'll tell you. Representative Sangmeister."

Sangmeister: "Well, could I...once again, we just repeated it, Representative Geo-Karis, but we just added two categories to the aggravating circumstances of when the death penalty can be imposed. One, of course, is if a bomb is thrown in a public place. And two, if the murdered individual is a judge or a former judge, a state's attorney or a former state's attorney. And on the other end of the spectrum as far as mitigating circumstances are concerned we enlarged that to make sure that because of the importance of the proceeding that the defendant can bring anything that he wants to within any decency of relevance into the hearing as far as mitigation is concerned. That's the only change in the original Bill."

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

Katz: "Mr. Sangmeister, as I read the language in the Committee, it was broader than simply somebody throwing a bomb in a public place. As I read the language, unless it's been changed, if a sniper were to shoot into a crowd, for example, in the street, that would be a death penalty offense. Have you changed the language since the Committee?"

Sangmeister: "No, we have not, Representative Katz. I just used the bombing as one of the examples..."

Katz: "But don't you agree that it would be under the language there that if a sniper were to shoot in a crowd or somebody were to be shooting their...at their wife's lover in a crowd, or what have you, that all of those things would qualify for the imposition of the death penalty under that language."

Sangmeister: "Well, it would qualify from the standpoint that a separate hearing would be held and the jury would make a determination. Now I'll grant you the set of facts that you are giving me would be applicable..."

Katz: "Yes, that's right."

Sangmeister: "You talk about somebody firing at his wife or lover in a



crowd. you know that doesn't automatically mean the death penalty is going to be imposed, it would be..."

Katz: "No."

Sangmeister: "All right."

Katz: "It actually doesn't mean that the death penalty can be imposed in any one of those situations....or that it will be. It simply means that a particular jury can impose the death penalty in a variety of circumstances including the instances that I have just given you."

Sangmeister: "That is correct."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, I think a portion of this which is most vital about which we were very concerned is that it opens the end on mitigating circumstances in the defendant's behalf. Prior to the Amendment the mitigating circumstances were limited to those that were included in the Bill. Now this opens that end to consider any other mitigating circumstances that might protect the defendant. I think it's a good Committee Bill, a good Committee Amendment and I would urge its adoption."

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

Sangmeister: "We would move the adoption of the Amendment."

Speaker Redmond: "Pardon me, Representative Mann, sought recognition. Representative Mann."

Mann: "Well, Mr. Speaker, I don't think that the mitigation factor has been opened up at all because the court is going to rule upon what is relevant in terms of mitigation. And if a defendant belonged to the Boy Scouts that's not going to be admitted as a mitigation factor. What bothers me are two things. One, human life for certain seems to be more prized than for others. I don't understand this. If we're talking about taking a human life because another life has been taken how can we, at the same time, make a judgment about why a judge or a former judge or a state's attorney or a former state's attorney is worth more than a citizen who's life is terminated but does not fall into one of



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those categories. The third thing that I want to speak to is this, the very colloquy that we've heard today concerning what this Bill means is precisely why the Bill is so bad. It's all right for misdemeanors and felonies to have vagueness, but where vagueness may led to mistakes resulting in the loss of a life; I say that's wrong. And this is a basic infirmity of the capital punishment law. You can't remedy mistakes and we've seen.... in the last six months, mistake after mistake in which defendants have been freed."

Speaker Redmond: "Representative Rayson."

Rayson: "A question or two of the Sponsor.... on the Amendment?"

Speaker Redmond: "Proceed."

Rayson: "Representative, on the Amendment, do I understand that part of the Amendment is the Section dealing with burglary where a death results? Now what if.... what if the situation arises where a death occurs due to the burglary, but no gun was used? Let's say it's a fist or a shoe. Does the same situation apply or are we talking about weaponry?"

Sangmeister: "Well, it wouldn't make any difference what the instrument was. If it qualifies as a murder, it doesn't have to be a gun. It could be a knife or a stick or fist or anything else. So....."

Rayson: "All right. That's okay, but it doesn't necessarily mean that it's going to be a curb on guns."

Sangmeister: "That's correct."

Rayson: "All right, the other category is the category of hire. I read recently and... which is supposed to be a true tale where somebody commissioned somebody for five thousand to kill somebody. They paid them too and then these principals reneged on the deal and the agent sued them in court. Change the fact that the principal wants to kill somebody and hires an agent and then the principal calls it off; is the principal still guilty of his crime or does death have to result? In other words, what the Act? Death? What's the Act that qualifies? Death, on the contracting?"

Sangmeister: "That particular Section now reads, 'The person committing committed the murder pursuant to our contract, agreement or



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understanding by which he was to receive money or anything of value in return for committing the murder or procured another to commit the murder for money or anything of value. Obviously, the murder is going to have to happen. The guy pulls back out of it... there's no murder, there's no.... no aggravating circumstances to even consider."

Rayson: "So that the murder has to take place even though....."

Sangmeister: "Yes."

Rayson: "...the heinous act of making the contract...."

Sangmeister: "No."

Rayson: "..... is still heinous, but the murder really is the peg, right?"

Sangmeister: "That's correct."

Rayson: "All right, my only comment then, and I think in match to back up the eloquence of Representative Duff when he suggested too many loose ends in this whole problem. And I would hope that we would defeat this Amendment."

Speaker Redmond: "Representative Sangmeister to close."

Sangmeister: "Well, I think there's been enough. We're arguing the merits of the Bill, which should be on Third Reading anyway. We now move for the adoption of the Amendment."

Speaker Redmond: "The question is on the Gentleman's motion of the adoption of the Amendment. Those in favor say 'aye' and the opposed 'no'. The 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Amendment #4, Willer. Amends House Bill 3204 on page 1 by deleting lines 1 through 3 and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative Willer."

Willer: "Yes, Mr. Speaker and Ladies and Gentlemen of the House I submitted this Amendment in Judiciary II yesterday. It was defeated 11 to 6. I am against submitting it to the full Membership for a vote because I feel it's very...."



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it's very important. It has been suggested that I submitted this in a sense, with a sense of humor. This is not so. I am very serious about this. The law calls for six official witnesses to a state execution. These are normally chosen by the warden.... from where I do not know. I feel, if the Legislative Branch is going to be responsible for restoring the death penalty, to put us back in the business of executing a human being, we should at least supply the witnesses to that. My Bill provides for these witnesses to be chosen by lot from Members of the General Assembly. Those.... those Members who will state their objections to the death penalty and state it in writing, will not be in the lottery. The names of those withdrawn from the lottery and the names of those chosen or chosen by in the lottery as witnesses will be a matter of public record. I feel that this is very fitting. It is poetic justice, if you will. I think those who are willing to have the state execute a human being, and we alone are responsible for this; not the Executive Branch, not the Judicial Branch, then we should have the courage of our convictions and supply the official witnesses acting in the name of the people."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House. on behalf of the principle Cosponsors of this Bill, we object to this Amendment. Item one: As I indicated in Committee, the death sentence is not the private domain of the Legislature, it is the concern of the people of Illinois. It cannot be discriminatory in getting the witnesses only from the Legislature. It must be.... the witnesses must be drawn from the general population. Item two: I don't think that it is proper that this Amendment be applied to a judiciary matter... If necessary, this could be in Bill form to correct this department."



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It doesn't belong in this Bill. I reject the Amendment."

Speaker Redmond: "Representative Sangmeister."

Sangmeister: "Mr. Speaker, I asked for a ruling. I don't think, number one, the Amendment has been distributed. Number two, I do have a copy of it, however, and it does amend House Bill #3204. I believe it should be amend House Bill 3204 as amended. So I ask for a ruling as to whether or not the Amendment is in order."

Speaker Redmond: "I've been advised the Amendment isn't printed. Is that correct, Mr. Clerk? Representative Willer."

Willer: "Mr. Speaker, I ask the indulgence of the House. It's being printed and will be distributed. One of our Representatives has an Amendment he was allowed to speak to this morning, it was not distributed. And I would ask that same courtesy extended to me."

Speaker Redmond: "What was the request, Representative Willer?"

Willer: "That the Amendment be considered even though it is not yet distributed; is being printed; will be distributed and the courtesy was extended to a Representative this morning."

Speaker Redmond: "Representative Sangmeister."

Sangmeister: "Well, first place I want a ruling as to whether or not the Amendment is in order. That if we're going to postpone time....he's looking at that now."

Speaker Redmond: "Representative Schlickman has suggested an amendment, would you convey that Representative Sangmeister? What's the status of Amendment #3? Is Amendment #3 I've been advised has been adopted. Parliamentarian tells me that since adoption of 3 that Amendment #4 is not fit. Representative..."

Sangmeister: "Since we're...that ruling we then ask that the Bill be moved to Third Reading."

Speaker Redmond: "Representative Willer. "

Willer: "May it be amended on its face? All right, Mr..."

Speaker Redmond: "Representative Willer."

Willer: "Would...the Sponsor hold it on Second as a courtesy to me?"

Speaker Redmond: "Representative Sangmeister, what's your pleasure?"



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It's a courtesy usually extended. Representative Kosinski."

Kosinski: "Mr. Speaker, even though the Amendment is not order, the principle and philosophy Miss Willer is attempting to subject may be in order. I have no objection to hearing her Amendment. I think it's a bad Amendment but we can vote that up or down. I think it'd be in order to hear the Amendment and move this Bill out of Third, Sir."

Speaker Redmond: "Do you want to use consent of the Amendment when it hasn't been printed and not distributed, am I correct on that? Okay. The question's on the Lady's motion for the adoption of Amendment #4. Those in favor of the adoption vote 'aye'; those opponents vote 'no'. Representative Madison."

Madison: "Well, thank you very much, Mr. Speaker. Mr. Speaker and Members of the House, in explaining my vote, I listened very carefully as Representative Kosinski talked about the fact that the witnesses would be from the General Assembly would be discrimination. It would seem to me that if we're going to be discriminating in terms of who should get the death penalty and who should not get the death penalty then we ought to extend that same discrimination to who should witness the execution of the individual. And it just seems to me that this is a reasonable addition to an otherwise bad Bill and I would hope that...that all the Members of this House would support this Amendment."

Speaker Redmond: "Representative Katz."

Katz: "Mr. Speaker, this Amendment points out a fact that we shouldn't lose sight of. Actually, those of us who believe in effective law enforcement oppose capital punishment and the reason is very simple. That if you are trying to proceed in a case you cannot select a jury under 'Witherspoon' decision that only has proponents who will give capital punishment. That is a hanging jury. And so state's attorneys like Bernard Carey in Cook County oppose the Bill because there will be people who will vote on the jury for acquittal because they don't want to be putting someone to death, directly or indirectly. So that if you believe in a protective law enforcement don't have a death



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penalty that is going to cause people on that jury to vote against conviction of the individual because they're involved in a death penalty. And that is why the whole movement for capital punishment is not a movement that promotes effective law enforcement. Indeed, not only does the state's attorney of Cook County oppose it but the head of Scotland Yard and those famous law enforcement agencies in the world oppose capital punishment for the reason that it works against effective law enforcement. Now this Amendment simply points up the fact that Legislatives don't want to sit and watch an execution but neither do jurors want to convict a man who may be executed."

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

Duff: "Well, Mr. Speaker, I think it's curious that the Members of this Body, apparently...or many of them, are willing to pass a piece of legislation which is going to put another human being into a chair, turn on some electricity and burn him until he's dead. Now, on the merits of whether the state has a right to execute people or not, I think there's no question. Philosophically over the years the right of a state to do that is clear and probably not arguable unless we get into the problems of cruel and unusual which I don't propose to touch upon in my comments at the moment. Nevertheless I find it equally curious that this Body, each as individual people and human beings, is willing to pass, to pass upon such a very serious matter as the taking of another human life however guilty it might be, and not have the courage to face up to the fact that if they had to sit there and watch it happen their human responses as representatives of the human people of the State of Illinois might end up being quite different. Where is the courage of the Members who would put others to death by execution, are they afraid to see the fruit of their own votes? I think it's a sort of a sad thing when the Members of this Body can say 'let us in a sanitary way out of the eyes of the public and ourselves put a person to death' however properly and be afraid to take a chance to see the results of your own either well considered intellectual



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emotional decision."

Speaker Redmond: "All voted who wish? Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, it occurred to me that we ought to pass a law whereby anybody with the conviction and facing the death penalty as a last cruel punishment that we ought to have them come here and look at what happens in the House. That...that, maybe, we ought to consider."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. On this question there's 39 'aye', 90 'no'. The Lady's motion fails and the Amendment is not adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3167, Representative Palmer...
Judge Palmer."

Palmer: "Mr. Speaker..."

Clerk O'Brien: "House Bill 3167. A Bill for an Act to require the imposition of the mandatory death sentence. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1. Palmer. Amends House Bill 3167 on page 1 by deleting lines 1 and so forth."

Speaker Redmond: "Representative Palmer."

Palmer: "I'll ask that...Mr. Speaker, that Amendment #1 be tabled."

Speaker Redmond: "Any objections? Hearing none, Amendment #1 tabled.
Any further Amendments?"

Clerk O'Brien: "Amendment #2. Palmer, Cunningham. Amends House Bill 3167 on page 1 by deleting line 1 and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative Palmer."

Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #2 does the same thing as Amendment #1 except that it puts on the...an effective date. The Bill provides for prosecutorial discretion as to the imposition of the request by the state's attorney for the death penalty to be imposed in six types of



cases. Those cases are the murder of a fireman or a policeman; policeman or fireman while in the performance of their duties. The murder of an employee of the Department of Corrections while on the tour of duty. Mass murders, murder committed while in the process of a highjacking. The contract killing and murder committed while in the course of a robbery, rape, aggravated kidnapping, arson, or when death occurs as a consequence of the commission of the crime indecent liberties upon a child. That is as far as House Bill 3167 extends the coverage as to when the death penalty may be imposed. It provides for a...by proceeded hearings at which time the state's attorney can again before the jury presents the aggravating circumstances or any other aggravating circumstance connected with the murder, or where the defendant can present any mitigating circumstances at all, meaning that he can bring up his life before the jury or the judge. In 3167 the jury makes the recommendation of death or life imprisonment and if a...bringing in a recommendation of death, the judge can then review the record and change the death penalty to life imprisonment. And it also provides for a review by the Supreme Court. This Bill is substantially, I believe, now in accord with 3204. And for the same reasons that have been adduced before, I will ask that Amendment #2 be adopted."

Speaker Redmond: "Any discussion? Representative Madison."

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

Speaker Redmond: "He will."

Madison: "Representative Palmer, if I understand the essence of your Amendment it is in fact to establish certain kinds of murder for which the death penalty may be imposed, is that correct?"

Palmer: "That is correct."

Madison: "Representative Palmer, I'm having a little difficulty with that considering the fact that I've always been told there's no such thing as being a little bit pregnant... That you're either pregnant or you're not. And I think the same will hold in terms of murder... And I'm wondering why, for instance, certain classes of murder would be death penalty would be imposed but if a



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guy were to murder a state representative that would not be included?"

Palmer: "Well, first of all, I do not concur with your analogy. And so far as a little bit pregnant, I do not...do not include in this Bill state representatives...believe that a policeman who has the fine duty of protecting society certainly should...his job is such that it signifies the great position within our society. That is not the same as a Member of the General Assembly, we do not carry guns nor are we given the powers of a peace office."

Madison: "Well, Representative Palmer, I raised the question because apparently we have the power to decide whether or not a person shall die for being convicted of a crime. And I'm just concerned about the fact that it seems to me that the Members of the General Assembly at least have a calling that is as high, if not higher, than a policeman. And I'm wondering why we were not included?"

Palmer: "I've answered your question. We do not carry guns, we're not peace officers. We do not have the duty cast upon us by the Constitution protecting the public and law enforcement duties. Our duties are legislative."

Madison: "Thank you very much, Mr. Palmer."

Speaker Redmond: "Anything further? Representative Rayson."

Rayson: "I'd just like to say, Mr. Speaker, to answer Representative Madison's question, I think if somebody killed a state representative that would be justifiable homicide."

Speaker Redmond: "Speak for yourself, John Alden. Representative Duff."

Duff: "Mr. Speaker, I didn't ask to be recognized and I don't know what took place before, somebody bring me up to date, you can tell me why I was recognized; I'd be happy to respond."

Speaker Redmond: "We won't insist on it. Representative Huff. Representative Huff."

Huff: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, would the Sponsor yield to a question, please? In projecting Representative Madison's query as to the distinction, as to



who desires the death penalty or not. Is Representative Lundy saying that he recognizes murders may be perpetrated by a crime of passion? Or those are done premeditatedly in cold blood? Or recognizing the very real fact in our community that there exists a whole new criminal element that is totally antisocial and who feel that they have a license to go out and commit these heinous crimes?"

Palmer: "I don't know what the question is. If it's a crime of passion, and most murders are crimes of passion, and they might.... if they fall in one of these categories and of course the... they would, if they do not fall in these categories of the ordinary....would apply."

Huff: "Well...let me explain it more specifically. What I'm really dealing with is the very real fact that people in my district recognize that they're being exploited by a element in the community that is totally antisocial, totally criminal in their concept of society and in their process they take lives. Does your Bill address itself to that particular individual in our society who is totally criminal?"

Palmer: "The present law..."

Huff: "...Antisocial."

Palmer: "Yeah, the..."

Huff: "Should be removed."

Palmer: "All criminal activities are antisocial if you get in the category of murder. The present law would take care of the usual murder type situations. These are special types of cases that...in which the United States Supreme Court has held could ...where a death penalty could be imposed."

Huff: "Well, it's my understanding that the Supreme Court has sort of left it to the state in a permissive sort of way to..."

Palmer: "That is correct."

Huff: "...Interpret how they're going to apply their death penalty. I'm asking very specifically, does your Bill cover that particular individual in our society that is totally criminal. In other words, we have instances time and time again of an individual



who is out on bond for aggravated assault and we find that he is...while he's out on bond he's committing the same crime over and over again so much so that many of our citizens feel that the streets no longer belong to them, they belong to this individual that should be removed. Does your Bill deal... specifically with that individual?"

Palmer: "My Bill is not...does not address itself to the aggravated assault type of a situation. It concerns itself with murder and if there are...the defendant is found guilty of committing in one transaction, or connected series of events, to murders and of course he can go up on it. He can...the death penalty could be imposed. If the defendant, well, I've answered that question, I...that's as far...as close as I can get to you. We have set up certain circumstances which we feel is the more heinous crimes in our society. We've included in that the.... a certain type of individual, a policeman, because of the heavy duty tasks and burdens cast upon him. And that if you kill a policeman then, of course, the death could be imposed. Or fireman of course it could be imposed provided, of course, during the performance of their duties;"

Huff: "I understand."

Palmer: "Plus the other cases."

Huff: "I understand."

Palmer: "Six is all that I've asked for."

Huff: "Well, I just want to say this, that I just wished your Amendment would be a little bit more specific. Of course, policemen and firemen put their lives on the job in the first line, that's true. But there's another more heinous statistic which shows daily that the common everyday taxpaying citizen is victimized by the individual which your Bill doesn't deal with at all. And I wish that you had that in there. But I should not ask you to do what I feel in my own conviction I should do myself and perhaps I will add an Amendment to it later on. Thank you."

Speaker Redmond: "Anything further? Representative Palmer."



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Palmer: "Thank you, Mr. Speaker. I do now move you, Mr. Speaker, that House Amendment #2 do be adopted and waive any final argument."

Speaker Redmond: "Question's on the Gentleman's motion for adoption of Amendment #2. Those in favor say 'aye'. 'Aye'. Opposed, 'no'. The 'ayes' have it; the Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #3. Madison. Amends House Bill 3167 as amended by deleting all of the title and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative Madison."

Madison: "Thank you very much, Mr. Speaker. Amendment #3 is essentially the same Amendment that Representative Willer offered on House Bill 3204 providing that where the court imposes a death penalty it shall be witnessed by six Members of the General Assembly. And I ask for a favorable Roll Call."

Speaker Redmond: "Representative Palmer."

Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, for the same reasons that have been adduced against this Amendment on 3204 I ask that the Amendment be defeated."

Speaker Redmond: "Representative Rayson."

Rayson: "A question of the Sponsor of this Amendment. Representative Madison, I think you know that there is some difficulty when we deal with conscience and other matters to get this kind of subject permeated. I'm wondering if your Amendment might be strengthened if you put in a per diem and a mileage on that."

Madison: "I doubt it, Representative Rayson. I doubt it seriously."

Speaker Redmond: "Anything further? Representative Madison to close."

Madison: "I just ask for a favorable Roll Call."

Speaker Redmond: "Question's on the Gentleman's motion for adoption of Amendment #3. Those in favor indicate by saying 'aye': opposed, 'no'. Those in favor vote 'aye': opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Younge, 'aye'. Representative Waddell, 'aye'. Have all voted who wish? Representative Getty votes 'no'. Clerk



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will take the record. This question there's 42 'aye' and 65 'no' and the motion fails. Any further Amendments?
Representative Palmer."

Palmer: "Mr. Speaker, in pursuant to Rule 27 (a) I would like to add as prime joint Sponsors of House Bill 3167 the names of Representative Lee Daniels and Representative Ronald Stearney and Representative Jane Barnes as a Cosponsor. And I would also, Mr. Speaker, because of an apparent inappropriateness of my remaining on this Bill because of being sworn in Monday, I should like to have my name removed as Chief Sponsor."

Speaker Redmond: "First off, are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Now we'll take Representative Palmer's motion. Which rule was it, Representative Palmer?"

Palmer: "The appropriate rule is 27 (a) 1...or (a). For that reason I'd like to have Representative Daniel's name added as a prime Sponsor and Representative Stearney; Representative Jane Barnes as a Cosponsor, Representative Grotberg as a Cosponsor. And I'd like to have my name removed as a prime Sponsor."

Speaker Redmond: "You've heard the Gentleman's motion, all those in favor indicate by saying 'aye'; 'aye'; opposed, 'no'. The 'ayes' have it. Motion prevails, the Gentleman is removed as a Sponsor. Representative Daniels, et al. 4009, Representative Williams."

Clerk O'Brien: "House Bill 4009. A Bill for an Act making an appropriation to the Department of Transportation for expenditures for the Division of Water Resources. Second Reading of the Bill. Four Committee Amendments. Amendment #1, amends House Bill 4009 on page 3, line 4 and so forth."

Speaker Redmond: "Representative Totten, are you seeking recognition?"

Totten: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'm still waiting...this morning we held at 409 waiting for 4010 and I think that was just reported out of Committee as a kind of companion."

Speaker Redmond: "Representative Williams."



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Williams: "Mr. Speaker, on the Supplemental Calendar is 4010 and also my motion on the same Calendar to move it to the Order of Second Reading which will put it in exactly the same posture. So I don't know if we should get to that order before we take up 4009, it's whatever..."

Speaker Redmond: "That satisfy you, Representative Totten? He indicates he's very pleased."

Williams: "Okay."

Speaker Redmond: "Where are we on 4009? Representative Totten."

Totten: "Yeah, I think what Representative Williams is trying to do with, I know that....(unintelligible)...is to take 4010, the motion on 4010 first."

Speaker Redmond: "Okay. The Order of Supplemental Calendar #1, the Order of Motions appears House Bill 4010. Representative Williams."

Williams: "Thank you, Mr. Speaker, I would move at this time that House Bill 4010 be advanced to the Order of Second Reading, Second Legislative Day."

Speaker Redmond: "Is there any discussion? Question's on the Gentleman's motion. Those in favor vote 'aye'; opposed vote 'no', takes 89 votes. Will you open the boards, Mr. Clerk? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Geo-Karis, 'aye'. Clerk will take the record. Jones, 'aye'. On this question there's a 103 'aye' and 2 'no' and the motion prevails. Advance to the Order of Second Reading, Second Legislative Day. 4012, Representative Getty. Representative Getty on 4012."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House, I move that House Bill 4012 be moved to the Order of Second Reading, Second Legislative Day."

Speaker Redmond: "Is there any discussion? Question's on the Gentleman's motion. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's a 114 'aye' and 1 'no' and the Gentleman's motion prevails and advanced to the



Order of Second Reading. 4017, Representative Daniels."

Daniels: "Yes, Mr. Speaker, I wonder if we could have this motion heard with 4018, it deals with the same subject matter."

Speaker Redmond: "The Gentleman has asked that the two of them be heard together. Is there any objection? Hearing none, proceed, Representative Daniels."

Daniels: "I would move that House Bills 4017 and 4018...advanced to the Order of Second Reading, Second Legislative Day."

Speaker Redmond: "Any discussion? Question's on the Gentleman's motion. All those in favor vote 'aye'; opposed vote 'no' on 4017, 4018. Have all voted who wish? Have all voted who wish? Clerk will take the record. This question there's 99 'aye' and 5 'no' and the Gentleman's motion prevails and House Bills 4017, 4018 are advanced to the Order of Second Reading. 4020, Representative Washington."

Washington: "Mr. Speaker, Members of the House, House Bill 4020 passed the Appropriations 2 Committee. This is a motion to advance to the Order of Second Reading and have it read on Second Reading today."

Speaker Redmond: "Is there any discussion? The question's on the Gentleman's motion. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McAuliffe votes 'aye'. Have all voted who wish? The Clerk will take the record. On this question, 94 'aye' and 10 'no', the Gentleman's motion prevails. House Bill 4020 is advanced to the Order of Second Reading. I know we did but Shea's not on the floor. The Order of Motions appears House Bill 4028, Representative Riccolo. 4028, Representative Riccolo. Out of the record. Supplemental Calendar #2...we're motions again. House Bill 4008. It's on Supplemental 1, it's 4008. Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I move that House Bill 4008 be placed on the Order of Second Reading, Second Legislative Day. This is the Bill that came out of Executive this morning. The Bill provides that the printing of the



journals and the calendars and all the printing for the General Assembly may be...a contract may be made during or for the term of the General Assembly rather than two fiscal years starting immediately preceding the start of a General Assembly. And I would make my motion."

Speaker Redmond: "Any discussion? The question's on the Gentleman's motion. Those in..."

Shea: "Can I have leave to use the Attendance Roll Call?"

Speaker Redmond: "The Gentleman asks leave to use the Attendance Roll Call. Is there any objection? Hearing none the Attendance Roll Call will be used. Supplemental Calendar #2 appears House Bill 4030. Representative Jaffe."

Jaffe: "Mr. Speaker, I'd like leave to have House Bill 1230, 1231, 1232, 1233 heard together."

Speaker Redmond: "Are there any objections? Hearing none, proceed, Representative Jaffe. 1230, 31, 32...."

Jaffe: "Now move to advance to the Order of Second Reading, Second Legislative Day the following Bills, House Bill 1230, 1231, 1232 and 1233. These of course are the pay raise Bills and we would now move to move them to Second Reading, Second Legislative Day."

Speaker Redmond: "Is there any discussion? Question's on the Gentleman's motion. Those in favor vote 'aye' and the opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. This question there's 96 'aye' and 30 'no' and the Gentleman's motion prevails. The Bills are advanced to the Order of Second Reading, Second Legislative Day. House Bills Second Reading. On House Bills Second Reading appears House Bill 4009, Representative Williams."

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

Speaker Redmond: "Williams."

Clerk O'Brien: "4009. A Bill for an Act making an appropriation to the Department of Transportation for expenditure by the Division of Water Resources. Second Reading of the Bill. Four Committee Amendments. Amendment #1. Amends House Bill 4009 on page 3



line 4 and so forth."

Speaker Redmond: "Representative Williams."

Williams: "Amendment #1 was a Committee Amendment that just was a ...correcting an error in the drafting of the Bill. It changed from 135th Street to 125th Street. So I move the adoption.... of Amendment #1."

Speaker Redmond: "Any questions? The question's on the Gentleman's motion for the adoption of Amendment #1. Those in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it and the Amendment's adopted."

Clerk O'Brien: "Amendment #2. Amends House Bill 4009 on page 1 by deleting lines 3 and so forth."

Speaker Redmond: "Representative Williams."

Williams: "This Amendment was introduced by Representative Kane in the Committee. While I have empathy and so forth and am a... one who believes in the performing arts I feel that this Amendment is not germane or should not be a part of a flood control Bill. And therefore I would oppose Amendment #2 to 4009."

Speaker Redmond: "Any discussion? Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, this is an Amendment that adds \$760,000 to the Bill. It was also the amount of money that was included in the bond authorization that came out of the Revenue Committee today. What it does is provide the money the completion of a public affairs building at Sangamon State University. The increase in the cost is because of delays caused by the Capital Development Board over the last two years. And I would move for the adoption of this Amendment. This money was included in the funds that we did vote in the Spring Session."

Speaker Redmond: "Representative Williams."

Williams: "Mr. Speaker, again, I believe that this Bill, 4009, should be kept as a clean, pardon the expression, a clean water Bill; a flood control project. I don't believe that it should be in this particular vehicle. And I would ask for a Roll Call vote on this Amendment."



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

Schlickman: "Point of parliamentary inquiry, Mr. Speaker."

Speaker Redmond: "State your point."

Schlickman: "The base of the inquiry is whether or not there is germaneness to this Amendment. If you'll notice, Mr. Speaker, House Bill 4009 is an appropriation from the Capital Development Funds for the Department of Transportation for the Capital Improvement Expenses of the Division of Water Resources. This Amendment by the Gentleman from Sangamon is an appropriation from the Capital Development Bond Fund to the Capital Development Board not to the Department of Transportation. And it is not for expenses of the Division of Water Resources which is the thrust of the Bill. And I respectfully request a ruling from the Chair as to germaneness."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker, I would make the point that, the same point that was raised by Representative, from Cook County, was raised in the Appropriations Committee. The title of the Bill is amended in the Amendment and I think that the Amendment is germane as we have had plenty of omnibus appropriation Bills coming through this House in past time."

Speaker Redmond: "Parliamentarian has advised me it's an appropriation Bill and in his judgment it is germane. Now is there any further discussion? Bad judgment. Representative Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to support the Sponsor of the original Bill in opposition to this Amendment. I think the fact that we're talking about flood control projects, I don't think we should muddy up the waters, so to speak, with Amendments which are not relevant. If this is indeed a problem and I assume it is or Representative from Sangamon would not have introduced it. But then it should be introduced and dealt with on its own and independently. And it's unfair, I think at this stage of the game, given the time plane that we're in for the House to consider this kind of an Amendment. And I would urge your opposition to it."



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Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Amendment. This will provide within the State Capitol a center at Sangamon State University, it will provide an auditorium for 2,000 people. It will provide within the State Capitol a supplement to the Exhibition Center we're having downtown. I think it's a good Amendment. I think it will do much to add to Springfield and to the capabilities of our State Capitol. And I would hope the Amendment would pass."

Speaker Redmond: "Representative Williams to close."

Williams: "Thank you, Mr. Speaker, with utter respect to both my colleagues and certainly my Majority Leader, I just don't feel that this type of an Amendment belongs on the Bill for flood control projects. And therefore I would request a 'no' vote for the adoption of this Amendment."

Speaker Redmond: "Question's on the Gentleman's motion. Those in favor of the Gentleman's motion for the adoption of Amendment #2 vote 'aye' and opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Kane."

Kane: "Mr. Speaker, I rise to explain my vote and try to..."

Speaker Redmond: "Proceed."

Kane: "To get to close. This is an appropriation for \$760,000 for the Public Affairs Center at Sangamon State University. This is a project that has been approved the first time about four years ago. The project has been delayed because of changes in the Capital Development Board and the problems that have come, bureaucratic problems between the university and the Capital Development Board, and in that period of time construction costs have gone up. The project is ready to go now. The only way that we can complete campus on Sangamon State University, and this is the public affairs building, it is the only permanent building on Sangamon State University Campus. And if we are going to have the state university in Springfield we badly need this project. And I would urge an 'aye' vote."

Speaker Redmond: "Representative Londrigan to explain his vote."



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Londrigan: "Mr. Speaker and Ladies and Gentlemen of the House, this money and this idea was already appropriated and passed in our Spring Session but was caught up in the last Bill that did not get a chance to receive our vote. This auditorium is now in the stage where it has been planned both ways, both as a small auditorium and as a large auditorium. This will be our final opportunity to make it the large proper auditorium it should be to seat 2,000 people. This will benefit not only the community but will benefit the State of Illinois. We will have many functions there which will be a direct benefit to those of you who come down to Springfield and use it as a fete. Now this money was taken away from the downtown convention center so that we need not build another auditorium down there. It is in fact a saving of money. So we would ask you to give this additional \$760,000 so that we can do this process up right and build one good, decent auditorium to do the job both for the State of Illinois, for the community and for Sangamon State University. And I would appreciate just a few more green votes so we'll be sure we have it."

Speaker Redmond: "Representative Williams."

Williams: "Thank you, Mr. Speaker, to explain my vote. It is not as though I'm not sympathetic to my colleagues here from Sangamon County. However, I feel they have the same opportunity as I did to introduce a Bill here if this was so needed and so necessary. A separate appropriation Bill for this could have been introduced. I don't feel that this is a vehicle, again a flood control project, it has no place here for an appropriation for the performing arts facility in Sangamon County. And I don't, again, I can't urge too strongly. We had the same opportunity. I worked over the entire summer. I did get this Bill introduced and it was to be a clean Bill strictly for the flood control projects. And I would urge, again, a 'no' vote on this Bill. Thank you."

Speaker Redmond: "Representative Jones."

Jones: "Mr. Speaker, Ladies and Gentlemen of the House, in response to the Sponsor's objections. This is not in any way in conflict



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with the flood control projects that are being financed by this bond issue. And as my colleagues have stated this is an opportunity for the state to provide a facility at the Sangamon State that has already been approved and is under construction and by taking the assembly hall of the university and expanding it to a larger size and putting in the facilities for performing arts you have.....in a facility that has a dual purpose and has a function that will add to the activity and the performance of the university which is a public affairs university dedicated to working with the State of Illinois and as a adjunct thereto. The reason it was created. So this is really your university and this appropriation just puts the money back in that was taken out by the veto. And it's badly needed so the project can be completed. There will be no saving of money by letting it sit there so the next question is to try to get the additional money."

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

Williams: "I would like to ask for a Poll of the Absentees and a verification of the Roll Call."

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

Lauer: "I had my light on, Mr. Speaker, I wanted to speak in favor of this Amendment. The situation is this, Ladies and Gentlemen, we issued a mandate to Sangamon State University that they should develop an innovative public affairs oriented university. Without this building, without the public affairs center, Sangamon State will to all intent and purposes die. It will be unable to meet its mandate. Now I agree with Representative Williams that this is no proper bill upon which to attach this Amendment. Except it is appropriations to the Capital Development Board and Bonding Authority. But, Ladies and Gentlemen, we are at the 59th minute of the eleventh hour. I know of no Bill coming across from the Senate which would restore the funds that the Governor so frivolously cut. It is unfortunate that we create a university and then before it has a chance to become a viable

university we take away from it the tools which will give it that viability which will make it a great institution of higher education devoted especially to public affairs. I don't know, perhaps the Ladies and Gentlemen of the House do not wish any more to have a close look at what is going on in Springfield. But it is one of those things, Ladies and Gentlemen, that add additional scrutiny and a better informed public such as through the scope and mandate of Sangamon State would certainly help. I earnestly solicit your 'aye' vote."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. On this question there's 83 'ayes', 70 'nos' and the Gentleman's motion prevails and Amendment #2....Representative Williams, pardon me, I'm a little previous here. He's requested a poll of the absentees."

Williams: "Mr. Speaker, to save the time of the House, I'll just withdraw my request for a verification."

Speaker Redmond: "Any further Amendments?"

Clerk O'Brien: "Amendment #3 was tabled in Committee. Amendment #4 amends House Bill 4009, as amended, on page 1 by deleting lines 3 and so forth."

Speaker Redmond: "Representative Hart."

Hart: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House, this Amendment appropriates \$200,000 to the Department of Conservation to reconstruct the north road into Ferne Clyffe State Park. This General Assembly has approved this appropriation in the past but there was some misunderstanding in the Governor's Office about the legality of closing of the road and they vetoed the appropriation. Now the Governor's Office accepts the fact that the road must be opened. They had a lawsuit down in Johnson County and the Johnson County Circuit Court ordered it reopened but their problem is now that they do not have the money. So this would appropriate the \$200,000 necessary to follow the court order and to reopening public roads which was closed illegally."

Speaker Redmond: "Representative Williams. The TV cameras, the Members



are complaining that you're shining in their eyes there.
Would you please bring your....Representative Choate seeks
recognition of the TV camera. Representative Williams, do you
know where we are?"

Williams: "I know where we are and I guess this does have some ger-
maneness to flood control so I would not oppose this Amendment."

Speaker Redmond: "Question's on the Gentleman's motion. Those in
favor say 'aye', opposed 'no'. The 'ayes' have it and the Amend-
ment's adopted. Representative LaFleur."

LaFleur: "I had my light on, Mr. Speaker, I would like a Roll Call
on this."

Speaker Redmond: "Well, it's been amended, Representative LaFleur.
Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Is that where those horseshoer's are?
4016."

Clerk O'Brien: "House Bill 4016. A Bill for an Act to make an appro-
priation for the payment of wards made by the Court of Claims.
Second Reading of the Bill. Three Committee Amendments. Amend-
ment #1 amends House Bill 4016 on page 1 by deleting lines 22
through 31."

Speaker Redmond: "Representative Taylor."

Taylor: "Mr. Speaker, I didn't propose the Amendment. I rise in
opposition to Amendment #1."

Speaker Redmond: "Whose Amendment is it? Representative Peters,
pardon me."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment
#1 to House Bill 4061 was introduced at the request of the
Court of Claims and in part because of the conversation with
Mr. O'Shea who represents the Court of Claims. It appears that
in regard to two claims made by the courts there is now some
question as the validity of the two claims which had been entered
by the court. In one case it appears that a \$25,000 award had
been made and an additional \$10,000 was granted to the individual
here from either an insurance company or from some other area
and the statutes for this particular kind of claim have a limit



for a grant of \$25,000. Now if you had the \$25,000 that the court granted plus the 10, that would make it 35. So there's a question of having this go back to the court, amended, and come out at \$15,000 which would reflect the correct amount. The other claim that is in question, according to the information we have from Mr. O'Shea has to do with \$11,100 award made for damage done to land in the construction of a highway. The state now claims that its sole role in the construction was the approval of the route and approval of the plan. This particular highway was built by the county with federal funds. According to the state and according to Mr. O'Shea of the Court of Claims it would have been proper for the plaintiff in this case to sue not the State of Illinois but the county. So therein lies the objections of Mr. O'Shea or at least the request of Mr. O'Shea of the Court of Claims to have the two claims taken out until such time as they can be resolved. There also does appear to be some question as to whether the statutory time limit for appeals and what have you, and I'm not familiar with all the legal ramifications, has run out. There's some question on the part of the Attorney General as to the total validity in these two cases and whether in fact the rights of the state were fully protected in these two cases. I offer this Amendment on behalf of Mr. O'Shea and the Court of Claims and ask the approval...these two, I'm sure, will come back in another month or so in our next report."

Speaker Redmond: "Representative Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, one of the cases that Representative Peters has just discussed is a case that comes from the county in which I live and it is damages caused by the construction of a bridge and levee ruining some farmland that was alongside this levy. The case was filed in 1971. Now this is typical of Court of Claims cases. It finally came to judgment the latter part of July 1976. On August 2nd 1976 the opinion was sent to the various parties. This is more than 30 days after the judgment was entered. And on November



22nd of 1976 the Attorney General for the first time indicated that they were going to, going to mind you, have...offer some reason for a re-hearing in the matter. Now where were they since 1971? If a case does not have finality in the Court of Claims such that they can come here and ask for the appropriation for the monies to pay the judgments that they have awarded, what are we doing? Do any of the cases that appear upon this or any of the other Bills that we've had for the Court of Claims have any finality from that court? Does our statute which says that there shall be a petition for re-hearing in 30 days have any validity? Can they come in 60 to 90 days after the passage of the 30 day time within which they have the right to file for re-hearing or appeal and still be granted by that court over there or whatever it is the right to so proceed? I would suggest that the judgments are final and that the Court of Claims should receive the appropriation in full. And in addition, that I think we should devote ourselves after we turn down this Amendment, we should devote ourselves to reorganizing and re-vamping and straightening out that Court of Claims if it's just permissible that anyone walks in anytime after no matter how long a time and says 'I think maybe we should have done something else in this case so we'll call the judgment back and do it over again'. I think that it's high time that if the court has passed these judgments and the petitions have not been timely filed which they obviously have not been that the cases should not have to delay any longer, especially a case that has been laying there since 1971, which is typical of the matters coming from the Court of Claims. Thank you."

Speaker Redmond: "Representative Epton."

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

Speaker Redmond: "He will."

Epton: "Mr. Sponsor, I wonder, couldn't you correct that first problem you suggested about the \$10,000 overpayment? Couldn't that be simply rectified by giving that money to the attorney and save the necessity of including it in the Amendment?"



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Peters: "Probably so, Mr. Epton, probably so. I...I...probably so."

Speaker Redmond: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, will the Gentleman yield for a question?"

Speaker Redmond: "He'll yield."

Mautino: "Okay, Representative Peters, that first \$25,000 case, is that Case #6912? And would you mind going over one more time the reason for taking it out since it was a final decree and a death benefit on that claim that was...judgment was entered on on July 28th of '76."

Peters: "Representative Mautino, the information given to our Committee by Mr. O'Shea of the Court Claims is this: that in accordance with either statutes or administrative rules, the maximum amount of award in this kind of case is \$25,000. At the time the court awarded the \$25,000 it was not made aware of the fact that the estate in bulk here received \$10,000 as part of some insurance claim. So they are now saying that the state is liable only for the difference, that's 15,000 and not 25."

Mautino: "Well, if I remember the case and I believe I do since it was in Bureau County, the expenses on that particular case were around \$30,000 and that was the reason that the 25,000 was decreed because the medical expense alone concerning that were over the limitation set by statute."

Peters: "Mr. Mautino, I have no interest or concern in introducing this Amendment outside of the fact that it did appear before the Appropriations Committee and on behalf of the Court of Claims and Mr. O'Shea who appeared before our Committee, I offered to Sponsor this Amendment to straighten out what he thought was wrong with the Bill."

Mautino: "Okay, fine. Then may I speak to the particular Amendment?"

Speaker Redmond: "Proceed."

Mautino: "I must echo the sentiments of Representative Tipword, if these are the final judgments for cases that have come before the Court of Claims I would hope this Amendment does not pass and it would be soundly defeated. Otherwise, we're going



to have a judicial system within the Court of Claims. This is the reason for the Court of Claims and the decrees are supposed to be final judgments."

Speaker Redmond: "Anything further? Representative Taylor."

Taylor: "Mr. Speaker and Members of the House, my case has already been stated by Representative Tipword. Since this case was ...final judgment was on July 28, 1976, the orders were issued and sent out on August 2, 1976. And on November...November the 22nd is when we had....the Attorney General came in and said that at that particular time that they wanted to have a re-hearing but the time finally elapsed and I suggest that we move ahead with this proposal and not adopt Amendment #1 to House Bill 4016."

Speaker Redmond: "Question's on the Gentleman's motion. Representative Peters."

Peters: "Just to close, Mr. Speaker. Again, I offer this Amendment on behalf of the Court of Claims and Mr. O'Shea who suggested that we take these two matters out of this Bill until such time as the people at the Court of Claims can straighten them out. I have no other interest in this particular Amendment other than in attempting to accommodate Mr. O'Shea at the Court of Claims. I think Representative Tipword is right as is Representative Mautino in that some of the administrative procedures and the general procedures at the Court of Claims leave an awful lot to be desired. Whether voting this Bill out solves or serves our purpose in attempting to bring some reform into the system there I am not sure that a judgment the Assembly will make when they vote on this Bill...or on this Amendment."

Speaker Redmond: "Question is on the Gentleman's motion for the adoption of the Amendment. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Clerk will take the record. On this question there are 52 'aye' and 60 'no' and the motion fails. Any further Amendments?"

Clerk O'Brien: "Amendment #2. Committee Amendment#2. Ryan. Amends



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House Bill 4016 on page 2 by deleting lines 21 through 25
and so forth."

Speaker Redmond: "Representative Ryan..."

Ryan: "Thank you..."

Speaker Redmond: "I can't see Representative Ryan somebody is standing
in the way."

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House,
Amendment #2 to House Bill 4016 changes the \$12,000 award from
the General Revenue Fund to the working capital revolving fund.
I know of no opposition to the Amendment and would move for the
adoption."

Speaker Redmond: "Any discussion? Question is on the Gentleman's
motion for the adoption of Amendment. Those in favor say 'aye';
'aye'; opposed 'no'. And the 'ayes' have it. Amendment's
adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #3, Committee Amendment 3. Ralph Dunn.
Amends House Bill 4016 on page 3 by deleting lines 21 through 24."

Speaker Redmond: "Representative Grotberg to explain the deleting."

Grotberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House,
Amendment #3 to House Bill 4016 deletes from the Court of Claims
appropriation eight hundred, forty-seven thousand plus dollars
for Cook County Hospital. There have been Members asking me
for a couple of days why I am sponsoring such an Amendment.
It certainly is not of any vitriolic feeling for Cook County
Hospital but I, or the Court of Claims necessarily, but there
is something wrong between the Department of Public Aid who
historically owes the money to Cook County Hospital and the
billing procedures of Cook County Hospital. I would submit to
this Body that we have already sent \$2,800,000 to the Court of
Claims this last May to Cook County Hospital for another set
of bad billing experiences to the Department of Public Aid.
In May of 1976, in that same award, the hospital agreed with a
joint stipulation of public aid and the Attorney General to
waive all further claims from fiscal '71, '72 and '74 up to
February 29th. In their new claim over \$350,000 in claims are



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from that waived period. The Department of Public Aid is liable for its own lapsed bills dating from October 1, 1973 when we amended the Finance Act to include that. I can go on and on, Ladies and Gentlemen of the House, but the facts are it needs a little more study and we have to find some way for the Department of Public Aid and a gigantic public body of one point nine billions of dollars now to work with another public body, the Cook County Hospital. And the only way that we can express legislative intent regarding this matter is to withhold some funds for a little while, not necessarily denying this claim but to keep the feet to the fire of these two public bodies to try to make sense instead of using the standard of appropriation procedure to underfund the Department of Public Aid appropriation and recycle these things through the Court of Claims. The legislative intent establishing the Court of Claims was never meant for a gigantic public body to sue another gigantic public body for the dimension of which is happening here. It is the small people's court for public vendors to the State of Illinois. Therefore, Mr. Speaker and Ladies and Gentlemen of the House, I would move the adoption of Amendment #3 to House Bill 4016."

Speaker Redmond: "Representative Taylor."

Taylor: "Mr. Speaker, Members of the House, I rise in opposition to Amendment #3 to House Bill 4016. At the time Cook County had its own Department of Public Aid when this money was stated for. But at the merging of the two public aid...for Cook County Public and the state public aid the Cook County had not paid its bills. And for that reason we are trying to get some money that was incurred during the year of 1969 and 1970. It is true what Representative Grotberg said about 1971 and 1972, '73 and '74. But we're going back to 1969, 1970. The State's Attorney's Office, the Attorney General's Office and the Public Aid all have admitted and the Court of Claims has approved this money of \$847,256.71. And I think that we should pay that money. I ask for the support of this House."

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



Grotberg."

Grotberg: "I could wait 'til I close, Mr. Speaker."

Speaker Redmond: "Okay. Representative Madison."

Madison: "Thank you very much, Mr. Speaker. Mr. Speaker, this past spring, Dr. Hartman, from the Cook County Hospital came into the Legislature to testify on a Court of Claims award for Cook County Hospital. At that time in Appropriations Committee he was asked whether or not there would be any additional bills coming through the Court of Claims process. He indicated to the Committee that there would be. These...this award represents what Dr. Hartman indicated to this Body at that time would happen. Now it appears to me, Mr. Speaker, that continually the Cook County Hospital has been used as a stepchild for problems that Members of the Legislature has with the Department of Public Aid. And their feelings might be justifiable as it relates to that department but I don't think that Cook County Hospital ought to be made to suffer because of whatever sins that might be attended to the Department of Public Aid. The money is owed. The Attorney General has indicated that the money is owed. The Department of Public Aid has agreed that the money is owed. The Court of Claims has made the award. and it only awaits the bills to make the appropriation of money. If there is a problem Cook County Hospital did not create that problem and should not be made to suffer for any problems that have been created. I would ask that we defeat this Amendment and allow a body that established a legitimate claim to a certain amount of money to receive those funds forthwith. I ask that you please defeat this Amendment."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Well, thank you, Mr. Speaker. In closing I thought it might be of some information to this Body that as of November 20th of this year the Public Aid Department owes \$19,271,000.00 to Cook County Hospital, plus what we're talking about here today. Those...those are not in the Court of Claims. Now, I think this Body should be entitled to know that the claims that are here



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are represented as being from 1972 forward. In a conversation about an hour ago with Gene 'Kozadowski' the Director of Finance of Cook County Hospital, the Court of Claims dealings that we are talking about today were billings unsubstantiated with no vouchers and no back-up information. From July 1, 1967 to June 30, 1969 for a total of \$847,256.00. Now I'm not suggesting anybody is lying in this thing, please do not misinterpret. I think we need to take a week or two in January or February and sort this out, Ladies and Gentlemen of both parties and both sides of this aisle and from Chicago and from downstate. I've got a keen sense of appreciation for the Sponsor of this Bill, my good friend, Representative Jim Taylor. I am certainly not going to torpedo the Court of Claims bill. But I think in all conscience, I've even offered to sponsor a similiar Amendment awarding Cook County and Dr. Hartman \$847,000 for combat pay for what he's going through now, if it would help anything at all because he's having quite a fight on this. This is not an Amendment vengence, this is an Amendment that this House owes the responsibility to figure out what we created when we created the monster that we have going now. With that I would ask for an affirmative vote on this Amendment."

Speaker Redmond: "Question's on the Gentleman's motion for the adoption of the Amendment. Those in favor vote 'aye', opposed vote 'no'. ...All voted who wish? Clerk will take the record. On this question there's 55 'aye' and 83 'no'; the motion fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Supplemental Calendar #1 appears House Bill 4028. Representative Riccolo."

Riccolo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4028 merely deletes Dimmick Township which is in LaSalle County in the 38th District from the Illinois Valley Regional Port District. The reason that I feel that this is an emergency measure is the fact that in order to delete that part from the political subdivision it must be done prior to



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the court district assuming a debt which they do not currently have so at the present time this is the only township in the 38th Legislative District in that Port Authority and I would appreciate your 'aye' vote to advance this Bill to Second Reading and withdraw Dimmick. Thank you."

Speaker Redmond: "Is there any discussion? Question's on the Gentleman's motion. Representative Anderson, pardon me. Anderson."

Anderson: "Mr. Speaker, Ladies and Gentlemen of the House, what we'll do if we vote this out, we will be destroying the Illinois Valley Port Authority. Now this was a Bill that was passed by the late Representative and now Judge Toby Barry. And I really do think that there should be testimony on this Bill. Let the people come down. When I sponsored 3310 I was told that I was trying to pull something yet that Bill was posted, people did have a chance to come down and testify for and against it. And I think we should bring this back in the 80th and hear testimony on it pro and con, and the people of the District. Thank you."

Speaker Redmond: "Any further discussion? Question's on the Gentleman's motion. Those in favor vote 'aye', opposed... Representative Skinner is now off the phone."

Skinner: "Thank you, Mr. Speaker. I've been slowly trying to put together why various people voted to allow the RTA to have its supplemental appropriation in the Appropriations Committee yesterday and I think I found another link. And I would suggest to those opponents of RTA that what the Gentleman from this District which is very similar to my own, having part of the RTA region and yet extending far downstate as is my District, is trading his RTA self-interest for the self-interest of a teeny, tiny little township with maybe a thousand people in it. Now I would suggest there are more than that many people in Kane County and that if the Gentleman wants to get his Bill advanced that perhaps when the vote comes up on whether to sell out Kane County to RTA and to Chicago Transit Authority interests



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that then perhaps we might support his motion."

Speaker Redmond: "Question's on the Gentleman's motion. All in favor vote 'aye', opposed vote 'no'; a 107 votes. Have all voted who wish? Have all voted who wish? Representative Schlickman, do you desire to explain your vote? Have all voted who wish? Clerk will take the record. Clerk will take the record. On this question 69 'aye' and 46 'no' and the Gentleman's motion fails. Supplemental Calendar #1, Second Reading. House Bill 4008."

Clerk O'Brien: "House Bill 4008. A Bill for an Act to amend the State Printing Contract Act. Second Reading of the Bill. No Committee Amendments. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 4010."

Clerk O'Brien: "House Bill 4010. A Bill for an Act to amend the Capital Development Bond Act. Second Reading of the Bill. One Committee Amendment. Amends House Bill 4010 on page 1, line 10 by deleting 'seven hundred sixty million, two hundred thousand' and so forth."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Committee Amendment #1."

Speaker Redmond: "Who's handling it?"

Clerk O'Brien: "Representative Williams."

Speaker Redmond: "Representative Williams."

Williams: "Thank you, Mr. Speaker, Members of the House, let me just refresh the memory of all those who were here who were called back into this House in July and you'll find that by an Amendment put on in Revenue Committee this morning, Amendment #1 puts House Bill 4010 which again went in as a very clean flood control project asking Capital Development Bonds of eight million dollars to correspond with the appropriation of approximately the same. And by adoption of this Amendment this Bill is exactly in the same posture as House Bill 3656 was at the end of the Second Conference Committee which did not get the endorsement of this House on July the 9th. Now, I feel again, let me tell



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you what this Amendment does, this Amendment adds \$88,445,000 to a flood control Bill that has the bonding authorization for child care facilities in Mental Health and Public Health and so forth. Which incidentally, if we'll look down the line a little bit, the Sponsors who wanted this back in had the foresight and the good legislative ability to introduce a separate measure. Which is, I think, the way these matters should be handled. There is a Bill, 4018, which does have the bonding authority for the specialized living centers and Department of Mental Health. I think it would be an injustice, it would to again, pardon the expression, to muddy the waters of good flood control projects to try to introduce an Amendment on a vehicle like this which, at the request of the House back in July, it was my understanding that if a flood control project could be addressed a separate entity, that there would be no problem. But as we all know, it got involved in some \$93,000,000 of the bonding authority and for that reason the flood control projects were involved and we did not get the authority. I have introduced them as a separate Bill and I believe it's a real injustice of this House to try to tack on the Christmas tree again to the flood control projects by adding \$88,000,000 to this Bill. I also feel it's an injustice to all of the local entities from the 15 or 18 taxing bodies who on the basis of what they felt that the state was going to do to match only 38%, with their match of 62%, I have the signed on agreement by the other municipalities who have put their faith in this General Assembly, on the basis of the fact that this Bill was going to be addressed as a flood control projects bill. On that basis, I would very sincerely urge that Amendment #1 to House Bill 4010 be soundly defeated. And that anyone who feels there are Bills still in the Senate, if anyone wanted to override the vetoes on this that opportunity is still there. I believe that any of these projects that are involved in this Amendment here...Amendment #1 to 4010 should be addressed as a separate entity. Incidentally, the Bill just barely squeaked out of Committee by one vote this morning and had a couple of



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other Members been there I'm sure that the Amendment would not even have been put on the Bill. I ask all of my fellow Legislators here to take a good, hard look at this now and cooperate with me in seeing that this Amendment #1 to House Bill 4010 is soundly defeated."

Speaker Redmond: "Representative Totten."

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to Amendment #1 and couldn't agree with the Sponsor of this Bill more. The Sponsor has worked very diligently as has the Committee on Water Resources to put together a piece of flood legislation that we were unable to pass. He has asked that this House consider House Bill 4010 and House Bill 4009 just on the merits of flood control. I think that doing by what we're attempting to do in Amendment #1 and what we did on the other Amendments on 4009 would be financially disastrous in long term and that the merits of each one of those projects should rise and fall on their own rather than be attached to this Bill. The combined future debt service for that \$88,000,000 will be somewhere around \$160,000,000 long term debt. I think we ought to consider that separately. And I think we should honor the request of the Sponsor to have this Bill as a pure flood control Bill and oppose these Amendments."

Speaker Redmond: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, if I may speak to House Amendment, or Committee Amendment #1 to House Bill 4010, I'd like to point out a few things. Of course, the situation has not changed any. This is back in the original context of 3656 with a few exceptions. We have just passed an additional Amendment to 4009 for...of Mr. Kane, basically an appropriation of which there is no authorization. What this Bill does is, this Amendment does is put back into a CY program the bonding authorization for the completion of many projects that have been started. Although the statutory authorization by category totals about 823,000,000 the authorization total as passed in Public Act 79-620 is only 752,000,000. I think it..."



Jack has done a lot of work on the Water Resources but if you'll remember I had an Amendment to the Water Resources of 12.5 million dollars for statewide projects and now we're talking about a Bill that handles just the problems in the collar counties and part of the Cook and the deep southern end of the state. I think it's important that if we're going to have an authorization and an appropriation for capital programs they must be on a statewide basis taking in all of the facilities and departments of the state. I would hope that he would also realize this is something that the current incumbent governor cannot do but it's for the future progress and programs by the State of Illinois that the new governor will be assuming on January 12th. And I would ask for your favorable votes for Amendment #1."

Speaker Redmond: "Representative McClure."

McClure: "Mr. Speaker, Members of the House, at the Revenue Committee meeting this morning there was complete surprise when Amendment #1 was offered and the amount of debate that it generated. I really do not think that most of the people know that the implications of what this Amendment would cost. And I do know that it would cause great harm to the ability of Water Resources to complete their projects. And I think after the conversation this morning, no longer will they be caught in an annual appropriation process but try to get the authorization for the completing of their projects and also keep it separate and apart from the rest of the state projects that are being considered under Capital Development Bonds. But I think that the Members of the House should realize today that we're getting over a billion dollars. We have over a billion dollars authorized in Capital Development Bonds. And it is almost something that staggers the imagination of what the cost of this is going to be and the length of these will be. And by the actions today they are placing another \$35,000,000 in annual costs upon the state and upon the General Fund. Today the placement of this cannot ...cannot, and I repeat that, cannot be used. It is utterly impossible for the state to issue that many bonds without ruining



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their credit at the bond market. This document I'm holding up here now is a perspective for the state to issue a \$150,000,000 worth of Capital Development Bonds on the 7th of December. Now this is taking place over much time to put this in a proper frame to be well-organized, well-done and acceptable to the public to buy these bonds. I don't understand how it can be treated so lightly that they wish to place this burden upon the state to try to go to the bond market to again have them purchase these bonds which are so ill-conceived and stand no chance of meeting the test of need, nor will they stand the test of an administration that will even authorize these bonds. I could not urge too strongly each Member to try to understand what is being done here and to defeat Amendment #1 so that we can again proceed on the needs of the state and the Water Resources Bill which has been brought back here in a decent form so that it can go ahead and accomplish the projects they have already started. And next year in thoughtful manner analyze these additional projects and if the need is there put them in. If the need is not there, defeat them. I, again, urge a 'no' vote on this Amendment."

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

Mautino: "Thank you, Mr. Speaker. In closing I'd like to say that those of us who are interested in seeing government progress, unemployment slowed down and possible employment increased can only do it through the governmental programs of the Capital Development Board which is the building facility of the state. It is also important to continue ongoing programs. And the only way we can do it, and I think do it fairly, is do it now otherwise, Representative McClure, you'll be presenting the same proposal, or your party will, in approximately a month and a half. In closing I will say that it is back in the posture of 3656 and I would hope that since we had a 101 people supporting this same proposal approximately three months ago that we can pick up the additional six to get this program under way now. Thank you."



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Speaker Redmond: "Question's on the Gentleman's motion. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? All voted who wish? All voted who wish? Clerk will take the record. This question there's 45 'aye', 78 'no' and the motion fails and the Amendment's not adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #2. Kane. Amends House Bill 4010 on page 1 and line 10 by deleting the amount and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, this is the same 760,000 that we put onto 4009 in the Appropriation about a half hour ago. This puts that same amount of money into the authorization Bill. And I would ask for the adoption of this Amendment."

Speaker Redmond: "Is there any discussion? Representative Williams."

Williams: "I would like to be consistent. I know as long as the appropriations passed I suppose it's only a right to bonding authority. But, again, I'd like to keep this clean for flood control projects and therefore I would oppose the bonding authority for the project."

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

LaFleur: "I would also urge the defeat of this. This could go on ad infinitum if each Member stood up and tried to determine if their district deserved something that no other district deserved. I know junior colleges are at us all trying to solve their problems and I was hopeful that we could. But the way this Bill has been treated with this authorization I see no way that we can clear up this mess. And I think we must go in the original...with the original Bill in the original posture and defeat all the Amendments that come up for any special treatment. I urge a 'no' vote."

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

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Amendment. This is the Amendment that we just went through a little bit ago on the bond bill of \$760,000."



It is to provide an auditorium in our State Capitol and I would urge the House to adopt the Amendment."

Speaker Redmond: "Any further discussion? Representative Kane to close."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, we've been through this before. If we are going to have a state university in the city of Springfield we're going to have to have the buildings there. This is the second building. It's a public affairs centers and it's been delayed for three years and this \$760,000 is going to have to pay for those increased costs. And I would urge the adoption of this Amendment to be consistent with the appropriation Bill."

Speaker Redmond: "Question's on the Gentleman's motion. Those in favor vote 'aye', opposed 'no'. Have all voted who wish? Have all voted who wish? Representative Jones."

Jones, J.D.: "Mr. Speaker, Ladies and Gentlemen of the House, in explaining my vote, we're simply asking here for the bond authorization to back up the vote that you just made to appropriations for the facility that we've been discussing. So it would be inconsistent to vote for the appropriation and not a vote for the bonding authority to finance it. We urge your support to be consistent with the previous vote for the establishment of this facility."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. This question there's 74 'yes' and 70 'nos' and the Gentleman's motion fails and the Amendment's adopted... Representative Lauer, 'aye'. Representative Stubblefield, 'aye'. ...76, Representative Dunn 'aye', two-handed; 77. It's still adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 4012."

Clerk O'Brien: "House Bill 4012. A Bill for an Act to amend sections in the title of an Act to provide for the ordinary and contingent expenses of the Illinois Law Enforcement Commission. Second Reading of the Bill. No Committee Amendments."



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Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 4017."

Clerk O'Brien: "House Bill 4017. A Bill for an Act making the reappropriation of the Capital Development Board. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1. Emery. Amends House Bill 4017 on page 1 by deleting lines 1 and 2 and inserting in lieu thereof and so forth."

Speaker Redmond: "Representative Emery. Representative Emery. Amendment #1 on 4017."

Emery: "Yes, I'm talking about Amendments on to.....put the five points five million back into the Middle Fork Reservoir in Vermilion County. Since we've been passing a lot of money bills anyway I think Vermilion County, we do need this Middle Fork Reservoir. It means life and death for our county and for our city of Danville. So therefore I propose this and move for adoption."

Speaker Redmond: "Any discussion? Question's on the Gentleman's motion to adopt Amendment #1. Representative Daniels."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise to oppose Amendment #1 to House Bill 4017 which would add the Middle Fork Reservoir to the Specialized Living Centers Bill. And in the previous debate that we've had on the other Bill.... as the previous debate we've had on the other Bill we've followed through the Specialized Living Center concept through the Rules Committee and the Appropriations Committee and the Revenue Committee and now we have them in the position where we are desiring to moving it to Third Reading. I'm very sorry that the Representative from the other part of the state did not come up and talk to me about this proposed Amendment since at one time I did support the Middle Fork. I do not feel that this is the proper place to put this Amendment on. And, Mr. Speaker, Ladies and Gentlemen of the House, I would suggest to you that we oppose and defeat this untimely Amendment."



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Speaker Redmond: "Representative Mugalian."

Mugalian: "Mr. Speaker, I think that almost everyone in the Legislature and I think that I can say the vast majority of the residents of the State of Illinois, support the concept of the Specialized Living Centers and the great contribution that the funding of that concept would make to all the people of the State of Illinois. And especially of the population group that is affected, that is a severely and profoundly retarded. To tack on this kind of an Amendment, to a great controversial Amendment and which has nothing to do with the developmentally disabled, I think is the sort of tactic that should be resisted. If the Middle Fork has any merit it should be advanced separately and independently and not tied into a Bill that represents the aspirations and the hopes and dreams of so many people in this state and many of us who have worked so hard for those who are developmentally disabled. And I suggest that this Amendment be resoundingly defeated."

Speaker Redmond: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I would remind all of you of the great length of time that was taken in debate of this issue previously on the floor of the House and the fact that the funding for this project was defeated in the past. To bring it back now and put it on a Bill of this sort does a disservice to the legislative process. I think the arguments were made very succinctly before and they have not change appreciably. It is a project that has not been able to prove its worth and I think that we should resoundingly defeat putting an Amendment of this sort on this Bill."

Speaker Redmond: "Representative Campbell."

Campbell: "Mr. Speaker and Ladies and Gentlemen of the House, I would certainly be delinquent in my duties if I didn't speak in favor of this Amendment. I don't intend to go through the five to ten minutes that I took on the House floor in the last Session when we did pass the Middle Fork out of the House. I want to say to you at this time, I don't feel it's particularly timely but I



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would like to ask every Member that supported this the last time to give us the support to put this Amendment back on. We did have a complete loss of rainfall in Georgetown which is adjacent to Danville. Also, ran completely out of water in their reservoir. We had to get funds and help from the state to drain water out of one of the quarry ponds with the use of the civil defense people in piping water therefrom in order for the people in Georgetown to have water. And it is an important need. And I would ask for your support. Thank you."

Speaker Redmond: "Representative Leverenz."

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

Speaker Redmond: "Indicates he will."

Leverenz: "Does the bond authorization exist for this five and a half million dollars?"

Speaker Redmond: "Will the Sponsor respond? Representative Emery. Representative Leverenz has propounded a question."

Leverenz: "I'll repeat the question, Mr. Speaker. Does the bond authorization exist for this five and a half million dollars currently?"

Speaker Redmond: "Representative Emery."

Emery: "...Repeat that question? Will you repeat that question?"

Leverenz: "I'll repeat the question again. Does the bond authorization exist in the Capital Development Bond Authorization Bill currently for the construction of the Middle Fork Reservoir? In other words, does it contain five and a half million dollars for this project or would we have to call that Bill again and amend it to...for your particular purpose here?"

Emery: "Well, the five point five million dollars is just a start for the Reservoir, I mean with the money we already have in it which is approximately nine million right from our own county and city of Danville."

Leverenz: "The bond authorization does or does not exist?"

Emery: "Yes...No, no, no, no."

Leverenz: "Mr. Speaker, Members of the House, the bond authorization for this project however worthy Mr. Emery feels it is does not exist and I strongly urge a 'no' vote. Thank you."



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Speaker Redmond: "Representative Coffey."

Coffey: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to join together with my two colleagues in favor of Amendment #1 to House Bill 4017. And would like to reiterate the need of the Middle Fork Reservoir at this time because of what was just mentioned by Representative Campbell about the Georgetown situation and the water shortage there. And also add that Tilton, another small community in the area, has had to call on emergency service of the State of Illinois for water in that area. There's quite a critical need not only for Danville but surrounding communities. That water supply now provides for two other communities besides Danville and that is Catlin and Westville. So there is a need and I think that the speaker that spoke a few minutes ago that said there has not been a real need in this area is quite wrong. And I would like to ask my colleagues in the House to support this Amendment at this time. Thank you."

Speaker Redmond: "Representative Totten."

Totten: "Thank you, Mr. Speaker, would the Sponsor yield? Is it the intent of the Sponsor that the money come from CDB bonds funds or from General Revenue?"

Emery: "...Bond funds."

Totten: "Bond funds? Then I'd ask a ruling from the Chair seeing the Amendment as amended, Section 2, does the funds come from bond funds or will they come from General Revenue as the Amendment is drafted?"

Speaker Redmond: "Representative Matijevich. Matijevich."

Matijevich: "Mr. Speaker, while they're doing that I want to move the previous question. I want to be timely on that."

Speaker Redmond: "...What?"

Matijevich: "After they decide that issue I'd like to move the previous question."

Speaker Redmond: "Parliamentarian advises me that the Amendment is in order. Gentleman...Representative Matijevich from Lake County has moved the previous question. All in favor indicate



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by saying 'aye'; 'aye'; opposed 'no'. The 'ayes' have it.

Representative Totten, for what purpose do you rise?"

Totten: "Yeah, I didn't ask for whether the Amendment was in order, I just asked for where the funds would be coming from the way the Amendment is drafted. Whether they would..."

Emery: "Believe it's the General Fund."

Totten: "It would be General Revenue rather than bond funds which was the Sponsor's intent...."

Speaker Redmond: "Representative Emery to close. Representative Emery."

Emery: "This comes from the General Revenue..."

Speaker Redmond: "Representative Emery, do you desire to close on your motion to adopt Amendment #1? Move the adoption of the Amendment, is that correct, Sir?"

Emery: "Yes, I..."

Speaker Redmond: "Question's on the Gentleman's motion. All in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 40 'aye', 85 'no' and the Gentleman's motion fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 4018."

Clerk O'Brien: "House Bill 4018. A Bill for an Act to amend the Capital Development Bond Act. Second Reading of the Bill. Three Committee Amendments. Amendment #1, Daniels, amends House Bill 4018 in the first sentence of Section 3 and so forth."

Speaker Redmond: "Representative Daniels."

Daniels: "Yes, Mr. Speaker, in having this Bill heard in Revenue Committee when it passed out this morning by, I believe it was a vote of 16 to 1, it was apparent to us at that time that we needed to increase the total authorization on bond sales from \$752,200,000 to \$767,200,000 which would be an increase of \$15,000,000 to cover the Specialized Living Center Bond Authorization. And I ask for a favorable vote on that Amendment."

Speaker Redmond: "Any discussion? Question's on the Gentleman's motion. Those in favor say 'aye', 'aye', the opposed 'no'. The 'ayes'



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have it, the motion's adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #2. Emery. Amends House Bill 4018 on page 1, line 10 and so forth."

Speaker Redmond: "Representative Emery."

Emery: "Mr. Speaker, I move to table Amendment #2 and Amendment #3 to House Bill 4018."

Speaker Redmond: "Are there any objections? Hearing none, leave is granted and Amendment 2 and 3 are tabled. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 4020. Representative Washington. Representative Caldwell, will you please not disturb Representative Washington?"

Clerk O'Brien: "House Bill 4020. A Bill for an Act making appropriation to the Department of Public Health. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. On Supplemental Calendar 1, Item Veto Motions appears House Bill 3403. Representative Boyle on the floor? Representative Cunningham."

Cunningham: "Mr. Speaker, Ladies and Gentlemen of the House, my Amendment is handled jointly with my colleagues from the 54th, Bill O'Daniel and Charles Keller. It's a matter that you voted for many times in the past. It's an appropriation to the Department of Conservation. We've had many sentiments of approval from the administration in regard to this particular project. We ask for you to approve it one more time."

Speaker Redmond: "Is there any further discussion? The question is, shall the items on page 12, lines 21 through 26 of House Bill 3403 pass notwithstanding the veto of the Governor. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Cunningham."

Cunningham: "O'Daniel."

Speaker Redmond: "Representative O'Daniel."

O'Daniel: "Mr. Speaker, Members of the House, I rise in support of



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of this Amendment. This Lake Michigan South, as Representative Cunningham has renamed it, is very important to our district. It's \$250,000. Several years ago the Department of Conservation purchased the land for this lake and I feel like if they had wisdom enough to purchase this land then we should go ahead and develop it and build this lake. And I would urge your support of this Amendment."

Speaker Redmond: "Have all voted who wish? Can't hear you. Representative Cunningham."

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, there's only \$250,000 involved here. You don't want Bill O'Daniel and I to each die of a broken heart. You spend that kind of money here from the petty cash fund. It's a matter of record in the Department of Conservation that they have 740 acres of land in Crawford County ready to build a lake. Now the name of the lake, we hope that it wasn't a plagiarism, but we have named it Lake Michigan South. It's an attempt to bring the joys of the 20th Century to southeastern Illinois in the development of the recreational potential of that area. It can be done for the amount of money that I'm saying. I ask you ask of some evidence of your good faith of your interest in the survival of our area that you invest \$250,000. I tell you by all that's holy we'll not be back to ask you for a dime more. And surely...surely, surely you can find the compassion in your hearts, in the hearts of each of you, to give us this vote. We need some green lights on this proposition. I vote green all the time for all of you. Your...Mr. Speaker, I want to publicly thank you for your generosity in this matter. And I...the rest of you I invite you to get aboard here and help you. This ... the Conservation Department is not fighting this. The Administration is not fighting it. We have the land there, you'll all come down. If you object to the lake we'll change the name of it. We intend, we intend to listen to your wishes in this matter and we implore you help."

Speaker Redmond: "Have all voted who wish? Representative Ewell



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can give his stream and river speech."

Ewell: "No, Mr. Speaker, Mr. Cunningham has personally assured me that they're going to name this Lake Michigan South and with that type of assurance I'm going to vote 'aye'."

Speaker Redmond: "Have all voted who wish? All voted who wish? The Clerk will take the record. This question, 65 'ayes', 69 'no'. The Gentleman's motion fails. Supplemental Calendar #1 on the Speaker's Table. Representative Flinn. Out of the record. Supplemental Calendar #2. Supplemental Calendar #2 appears House Bill 4030. Representative Jaffe."

Clerk O'Brien: "House Bill 4030. A Bill for an Act to amend sections of an Act concerning fees and salaries. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Amendments from the floor?"

Clerk O'Brien: "Amendment #1. Fleck. Amends House Bill 4030 on page 1 by deleting lines 1 through 3 and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "Mr. Speaker, Ladies and Gentlemen of the House, House Amendment #1 is the state elected officials salary increase Bill. Is an Amendment which would include the statutory directors and assistant directors whose salary is set by the statutes and the codes of the state. The reason for this Amendment is due to the fact that since we are increasing the salaries of the officers in the executive branch and the state elected officials, we thought that it would be appropo to go into the matters of the directors. Now in the last four years of the price consumer index has increased 49 points. Two years ago the directors had an increase which the House passed which would reflect to the price...of consumer price increase and that was decreased on an Amendment in the Senate which the House concurred in. At this time, this Amendment, Amendment #1, would increase the salaries of the directors and the other statutory assistant directors, an increase of 25% reflecting the consumer price index increases over the last two years and projected over their term in office over the next two or four years, depending on the length of



their appointments. I would move for the adoption of House Amendment #1 to House Bill 4030."

Speaker Redmond: "Any discussion? Question's on the Gentleman's motion for the adoption of the Amendment, those in... Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, has this Amendment been distributed?"

Speaker Redmond: "Has it, Mr. Clerk? I understand it has not. Representative Jaffe. Understand it has not, so we'll have to take it out of the record."

Fleck: "Well, if it hasn't I would presume that we hold the Bill. I would wish that the Members have copies. I know there's a second Amendment that oddly enough it's distributed. I'm surprised the first hasn't yet."

Speaker Redmond: "Well, we'll have to take it out of the record until we get the printed copies. How about 31, 32. Are there Amendments on those? Take 4030 out of the record. 4031."

Clerk O'Brien: "House Bill 4031. A Bill for an Act in relation to compensation of Members of the General Assembly. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1. Williams. Amends House Bill 4031 on page 2 by inserting immediately after line 22 the following, 'any Member not voting in favor of this Bill shall not be entitled to any of the benefits contained herein'."

Speaker Redmond: "Representative Williams."

Williams: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 does exactly what it says, that any Member not voting in favor of the Bill should not be entitled to any of the benefits. You're going to hear the hues and the cries and the wailing and gnashing of teeth and so forth from some of the Members who feel that the General Assembly is paid too much but I'm here to tell you, I don't know about anyone else but I know that everyone that I certainly come in contact with here are certainly hard working and dedicated Legislators who at great personal expense serve in the Legislature here. In



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addition, I think the Calendar here today shows something like a hundred and some odd days that we serve down here. In addition to the time that we spend there in district and taking care of all the needs and requests of our constituents, so I just feel if anyone, there are others too at great personal expense that have had to sacrifice their businesses and other things in order to serve in the public sector. So I think this gives a choice. Anyone who feels that he's overpaid probably shouldn't serve as far as that goes 'cause I feel everyone is worth his weight in salt and is worth probably not even as much as his pay raise is going to give. Now I'm very much in favor of this Amendment. And I think that those who don't feel that they should have a pay raise should donate it to charity or something else. However since there is probably some implication that legislation should be not discriminatory in nature and with perhaps the thought might not be constitutional I will withdraw the Amendment on that basis. And only that basis because I really believe that this Amendment should go on but I don't want to jeopardize the Bill."

Speaker Redmond: "Any objections? Representative Williams would not prevent anybody from voluntarily not taking it?"

Williams: "Well, I don't believe it would. And I think if anyone really feels that way then they should not accept the pay increase contained within this Bill."

Speaker Redmond: "Amendment #1 is tabled. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 4032."

Clerk O'Brien: "House Bill 4032. A Bill for an Act to amend sections of an Act concerning fees and salaries. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1. Berman. Amends House Bill 4032 on page 1, line 4 by deleting the period and inserting in lieu thereof and so forth."

Berman: "Thank you, Mr. Speaker, Amendment #1, Floor Amendment #1 to House Bill 4032 does two things. One, it deletes the provision for the legislative stating of salaries of the clerks of the



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circuit courts it is the opinion of the administrative office of the court that the clerk really should be within their jurisdiction as to the salaries that are set rather than to be set directly by the statute. And this Amendment complies with their request. The second part of this Amendment corrects what I am led to believe was perhaps a typographical error. If you notice that every judge that's listed in this Bill, and this is the Bill that deals with increases in the salary of all the judges, Supreme court, appellate court, Circuit Court and associate circuit court judges. Every category except one is recommended for a raise of ten thousand dollars. The associate circuit court judges was listed in the original Bill as having a raise of only \$3,000. In many districts throughout, and especially in the county of Cook, your Associate Circuit Court judges carry some of the greatest workloads of any of the category of judges. I certainly think that we would be discriminating against some of the hardest working judges on the bench if we didn't keep them in the same category as every other judge. Now this will not put them on a par as far as total salary with judges of a higher category. All we are doing by this Amendment is to give them the same extent of raise as is provided by every other judge. If Amendment #1 is adopted the new pay scale for the judges paid for by the state will be... would be \$47,000 total includes a \$4,500 increment by the county and the...all the other judges would be the same. Circuit court would go to 52,5; appellate 55; supreme court 60. The purpose of this Amendment is to allow associate circuit court judges the same increase that we are proposing to every other category of judge. I move the adoption of Amendment #1."

Speaker Redmond: "Any discussion? Representative Skinner."

Skinner: "I wonder if the Sponsor of this Amendment could repeat that again? Did you say that associate judges are going to end up getting paid \$47,000 a year?"

Berman: "The...if you read the Bill there is an increment, the state payment and a county increment. Associate judges are presently paid 32,5 a year from the state and 4,500 a year from their



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county. That's, I think, two districts, DuPage County and Cook County. Now this Amendment would raise the Bill in its final form from a payment of 32,5 to 42,5. The Bill as introduced raised it from 42,5 to 35,5."

Skinner: "Then I guess the answer is in DuPage County and Cook County we're going to be paying associate judges \$47,000."

Berman: "That's correct."

Skinner: "That is unbelievable."

Berman: "Is that a question?"

Skinner: "There are about three exclamation points after the statement."

Speaker Redmond: "Representative Vitek. Would you please sit down, Representative Kane?"

Vitek: "My question has been answered by the Sponsor of the Amendment, thank you."

Speaker Redmond: "Any further discussion? The question's on the Gentleman's motion for the adoption of Amendment #1. Those in favor say 'aye'; opposed 'no'. Those in favor vote 'aye', opposed vote no. Representative Berman to explain his vote."

Berman: "Yes, Mr. Speaker, I think one of the things that all of us here time in and time out, when we're in this General Assembly and when we're on the campaign trail including the campaign trail that ended just a couple of weeks ago, was on the question of the quality of the judges that sit on the benches throughout the State of Illinois. Now, under our system of the judicial requirements, a judge cannot have any other outside income in which he can actively participate in. Now if we're going to ask people to ascend to the bench, we're asking them to give up every other type of involvement. They cannot practice law. They cannot be active in insurance businesses or real estate businesses or any of the other businesses that we in the General Assembly participate in to supplement our income. We are asking people to participate, as a member of the bench they have the same responsibilities of dispensing justice at the level which is most important to the people of the State of Illinois, the trial court level. We are asking a man to give



up every other type of outside income in which he can actively participate and to sit in...dispense justice and we are giving \$10,000 raises as 4032 proposes to do, we are refusing to give the same type of increase. Now as to whether you want to approve 4032 or not, that's not the question here on Second Reading. The question that I'm suggesting to you is, if every judge, supreme, appellate and full circuit, is going to be considered for a \$10,000 raise, I'm saying that the work-horses of the judicial system, the associate judges, should be considered in the same category. That's all this is. It's the Second Reading, Amendment stage. If you want to turn down all the judges, that's for Third Reading consideration. But I think that we are discriminating against many of the judges to carry the heaviest workload in the judicial system by denying approval of this Amendment. And I would ask that you give them a fair shake at Third Reading by approving this Amendment and giving everybody the fair evaluation that they are entitled to on Third Reading. Now there are many colleagues of ours who have gone on the bench some via the route of appointment of associate judges. They have given up lucrative law practices and great service in the General Assembly. They can't live on 35 or 32 or \$37,000 a year. We're asking them to be given the same kind of consideration. And that's the purpose of this Amendment. I would ask for about five more reds to change to green, allow this Bill to be in proper position for Third Reading."

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

Representative Stone."

Stone: "Mr. Speaker and Ladies and Gentlemen, I believe that Representative Berman is absolutely correct in the statements he made. If you're going to raise the salary of any judge then certainly the salary of the associate judges should be raised at least as much as the other judges. And that is not to say that this Bill should or should not pass on Third Reading. I'm only saying that as Representative Berman did that if any judges are to receive a salary raise of this kind that certainly the ones most



deserving of the pay raise are the associate judges and I would hope along with Representative Berman that we would get a few more green votes so that we can vote everyone a pay raise or refuse to give anyone a pay raise on Third Reading."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. Representative Dunn."

Dunn: "Thank you, Mr. Speaker, just to explain my vote I...there's been some talk about discrimination here and unless my memory serves me incorrectly I think the discrimination has been in favor of the associate circuit judges. I believe that two years ago they received a pay raise in the approximate amount of \$14,000. I think they were making 23 or 23,5 and they went to 37,5 just two years ago. And I think that they got such a large, disproportionately large increase in their salary that they can afford to wait maybe two more years for another raise. So I think they're out in front, they're ahead of their fellow colleagues on the bench right now. And I certainly have nothing against the associate circuit judges but I certainly can't support this rate."

Speaker Redmond: "Representative Skinner."

Skinner: "Yeah, there's a motion, we talked a lot about conflict of interest during the Session. I think that everybody on this floor who's got a law degree can be an associate judge anytime they want to retire and I would....wonder if every lawyer on this..."

Speaker Redmond: "Representative Berman, for what point do you...."

Skinner: "...Fund this vote."

Berman: "Mr. Speaker, the Gentleman has spoken in debate he is not the mover and I think that he should not explain his vote."

Speaker Redmond: "Recall the attention of the Chair that I recognized you twice and he thought that he should have the same..."

Berman: "I'm the mover of the motion, Mr. Speaker."

Skinner: "You don't get to explain your vote. You get to close and you get to open."

Berman: "...Rules, Mr. Skinner."

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



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Skinner: "The point I'm trying to make is the associate judges in my district have had an absolute bonanza. They got about a \$15,000 a year raise last year in the great judicial heights of the state treasury. And if we do that again here and lawyers sitting on this floor end up being appointed associate judges within the next four years, I would suggest that the pension fund of the judiciary will sink even lower than it has in fundability. It started out as the most well funded proposal that existed and now it's darn near the worst. And if this Bill passes and this Amendment passes you know it's going to be at the bottom."

Speaker Redmond: "Representative Epton."

Epton: "Never mind, Mr. Speaker, thank you."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Did I understand, the point of information, point of order, did I understand that the Amendment that Representative Berman has increases the salary of the associate judges by 10,000?"

Speaker Redmond: "Representative Berman to answer the inquiry."

Berman: "The Amendment raises the increase from 3,000 to 10,000 so that the associate judges' raise will be the same level of raise, namely, 10,000 as every other category of judges."

Geo-Karis: "The reason I'm asking the question, Mr. Speaker, is I'm holding Amendment #1 to House Bill 4032 and this Amendment refers only to the...enact...establish appellate court and refers to salaries of clerk of the appellate court for each judicial circuit."

Speaker Redmond: "Representative Berman."

Berman: "Apparently in the process of running off these Amendments some Members have an Amendment that has two sides. The second side is the side that has the pay raise. The first side deals with the clerk. It was a two-page Amendment that was handed to the clerk and apparently some copies were run off with two sides, some copies were run off with only one side. On the second side, Adeline, there is a one-word change that changes that says as follows on page 2, line 27 by changing 35,5 to 42,5."



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Geo-Karis: "That's the one I don't have, that's fine, thank you."

Speaker Redmond: "Have all voted who wish? Clerk will take the record.

This question there's 79 'ayes' and 73 'nays' and the Gentleman's motion prevails. Carry, prevail, I said. I think that's synonymous with carry. Representative Duff."

Duff: "Mr. Speaker, can I be recorded as voting 'present' on that last Amendment?"

Speaker Redmond: "Record the Gentleman as 'present'. I think you better take a look at this 1970 Constitution, too, Representative Fleck. Representative Duff."

Duff: "You raised a good point, Mr. Speaker, if to vote 'present' is to vote at all I would rather be left off the Roll Call."

Speaker Redmond: "With the system that Representative Blair I don't know how we can accommodate you on that. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 4033."

Clerk O'Brien: "House Bill 4033. A Bill for an Act making an appropriation for certain increases, per diem allowances and certain salary increases. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1. Jaffe. Amends House Bill 4033 on page 1, line 10 and so forth."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, Members of the House, this is an Amendment to increase the appropriation that's provided for in the Amendments to House Bill 4030 and 4032. Now as I understand I don't think we have heard House Bill 4030 and I think that was Representative Fleck's Amendment which was now passed out. So I would suggest we go back to House Bill 4030, adopt this Amendment, then I would this one."

Speaker Redmond: "Any objection to taking it out of the record until we...to 4030. Take it out of the record. Representative Merlo in the Chambers? We took...the Amendment to 4030 been distributed? Representative Merlo was in the Chamber....4030."



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Clerk O'Brien: "House Bill 4030. A Bill for an Act to amend sections of an Act concerning fees and salaries. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1. Fleck. Amends House Bill 4030 on page 1 by deleting line 1, 2, 3 and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "Mr. Speaker, this is the Amendment which I explained approximately half an hour ago dealing with the directors and assistant directors which was not on the Member's desks. I understand that there are copies that have been distributed. And if there are no objections I would now move for the adoption of Amendment #1 to House Bill 4030."

Speaker Redmond: "Question's on the Gentleman's motion for the adoption of Amendment #1 to House Bill 4030. Those in favor say 'aye', 'aye', opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #2. Fleck. Amends House Bill 4030 as amended by deleting Section 13 and so forth."

Speaker Redmond: "Representative Fleck. Representative Fleck."

Fleck: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2 includes the Auditor General and the Deputy Auditor General who were deleted by error in the Amendment #1 where we gave the increases to the statutory directors and assistant directors. They also, these two gentlemen, one's a woman, she would receive the same percentage increase as the directors and the assistant directors in statutorily salaried officials of the state. And I would move for the adoption of Amendment #2 to House Bill 4030."

Speaker Redmond: "Is there any discussion? Question's on the Gentleman's motion for adoption of Amendment #2. Those in favor say 'aye', 'aye', opposed 'no'. The 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 4033, is it?"

Clerk O'Brien: "House Bill 4033. A Bill for an Act making an appropriation for certain increases per diem allowances for certain



salary increases. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1. Jaffe. Amends House Bill 4033 on page 1, line 10 and so forth."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, as I indicated beforehand this is the companion appropriation Bill to Representative Fleck's Amendment and it adds about \$404,000 to the Bill. And I would move its adoption."

Speaker Redmond: "Question's on the Gentleman's motion for the adoption of the Amendment. Those in favor say 'aye', 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Message from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed Bills of the following title, passage of which I am instructed to ask concurrence of the House of Representatives, to-wit: Senate Bill #2028 and Senate Bill 2029. Passed by the Senate, December 1, 1976, by a three-fifths vote. Kenneth Wright, Secretary."

Speaker Redmond: "Senate Bills First Reading."

Clerk O'Brien: "Senate Bill..."

Speaker Redmond: "Representative Mautino in the Chambers?"

Clerk O'Brien: "Senate Bill 2028. Merlo, Epton. A Bill for an Act to amend sections of an Act, provide for the ordinary and contingent expense of the Department of Insurance. First Reading of the Bill. Senate Bill 2029. Epton, or Merlo, Epton. A Bill for an Act making a supplemental appropriation to the Department of Insurance. First Reading of the Bill."

Speaker Redmond: "Representative Merlo."

Merlo: "Mr. Speaker, I would like at this time to ask leave of the House to consider a motion filed relative to Senate Bill 2028. Leave of the House."



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Speaker Redmond: "Does the Gentleman have leave? Hearing no objections leave is granted. Make your motion, Mr. Merlo."

Merlo: "I would now like to move, Mr. Speaker, that Senate Bill 2029 be advanced to the Order of Second Reading, Second Legislative Day, without reference to Committee. This House Bill, or pardon me, Senate Bill 2029 is an emergency appropriation to the Department of Insurance to solve a temporary problem. They find themselves with no appropriations to conduct an agent's and broker's examination scheduled December the 14th of this year. I think it's December the 17th of this year. December 4th? December 4th of this year. It involves a \$141,000 appropriation."

Speaker Redmond: "Is there any discussion? Question's on the Gentleman motion. Those in favor vote 'aye', opposed vote 'no'. It takes a 107 votes. All voted who wish? All voted who wish? The Clerk will take the record. On this question's there a 137 'aye' and 1 'no'. Gentleman's motion prevails. Representative Mann, 'aye'. The Order of Reduction Veto Motions appears House Bill 3475. 3475, Representative Madison."

Madison: "Thank you very much, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I move to restore the reduced item of appropriation on page 4, lines 32 to 35 in House Bill 3405, the reduction of the Governor notwithstanding. Mr. Speaker, this reduction was made in the amount of 3.4 million dollars by the Governor for an amount of money in the Department of Public Aid budget that was for Adult Education. In the Governor's veto message he indicated that his reasoning for the reduction was that the money was not provided for in the original budget. The State Board of Education requested \$6,000,000 for the Public Assistance Adult Education Program in fiscal year '77. The General Assembly appropriated 5.4 million and the Governor further reduced the appropriation to \$2,000,000. Just as a little background, Mr. Speaker, the Adult Education Public Assistance Programs provides public aid recipients with the education and training necessary to increase their opportunities for employment and self-support. The program participants are selected and referred by the Illinois Department



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of Public Aid to programs on adult basic education at the elementary, secondary and post secondary levels, GED or high school equivalency instruction and occupational and vocational training. The courses are funded on a program approval basis. The federal government reimburses the state for 75% of its expenditures. The \$2,000,000 that was finally approved for the program is less than one-half of the fiscal year '76 appropriation. The 66% cut in the original '77 request will mean that fewer persons will be enrolled in the program. The program teaching and administering staff have been reduced therefore decreasing services to participants. Support services such as transportation and child care or program participants also will be cut back. The advanced education and special training programs for participants beyond the high school level have been eliminated. It is doubtful that service levels obtained over the last two years can be maintained. If these funds, Mr. Speaker, of 3.4 million dollars are restored, and I sincerely hope they are, the distribution will be as follows: of the 3.4 million, Chicago will get 1.087 million. Downstate will receive 2.312 million. I would urge the General Assembly, Mr. Speaker, to restore these funds. The adult education program is one of the programs that has shown a tremendous amount of success in terms of reducing the welfare of the public aid rolls. As an example for the eleven months of fiscal year, for the eleven months of fiscal year '76 there have been as a result of this program 2,215 job placements resulting in a savings to the state in terms of the welfare payments of three hundred, forty-three thousand plus dollars per month. That does not include the increase in revenue that the state receives as a result of these individuals being employed, through income tax and sales tax revenues. I would urge the Assembly to restore these funds. The companion items of this Bill is in Senate Bill 1935 of the IOE appropriation. And I've just been handed to me an indication that the Senate just overrode the Governor's veto of this companion amount in the IOE Bill by a vote of 40 to 8. I would



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hope that we would follow the Senate trend and restore this money so that the Adult Education Program can be continued and so that we can continue to reduce the welfare rolls by making people employable. I solicit your favorable support."

Speaker Redmond: "Representative....doesn't look like there's any discussion. Question's on the Gentleman's motion and the question is, shall the items on page 4, lines 32 to 35, be restored to its original amount notwithstanding the reduction of the Governor. Those in favor vote 'aye' and opposed vote 'no'. Have all voted who wish? All voted who wish? Takes 89 votes. Clerk will take the record. On this question there's a 105 'aye' and 36 'no' and the motion prevails and the items appearing on page 4, lines 32 to 35, are restored, veto of the Governor notwithstanding. On the Order of Total Veto Motions appears House Bill 3924. Representative Ebbesen is recognized."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3924 is a very simple Bill. I know of no opposition and I think that the Governor when he vetoed it took some authority that now rests with county boards and all this Bill does is take a....the \$600,000,000 assessed valuation which would make counties eligible to...by ordinance or resolution made by the county board. It lowers that 600,000,000 to 300,000,000 to qualify for purposes of...by ordinance or resolution of the county board for formation of a metropolitan exposition auditorium or office building authority. And I certainly would encourage a favorable vote for this override. ...There are no dollars involved at all."

Speaker Redmond: "Representative Mautino."

Mautino: "Yes, Sir, thank you very much, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the motion of Representative Ebbesen because for the first time in many years the downstate counties will have the opportunity to share also in the programs set up by the legislation and especially in the civic center and exposition areas. So I would ask for a favorable vote also on Representative Ebbesen's motion....it



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will bring about eight more counties into the possible realm of using the matching funds."

Speaker Redmond: "Is there any further discussion? The question is, shall House Bill 3924 pass notwithstanding the veto of the Governor. All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Grotberg."

Grotberg: "Well, thank you, Mr. Speaker, I think maybe the Membership is tired and weary at this point in time on authorities and bonding bills but I would like to rise in support of this Bill which is really a creation of the DeKalb County community who are so anxious to finance their own exposition hall in relationship to the DeKalb County agricultural community and the enabling act here as Representative Mautino has suggested takes in a few more counties if they ever want to get involved. But this point in time one of the great counties of our state is perfectly willing and able to proceed down this avenue without ever probably coming to the General Assembly for matching funds of any kind. And we can always face those when they come. I think Mr. Ebbesen and Mr. Mautino have done a fine job and I know I represent half of DeKalb County, the rural half incidentally, not the city half. And these farmers are all anxious for this Bill to pass so that they and their farm community and their farm organization can get involved in building an exposition hall adjacent to a large university center where thousands upon thousands of people attend...generally, there's a convention center already going in conjunction with the university and this would be the exposition hall to go with it. I think if the.... Membership could very well vote for this and be proud they did. I urge an 'aye' vote."

Speaker Redmond: "Representative James Taylor."

Taylor: "Thank you, Mr. Speaker and Members of the House, this is a good Bill. The Cities and Villages Committee worked hard and long on it and finally got it into the condition that we thought was acceptable. And I would solicit more support for our



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House Bill 3924."

Speaker Redmond: "Representative Ebbesen to explain your vote."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, you know this is going to require 107 votes in order to override this veto and has been very ably expressed by Representative Grotberg without me reiterating this will enable DeKalb County to do something and we have the local input in terms of dollars up there and without this legislation we will be unable to proceed. And it will of course...it will just enable the county board, the DeKalb County Board, to make that decision whether to proceed or not to proceed. And there has been a tremendous amount of effort over the last two or three years to see this project come to a very successful culmination. And of course we cannot proceed unless we get a 107 votes up there on that board. And as somebody once said here 'you know it's not going to cost the taxpayers anything because the government's going to pay for it'. Well, in this case that doesn't even apply because there's a tremendous amount of private dollars that will go into this. And I certainly would encourage some of you people, there's 58 of you right now that are not voting on this, and I would encourage to come over there on the green side and give us the 107 votes that are necessary so that DeKalb County can proceed."

Speaker Redmond: "Representative Washburn to explain his vote. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's a 117 'aye' and 20 'no', the Gentleman's motion prevails and the...House Bill 3924 passes notwithstanding the veto of the Governor. Total Veto Motions Consideration Postponed, 3858. 3858? Out of the record. On the Speaker's Table on the Supplemental Calendar appears House Resolution 997, Representative Flinn is recognized."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, before we talk about this Resolution there was a couple spelling errors in it and I would like to adopt the Amendment that was adopted in the Executive Committee. All it does is correct two misspelled



words."

Speaker Redmond: "Question's on the Gentleman's motion for the adoption of Amendment #1. Those in favor say 'aye'; 'aye'; opposed 'no'. The Amendment's adopted."

Flinn: "Okay, now to the Amendment, I mean to the Resolution itself. All this Amendment does, I mean Resolution does, rather, is ask the Abandoned Mine Reclamation Council to not expend... award any more state bond funds to some of the abandoned mine projects that they have going now until we can look into the possibility of using these in urban areas such as Belleville and Johnson City. It is Sponsored by myself and Representative Choate. I ask for the adoption of this Resolution."

Speaker Redmond: "Is there any discussion? Question's on the Gentleman's motion for the adoption of House Resolution 997. All those in favor say 'aye'; 'aye'; opposed 'no'. The Resolution is adopted. Total Veto Motions, House Bill 3803. Representative Porter."

Porter: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3803 deals with the method of selection of the Director of the Department of Vocational Rehabilitation. The Bill as originally passed by the House provided that three nominees by the Board of Vocational Rehabilitation would be submitted to the Governor who would then select one and that one would be subject to the advice and consent of the Senate. The Senate changed the Bill to provide that there would be a straight appointment by the Governor subject to the advice and consent of the Senate. And the House concurred in that Senate Amendment. Governor vetoed the Bill and I might say, and I don't know how many other Members have had the same experience, but the Governor did not have the courtesy to advise me that that veto had been entered. The Bill was passed by the House in its original form, 129 to 1 and by the Senate in its amended form, 46 to nothing. Currently the 11 member board selects the director without any legislative input or advice at all. It seems to me that in submitting the Bill originally that this Department which is really what it is,



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and it has had so many problems recently that it would be better managed if it had some input from the General Assembly in the selection of the director. And I would move that the House pass House Bill 3803 the veto of the Governor notwithstanding."

Speaker Redmond: "Is there any discussion? Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'm a Chief Cosponsor of this Bill and I would certainly urge your vote to override the veto. I have been very active and very supportive of legislation for the handicapped. Early in this last Session I sponsored a Bill which would have developed a department for the handicapped. Unfortunately, that Bill failed. A letter that came to my office dated November 23rd from the State of Illinois Board of Vocational Rehabilitation points up the need for some kind of legislative review inasmuch as it was sent by the Chairman of the Vocational Board. I only want to quote one sentence in here and ask for careful attention to have some kind of control over any chairman who would attack this Body or the integrity of Sponsors of any legislation. Says, 'In spite of the lack of opportunity to begin meaningful steps toward rehabilitation services, certain selfish politicians who want to seize political control on DVR introduced House Bill 3803 which would have shifted the control of DVR from the Board to the Governor'. This was the furthestest thing from our intent, indeed, this Board spending the kind of money that they do should certainly have legislative review and, I as the Chief Cosponsor, am bitterly resentful of the attack that was sent through this letter on the other Chief Cosponsor and myself. And I would seriously urge that you override this veto."

Speaker Redmond: "Any further discussion? The question is, shall House Bill 3803 pass notwithstanding the veto of the Governor? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Requires a 107 votes. Representative Younge 'aye'. Have all voted who wish? Repre-



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sentative Friedrich."

Friedrich: "Mr. Speaker, I'd like to explain my vote. I'm voting 'aye' for this because I resent very deeply this Board mailing out on state stationary, state expense, this lobbying effort which is filled with, among other things, some newspaper items which certainly are in poor taste. And if we're going to create bureaucracy, they can use state money to do their own lobbying, then I think we've gone too far. And if there's any reason on earth to override this veto you've got it right here. You all got one I'm sure."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I concur with the prior speaker and I concur with Representative Macdonald. It seems to me that the letter writer is the one who has the real conflict of interest because he's chairman of this commission and consequently he shouldn't even dare to question the motives of someone else when he is wanting to protect himself. I urge more 'aye' votes."

Speaker Redmond: "Representative Hudson."

Hudson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House...I, too, rise in support of this measure. A point was made earlier in the discussion on it that I think might be reiterated, and that is that this measure originally did pass the House here after considerable discussion as I recall by a vote of 129 to 1. And as was mentioned, passed the Senate by a vote of 46 to none. And I do recall the debate and discussion on the measure and we agreed that it was a salutary one and would lend itself to better operation of this particular department. I think we owe it to ourselves to keep that in mind and to support this override attempt. Thank you very much."

Speaker Redmond: "Representative McClain."

McClain: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'd like to explain, if I could, the reason why we had, and Representative Caldwell was the creator. The reason why we had this department with a board for Vocational Rehabilitation



was because it was a mess. And Lou Caldwell and the Legislature worked hard at trying to straighten out the mess. This Board has been in existence for two years and it's kind of hard to straighten out anything just in two years, that's the first point. So the reason why the Governor vetoed this particular Bill was because the Board had not had enough time to do the straightening out of the Department. The second thing that I'd like to explain to the Democrats is the Board has already set up...which Governor do you think is going to be doing the appointing? Right now the Board is set up and it's got a Democratic philosophy. If you override this veto which Governor do you think is going to be doing the appointing? I urge a 'no' vote."

Speaker Redmond: "Representative Epton."

Epton: "Mr. Speaker, Ladies and Gentlemen, ordinarily I don't always agree with the logic expressed by our Governor. In this particular instance I was prepared to sustain his override. I was, however, greatly disturbed by the letter which I received, as all of you did, attacking the motivation of the Sponsor. For those of you who know Virginia Macdonald, I think it's an insult not only to her but to all of us in the House even though I think that the Governor's remarks were probably well expressed and I would like very much to vote in favor of sustaining. In the event that vote does not reach, or my vote is necessary to override I will do so simply because I resent anybody coming in with a personal argument as to the passage of a Bill. If ever a letter will serve to override, to harm a cause, it was a letter sent by this Chairman. And with deference to my colleagues across the aisle I think it was ill-advised to suggest which Governor would make or not make the appointment. I couldn't care less whether His Honor Thompson or His Honor Walker makes it, as far as I'm concerned the insult to Virginia Macdonald is something that will cause me to vote to override. I hope that the rest of you will relieve me of that necessity. But if you don't, Virginia, you need no



apology, you need defense from us but I issue this to all of our colleagues via the press. If the lobbyist has a cause to plead, plead it without questioning our motivation. We come down here to do...to vote our conscience and not to do their bidding."

Speaker Redmond: "All voted who wish? Representative Porter to explain his vote."

Porter: "Well, Mr. Speaker and Ladies and Gentlemen of the House, it seems to me that we've gotten off on a number of side issues that have nothing to do really with this Bill. The comment that you on the other side of the aisle know what the Governor is going to be doing, the appointee, it seems to me is way off the mark for what we're trying to do. All of us in the General Assembly are concerned with proper administration of this department and the letter that was written was certainly also off the mark in impugning our motives. This department is presently probably at the very bottom of the barrel among similar departments of the entire 50 states. It has been mis-administered for several of the past years and while this certainly can't be ascribed in any way to the new Board and I certainly don't do so. I think that it's up to us in the General Assembly to take some responsibility for the Department in the future and that is the reason why the Bill was originally put in. I personally preferred the original version of it but I do think that it's very necessary that the General Assembly have some input into the personnel of the Department and some responsibilities for how it's controlled and run. After all, it does spend \$50,000,000 of the taxpayer's money and I hope that all of you can see fit to vote 'aye' on the override motion. Thank you."

Speaker Redmond: "All voted who wish? Clerk will take the record. On this question, 101 'aye' and 43 'no', the motion fails. House Bill 233, Total Veto Motions. Representative Wolf."

Wolf: "Mr. Speaker, Members of the House, at this time I would move that House Bill 233 be passed, the veto of the Governor not-



withstanding. The number of this Bill is indicative of the fact that it's been around a long time, probably longer than Corneal Davis. And at various times it's probably commanded as much attention. But it's a very important piece of legislation, very important to a great university and very important to a community which is the second most populous in the State of Illinois. House Bill 233 is a Bill which would provide for the authorization and construction of educational TV facilities at the Southern Illinois University at Edwardsville, Illinois. Completion of this project would be the last link in a statewide educational programming. The facility is very much needed in the area in which it would serve in order to provide education at all levels for people in poverty pockets and ghetto areas throughout the multicounty area which it would serve. Passage of this legislation would enable the university to hang onto Channel #18 which is being reserved by the FCC and hold that channel until such time as the proper CDB bonding authority would come along. There are a number of groups in the Missouri area which would love to get their hands on this channel and passage of this legislation is going to determine whether or not they will. The Governor in his message indicated his full support of this project, however, due to the fact that the CDB bonding authority was reduced, elected to veto the Bill. University officials, civic leaders and the citizens in this general area feel however that this Bill should be passed at this time, allow the university to go ahead with finalization of a plan for this project. And to make it possible and put them in a position to apply for a grant through the HEW which is provided for, incidentally, under regulation. I would move at this time for your favorable support of a veto of this...of an override of this veto."

Speaker Redmond: "Is there any discussion? Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker, I speak in opposition to the motion and on behalf of the Governor's veto. I've read the Veto Message and the Governor correctly vetoed this Bill but



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quite probably for the wrong reason. In my opinion, the State of Illinois through tax monies has no business invading the realm of education or public TV. This is a communication of ideas, type of advice that ought to be left to the public to support it through voluntary contributions. The state has no right in this dissemination of ideas because sooner or later there's going to be a demand on the part of the taxpayers who are footing the Bill to have a say in what is put on in this channel. So I think that the Governor is correct in vetoing it but perhaps for the wrong reasons. And so I would request a 'no' vote on this motion."

Speaker Redmond: "Representative Steele."

Steele: "Thank you, Mr. Speaker and Ladies and Gentlemen, I rise in support of House Bill 233 and its override. I personally think there's no investment that our state could make that would bring bigger dividends than to support the completion of this TV tower. This facility is going to be programmed to help attract jobs to the most depressed part of Illinois from the St Louis market. It's going...if it just brings 50 or a hundred new jobs it will more than pay for itself to appropriate this one last link in making this very fine TV communication center available to this depressed area of Illinois, the largest populated area of Illinois without an educational channel. For educational purposes, for job opportunities because it has been approved by the Board of Higher Education I urge that we do give our necessary support to this good Bill."

Speaker Redmond: "Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker. I, too, rise to concur with the motion to override the Governor's veto. Let me preface my statements with saying I do not have the vested interest of Western Illinois University's TV station at this time because we're on the road to getting our TV station constructed. If I might just a moment address the previous, two previous Gentlemen, ...sorry, try that, the Gentleman that spoke twice before me, the State of Illinois is very much in dissemination of infor-



mation as to paraphrase, if not quote, currently we have three television stations that are on the air broadcasting going to private individual homes for the education of children. The only difference, now, is that the rural areas, the ghetto areas are not being served. These are the two areas that do not have a great deal of population, number one. Number two, they do not have the cable television to bring it in...if they do have the possibility of having a large tower and the possibility of cable, I think it's very important. I believe that we've had several studies that prove the validity of the educational television system. I would venture to say that every man, woman in this House, if they have children they have watched Sesame Street, Electric Company, Mr. Rogers and so on and so forth. I can tell you from first-hand experience that my son has benefited a great deal from this because we do have cable television at this time. It's a very valuable educational tool. It can be used not only in the home, it can be used for the advancement of studies. For those people that have not secured the high school diploma for night studies, early morning and so on and so forth. It is indeed an educational valuable tool. We had a Subcommittee of which I chaired that we studied the possibility of a statewide network. Southern Illinois University, Edwardsville Campus, did fit into this pattern. We had witnesses come from not only all over Illinois but from the other states that border us that do have an educational television network. They testified to its validity, to its necessity and further said that this was the way to go about linking up the State of Illinois to get an educational television network. This is but one of the final steps and I ask that you vote to support this measure."

Speaker Redmond: "Representative Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, as a person who's involved in education and of course who in the late '50's and early '60's had some experience with the use of educational television in schools in a project which emanated out of Purdue



University, let me tell you that in the education business there is probably no bigger rip-off than educational television. You want to talk about Sesame Street and some of these other programs, many of you who watch those know what kind of stations come over and they're not coming out of university stations. They aren't and they are...in our area they come out of the commercial programs. The stations which are involved out of the university are probably, you know, the biggest boondoggle that we've got going. I have consistently opposed putting the taxpayer's money into this kind of a program and I rise today in support of the Governor's Total Veto of this program."

Speaker Redmond: "Representative Lucco."

Lucco: "Mr. Speaker, Ladies and Gentlemen of the House, I rise of course in support of the motion to override the Governor's veto for three or four reasons in addition to those that have been very aptly given by my colleagues, Representative Wolf and Representative Steele. First of all, keep in mind that in the Governor's veto he did approve that the project was a worthwhile one. Also, that the Higher Board of Education in its final and higher wisdom has said that this is a necessary project. Second, Southern Illinois University at Edwardsville has, and has had for several years one million dollars worth of top equipment ready to go at...passage of this particular Bill. So currently this is the first time, or the only station which will be able to provide free public, or free educational TV to the public schools of the area in and around the Edwardsville area. We do not lie in the educational spheres of University of Illinois or Southern Illinois at Carbondale. There is no educational TV in our area. Now this is not educational TV necessarily to the homes. This is the providing of educational programs which will be piped, as we say, be available to the schools and the classroom. And I do think that that has terrific value in our modern system of education. I solicit an 'aye' vote for this."



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Speaker Redmond: "Any further discussion? Representative Wolf to close."

Wolf: "Thank you, Mr. Speaker, as has been pointed out by a Member... Members of this Assembly we talk about the advantages of TV educational facilities and it's possible that in some areas there have been some problems. But we live in a very unique area in that it's called Little Pittsburg at times and we have problems in selling a product. We live in an area that is under almost what you might call selfimposed economic black-out in that we have no appreciable news media to sell the product that we're trying to sell. And namely what we're trying to sell are industrial parks, commercial site locations that aren't available....(unintelligible)...Missouri side of the river. We have had no cooperation from the Missouri side which is where we get all of our TV programming. Any educational programming that we get comes through Channel 9 and believe you me after this last Session that we had I got a lot of heat from Channel 9 in a couple of remarks that I made. They wanted a response from me.. I didn't think that what I said deserved a response and still don't intend to respond. We have a lot of industrial parks on our side of that Illinois River and the only way we're going to sell them is through a facility such as what this Bill will provide. As a little indication if you don't think that we're under an imposed economic blackout I'd like to read to you for a second an editorial from our local newspaper, this is just last week, not last month, last year, this is last week. This says in part as follows, 'the St Louis Regional Commerce and Gross Association was quoted during the weekend as saying the 5,000 square mile area of the St Louis region is finding itself unable to attract new industry due to lack of site and that a recent negative construction decision by a large U.S. company may become commonplace in the future'. Now the Missouri side of the river is saying that there are no industrial acceptable sites available. There may not be available on their side of the river but be-



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lieve me we have 8,000 acres, 10,000 acres, 11,000 acre sites on that Illinois side of the river. We have port facilities. We have rail transportation. We have truck terminals. We've got something to sell and the only thing that we're going to be able to use in the form of a salesman is the TV facilities such as what this Bill will provide. I again urge your favorable override of this veto."

Speaker Redmond: "Question is, shall House Bill 233 pass notwithstanding the veto of the Governor? All in favor vote 'aye', opposed vote 'no'. All voted who wish? All voted who wish? All voted who wish? Clerk will take the record. On this question there's 59 'ayes', 56 'no' and the Gentleman's motion fails. Total Veto Motions Consideration Postponed appears House Bill 3858. Representative Jones, Representative Brinkmeier."

Brinkmeier: "Mr. Speaker, Members of the House, House Bill 3858 is commonly referred to as the State Fair Bill. I would remind you that one year ago there was a Bill that this House passed by a big margin, was vetoed by the Governor and subsequently was ruled unconstitutional. Now House Bill 3858 I think has corrected the unconstitutional aspect of that old Bill. Under this new proposal the interim board will be appointed by the state executive officers. I'd like to remind you again and as I did a day ago that House Bill 3858 passed out of the House Agricultural Committee without a dissenting vote. And on Third Reading on the floor of the House it received only 10 dissenting votes. Also, the Senate Agriculture Committee passed a Bill out without a dissenting vote and Third Reading in the Senate it did not receive one single dissenting vote. Now under House Bill 3858 the final board will be composed of 15 members. Now 10 of these members will come from 10 state fair districts which will be made up of no less than 8; each district will be made up of no less than 8 nor more than 12 counties around the state. And I would like to call your attention to the fact that each of these districts then will nominate a person to serve on the State Fair Board. The Governor then will make the



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final appointment. He does have the option to reject those nominees which would force each district then to come up with another nominee that would be suitable to the Governor. Now I think, too, I should remind that the Governor will have five appointees of his own that he will make to the board which means that the final board, then, will be comprised of 15 members. I would like to point out, too, that this is one piece of legislation that does not cost the State of Illinois money. As a matter of fact because we anticipate that the state, then, will be operated more efficiently it not only is going to save money for the people of the State of Illinois in addition to the fact that we hope we would have a much better fair board and a much better state fair. I certainly would urge that each one of you seriously consider this legislation and vote to override the Governor's veto on House Bill 3858."

Speaker Redmond: "Any discussion? Representative Jones."

Jones: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this legislation because it's a long trail since we started the effort to reform the state fair operations. And as a mandate by this House a committee was appointed to work out the solution to the problem because the State Fair was bent on self destruction by scandals, mismanagement and extreme high costs. This legislation is a replacement for the previous Bill that was declared unconstitutional because the initial board was appointed by the legislative leader. That has been corrected. In the present legislation which is being sponsored by the Ag Committee in the House, the need for the legislation is still here. The concept is valid and it is fulfilling a mandate by this House that the State Fair situation be corrected. We don't want to go into all the details that you have heard many times of the grand jury investigations, the investigations by the Auditor General and whatever that points up the need for the change in the present administration. It's not aimed at any Governor or any...past or present because it's the system that's wrong and has been continuing over a long period of years. So



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those forces that are interested in this, the agriculture community, the press in Chicago, downstate, have been in support of it, are in support of the override because it needs to be passed into law. The successful fairs in our boundary states, in Indiana where particularly we patterned this legislation has successful, scandal-free fairs. Indiana, Minnesota, Iowa have similar boards. And just recently the State of Florida took a new start and created a State Fair Authority. The agricultural community...this puts the control of the State Fair in the agricultural community where it belongs and for which it was first created. And we sincerely solicit your support carrying out the mandate of this House of Representatives in regard to the state fair."

Speaker Redmond: "Any further discussion? Representative Brinkmeier, do you desire to close?"

Brinkmeier: "Yes, Mr. Speaker and Members of the House, I'd simply like to point out to you in closing that two former State Fair Managers that in one way or another have given their approval of this type of a concept. Mr. Phipps, for example, who testified for a Senate Committee, Ag Committee, has led me to believe the state, and I'm quoting from his remarks, he said the Bill is necessary to remove some of the political influences that's primarily responsible for the State Fair operating at a deficit each year. Also, our most recent fair manager, Mr. King has gone to the State of Florida, become the fair manager down there and the State of Florida has recently adopted a concept that is very similar to the Indiana plan and the one that we are proposing to you and I would certainly urge a green vote on this Bill."

Speaker Redmond: "The question is, shall House Bill 3858 pass notwithstanding the veto of the Governor. Those in favor vote 'aye', opposed vote 'no', 107 votes. All voted who wish? Representative Kempiners, 'no'. Representative Waddell."

Waddell: "Mr. Speaker, Ladies and Gentlemen of the House, this is a good Bill. It is needed by agriculture, it is needed the state ..."



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by your state. And I would certainly like to see a 107 votes up there for this good measure."

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

Jones: "I...just want to read to you an editorial on a radio station which says 'it's not the fair but the system under which it operates that's bad'. For example, Missouri Fair which operates under similar system has similar problems. The manager just quit under fire but it says that the State Fair has been an object of scandal and disgrace under just about every Governor of both parties and almost every Governor has pledged to clean it up and make it the world's fair of agriculture. And almost every Governor has ended up with eggs, or something worse, all over his face. Now when they're talking about something else on his face you remember the infamous manure hauling contract. Appreciate those green lights on the board."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. On this question there's a 112 'aye' and 26 'no' and House Bill 3858 passes notwithstanding the veto of the Governor. Resolutions, Representative Holewinski."

Holewinski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I move to suspend the appropriate rule for the immediate consideration of House Resolution 1035. House Resolution 1035 directs that a Subcommittee of Judiciary 1 be established to look into the subject matter of racetrack messenger services. I've consulted with the Assistant Minority Leader, Mr. Walsh, the Assistant Majority Leader, Mr. Madigan, and the Chairman of the Executive Committee, they have no objection to this procedure therefore, I would move the suspension of the rule."

Speaker Redmond: "Is there any discussion? Gentleman has moved to suspend the rules for the immediate consideration of House Resolution 1035. All in favor vote 'aye', opposed vote 'no'. Requires a 107 votes. James Houlihan, 'aye'. Schneider, not at his desk, 'aye'. Have all voted who wish? Have all voted who wish? Clerk take the record. On this question 119 'ayes' and no 'nays', Gentleman...Representative Davis. On the



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Resolution, Representative Holewinski."

Holewinski: "Thank you, Mr. Speaker. Yes, I would like leave for the same Roll Call..."

Speaker Redmond: "Is there objection?"

Holewinski: "Perhaps I should explain the Resolution, the..."

Speaker Redmond: "Any objection to the same Roll Call? Hearing none, same Roll Call, Resolution's adopted. Representative Daniels. Representative Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, at this time I would like to move that House Bill 3167 which is one of the capital punishment bills be tabled and then I would like to ask Representative Kosinski to comment on that."

Speaker Redmond: "Are there objections? Hearing none, tabled. Representative Kosinski, for a comment."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, capital punishment should be a unified effort. All the sponsors of both Bills agree. In consequence, for a unified effort for one good constitutional bill to come out of the House, we have made these arrangements. The hyphenated coprincipal sponsors, and I'm inserting this shortly will be, Roman Kosinski, Roscoe Cunningham, George Sangmeister and Lee Daniels. And both parties are well represented in this, we hope to move it to the Senate that way. I would also invite anyone who is not on the Bill and wishes to be a cosponsor to add his name by coming up to the rostrum. In passing, I think it only fair to understand that Romie Palmer who has become a judge was extremely instrumental in getting through excellent legislation. I commend Romie Palmer, he removed himself from the Bill because of the judgeship. I think this is a unified effort in the interests of the people of Illinois. Thank you."

Speaker Redmond: "Representative Mann, do you desire to accept his invitation?"

Mann: "Well, Mr. Speaker, I'm delighted to see this demonstration of unity but this Bill is not out of the House yet, Mr. Speaker, and let's not assume that it's out of the House, or it's going



out of the House. Not everybody in this House feel as bloodthirsty as some others do and we're going to fight against this Bill."

Speaker Redmond: "Any further discussion? Agreed Resolutions. Agreed Resolutions. Representative Giorgi."

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

Speaker Redmond: "Go ahead, Mr. Clerk."

Clerk O'Brien: "House Resolution 1027. Leinenweber. 1028, Polk. 1029, Geo-Karis. 1030, Redmond, Shea. 1031, Redmond, Shea. 1032, DiPrima. 1033, DiPrima. 1034, DiPrima. 1036, DiPrima. 1037, Waddell. 1038, Vitek. 1039, Walsh. 1040, Walsh. 1041, Kornowicz."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, House Resolution 1027 honors the Hilltoppers of Joliet on winning the Class 4 Football Championship. House Resolution 1028 honors the Fulton Steamers who finished their high school football team on the championship note. House Resolution honors the Honorable Stephanie Sulthin. House Resolution 1030 by Redmond honors Representative Ken Boyle who became state's attorney of Macoupin County. House Resolution 1031 honors the Honorable James C. Londrigan on ascending the judiciary in Sangamon County. House...32 by DiPrima honors Walter Luksta who was elected the Veteran's of Foreign Wars. House Resolution 1033 honors the...Miss Leora M. Smale, President of the Amvets Auxiliary. House Resolution 1034 honors Len Kukowinski for Commander of the Illinois Amvets. 1036 honors McDonough as the National Commander of the Amvets. 1037 by Waddell honors the Hampshire High School Whippers of the District 300 who won the Class 1-A championship. House Resolution 1038 honors Nurse Lucille Flynn Ramshaw who retired from her duties as chief nurse of the State Capitol Building. House Resolution by Walsh, 1039, honors the Honorable Brian Duff on ascending judiciary in Cook County. House Resolution 1040 honors Romie Palmer on his ascent to judiciary. And House Resolution 1041 by Kornowicz honors the Curie High School football team.



And I move for the adoption of the Agreed Resolutions."

Speaker Redmond: "Question's on the Gentleman's motion to adopt the Agreed Resolutions. All in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it and the Resolutions are adopted. Death Resolution."

Clerk O'Brien: "House Resolution 1042 with respect to the memory of Judge Richard..."

Speaker Redmond: "Death Resolutions, Gentlemen."

Clerk O'Brien: "With respect to the memory of Judge Richard K. Cooper, E. M. Barnes, et al."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much. Mr. Speaker and Members of the House, this is a resolution in memory of Judge Richard Cooper. Judge Cooper was also a former Constitutional Convention delegate. I have attempted, with Representative Leon, to add each of the names of all of the current sitting Members of the General Assembly who were Constitutional Convention delegates and associates of Judge Cooper at that Convention. I would also like leave of the House to add each one of the Members of the House named to this Resolution and have this committed to the widow, Mrs. Cooper."

Speaker Redmond: "Are there any objections? Hearing none, leave is granted. Representative Barnes."

Barnes: "I would move for the adoption of House Bill 1042."

Speaker Redmond: "Question's on the Gentleman's motion for the adoption of the Death Resolution. All in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it and the Resolution is adopted. Announcements. Representative Duff."

Duff: "Mr. Speaker, I don't have any announcement..."

Speaker Redmond: "About that 9:30 meeting."

Duff: "Oh. There is a meeting of the Audit Commission at 9:30 tomorrow morning in Room 105 to accept the Subcommittee Report on Higher Education."

Speaker Redmond: "Representative Madigan."

Madigan: "I move to adjourn until 10 a.m. tomorrow morning."



Speaker Redmond: "Is there any discussion? Question's on the Gentleman's motion for the...adjourning until 10 a.m. until tomorrow morning. All those in favor say 'aye'; 'aye'; opposed, 'no'. The 'ayes' have it. Stand adjourned. Thank you very much. 10 o'clock. 1-0 colon 0-0."

