

Doorkeeper: "Attention, Members of the House of Representatives, the House will convene in fifteen minutes. Attention, Members of the House of Representatives, the House will convene in five minutes. 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. Be led in prayer by the Reverend Krueger, the House Chaplain."

Rev. Krueger: "In the name of the Father, the Son and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. Amen. Petrarch said: 'Five great enemies of peace inhabit us--avarice, ambition, envy, anger, and pride; if these were to be banished, we should infallibly enjoy perpetual peace.' Let us pray. Heavenly Father, we beseech Thee to look with favour upon the Members of this House of Representatives as they pursue their legislative necessities. May Thy Holy Spirit quicken their minds, guide their judgments, and give them courage always to do only that which is for the effecting of good government, rather than political expediency, that the people of the State of Illinois may be privileged to enjoy peace, harmony, and good government; through Jesus Christ our Lord. Amen."

Speaker Redmond: "Committee Reports."

Clerk O'Brien: "Representative Von Boeckman, Chairman of the Committee on Motor Vehicles, to which the following Bill was referred; action taken November 8, 1977. Reported the same back with the following recommendation: do pass as amended House Bill 2435. Representative Yourell, Chairman of the Committee on Counties and Townships, to which the following Bill was referred; action taken November 8, 1977. Reported the same back with the following recommendation: do pass House Bill 2450. Representative Capparelli, Chairman of the Committee on Executive, to which the following Bill was referred; action taken November 8, 1977. Reported the same back with the following recommendation: do pass House Bill 2497."

Speaker Redmond: "Representative Cunningham, your clock is... something happened to it. Representative Cunningham."



Cunningham: "Well, Speaker, we've worked on that clock and it's driven us to distraction. Let's get a sand dial and put in there. It would sort of bring things to an archaic standard we can all repair to. Need there be a motion or can the expenditure be authorized by the Chair?"

Speaker Redmond: "It would be impertune to. Agreed Resolution."

Clerk O'Brien: "House Resolution 504, Polk. House Resolution 505, Waddell. House Resolution 506, Greiman. Hold 507, Zeke, hold it. House Resolution 508, Madigan. 509, Giorgi. Senate Joint Resolution 54, Winchester. House Joint Resolution 61, Johnson."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, House Resolution 504 by Polk talks about Augustana College teams, tennis team. 505 by Waddell talks about Mr. Elmer Gibson of Woodstock who celebrates his 90th birthday. 506 by Greiman honors Marcia Boehm, Sally Fitch, Madelyn Seckler and Caryn Greiman on their creation of gastronomical delights. 508 by Madigan creates a Committee to study and to read the Journals daily. 509 by Giorgi asks the Auditor General to study the state employment group insurance program for improving benefits. And House Joint... Senate Joint Resolution 54 by Winchester honors the Illinois National Guard with a date set aside for their honoring. And House Joint Resolution 61 asks that there be no discrimination in the Illinois universities and commission. I move for the adoption of the Agreed Resolutions."

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

Terzich: "Well, Mr. Speaker, it seems some of those Resolutions about the moratorium on adjusting group insurance benefits... what does it do, Representative Giorgi?"

Speaker Redmond: "Representative Matijeich."

Matijeich: "Mr. Speaker, I notice one of them gives a Journal Review Committee the authority to give final approval to a Journal and I'm not sure that's all that good. I'd just like to, you know, I'll go along with it, but I'd just rather my name not be included in the..."

Speaker Redmond: "I think that's customary, isn't it, Mr. Clerk?"

Matijeich: "That a Committee approve? I thought we always had to

give final..."

Speaker Redmond: "At the end of the Session unless we want to come back here for Christmas day and then to approve the... That's only for the end of the Session."

Matijevich: "Oh, I see. Okay, I'm all right."

Speaker Redmond: "I think it's customary. Quite frankly, there was one time we didn't do it and we went an awful long time without approving Journals."

Matijevich: "Okay, we want them printed as quickly as possible that's for sure."

Speaker Redmond: "Well actually, in my judgment, until they are approved, they are subject to collateral attack. Representative Anderson."

Anderson: "Mr. Speaker, is it in order to do business like this before you take the Roll?"

Speaker Redmond: "Well, there's a way you can question it. Unless there's objections, we do it and there isn't... Representative Epton."

Epton: "Thank you, Mr. Speaker. I believe in the Resolutions that Representative Giorgi stated one of them was made by a former Member of the House presently in Congress. I wonder if that's in error. Edward Madigan no longer is here. Did he perhaps have in mind Michael Madigan?"

Speaker Redmond: "Representative Giorgi."

Giorgi: "I think I tend to agree with Bernie Epton that we ought to mark the record well that Ed Madigan..."

Speaker Redmond: "You mean Representative Epton?"

Giorgi: "Representative Ed Madigan who is now the Congressman was the fellow that did foist a state income tax on us under Ogilvie's regime. I'm glad you brought that up again today."

Speaker Redmond: "How did Representative Epton vote?"

Giorgi: "For it."

Epton: "Well, Mr. Speaker, I always vote to increase taxes."

Speaker Redmond: "Representative Waddell."

Waddell: "Mr. Speaker, I think that the one that they are concerned with which is 509 merely states that the Auditor General examine

into the management of the state employee's group insurance program and issue this report on that examination as of May the 28th, 1976."

Speaker Redmond: "You ready for the question? Representative Giorgi."

Giorgi: "I renew my motion, Mr. Speaker."

Speaker Redmond: "Move the adoption of the Agreed Resolutions. Those in favor say 'aye', opposed 'no'. The 'ayes' have it, motion carries. The Resolutions are adopted. Further Resolutions."

Clerk O'Brien: "House Joint Resolution 60, Dawson, et al. House Resolution 510, DiPrima, et al."

Speaker Redmond: "Committee on Assignments. Roll Call for attendance. Is Representative Anderson in attendance? Are there any absences that are excused? Introduction and First Reading."

Clerk O'Brien: "House Bill 2516, Griesheimer. A Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill."

Speaker Redmond: "Is Representative Anderson here? Okay. I missed you. Representative Madigan, to recess the Regular Session."

Madigan: "Mr. Speaker, I move that we recess the Regular Session until..."

Speaker Redmond: "Adjournment of the Second Special Session."

Madigan: "Mr. Speaker, I would suggest that we recess the Regular Session subject to your call and forget all this nonsense."

Speaker Redmond: "Who called these Special Sessions? He only called one of them. Okay, the House... the Regular Session will be in recess till the call of the Chair. Now, the hour of 12:10 having arrived, the First Special Session will come to order. Representative Giorgi with respect to a motion on the Roll Call."

Giorgi: "Yes, Sir. I move that the Roll Call of the Regular Session be used as the Roll Call for the First Special Session."

Speaker Redmond: "Is there any objection? Hearing none, leave is granted and the Roll Call of the Regular Session will be used as the Roll Call of the First Special Session. Mr. Clerk. Representative Giorgi, are you making a motion to recess the First Special Session to the call of the Chair?"

Giorgi: "I so move."

Speaker Redmond: "In favor of the motion indicate by saying 'aye',



opposed 'no'. The 'ayes' have it. First Special Session stands in recess until the call of the Chair. The hour of 12:20 having arrived, the Second Special Session will come to order. Representative Giorgi, motion on the Roll Call."

Giorgi: "I move that the Roll Call of the Regular Session be used as the Roll Call for the Second Special Session."

Speaker Redmond: "Any objection? Hearing none, Roll Call for the Regular Session will be used as the Roll Call of the Second Special Session. Committee Reports."

Clerk O'Brien: "Representative Jacobs, Chairman of the Committee on Labor and Commerce, to which the following Bill was referred; action taken November 8, 1977. Reported the same back with the following recommendation: do pass Senate Bill 6."

Speaker Redmond: "Representative Giorgi moves that the Second Special Session stand in recess till the call of the Chair. All in favor say 'aye', opposed 'no'. The 'ayes' have it, Second Special Session stands in recess till the call of the Chair. Representative Walsh is in the chamber. Senator Daley, who unfortunately was never a Member of the House, is in the chamber. Representative Giorgi, will you ask the women's advocate to come up here? The Regular Session will now come to order. Resolutions. Representative Giorgi."

Clerk O'Brien: "House Resolution 507, Redmond-Ryan. Whereas, Donald E. Goff of Springfield was recently named the Illinois Chili Champion by virtue of his victory October 2nd over 36 other finalists in the Illinois Chili Cook-off; and Whereas, Don continued his success by winning third place among 34 finalists at the World Chili Cook-off in Rosemont, California, October 23rd; and Whereas, Don has been cooking competitively for only two years, but has been making championship chili since serving with the Marines in World War II; and Whereas, through his efforts, Don has gained widespread recognition for Springfield, Illinois as the Chili Capital of the World; and Whereas, Don has contributed generously of his time and efforts on behalf of the Illinois Lung Association, the sponsors of the State Cook-off; therefore be it Resolved, by the House of Representatives of the 80th General Assembly, that

we congratulate Don E. Goff on his culinary achievements and extend our thanks and appreciation to him for allowing us to sample his outstanding winning recipe, Big Red Fiesta Chilli; and be it further Resolved, that a suitable copy of this Resolution be presented to Mr. Donald E. Goff."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, I don't think it's appropriate to vote on that Resolution till we taste it first. We may not vote for it. I think we ought to taste that chili before we vote on that."

Speaker Redmond: "Representative Giorgi."

Giorgi: "I move the adoption to the laudatory..."

Speaker Redmond: "Wait a minute, Representative Telcser. Representative Telcser."

Telcser: "Well, Mr. Speaker, Members of the House, I think we're very fortunate today to take a break in our hard work and all our Committee hearings to partake in that great American dish - chili - prepared by the champion chili maker, Mr. Goff. I think all of you also know that Mr. Goff's son, Don, spends a great deal of time with us here on the floor representing the Governor's office, so it's indeed an honor not only to enjoy this great chili, but to have a friend of ours, a Member of the family, win this great honor and this great prize. And so, I'm looking forward to enjoying the chili this afternoon and I hope there's enough for seconds. Oh, I'm just reminded by Representative Skinner that his other son, Jim, is also involved with us and I'm sure he, too, is very proud of his father."

Speaker Redmond: "The question's on Representative Giorgi's motion for the adoption of the Resolution. Those in favor say 'aye', opposed 'no'. The 'ayes' have it, motion carries and the Resolution's adopted. Representative Giorgi, would you like to come forward?"

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

Vitek: "For announcement, Mr. Speaker."

Speaker Giorgi: "Continue."

Vitek: "Mr. Speaker, Ladies and Gentlemen of the House, while we're on the subject of food, I'd just hold up in my hand a menu sent



to me by our former Member, Congressman John Fary, whose place I took in the House here, the 23rd District with our Senator Richard M. Daley on the floor. I just want to announce that as long as we're on the point of chili, Johnny sends me a menu and he says, 'John, try our bean soup with the mushrooms and sauerkraut and number four.' So any Members that would like to have a copy of the bean soup recipe, I have it here and I'll be glad to furnish them with a copy of the bean soup recipe from the 23rd District. Thank you."

Speaker Giorgi: "Representative Madigan."

Madigan: "Mr. Speaker, for purposes of an announcement I'd like to introduce a group from the St. Paul High School in Highland, Illinois. They're in the gallery on the Republican side and they are from the district represented by Representatives Byers, Brummet, and Friedrich, in the gallery on the Republican side."

Speaker Giorgi: "Any further announcements? Representative Mudd, for what reason do you rise?"

Mudd: "Yes, Mr. Speaker, for the benefit of those Representatives that serve on the House Select Committee for the Placement and Treatment of Criminals Committee that was supposed to meet in Chicago tomorrow morning, that meeting has been cancelled and a new date will be set and you'll be notified when that will be. So that meeting for tomorrow in Chicago is cancelled."

Speaker Giorgi: "Members of the Assembly, it's necessary to read the title of three Death Resolutions and we'd like some quiet on the floor while we read the three titles of the Death Resolutions."

Clerk O'Brien: "House Resolution 456, Kelly, et al. Respect to the memory of Kenneth E. Rada. House Resolution 477, Kempiners. With respect to the memory of Mr. A. Stephen Paydon. House Resolution 480, Ted Meyer, et al. Respect to the Honorable George F. Stastny."

Speaker Giorgi: "Representative Pierce moves the adoption of the Death Resolutions. All in favor signify by saying 'aye', those opposed 'no' and the 'ayes' have it. The Death Resolutions are adopted. Representative Telcser, for what reason do you rise?"

Telcser: "Mr. Speaker, Members of the House, I'd like to take this opportunity to introduce to the Members the Astoria High School

American History class. They're here with their teachers, Nancy Burnett, and their bus driver, Betty Ann DeWeiss. They're represented by Representatives Kent, McClain and Schisler."

Speaker Giorgi: "The instructions of the Speaker... it's his intent to go to Total Veto Motions on page 6 of your, today's Calendar. Total Veto Motions, page 6. Is Representative Stearney in the room? Representative Stearney on House Bill 375. Representative Holewinski, Total Veto Motions on House Bill 413. Out of the record. Yourell, you ready with 601, Total Veto Motions? Out of the record. Representative Birchler on 696. Out of the record. Holewinski on 806. Hold it. Representative Holewinski. Representative Holewinski on House Bill 806."

Holewinski: "Mr. Speaker, I've gotten a commitment by the Department of Registration and Education to implement the requirements of this legislation by way of regulation and so, therefore, I'm not going to proceed with this override motion."

Speaker Giorgi: "Would you like to table your motion?"

Holewinski: "Yes, I would."

Speaker Giorgi: "Does the Gentleman have leave to table his motion? Leave. We'll let it die on the Calendar. Representative Hoxsey on House Bill 978. Out of the record. Representative Geo-Karis on House Bill 1454. Out of the record. Representative Bill Walsh, out of the record. Representative Sandquist on House Bill 2243. Out of the record. Lechowicz on House Bill 2338. Out of the record. Representative Cunningham. Representative Cunningham on House Bill 2340. Out of the record. Representative Lechowicz on 2348. Out of the record. Lechowicz on 2350, same. Mr. Taylor, would you like to go with House Bill 2375? Out of the record. Representative Kelly on House Bill 17? Out of the record. Luft on House Bill 186. Is Luft in the chambers? Out of the record. Mr. Lucco on House Bill 231. Out of the record. Mr. Beatty on House Bill 651. Out of the record. Representative Houlihan, for what reason do you rise?"

Houlihan: "I think if we passed 651 at this point, but Representative Beatty, I think, is just off the floor and he will be back if we can come back to that."

Speaker Giorgi: "We'll come back to it in a moment. Representative Dunn on House Bill 1218. Is he in the chambers? Out of the record. Representative Taylor on House Bill 1432. Taylor on House Bill 1432. Out of the record. Ms. Breslin on House Bill 1975. Ms. Breslin. Out of the record. Mr. Houlihan on House Bill 2126. Mr. Houlihan, Ed."

Houlihan: "Could you pass that for a moment also please?"

Speaker Giorgi: "Out of the record. Mr. Tip sword on House Bill 2160. Out of the record. Mr. Lauer on House Bill 2173. Out of the record. House Bills, Third Reading. House Bill 2461. Is Representative Terzich in the chambers? He's eating chili? He has the first three Bills. Let's go to 2469, Representative Abramson. Out of the record. Representative Kent. Representative Kent. If you want to move House Bill 2470 on Third Reading."

Kent: "Let's go."

Speaker Giorgi: "Okay."

Clerk O'Brien: "House Bill 2470. A Bill for an Act making certain appropriations Department of Transportation and to the Capital Development Board. Third Reading of the Bill."

Speaker Giorgi: "Representative Kent on House Bill 2470."

Kent: "2470 is for the appropriation of two million, six hundred and forty-seven dollars, eight hundred and ninety-two to the Department of Transportation for use by the Department for law enforcement and it's sort of the implementation of the Illinois Highway Safety Program. Many times we've talked about training officers, having... done studies so that we will have a well-trained, safe state police. And this is what this is for. They're Federal funds. They are being used for this purpose. Of course along with this, we have placed Amendments on this Bill which include schools, those that were already awarded some grants and the money was not there. These are... Amendments are included in there. I would urge your support of 2470. I think we've had a lot of debate when we did the Amendments."

Speaker Giorgi: "Representative Darrow on House Bill 2470."

Darrow: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Kent: "Yes."



Darrow: "What is the total amount of this appropriation at the present time with the Amendments?"

Kent: "I wish I could... I didn't realize it was going to come up today. I'm real glad it is, but I did not add them up and I can give you those by one, two, three if you could add them up."

Darrow: "Would you do that please?"

Kent: "Yes. Thirty-eight million, I'm sorry. Somebody else added it for me."

Darrow: "A total of thirty-eight million. Is this all Federal funds?"

Kent: "You mean just in the Department of Transportation or in the other school funds?"

Darrow: "Well, where is the thirty-eight million dollars coming from?"

Kent: "Well, some of it is the capital development bonds."

Darrow: "And is there any General Revenue Funds?"

Kent: "I don't...not to my knowledge there isn't."

Darrow: "How about Road Funds?"

Kent: "They're all bonds as far as I know. There's no Road Funds."

Darrow: "All right. Thank you. I have no further questions."

Speaker Giorgi: "There being no further debate, the question is, shall House Bill 2470 pass? All in favor will signify by voting 'aye', and those opposed by voting 'nay'. And Mr. Matijevich to explain your vote and hit my button. Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, I'm voting 'aye', but I thought I ought to correct the record. I thought I heard the Sponsor say that these aren't Road Funds and I understand they are Road Funds. They are federally reimbursed, but they are, in fact, Road Funds, I believe."

Speaker Giorgi: "Mrs. Kent, would you explain that?"

Kent: "The four hundred and seventy-three thousand for the D.O.T. is Federal funds coming in for this purpose. They have been granted this and the rest of it is bonds. It's passed through money like we have been talking about on the Federal Funds."

Matijevich: "It's still Road Funds."

Speaker Giorgi: "This requires a three-fifths majority. Has every-one voted that wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question, 130

'ayes', none voting 'no', five voting 'present'. And this Bill having received the three-fifths Constitutional Majority is hereby declared passed with immediate effective date. They inform me that the chili is ready and Geo-Karis says it's good, too. House Bills, Third Reading. House Bill 2461, Mr. Clerk."

Clerk O'Brien: "House Bill 2461. A Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Giorgi: "Representative Terzich."

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

I have three Bills that basically pertain to the same item which is the deferred compensation plan. This Bill was passed in 1974 and is finally being implemented into the state programs. However, due to the fact that there had to be a number of technical changes because of I.R.S. rulings and the Attorney General, it was necessary that these Bills be put forward. House Bill 2461 amends the Public Employees Deferred Compensation Article to conform with the recommendations of the Attorney General. The Bill provides for a policy declaration stating that it is in the public interest to provide for a deferred compensation plan, encourage the continued service of public employees by making available such benefits to them. This was furnished by the Attorney General and it's necessary to implement the plan the first of the year and I would urge support of House Bill 2461."

Speaker Giorgi: "There being no discussion, the question is, shall House Bill 2461 pass? All in favor signify by voting 'aye' and those opposed by voting 'no'. It'll take 107 votes. Has everyone voted who wished? Has everyone voted that wished? Take the record, Mr. Clerk. On this question there are 143 'ayes', no 'nays', none voting 'present'. And this Bill having received the three-fifths Constitutional Majority is hereby declared passed. House Bill 2462."

Clerk O'Brien: "House Bill 2462. A Bill for an Act making an appropriation in relation to the state employees deferred compensation plan. Third Reading of the Bill."

Speaker Giorgi: "Representative Terzich on House Bill 2462."

Terzich: "House Bill 2462, the deferred compensation program is to



pay for itself. In other words, that the cost of operating the deferred compensation program is deducted from the earnings and this simply authorizes these appropriations to be deducted from the excess earnings of the program and was approved by the Attorney General, the State Treasurer and the Department of Personnel, and I would urge support of House Bill 2462."

Speaker Giorgi: "Any discussion? There being no discussion, the question is, shall House Bill 2462 pass? All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 120 'ayes', 6 'nays', 1 voting 'present' and this Bill having received the three-fifths Constitutional Majority is hereby declared passed. 2463."

Clerk O'Brien: "House Bill 2463. A Bill for an Act to amend Sections of an Act in relation to state finance. Third Reading of the Bill."

Speaker Giorgi: "Representative Terzich on 2463."

Terzich: "Yes, Mr. Speaker, again House Bill 2463 is like House Bill 2462. When the House passed a Bill authorizing the deferred compensation program there was a sixty-one thousand dollar appropriation for the implementation of the program which was to be repaid back to the General Revenue Fund and what it does is that this allows the repayment which is to be required to be repaid by 1986. And this is just the instrument to implement that which was upon the recommendation again from the State Treasurer, the Attorney General and the Department of Personnel."

Speaker Giorgi: "Any discussion? There being no discussion, the question is, shall House Bill 2463 pass? All in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 134 'ayes', 6 'nays' and 4 voting 'present' and this Bill having received the three-fifths Constitutional Majority is hereby declared passed. House Bill 2477."

Clerk O'Brien: "House Bill 2477. A Bill for an Act to amend Sections of an Act making appropriations to the ordinary and contingent expense of the Illinois Law Enforcement Commission. Third Reading



of the Bill."

Speaker Giorgi: "Representative Jack Davis on House Bill 2477."

J. Davis: "Thank you, Mr. Speaker, Members of the House. I think I explained in Amendment #2 the Bill which actually is the Bill yesterday. The Bill is a net reduction in the I.L.E.C. appropriation of about two hundred and fifty thousand dollars, the bulk from Federal Funds due to a reduction in the L.E.A. funding and some twenty-five hundred dollars in General Revenue Funds. It's essentially a technical transfer of line items within the major appropriation. I would ask for a favorable Roll Call."

Speaker Giorgi: "Any discussion? There being no discussion, the question is, shall House Bill 2477 pass? All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Representative Dave Jones, for what reason do you rise?"

D. Jones: "May I be recorded 'aye' on 2470? I was just coming down the aisle when they closed it out."

Speaker Giorgi: "The Gentleman have leave to be recorded on 2470?"
Okay, leave has been granted. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question, 154 'ayes', 1 'nay' and 2 voting 'present' and this Bill having received the three-fifths Constitutional Majority is hereby declared passed. House Bill 2479."

Clerk O'Brien: "House Bill 2479. A Bill for an Act to provide for the representation and indemnification in certain civil lawsuits. Third Reading of the Bill."

Speaker Giorgi: "Representative Houlihan subbing for Representative Redmond."

Houlihan: "Could you pass this for just a moment? I want to read something here. I'll take this for the Speaker, but can we come right back to it please?"

Speaker Giorgi: "Very good. House Bill 2481."

Clerk O'Brien: "House Bill 2481. A Bill for an Act making supplemental appropriation to the ordinary and contingent expense of the Bureau of the Budget. Third Reading of the Bill."

Speaker Giorgi: "Representative Winchester on House Bill 2481."

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



House."

Speaker Giorgi: "Just a moment, Mr. Winchester, pardon me. Representative Barnes, for what reason do you rise?"

Barnes: "I believe, Mr. Speaker, Members of the House, thank you... I believe that Representative Younge had a keen interest in this Bill. I don't see her on the House floor and I was wondering perhaps Representative Winchester, I know he was gracious yesterday, but if we could pass this for a minute until she gets on the House floor, I'd appreciate it."

Winchester: "Well, Representative Barnes, I did talk to Mrs. Younge yesterday and I did, out of courtesy to her, pull it out of the record and I did indicate at that time that I could only pull it out for one day, Gere, and that I would have to run with it today. I wish that she could be on the floor, but I do feel that I really have to run with it."

Speaker Giorgi: "What is your pleasure, Representative Winchester?"

Winchester: "I would like to run with the Bill, Mr. Speaker."

Speaker Giorgi: "House Bill 2481."

Winchester: "House Bill 2481 provides the necessary expenditure authority for the Office of the Manpower of Human Development and the Bureau of the Budget to complete its fiscal year '78 requirements. The funds which total thirty-five million dollars are a result of Federal funds made available to the state after the last legislative Session for new and expanded programs to begin immediately. And I urge that the House pass House Bill 2481 as amended in Appropriations Committee and it was reported out of the Appropriations Committee on a 22 to nothing vote."

Speaker Giorgi: "Representative Winchester, could you just pull it out for five minutes? There's some technical questions that are... Just for five minutes. I'll come back to you in five or ten minutes. Representative Winchester."

Winchester: "Out of courtesy to the Chair, I will pull it out."

Speaker Giorgi: "Thank you very much. Back to 2479, Representative Houlihan for Representative Redmond."

Clerk O'Brien: "House Bill 2479. A Bill for an Act to provide representation and indemnification in certain civil lawsuits in connection

therewith to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Giorgi: "Representative Houlihan."

Houlihan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2479 which is sponsored by Representative Redmond and Representative Ryan would provide for representation and indemnification of state employees in civil suits which are brought against such employees in which the suits allege the deprivation of either a civil or a constitutional right on the basis of an act or omission in the scope of that individual's employment as a state employee. Representation would be by the Attorney General and upon the finding in this type of a civil proceeding against the employee, there will be an indemnification by the state for the loss incurred. As the Members may be familiar with, House Bill 2479 is identical to the First Conference Committee Report on Senate Bill 997 which was adopted in this House on July 1 of this year but failed in the Senate. It frankly reached the Senate too late. It was something like two or three o'clock in the morning. That's the reason for the Bill and as I have indicated it's bipartisan and it is sponsored by Leadership."

Speaker Giorgi: "Representative Bowman on House Bill 2479."

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

Speaker Giorgi: "He indicates he will."

Bowman: "Perhaps this question came up when we considered Conference Committee Report, on the last page, line 3, it says, 'In any such proceeding if the majority of the Board of Trustees who are not a part of the action determine that the conduct which gave rise to the claim was unintentional, etc., then they may essentially settle out of court.' Is that correct?"

Houlihan: "That is correct."

Bowman: "Okay, the next question is, supposing all of the Trustees were named and are parties to the action, then the... there is no one left to determine... make such a determination. Is that also correct?"

Houlihan: "The answer is that you are correct. The point then leads to you cannot settle that type of a claim."

Bowman: "I'm sorry, would you please repeat? I didn't hear."

Houlihan: "Your answer is, if all of the Members are named. If that is the situation, there's no such settlement procedure available."

Bowman: "There is no such settlement procedure?"

Houlihan: "That's correct. In that type of a situation."

Bowman: "Thank you."

Speaker Giorgi: "Any further discussion? The question is, shall House Bill 2479 pass? All those in favor will signify by voting 'aye' and those opposed by voting 'no'. This will take 107 votes. Representative Walsh on House Bill 2479."

Walsh: "Yes, Mr. Speaker, I'm sorry. I intended to speak before the Roll Call started. Mr. Speaker, I'm very much afraid of this, this Bill and of this principle. This provides that state employees and state public officials will not be responsible for their actions just so those actions are committed in the course of their employment and with certain exclusions. Now, Mr. Speaker, I don't think this principle is one that we should enter into with so little debate in a Veto Session and one in which this is not thoroughly gone into. Now, I had in mind an Amendment that I would like to have offered for this Bill, but there was simply no time for that. First Legislative Day was suspended yesterday, it was read a second time before it was even on the Calendar to my knowledge. Another thing that the Bill does is for pension fund employees, provides this exemption and, Mr. Speaker, I submit that the Bill is an ex post facto Bill because it provides that exemption for acts that are committed prior to the time the Bill is enacted. The... it provides that pension fund employees upon notification to the Attorney General for pending matters can be covered under this legislation. I think the principle is one that we ought to look into a lot more carefully than we have. And I would urge a 'no' vote at this time."

Speaker Giorgi: "Representative Beatty on House Bill 2479."

Beatty: "Mr. Speaker, Members of the House, part of the reason for this Bill is to protect the Trustees of the General Assembly Retirement Fund such as the Speaker of the House and the President of the Senate and the other Members relative to the investment



policies that they actually do not have anything to say about. There is a Board that makes investments for all of the different retirement funds in the State of Illinois and the Members... the Members from the House and the Senate who are representing this Body and the Senate really have no say about who... where the money's going to be invested. And if there would be some responsibility, it would seem that they should have some indemnification. If you're going to have Members representing your fund and they have no say so about where the investments are being made, then if there's any kind of a liability for something they didn't do, then it would seem the state should look out for them. And that's the reason for this Bill. We have other responsibilities not dealing with investments and, therefore, we don't feel that we should be responsible for the investment portion of the Trustees funds. We make decisions as to who gets pension... who gets a pension, but we don't have the responsibility for the money. And, therefore, we think we should be indemnified if there's anyone who thinks we should be responsible for the investment because we're not looking over the investment of the funds. And I ask an 'aye' vote."

Speaker Giorgi: "Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 120 'ayes', 14 'nays', 29 voting 'present', and this Bill having received the three-fifths Constitutional Majority is hereby declared passed. For what reason do you rise, Mr. Keats."

Keats: "I had intended to ask a question about the Bill, not ask, but speak about the Bill. But I guess the... it has sort of passed me by as I sit here smiling and waving at you, so I think you're..."

Speaker Giorgi: "Oh, I thought you had a point of order. Thank you, Mr. Keats. House Bill 2489."

Clerk O'Brien: "House Bill 2489. A Bill for an Act making an appropriation to the Illinois Industrial Commission. Third Reading of the Bill."

Speaker Giorgi: "Representative Matijevich for Giorgi."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, as long as this is Representative Giorgi's Bill, maybe I ought to explain

it just as Representative Giorgi would do. Ladies and Gentlemen of the House, the sum of twenty-eight hundred dollars appropriated to the Illinois Industrial Commission for the rental of office space in Lake County and I would ask for your favorable approval. If you didn't hear that, it is for twenty-eight hundred dollars for office rental space of the Industrial Commission in Winnebago County, the great city of Rockford and I request your favorable approval."

Speaker Giorgi: "Any discussion? The question is, shall this... shall House Bill 2489 pass? All in favor will signify by voting 'aye' and those opposed by voting 'nay'. Representative Bowman to explain his vote."

Bowman: "Well, Mr. Speaker, I understood the Giorgi explanation but I didn't understand the Matijevich explanation. But I'm voting for this anyway. I think it sounds like a good..."

Speaker Giorgi: "Have all voted who wished? Barnes district. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 139 'ayes', 11 'nays', 4 voting 'present'. This Bill having received a three-fifths Constitutional Majority is hereby declared passed. 2492."

Clerk O'Brien: "House Bill 2492. A Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of the Secretary of State. Third Reading of the Bill."

Speaker Giorgi: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2492 is a supplemental appropriation to the Secretary of State's Office in the amount of six hundred thousand dollars. This represents funding for the negotiated wage increase and related employee contributions now effective in accordance with union contract terms. The monies requested are approximately fifty-nine percent of the amount originally requested in House Bill 2383 which was vetoed by the Governor. This legislation is the result of an accord on the funding necessary for fiscal '78 and affects only those employees subject to a union contract. I humbly request your favorable consideration."

Speaker Giorgi: "Is there any discussion? There being no discussion..."

Oh, Representative Griesheimer, from Lake, on House Bill 2492."

Griesheimer: "Thank you, Mr. Chairman. Will the Sponsor yield for a question?"

Speaker Giorgi: "Indicates he will."

Griesheimer: "Representative Lechowicz, do I understand that this six hundred thousand dollars will only be paid to members of the state union? And anybody that's not a member of that union that happens to work for the state under the same conditions will not get the pay raise?"

Lechowicz: "As you remember quite vividly in the appropriation process that Senate... Secretary of State Dixon pointed out that both union and nonunion employees will be covered by a negotiated wage increase as the same as the union employees get. Four hundred thousand dollars is presently being transferred in the Secretary of State's budget to cover the nonunion employees who are taking it within their existing budget the six hundred thousand dollars, that's, to cover the union costs. All employees will receive an increase."

Speaker Giorgi: "Representative Waddell on House Bill 2492."

Waddell: "On the Bill, Mr. Speaker. I think this is just a clear indication of where we're going as we allow union representation in government. This is miniscule. Nothing much of anything, but I can guarantee you as we proceed down this course, you're going to be considering Bills like this that are going to be for gargantuan amounts and I, for one, will not vote for it."

Speaker Giorgi: "Representative Lechowicz, to close."

Lechowicz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I believe the issue is quite clear. This is a supplemental appropriation of six hundred thousand dollars to cover the employees that I mentioned and I ask for your favorable consideration."

Speaker Giorgi: "The question is, shall House Bill 2492 pass? All those in favor will signify by voting 'aye' and those opposed by voting 'nay' and it'll take 107 votes. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 125 'ayes', 26 'nays', none voting 'present' and this Bill having received the three-fifths



Constitutional Majority is hereby declared passed. 2494. House Bill 2494."

Clerk O'Brien: "House Bill 2494. A Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of the Office of State Appellate Defenders. Third Reading of the Bill."

Speaker Giorgi: "Representative Houlihan, Dan Houlihan on 2494."

D. Houlihan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2494 is a Bill which has been introduced by the Leadership from both sides of the aisle. As amended, the Bill will provide a supplemental appropriation, a total amount of approximately thirty-nine thousand dollars to the State Appellate Defender to fund five Assistant Defender positions for the next six months of this fiscal year. These additional positions which are lawyer positions in the office are necessitated because of the some approximately thirty death penalty cases which are anticipated to be tried within the near future here in the State of Illinois subsequent to the enactment by this Legislature of the death penalty. As I've indicated, the amended Bill provides a reduction in the appropriation as originally sought and this will be now for thirty-nine thousand dollars. I'll be happy to answer whatever questions you may have and I would ask for your support of the Bill."

Speaker Giorgi: "Representative Robinson on House Bill 2494."

Robinson: "Will the Sponsor yield? Did you say that this appropriation is necessary because of the House passage of the death penalty legislation?"

D. Houlihan: "What I have indicated, Representative Robinson, is that subsequent to this Legislature's enactment of the death penalty now as part of our Criminal Code, there are some approximately thirty, the State Appellate Defender's Office informs us, two of which, I think, already in Cook County have returned with the death penalty. Obviously this is going to lead to a very severe increase in the number of appeals just as a result of these cases. The office indicates to us that they have experienced approximately a twenty percent increase over the past two to four

months in what their caseload is in the Appellate Court. That's the reason for the Bill."

Robinson: "So in other words, we're already seeing additional costs to the state in our judicial process because of the death penalty legislation. Thank you."

Speaker Giorgi: "Any further discussion? Representative Houlihan to close."

D. Houlihan: "I'd ask for a favorable Roll Call."

Speaker Giorgi: "The question is, shall House Bill 2494 pass? All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 148 'ayes', 1 'nay', 4 voting 'present' and this Bill having received the three-fifths Constitutional Majority is hereby declared passed. Representative Breslin, for what reason do you rise? Breslin."

Breslin: "Mr. Speaker, I have a conflict of interest in 2494 and as a consequence, I'm not voting. Thank you."

Speaker Giorgi: "Let the record show. House Bill 2495."

Clerk O'Brien: "House Bill 2495. A Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of the Attorney General. Third Reading of the Bill."

Speaker Giorgi: "Representative Hoxsey on House Bill 2495."

Hoxsey: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this is simply a transfer of funds within the Attorney General's fiscal '78 appropriation. According to the Attorney General, the additional funds are required in contractual services for '78. They are being transferred into contractual services from personal services, retirement and social security line items in the administration, public representation, inherent facts and prosecution assistance division. I appreciate a favorable Roll Call."

Speaker Giorgi: "Representative Darrow on House Bill 2495."

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

Speaker Giorgi: "She indicates she will."

Darrow: "Representative Hoxsey, is the synopsis of this Bill correct

or is there a greater change in this appropriation in the transfer of funds?"

Hoxsey: "Representative Darrow, I don't know what your synopsis shows, but this provides for a total transfer of two hundred and one thousand and twenty dollars within the total appropriation."

Darrow: "Thank you. I'd like to address this Bill and point out to the House that the synopsis reads that this is an increase and a decrease of fifty-seven thousand, two hundred and seventy dollars. As Representative Hoxsey stated, it's substantially more than that and on one item alone for contractual services, we go from nine hundred and sixty thousand to one million, one hundred and twenty thousand, an increase of a hundred and sixty thousand dollars. Now if we have a hundred and sixty thousand dollars in contractual services, I think we're all aware of how that operates. And if you divide that by the number of lawyers that will be awarded this amount of money throughout the state, you can see that you have quite a bit of patronage. These are contractual services. They are not covered by civil service unfortunately and I can't understand why the Attorney General of this State feels that he should not have these employees covered by civil service and a merit system, but instead is going to use what we call contractual services to hire more patronage workers for a coming election. I would suggest we all vote 'no' on this. Thank you."

Speaker Giorgi: "Representative Cunningham on House Bill 2495."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill should have been heard in tandem with 2492 that you passed just a few moments ago that you might show the same nonpartisan or bipartisan objectivity to this Bill as was shown on, from this side of the aisle on the Secretary of State's Bill. This passed out of Appropriations I twenty-six to nothing. There was absolutely no argument whatever. It was carefully considered and nothing slipped past the Appropriations I Committee in this regard. All that's involved here is the bookkeeping entry of a transfer from one side of the books to another of two hundred thousand dollars. The law provides that you can transfer without

any kind of authorization from the General Assembly, two percent of the total budget. Since it exceeds that figure, it is necessary to comply with the strict wording of the law, the Attorney General come and have your stamp of approval on what's being done. There's no issue here of patronage, there's no issue of anything that should be offensive to the sensibilities of anyone. This Bill is entitled to the same strong support that the Secretary of State's Bill properly received about three minutes ago. I urge you to vote 'aye', including Representative Darrow."

Speaker Giorgi: "Representative Skinner on House Bill 2495."

Skinner: "I'm hopeful that those of us that are not running for state office can be more objective on this Bill than were some of the previous speakers. I would point out there is one case in particular that those of us in the Chicago area are... should be extremely interested in and that is the case which is approximately seven years old against the City of Milwaukee. You know they're dumping their raw 'fluid' into Lake Michigan and the Attorney General finally got it to the... got the case to the point where we have an initial victory. We're now to the point of perfecting the judgment and I'm sure all you lawyers will understand what that is. I certainly don't. If we don't pass this appropriation here today, we may end up losing that case; and I don't think any of us want to be held responsible for that especially if we're running for Attorney General."

Speaker Giorgi: "Representative Leverenz on House Bill 2495."

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

Speaker Giorgi: "Indicates he will."

Leverenz: "She will."

Speaker Giorgi: "She will."

Leverenz: "Could you tell how much money is in there for the Milwaukee case and all this contractual services money?"

Hoxsey: "Representative Leverenz, as far as these cases are concerned, that's almost impossible to tell you what the costs are going to be in the final analysis."

Leverenz: "We were told that there'd be thirty-five thousand dollars approximately for it. In what amount do you feel the Attorney

General's Office will come in for a supplemental?"

Hoxsey: "All right, I'll back up, Representative. On the Milwaukee one, they do have listed here on a key subject a thirty-five thousand dollar amount. Was there any other case that you wanted to know about there?"

Leverenz: "Morris, Illinois."

Hoxsey: "Morris is thirty-five thousand also."

Leverenz: "Wilsonville."

Hoxsey: "Ten thousand."

Leverenz: "Could... is any of this because of the fact that there was not a fiscal officer for eleven or twelve months?"

Hoxsey: "Well, I don't know as I can even answer that question. As far as I'm concerned, these certain cases, they expected to have them concluded by the end of fiscal '77 and they weren't. And then, some of the cases were initiated after the beginning of fiscal '78. So I don't see how you can really anticipate what the cost of these contractual services would be."

Leverenz: "Thank you, Mr. Speaker."

Hoxsey: "This is simply a transfer of funds and not a... additional."

Speaker Giorgi: "Representative Geo-Karis."

Geo-Karis: "Just point of inquiry of the Sponsor."

Speaker Giorgi: "Continue."

Geo-Karis: "Isn't it true that all this Bill does is transfer among various line items within the Attorney General's budget a certain sum of money? There's no additional money, isn't that right?"

Hoxsey: "That is correct."

Geo-Karis: "Well, Mr. Chairman... Mr. Speaker and Ladies and Gentlemen of this Assembly, let's get on with the business of the House and let's pass this Bill and let's not just make political hay out of it."

Speaker Giorgi: "Representative Hoxsey to close."

Hoxsey: "Yes, no additional funds are being requested in House Bill 2495 and the Bill... the funds are merely being transferred. My personal opinion is that every agency of government would reassess their priorities halfway down the line in their fiscal year, we might not have to come in with some supplemental budgets at the



end or supplemental appropriations at the end of the fiscal year. I think there should be more reassessment done within these agencies. The services by reallocating his internal resources and adjusting his priorities, the Attorney General requests the transfer of funds. I ask you a suitable Roll Call."

Speaker Giorgi: "The question is, shall House Bill 2495 pass? All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Requires 107 votes. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 139 'ayes', 140 'ayes', 6 'nays', 12 voting 'present' and this Bill having received the three-fifths Constitutional Majority is hereby declared passed. On Third Reading, Senate Bills, Senate Bill 1385."

Clerk: O'Brien: "Senate Bill 1385. A Bill for an Act to amend Sections of an Act making appropriation to the State Treasurer. Third Reading of the Bill."

Speaker Giorgi: "Representative McClain on Senate Bill 1385."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1385 is a product of errors that both the House made and the Senate made last Session in the appropriation for the State Treasurer's Office. It's a transfer Bill that makes basically two changes. One is it transfers eighty-five thousand dollars from General Revenue Funds from personal services, regular positions under the Personnel Code to personal services, regular positions that are exempted from the Personnel Code. This change was necessary because of Senate Amendment #1. The Senate... State Treasurer's fiscal appropriation Bill inadvertently reduced that fund by eighty-five thousand dollars. The second change was a transfer of two hundred thousand from the Capital Development Bond Retirement and Interest Fund for payment of principal and any and all capital development bonds to an appropriation for payment of the principal of those bonds. So both changes are ones that we made errors with the original appropriation. Both staffs...aware of... the Bill and it's an agreed Bill. I move for its immediate adoption."

Speaker Giorgi: "Any discussion? There being no discussion, the question



is shall Senate Bill 1385 pass? All those in favor will signify by voting 'aye' and those opposed by voting 'nay'. The Bill will require 107 votes. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 160 'ayes', 1 'nay', 1, none voting 'present'. This Bill having received the three-fifths Constitutional Majority is hereby declared passed. Senate Bill 1390."

Clerk O'Brien: "Senate Bill 1390. A Bill for an Act to make an appropriation to the Capital Development Board. Third Reading of the Bill."

Speaker Giorgi: "Mr. Griesheimer, for what reason do you rise?"

Griesheimer: "Just a point of personal privilege. I was just wondering now since we've all had an opportunity to sample Mr. Goff's chili whether the House now feels it's as good as we thought it would be at the beginning. I think it's fantastic."

Speaker Giorgi: "Very well put, very well put. Representative Hart on Senate Bill 1390."

Hart: "Mr. Speaker, could we have leave to hear 1390 and 1391 together? They're companion Bills."

Speaker Giorgi: "Does the Gentleman have leave? Hearing no objections, leave has been granted. We'll hear... read 1391, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1391. A Bill for an Act to amend an Act making appropriation to the Supreme Court for the pay of certain officers in the judicial system of state government. Third Reading of the Bill."

Hart: "Thank you very much, Mr. Speaker and Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1390 is a transfer of money originally appropriated under House Bill 717 for the repair of the Appellate Court Building in Mt. Vernon. What this Bill will do will allow the state to get in the position where it can receive sixty-three thousand dollars of the original appropriation as a way of reimbursement from the National Historic Sites Committee. And that money will then be returned to the General Revenue Fund. The bids went out on the building originally under 717 and came in too high and it's been determined that the repairs could be done more cheaply if the court would move out

of the building during the time that it's being repaired. So Senate Bill 1391 appropriates twenty-seven thousand dollars for the money needed for temporary quarters in a nearby building in Mt. Vernon during the time that the repairs are being made to the Appellate Courthouse. I would ask for the support of the House in the passage of Senate Bill 1390 and 1391."

Speaker Giorgi: "Is there any discussion? There being no discussion, the question is, shall Senate Bill 1390 and 1391 pass? All those in favor will signify by voting 'aye' and those opposed by voting 'no'. The Clerk will take two Roll Calls. This Roll Call will count for both of them. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 131 'ayes', 17 'nays', 3 voting 'present' and these Bills having received their necessary three-fifths Constitutional Majority are hereby declared passed. Representative Madison, for what reason do you rise?"

Madison: "Mr. Speaker, have we covered all of the veto motions on House Bills?"

Speaker Giorgi: "No, Sir, we haven't. We're going to do that now."

Madison: "Mr. Speaker, maybe you could explain to me the rationale for us given the fact that today's the deadline for veto motions on House Bills of some action. Maybe you could explain to us the rationale for us being on Senate Bills."

Speaker Giorgi: "Mr. Madison, you may recall I called every veto motion on page 6 and 7 and no one wanted to have their Bills called, from House Bill 375 through House Bill 2173. So to get some business done, we thought we'd go to House Bills, Third Reading and Senate Bills, Third Reading. And now we're going to move to page 10, Amendatory Veto Motions."

Madison: "Thank you, Mr. Speaker."

Speaker Giorgi: "On the Calendar on page 10 appears the list of Amendatory Veto Motions. House Bill 360 or motion to House Bill 360, Representative Polk. Representative Polk, is he in the chamber? Take it out of the record. Representative Peters, are you ready on your motion on House Bill 733? Crime Investigating Commission? Out of the record. Representative Schisler on House Bill

1018? The Amendatory Veto Motion on House Bill 1018? Representative Schisler."

Schisler: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur with the Governor's Amendatory Veto. It just cleans up some language, Mr. Speaker."

Speaker Giorgi: "The question is, shall the House adopt the motion to House Bill 1018? All those in favor will signify by voting 'aye' and those opposed by voting 'nay'. There's no effective date so all it takes is 89 votes. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 141 'ayes', no 'nays' and none voting 'present' and this motion having received a Constitutional Majority prevails and the House accepts the Governor's specific recommendation for change regarding House Bill 1018 by the adoption of this Amendment. Motion on House Bill 360, Mr. Clerk. Representative Polk."

Polk: "Mr. Speaker and Ladies and Gentlemen, the Governor amended a portion of this Bill. The Bill originally set out... said that the Department of Conservation of the State of Illinois could not sell any state parks to a private entity without the permission and... from the Illinois General Assembly. The Governor amended a Section of this saying that they could sell an easement which is acceptable with me and I can accept the Governor's Amendment to this Bill."

Speaker Giorgi: "Representative Dunn on the motion."

Dunn: "Thank you, Mr. Speaker. I'd like to ask a question of the Sponsor. Mr. Sponsor, Representative Polk, would this mean that they could sell, say, the coal rights from out from under a park without coming to the General Assembly?"

Polk: "No, no, they could not. This simply is... all it's for is an easement only."

Dunn: "Thank you."

Speaker Giorgi: "Any further debate? Representative Leinenweber on the motion."

Leinenweber: "I have one question for Representative Polk."

Speaker Giorgi: "Continue."



Leinenweber: "Ben, according to the analysis, it says the Governor added the following language: this prohibition shall not restrict the Department from conveyance of easements or other lesser interests in land. What's meant by the term 'or other lesser interests in land?'"

Polk: "Apparently, if the telephone company wants to have to lay a line, they have to purchase a certain section. And an easement, I understand, can be no more than six foot wide, but sometimes the telephone company buys a section that's less than six foot. And so, they had to put the word in 'lesser'."

Leinenweber: "Well, I'm not sure that's the case. An easement is whatever the two parties basically agree. I mean, how broad or wide or whatever. Or other interests in land could possibly or lesser interests could possibly mean like lease the land for a hundred years, that sort of thing. Is that what..."

Polk: "Well, the original intent of the Bill... at the present time, according to theory, the state cannot sell state parks. But we have a very, very small parcel of Blackhawk State Park in Rock Island County and every year at election time, everybody comes around and says that we're going to make sure that the state park isn't sold. So somewhat of an agreement between all of us, we've indicated we're going to introduce legislation which specifically states that the state could not sell a state park and get it off our backs. That was the intent of the legislation. The Governor's Office called me after the Bill passed the House and Senate and said I created a small problem for them because in certain areas they have to have easement rights. And I accepted their, their statement that all they needed was the easement rights and I accepted the Amendment."

Leinenweber: "Okay."

Speaker Giorgi: "The question is, shall the House accept the Governor's specific recommendation for change with respect to House Bill 360 by the adoption of the Amendment? All those in favor will signify by voting 'aye' and those opposed by voting 'nay'. It takes 89 votes. It'll be effective next July 1. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this

question there are 147 'ayes', no 'nays', none voting 'present'. This motion having received the Constitutional Majority prevails and the House accepts the Governor's specific recommendation for change regarding House Bill 360. Representative O'Brien, two motions on 1284. What's your pleasure? Representative O'Brien."

O'Brien: "Mr. Speaker and Members of the House, let's pass on the motion to override and take the motion to accept the Governor's recommendation."

Speaker Giorgi: "Okay, let's scratch the first 1284 and go with the acceptance, 1284. Representative O'Brien on the motion."

O'Brien: "Yeah, Mr. Speaker and Members of the House, the Governor recommends that the salary of the Board remain the same at the present five thousand dollar level and that the salary of the Chairman of the Board be set at seventy-five hundred dollars. Seventy-five hundred dollars, this is the Chicago Metropolitan Sanitary District Civil Service Board. So I'd move and I think we only need 89 votes to accept the Governor's recommendation."

Speaker Giorgi: "Is there any discussion? There's no effective date, Mr. O'Brien, it'll take 89 votes. The question is, shall the House accept the Governor's specific recommendations for change with respect to House Bill 1284? All those in favor will signify by voting 'aye' and those opposed by voting 'nay'. Have all voted who wished? Mr. Walsh... oh. Have all voted who wished? Take the record, Mr. Clerk. This motion having received... this motion received 143 'ayes', 1 'nay' and 5 voting 'present'. This motion having received the Constitutional Majority prevails and the House accepts the Governor's specific recommendation for change regarding House Bill 1284. Representative Peters on the earlier motion on House Bill 733. Representative Peters."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 733 is a measure which was sponsored by the late Representative Sevcik. It's part of the package of the Illinois Legislative Investigating Commission. It was amendatorily vetoed by the Governor. I've just spoken to Senator Philip Rock who is the Co-Chairman of that Commission and he asks that or indicated to me that it was the intention of the Commission to allow this



Bill just to die on the table. So I would ask leave to table my motion to accept the amendatory veto."

Speaker Giorgi: "Is Representative Houlihan's light on to speak? The Clerk recommends that we just let it die on the Calendar, Mr. Peters."

Peters: "Fine, thank you."

Speaker Giorgi: "We'll just take it out of the record. Representative Edgar on the motion with House Bill 1706. Is he in the chambers, Representative Edgar? House Bill 1706. Take it out of the record. Representative Greiman on House Bill 1802, the motion on House Bill 1802. Representative Greiman."

Greiman: "Thank you, Mr. Speaker. I filed a motion to accept the recommendations of the Governor with respect to House Bill 1802. The Governor merely corrected a number that was... that was changed and apparently this... hopefully, this carries out the intent of the Committee that offered the Act. I would ask that it be accepted. I think it needs 89 votes."

Speaker Giorgi: "Any discussion? There being no discussion, the question is, shall the House accept the Governor's specific recommendations for change with respect to House Bill 1706 by the adoption of the Amendment? All those in favor signify... Yes, Mr. Greiman. 1802?"

Greiman: "Yeah, 1802."

Speaker Giorgi: "House Bill 1802, correction. All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 150 'ayes', no 'nays', none voting 'present' and this motion having received a Constitutional Majority prevails and the House accepts the Governor's specific recommendation for change regarding House Bill 1802 of the adoption of the Amendment. House Bill, motion on House Bill 1915. Representative Mann."

Mann: "Thank you, Mr. Speaker. I would move to accept the Governor's amendatory veto. He adds the language to the Bill that would protect the right of local communities to zone against porn shops. Basically, this Bill provides for in the first instance a misdemeanor



penalty and then in the second instance a felony penalty for conviction of the sale or distribution or publication or authorship of obscene material to minors and to nonconsenting adults. It does, however, permit consenting adults to read and view what they like which I believe is consistent with the rest of the statutes of the State of Illinois with regard to matters such as sexual matters which we passed a long time ago. The legislation has the support of the Chicago Tribune, which called it a needed measure, of the Chicago Sun Times and the Chicago Daily News, all of whom have repeatedly editorialized in favor of the Bill. It has the support of the Illinois Bar Association. And, Mr. Speaker, I don't think that this is a Bill which is delineated on the basis of whether one is a liberal or a conservative because there are a number of conservative Legislators, if I may use that term in its broadened sense, who feel that this is good legislation. I might also say that this is a result of a nine month study and we did have persons that came before the Committee that urged us not to have any regulatory language on the grounds that anything which inhibits First Amendment rights constitutes censorship. But it was the feeling of the Committee that we ought to protect children because of the overriding interest of the state in children and that we ought to protect nonconsenting adults who ought not to have thrust upon them obscenity. I would urge your support for this legislation."

Speaker Giorgi: "Representative Hudson on the motion. You're on, Mr. Hudson."

Hudson: "Thank you. Would the Sponsor yield to a question?"

Speaker Giorgi: "Representative Mann."

Mann: "Yes, Sir, ready."

Hudson: "Representative Mann, I'm... have a copy of the Bill, 1915, here in front of me and on page 6, I notice on line 9, nothing in this Section shall prohibit any public library or any library operated by an accredited institution of higher education from circulating harmful material to any person under eighteen years of age provided such circulation is in aid of a legitimate scientific or educational purpose. Now, Bob, how do we reconcile the



distribution of material designated as harmful and yet seemingly forgive it on the basis of its aid to scientific or educational purposes?"

Mann: "Well, we had testimony before us from the libraries. The libraries do not circulate or carry pornographic material or obscene material. There is certain material which might be a part of a scientific study or might involve drawings in connection with a scientific study that would be available in a library, but this would be material which as taken as a whole would have literary, social or scientific merit and would not be obscene or pornographic in nature. It's a protection to the libraries."

Hudson: "Well, Mr. Speaker, may I speak to the Bill please?"

Speaker Giorgi: "Proceed, Mr. Hudson."

Hudson: "I rise to oppose the action suggested today by Representative Mann because with the recent action... because of the recent action of the United States Supreme Court in upholding the current Illinois obscenity law as constitutional, I believe, seems to me that this Bill is not needed. Now, granted it was voted for, it was passed and sent to the Governor, but as we all know, the Supreme Court has ruled quite to the surprise of many that the current law that we now have on the books relative to obscenity is constitutional. The Governor was quite explicit in his message when he said that this is a monumental change in dealing with pornographic material and that no other state has enacted such a measure that goes this far. Now, Ladies and Gentlemen, this Bill in effect strikes almost everything in paragraph 11-20 which relates to controlling obscene material and is the heart of our current obscenity law. In summary, it seems to me this Bill contradicts the two earlier Bills which we passed that relate to child pornography and I would ask you, how can we on one hand say that perpetrators of child pornography should be severely prosecuted and on the other hand say it is appropriate to completely decriminalize the sale and distribution of any obscene material to consenting adults? And this is exactly what 1915 does. Therefore, it seems to me that this Bill with all due respect to the Sponsor, Representative Mann, this motion



should be defeated by voting to the contrary of the Sponsor's motion to concur in the Governor's amendatory veto. And I would urge you, my colleagues, to think seriously about this before we go along with the amendatory veto lest we putting... be putting our stamp of approval on a Bill which does, in fact, completely decriminalize the sale and distribution of any obscene material to consenting adults. Is this what we really want to do? I think it's something we should think deeply and carefully about before casting our vote. Thank you, Mr. Speaker."

Speaker Giorgi: "Representative Schlickman on the motion."

Schlickman: "Well, Mr. Speaker, Members of the House, when House Bill 1915 was passed by this Legislature, we were operating on a set of rules which have changed. Specifically as was mentioned by the previous speaker, the Supreme Court surprised us all by declaring constitutional the existing obscenity law here in Illinois. Now, I think the Governor very wisely and prudently has suggested to us in his veto amendatory with respect to House Bill 1915 that major reform in an area such as this should not be undertaken unless everyone is fully aware of the implications involved. And with respect to his veto relative to House Bill 17, he stated, 'I'm asking the General Assembly to review the approach in intent to mandate for dealing with obscene material.' I respectfully suggest, Mr. Speaker, Members of the House, since the ground rules of the game have changed that we ought to defeat this motion so that at a later time when we're in Regular Session, we can intelligently and comprehensively review the matter and come up with a Bill that will be appropriate to the general welfare of this state. I, therefore, join with the Gentleman from DuPage in urging a 'no' vote."

Speaker Giorgi: "Representative Kelly on the motion."

Kelly: "Yes, Mr. Speaker and Members of the House, I certainly do not like to rise against my distinguished colleague from Chicago who has recently announced his retirement after giving many years of dedicated service to the people of Illinois, but I am going to. And I didn't speak against this proposal when it was considered during the Spring Session because it was under review,

as it was pointed out, by the Supreme Court and also because I was a Sponsor of another obscenity Bill. Now that the Illinois statute on obscenity has been upheld by the U.S. Supreme Court in Ward vs. Illinois, I agree with my other colleagues that this legislation is not needed by the State of Illinois. Now, the Governor pointed out as did the other Representatives that this proposal would completely decriminalize the sale and distribution of all obscene materials to consenting adults. And I emphasize the word 'all' obscene materials as the Governor pointed out in his message. This could even concern itself with child pornography booklets, in my opinion, as was pointed out by another opponent during the Spring Session. Now, a big concern that I have with... with this House Bill is that it would, in effect, protect the creators of obscene materials and I'm talking about the Hugh Hefners and the Larry Flints and the others who actually create obscene material. Would give them a free hand to do everything that they wish without fear of criminal prosecution. Now, this is wrong, Ladies and Gentlemen, because the people that originate obscene material should be the first ones to come under the legal jurisdiction of any obscenity law. Therefore, I'd ask you to join me in defeating this motion and to continue to allow Illinois to be a leader in moral character across the country.

Thank you."

Speaker Giorgi: "Representative Kempiners on the motion."

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

Speaker Giorgi: "Indicates he will."

Kempiners: "Mr. Mann, can you very briefly tell me what the status of the law, what the basics of the law that has been held constitutional by the U.S. Supreme Court?"

Mann: "The law basically is the same as this law with the exception of that provision relating to adults. In other words..."

Kempiners: "Okay, what... the question that I'm trying to get at is that basically the existing law says that a community can determine that something is obscene, is that correct?"

Mann: "That's correct."

Kempiners: "Can I ask you a question? What is obscene under the current



law?"

Mann: "Well, there are three standards basically. The community standards, the standard relating to whether or not a matter constitutes literary or scientific merit as opposed to an appeal solely to the prurient interests."

Kempiners: "Okay, who is to make that decision?"

Mann: "Well, the decision basically, if it goes into the courts, is made by the court. If it... for purposes of legislation, however, the Legislature passes the statutory law."

Kempiners: "Okay, Mr. Speaker, I'd like to address this motion. I fully support the motion made by Mr. Mann. For those of us who consider ourselves to be conservatives, I think there's a basic principal involved here and that basically is - does 'government' make a decision for us or do we as individuals have the right to make that decision? I'd like to give you an example of what I'm getting at. I remember when I was a little bit younger there was a movie out called 'Romeo and Juliet' and for those of you who saw it it was a very touching and a very well-done movie. I talked to a woman I know and I mentioned, 'Hey, I saw a great movie, you ought to go see it. It's 'Romeo and Juliet'.' And she said, 'That was a terrible movie.' And I asked her what was wrong with it. She said it was just terrible, she didn't like it. And I said, but it was written... the story was written by a very famous author, William Shakespeare. She said, 'Well, I'm sure he didn't write it where they acted without their clothes on.' She looked at one part of that movie and made a decision on that one part. I looked at the whole movie, thought it was a great movie. And the point I'd like to make is that when the community makes a mistake, it's a very serious mistake and impacts everybody. But when the individual makes a mistake, it impacts only that individual. And I think what we've got to be concerned about is who's going to be making those decisions and I'd sure like to see 'Romeo and Juliet' again and not have the community tell me it's an obscene movie."

Speaker Giorgi: "Representative Johnson on the motion."

Johnson: "Yeah, Mr. Speaker and Members of the House, it amazes me



a little bit that some of the speakers who have opposed this motion to approve the Governor's amendatory veto are some of the same people who in all due respect speak with me and others against the incursion of government on people's lives. I've had a number of occasions to be on local committees to discuss the question of pornography. The three objections that have always been raised by everybody or at least most people that are most significant objections are - number one, what are we going to do about our children and protecting our children against seeing this sort of material? Number two, what are we going to do about adults who don't want to see it but are forced to through some lack of their own free will? And third, are we going to allow local communities the right to locate these sources of materials or the sale or distribution of these kind of things in particular areas? All three of those concerns are addressed very well by this Bill. As a matter of fact, I think that this Bill toughens the regulations, increases the penalties and as Representative Mann says, probably or as comprehensive and a thorough approach towards the problem of pornography as anything we've ever had. So the net result is that the only people who could oppose this Bill are ones who think the government has more right to decide what a person who's a consenting adult can and can't see in a regulated scheme than anybody else. Every conceivable objection's been met by this, they've made it a tougher Bill and I can't for the life of me understand how people could object to this if they object to the increasing incursion of big government on people's lives."

Speaker Giorgi: "Representative Leinenweber on the motion."

Leinenweber: "Thank you, Mr. Speaker, Members of the House. I have wrestled in my own mind on this House Bill 1915 from the time that Representative Mann first introduced it and we had hearings on it last spring and I have wrestled with the idea after I heard that the Supreme Court somewhat surprisingly had upheld our existing obscenity law. I have, I believe, a reasonable knowledge of the law of obscenity as much as can be determined from the conflicting cases that the courts have deluged us with. The result



is the courts themselves have wrestled with the problem and completely, in my opinion, unsuccessfully. We have today in Illinois a valid, existing obscenity law. However, in Illinois anybody who says that we do not have the public sale of obscene materials has their head in the sand. I suggest to you that for some reason there is no will on the part of the general public to enforce the law that we currently have. Therefore, I believe when you view the provisions of House Bill 1915 with the practical realities, you should come to the conclusion which I have, admittedly somewhat reluctantly done so, that 1915 is probably the best solution to an insoluble problem. It is certainly the most practical solution because it recognizes reality for what it is, that there is a demand apparently on the part of the adult population for salacious material. And as long as there is demand, there is going to be a supply. So the best way is to regulate the supply which is what House Bill 1915 does. And it does so essentially in two ways. One is to prevent and this, I think, is the most important part of this Bill because it prevents the forcing of the display of this material on nonconsenting adults and limits it solely to consenting adults by rigid requirements against advertising and public display. It also permits the local communities and in my opinion it would permit a local community through its zoning laws completely to prohibit the sale of obscene materials because as you know obscene material is not a protected form of speech. And I believe that under this law the local municipality could if it so desired prohibit it completely through prohibiting the sale through its zoning ordinances. But finally, I have reached the reluctant conclusion that this is the best practical solution because of the fact that under the existing law which is constitutional it's just plain not effective and I think that we will probably get greater effective enforcement in keeping this type of material away from the young which is what I consider the most important thing that we should address ourselves to under the existing law. So I do urge support of the Gentleman's motion to accept the Governor's Amendment."

Speaker Giorgi: "Representative Mann to close on the motion."

Mann: "Well, thank you, Mr. Speaker. First, I'd like to say that this is a tough Bill. Now, those provisions which protect non-consenting adults means that bookstores must place covers on material which is obscene. Therefore, not affronting those adults who do not want to see it or read it. It must also draw a curtain or paint over porn shops in order to protect non-consenting adults. And as has been pointed out, it leaves room for local communities to zone in any manner in which they desire. We protect children with felony penalties as we do with nonconsenting adults. And I should say to you that this was a companion Bill to Representative Getty's Bill in that Getty's Bill provided for a child abuse kind of penalty. So taken together, they really do constitute a comprehensive control of obscene materials. Now, there is one thing I want to say about the Governor's message. The message - one, indicates that the Governor wants this Bill if we put in that language concerning the power of local communities to zone. I think that should be kept in mind. The Governor did not veto this Bill and I am accepting his suggested language. There is one error in his message. There are nine other states, including 'Old Miss', which permit consenting adults to read what they desire. I would urge your enthusiastic support of the Bill. It passed 130 to 9 after a very sustained debate the first time it was up and I see no reason why any of us ought to change our position. And therefore, I would ask for your support."

Speaker Giorgi: "The question is, shall House... the House accept the Governor's specific recommendation for change with respect to House Bill 1915 by adoption of the Amendment? All in favor will signify by voting 'aye' and those opposed by voting 'nay' and with the effective date it requires 89 votes. Have all voted who wished? Representative Cunningham to explain his vote."

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this is a sad day for decency in Illinois regardless of how many big-city newspapers or how many smooth-talking Sponsors explain it differently, the fact remains that the legal effect of this Bill is to legalize pornography on every level throughout the



State of Illinois. The protection that's offered for the children is too flimsy to be worthy of designated in that form whatever. All the Bill says is that the external cover of the material mustn't contain it. They could stack it out on the front lawn of any business house in the State of Illinois, any type of pornography that you wish. It'll put out all of the adult bookstores out of business tonight. There's no reason whatever to have them. The Governor of the State of Illinois doesn't endorse this Bill. It's a willful distortion to say that he wants the Bill. What he said was, I'm going to send it back for you to take another look at it and it slipped through here before because a lot of people were not paying attention. When his veto came down at that time, the Sponsor used descriptive terms about the Governor that should cause anybody to blush. The Governor's given you a second chance. Don't miss this opportunity to protect your young people and your community and all of your constituents. Vote 'no' with pride."

Speaker Giorgi: "Representative Mugalian to explain his vote."

Mugalian: "Yes, just very briefly, Mr. Speaker. I am really disappointed in that vote and I think about everything has been said that could be said. I think in summary that this Bill implements two principles that I think all Members of this House uphold. One of those two principles is the First Amendment. That appeals not only to liberals, but also to conservatives. The second... and the second principle, I think, especially appeals to those who call themselves conservatives and that is the principle so well overstated by Representative Kempiners. We talk about non-interference in our private, individual lives. This Bill upholds that principle, at the same time gives protection to young people. I really... am really amazed that this Bill does not have the kind of votes that the nine-month study warrants."

Speaker Giorgi: "Representative Kosinski to explain his vote."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, too often we're put in the position of damned if we do and damned if we don't. Now on a hard line basis, it would be to my advantage to vote 'no' on this Bill. But, too, I attempt to be a



realist. I attempt to be a realist in terms of the Federal Constitution, in terms of Supreme Court decisions, and in terms of the actual... I repeat, actual desires of our community. And what they want to do is shield certain people from the immorality of the kind of literature that can be put out for public view. This is a realistic approach. This is in consort with the Federal considerations. This is a kind of thing that will occur. This is the kind of thing that our people secretly want and although it's not a law and order image, I vote 'yes' in reality."

Speaker Giorgi: "Representative Stearney to explain his vote."

Stearney: "Well, Mr. Speaker and Ladies and Gentlemen of the House, reluctantly I rise in opposition to the measure. The reason being is that this Bill does not protect the children. I hear Representative Leinenweber and the Sponsor of this measure saying that the children will be protected from it. However, I agree now with the First Amendment concept, but the Bill if you read it, you will find that there's no protection. I ask you to look at it. It says, if you put this material on public display, that is, in a drugstore, in your corner newsstand, as long as the external cover is not obscene, the material may be sold. The problem we now have is that you all know, the drugstore on your corner, the newsstand on that corner with this type of material everybody will be thumbing through it. Children be they eight, ten, fifteen or sixteen can look at it. And you want to know something? The individual proprietor cannot be prosecuted because the Bill reads 'public display and the externally visable portion of such material as obscene'. Therefore, the proprietor, the seller, the distributor of the material is absolutely protected from prosecution no matter how raunchy that material may be because the Bill reads 'and'. This is a defect in the Bill as question... as problem of proof is concerned. What we should have done is say, this type of material shall be lawful but keep it where it is. In the adult bookstores where you have to be eighteen to get into it. Right now you're going to allow this to be distributed and your drugstores, grocery stores, anywhere else the individual proprietor decides to sell it. And that is

wrong because you know and I know that in all those stores you tell me which kid is prohibited from looking at Hustler or any other magazine. No one. So this is a defect in the Bill. That's why we should vote 'no' and rearrange the Bill in such a way that we keep the material in a place that young people are not going to be allowed to view it. Thank you."

Speaker Giorgi: "Representative Jaffe to explain his vote."

Jaffe: "Mr. Speaker, Members of the House, I was not going to speak on this Bill until the last speaker spoke and I think he's completely and totally really misrepresented the Bill and really misrepresented the law. I would suggest that you take out your veto message and look at Section 1121. This Bill does, in fact, protect children and I think the previous speaker knows that this Bill does protect children. It protects children and at the same time, you know, it permits adults to do their own thing which is, I think, the enlightened position and the position that this General Assembly ought to take. After all, the Governor amendatorily vetoed this Bill. I think the Sponsor has graciously come in and said that he would accept the amendatory veto of the Governor. I think you know both the Sponsor and the Governor do not see eye to eye in many, many instances. I think that since they do see eye to eye in this particular instance, I think we ought to go along with the amendatory veto and vote for it. Incidentally, I would also refer you to the later portion of the Governor's amendatory veto in which he takes... which he talks about the rights of units of local government and they still have the right to regulate by zoning the places where obscene materials may be sold or distributed. This is an enlightened Bill. It's probably the most enlightened Bill on this topic that we have had in the entire country. I would like to see Illinois be a leader in this particular field and I think we can do it by accepting this particular Bill. As indicated, this Bill is the result, I think, of bipartisan work that went a long, long way and they worked for nine months and this House worked for nine months on this Bill in a bipartisan effort to put something together that would be good. And I think they've come up with an

excellent work product and know that, I would hope that you would give an 'aye' vote on House Bill 1915."

Speaker Giorgi: "Representative Katz to explain his vote."

Katz: "This is the same Bill that the House passed with a vote of 130 to 9. That's a very overwhelming vote and it actually, with the Governor's amendatory veto, should be a much easier Bill to support than it was in its original form. With the amendatory veto, it makes clear that any local unit of government that desires to do so can impose additional regulations on this subject. For that reason alone, the suggestion of Mr. Leinenweber that this Bill will aid in the subject of curbing child pornography is exactly correct. When the distinguished Gentleman from Chicago, Mr. Stearney, indicates that you can now go in any drugstore and buy Hustler or other magazines, even more reason than why this Bill which is the only Bill directed to obscenity that remains before us ought to be supported. This Bill will make perfectly clear that Chicago and any other area is free to regulate in this subject. And so, I would urge you for the reason that you gave 130 votes to support this that you support the Bill as amended by the amendatory veto which at the same time reconciles the difficult problem of the First Amendment in our society with the necessary job of seeing that those under age are not permitted to engage in pornography or be warped by pornography. This Bill is a reasonable compromise in the form it comes to us from the Governor. It commends the support and deserves the support of all of us and I would urge the support of this Bill."

Speaker Giorgi: "The last person indicated that wants to explain his vote, Representative Getty."

Getty: "Mr. Speaker, Members of the House, I rise to explain my 'aye' vote. Sometimes you have to make a hard decision. We heard Representative Leinenweber give a very good analysis of just why you ought to be voting 'aye' on this Bill. And I'd like to further say that if you really believe that it's important for us to come down hard on violent crime, you'd better take another look at your vote today because this, in effect, is telling the public we're going to keep going after victimless crime rather than going



after violent criminals. It's an appropriation, as it were, on how we're going to handle our resources of law enforcement. When you say that you're not going to support a measure such as this that directs society to protect children but not waste its law, its law enforcement resources on matters where you have consenting adults, matters where you know the law is being flaunted just as prohibition was indeed flaunted where you know it's not going to go enforceable, I suggest you're making a serious mistake. This is the time when you have to make a decision. I suggest the proper decision is a decision to vote 'aye' on this and say that we will come down hard on violent crime, not victimless crime."

Speaker Giorgi: "I'm sorry, Representative Mann to explain his vote."

Mann: "Thank you, Mr. Speaker. I just want to read a sentence from the editorial of the Chicago Tribune, that champion of pornography in the State of Illinois. It says the following: 'In its Spring Session, the Illinois Legislature passed what seemed to us and still does a sound, balanced Bill to control pornography.' Now, Ladies and Gentlemen, there have been some vicious distortions of what this Bill does. I'd like to quote from the Bill on the first page where it defines public display. It says public display covers a situation in which the material is placed in any window, showcase, newsstand display rack, wall, door, billboard, display board, viewing screen, marquee or similar place in such a manner that the material is easily visible from or in any public street, sidewalk, thoroughfare, public transportation facility, or the property of another and the externally visible portion of such material is obscene. Now, that's what the Bill says, Ladies and Gentlemen. I've also got to tell you something else in all candor, a Governor's man came over to me and said that if you will agree to lay off on the Amendments to the unemployment insurance, we will go along with you on this Bill. I thought the Governor was going along with me on this Bill when he asked you to pass it if you accept the amendatory veto. Now, what the hell is going on here on the floor of the House? Are we trading obscene material Bills? Are we trading them for an

Amendment on unemployment insurance? Is that what we're doing? I don't believe that Governor Thompson authorized that kind of a statement. Now, I'll just repeat once more. This Bill absolutely protects minors and nonconsenting adults. And taken together with a companion Bill of Mr. Getty's, it protects everyone in this state including local municipalities from material that is not wanted except for adults. Let's call this one on its merits, not on some kind of a trade for unemployment insurance. And I ask Members on both sides of the aisle to stand up and vote for a decent Bill."

Speaker Giorgi: "Have all voted who wished? Take the record, Mr. Clerk.

On this question there are 69 'ayes', 95 'nays' and 12 voting 'present'. Representative Mann, for what reason do you rise?"

Mann: "Parliamentary inquiry. Will we have another shot at this Bill or is this the last time?"

Speaker Giorgi: "I can't guarantee that, Mr. Mann. It depends on what happens today."

Mann: "Well, if we are in Session tomorrow, statutorily can this matter be heard again?"

Speaker Giorgi: "I think today is the deadline, Mr. Mann."

Mann: "Well then, I'd ask for a poll of the absentees and maybe some of you will have a little backbone and vote for this Bill."

Speaker Giorgi: "The Gentleman requests a poll of the absentees.

Mr. Clerk, would you poll the absentees?"

Clerk Hall: "Breslin, Caldwell, DiPrima, Emil Jones, Leverenz, Madison, McGrew, Meyer, and Younger."

Speaker Giorgi: "Mr. Mann again. I've already announced the results."

Mann: "Thank you, Mr. Speaker. In the event that we do have another shot at it, I'll ask that it be placed on Postponed Consideration."

Speaker Giorgi: "Mr. Mann, you need 70 votes, you need one more vote.

Does anyone want to change his vote from 'nay' to 'aye' so it can go on Postponed Consideration? Change my vote from 'no' to 'aye', Mr. Clerk, and we'll put it on Postponed Consideration. Bob, if you don't get another vote, it can't go on Postponed Consideration. The Bill having failed to receive the Constitutional Majority is hereby declared lost. It's lost. Mr. Antonovych



on House Bill 2069, the motion on House Bill 2069."

Antonovych: "Mr. Speaker, Ladies and Gentlemen of the House, I would ask your attention to this infamous graffiti Bill of mine. It was with some difficulty that I decided to move to override our Governor's veto of my Bill since he will be a guest in my district at a fund raising banquet in six days. However, I feel this Bill is most important for my district and for the citizens in the metropolitan area of Chicago particularly, so I will do what I feel is right and not just what is practical and expedient. The intent of my Bill and for which I drafted the Bill and I worked on the Bill was to provide a new constructive penalty which would permit a Judge to sentence someone found guilty of painting walls and painting obscenities to sentence them to clean up or repaint the damage. This is the essence of my Bill and this is what the Governor amendatorily vetoed. Gangs in Chicago such as Latin Kings, Cobras, Shy West, C-Note, mark their names on walls designating their turf and they feel that they are the Supreme rulers of that turf and they do not have any regard for the rights of law-abiding citizens. And this, Ladies and Gentlemen, is the first step in the decay of neighborhoods and I have seen my neighborhood going down and at the present time, I think that this deterioration has stopped and I would hope that my Bill would add momentum to a clean up of the neighborhood because just think of it, if you're a home owner and you have repainted your garage doors several times, you do not have much interest in repainting them if you know they will be spray painted over and over again. There are some positive things going on in my district. For example, the Chicago 21 Plan will rebuild the eastern portion of my district. It will integrate new structures within the existing community. In the center of the district the Ukranians have been so pride in a small block of islands with flowers, with vegetable gardens, with its beautiful churches and really a small town atmosphere. The black community of St. Stephens Church is building two new residence complexes, yet there are Sections of the city such as Humbolt Park which you have seen burning last spring where the gangs and graffiti mar



the lives of most citizens. Now, I'm not the only one that's interested in clearing up graffiti. I have to give credit to the City Clerk, John Marson, who with his brother rolls up his sleeves every weekend and with volunteers actually repaints via-ducts and marked walls. Now, the Governor's reason for vetoing the Bill is that he believes that there is another Bill, Senate Bill 968, which adequately provides for the remedy. Now, this is just not so. The Senate Bill provides for restitution. This is aimed at making the victim financially whole. Now, Ladies and Gentlemen, this is not the same as giving the Judge the power to sentence someone to publicly clean up obscenities from school and church walls. Now, we must think in terms of realistic penalties. I don't believe any Judge will send someone behind bars for spray painting a wall, nor would it do any good to make the parents pay the fine... make the parents of someone that has been convicted pay for the wrongdoings of their children. We need to provide a penalty that can be imposed on the teenage lawbreakers because we have to make them clean up the damage. And I'm not just speaking for imposing sentences on teenagers because in my district, for example, the J-Notes have agreed to voluntarily start repainting some of their damage if this Bill becomes law. So I ask you to vote to override the Governor's amendatory veto on House Bill 2069."

Speaker Giorgi: "Representative Dan Houlihan on the motion."

D. Houlihan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to join with Representative Antonovych in overriding the Governor's amendatory veto on this Bill. If the Membership may recall, we did spend a considerable amount of time in the drafting of the language in the final form as the Bill left this Legislature. It did specifically provide that it would be limited to paint or other similar substance so that we did have a limitation in the Bill to what we were attempting to address ourselves to legislatively was where there is an indelible defacing of another's property. This is a very serious problem in all of this state, but particularly in the urban areas. Now, the veto message of the Governor simply doesn't make sense. He...

he is referring here to the necessity in a criminal prosecution brought under this Section of the Criminal Damage to Property Act that you would have to have a chemist testify. Ladies and Gentlemen, it's one book and fundamental, first year law school evidence that you don't have to have a chemist come in to testify as to what is a paint substance. That's the kind of thing that any lay witness is competent and qualified to testify to in any court of law. Now, this is a very good Bill. It was worked out here over a long period of time by both... or by Members from both sides of the aisle. It addresses the fundamental problem and it deserves our support and I ask you for that support."

Speaker Giorgi: "Representative Antonovych to close."

Antonovych: "Just ask for your favorable vote. Thank you."

Speaker Giorgi: "The question is, shall House Bill 2069 pass notwithstanding the Governor's specific recommendation for change? This is an override, it'll take 107 votes. All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wished? Representative Lechowicz to explain his vote."

Lechowicz: "Very briefly, Mr. Speaker, if I may. Ladies and Gentlemen of the House, this is a very serious problem in many sections of the State of Illinois, any municipality. As it was pointed out in the Governor's veto message, the necessity of bringing in a chemist, in my personal opinion, is not the real issue in this matter. I appreciate the support of this House in overriding this motion."

Speaker Giorgi: "Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 122 'ayes', 3 'nays', 4 voting 'present', and this motion having received a three-fifths Constitutional Majority prevails and House Bill 2069 is declared passed notwithstanding the Governor's specific recommendation for change. Does anyone want their Total Veto Motion called and they're listed on page 6 and 7, Total Veto Motions, starting with Stearney 375 and up to 2173. Representative Kelly, for what reason do you rise? Kelly."

Kelly: "You mentioned page 6 and 7."

Speaker Giorgi: "Yes."

Kelly: "What about the Consideration Postponed on page 7?"

Speaker Giorgi: "No, not at this moment. We'll move to Total Veto Motions, Consideration Postponed at the top of page 7. On Total Veto Motions, Consideration Postponed, Mr. Clerk, House Bill 17."

Clerk O'Brien: "Motion. I move that House Bill 17 pass notwithstanding the veto of the Governor. Representative Richard Kelly."

Speaker Giorgi: "Representative Kelly on the motion."

Kelly: "Yes, Mr. Speaker and Members of the House, I know that you've heard more than your share of debate on the subject of obscenity this afternoon. However, I would like to briefly indicate what my motion is on this particular proposal and what the proposal is. House Bill 17 which is before you now on this override is diametrically the opposite in concept from what the earlier proposal of House Bill 1915 was which was defeated by our chamber. Now, it is an obscenity law, House Bill 17, which was originally drafted by our current Congressman, Henry Hyde, with the exception that I also included a provision which deals with the subject of violence. Now, this Bill is constitutional because the language which was used in the Bill was also used in Miller vs. California which was upheld by the U.S. Supreme Court in 1973. Now, the violence provision, I know, will be questioned by those who claim it is unconstitutional. I would like to point out that we have a provision which is known as a severability clause which would allow the rest of the Bill to hold up and I might point out that this law is almost completely complimentary and exact as the current Illinois obscenity law which was upheld by the U.S. Supreme Court in Ward vs. Illinois. Now, violence on television, at the theaters and in the street has reached a very extreme high point and it's become not only a problem in Illinois but a problem across this nation. This Bill would help to curb violence at all levels. And if you're in favor of our current obscenity law and if you believe Illinois should continue to be a moral leader, then I'd ask for your support of my motion."

Speaker Giorgi: "There being no debate, the question is, shall House Bill 17 pass notwithstanding the veto of the Governor? All those

in favor will signify by voting 'aye' and those opposed by voting 'no'. This will require 107 votes. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 73 'ayes', 60 'nays', 7 voting 'present'. The motion having failed to receive a Constitutional Majority is hereby declared lost. Motion on House Bill 186, Representative Mudd for Luft."

Mudd: "Mr. Speaker, Members of the House, if you'll recall, this Bill sponsored by Representative Luft deals with the appropriation of Federal funds as they come into the state by... through our appropriation system. I think it was pointed out several times yesterday when we debated the... Would you take this Bill out of the record please?"

Speaker Giorgi: "Is there any discussion? Oh, I'm sorry. Take it out of the record. House Bill 231, Representative Lucco on the floor? Out of the record. House Bill 651, Representative Beatty on the motion on House Bill 651."

Beatty: "Mr. Speaker, Members of the House, this is the pay raise Bill for the Members of the Industrial Commission. There are twenty arbitrators and there's a secretary who will be each receiving nine thousand dollar increase. There is the Chairman of the Industrial Commission and the four members who will be receiving a six thousand dollar increase. These appointees, there are now... there will be as of next Tuesday three vacancies on the Industrial Commission and these vacancies will be filled by our present Governor. We've discussed this Bill, it's been up here a number of times before. It's passed the House previously, we've told you about the duties these gentlemen have. They are hard working, they do not necessarily have to be lawyers, but those Members who are lawyers are not able to earn any money in any other way other than in their job as an arbitrator. And so, they're boxed in. We have been the ones that have obligated these gentlemen to devote full-time to their duties as members of the Industrial Commission. And since we have put them in this bind where they are limited in income, it is grossly unfair that we should not give them an increase because they deserve it. They

have... we have indicated previously that they have fallen behind in the scheme of things in the last few years on their salary, that they have not kept pace with the people in similar salary ranges back around 1972 and 3 and so they have fallen behind, and we've put them in the position where they can't make any money. And so, as a matter of social justice, they should get this increase and I would ask that you would join with the Illinois Manufacturers Association, with the state AFL-CIO, with the Chicago Bar Association, with the Illinois State Bar Association, with the National Advocates Society and with all other groups, every responsible group supports this Bill. And I would ask you to help me by voting green on this Bill. If there are any questions, I'll be glad to answer them."

Speaker Giorgi: "Representative Geo-Karis on the motion."

Geo-Karis: "Mr. Speaker and Ladies and Gentleman of the House, the arbitrators have a big caseload and there's no ifs or buts about it. If any of you cared to go and watch any of the hearings, you'll see what I'm talking about and they are overworked and they should be compensated because it's been a long time since they've had a chance to get any more money. And if we want to have justice done to the people who have valid workmen's compensation cases, then we'd better do the right thing for the arbitrators and I support the Bill."

Speaker Giorgi: "Representative Griesheimer on the motion."

Griesheimer: "Thank you, Mr. Speaker. There are hundreds of thousands of state employees that deserve a raise. If you want to meet one, talk to the man sitting or the woman sitting next to you. If you want to meet one, talk to one of the Pages in here. If you want to meet one, speak to the Doorkeepers, speak to any of the people working downstairs or any office. There is no earthly reason to give a special raise to these individuals in the Industrial Commission this year. Just yesterday, we passed a Bill authorizing a special Commission to start to work to study the question of pay raises for all state employees - for the Executive, for the Legislative and for the Judicial. At this point in time to make a special pay raise for these individuals who

have not proven any particular great need any more than anyone else would certainly be unjust. I feel that we ought to stick to our guns as we did yesterday and vote this Bill down, let these people wait like everyone else. That's only fair and if we want to talk about fairness and justice, that's what we have to do. For those of you who always question what the lawyers are recommending, I suggest to you when the Bar Associations get together with the labor unions to make a recommendation, you'd better really take a second look at a Bill. I suggest a 'no' vote's the right vote."

Speaker Giorgi: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I would just repeat exactly what I said yesterday that in order to keep those valuable employees that we have as arbitrators right now and to, as they would turn over to... put a salary, a decent salary on these positions such as you can get well qualified people to fill these positions. And we aren't going to do it by keeping these salaries down. If you look at the... as was expressed yesterday over X number of years in the past where they have come from and in terms of salary and where this would take them on a percentage basis on an annual increase, it isn't that great. It's well within the cost of living. If you want to use that as a basis for making your decision, I think it's merited and don't think about individuals, you've got those jobs that are available, you've got to put a salary that will attract and keep those good people. And for that, I would encourage an 'aye' vote."

Speaker Giorgi: "Representative Waddell to explain... to... on the motion."

Waddell: "Mr. Speaker, as reiterated yesterday, their previous raise in 1974 was four thousand dollars. If you add that to this raise, that means that these individuals are getting sixty thousand dollars in three years and I think that that's absolutely ridiculous and I don't think the people are going to want to buy it."

Speaker Giorgi: "Representative Beatty to close."

Beatty: "Members of the House, this total money we're talking about here is two hundred and forty thousand dollars. As I indicated



previously, we put these people in the position where as lawyers they're not able to earn any other income. They're boxed in, they're handling millions of dollars of funds. It doesn't make sense not to give them an adequate salary. The three top jobs of these that... where the raises are going in for Members of the Commission itself are going to be filled within the next month or so by your own Governor. He has a choice of filling these jobs and he wants good, qualified people. I'm sure that the fact of the matter is he would like to see the higher salaries so that he could entice some individuals to come into these positions because even the temporary Chairman of the Commission who withdrew about two months ago quit because the salary of thirty thousand that he was receiving as the Acting Chairman was not adequate. You can't get qualified people where they can't engage in other business or the practice of law for thirty thousand or thirty-two thousand as Members of the Industrial Commission. We need a salary increase and I think that we're going to probably get one, but we have to lead the way by showing responsibility in other areas where they're needed. I don't think it would be quite proper to say no one's going to get a raise till we get one. I don't think that's what we're here for, to take care of number one. I think we're here to take care of all of the needs of the state and I think when it comes time, we'll get our increase. But let's show that we're responsible, let's show that we don't want to put people in the position where they're limited in their income and then we won't give them an increase. And I think for two hundred, forty thousand dollars, that the state can well afford this and I ask for your green vote."

Speaker Giorgi: "The question is, shall House Bill 651 pass notwithstanding the veto of the Governor? All in favor will signify by voting 'aye' and those opposed by voting 'no'. Representative Conti to explain his vote."

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, I think Representative Griesheimer hit the nail right on the head. If you think people need raises, just turn around and look at the people next to you and ask them for qualified people to run for office."

As a Mayor of a community, I pay my garbage men nineteen thousand dollars a year to pick up garbage in there and now you've got people... if you think that these people aren't overworked, go to the twelfth floor at 160 N. LaSalle Street from eight o'clock in the morning till three o'clock in the afternoon and see the problems that they have there and how hard they work. So if we're going to start considering qualified candidates for public office, we'd better start paying them. I can't help but remember when I first came down here, the Governor of this state was making sixteen thousand dollars a year. Any Vice-President or any salesman or any real estate broker could be making that kind of money. It's high time that we start paying our public officials so that we quit criticizing them for the work that they are doing. Let's get qualified people to run for these offices or be appointed for these offices."

Speaker Giorgi: "Representative Griesheimer to explain his vote."

Griesheimer: "At the appropriate time, Mr. Speaker, I'd request an electronic verification."

Speaker Giorgi: "The Gentleman requests... what was that? A request for a verification? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 118 'ayes', 58 'nays', and 5 voting 'present'. And Representative Griesheimer requests a verification. Mr. Griesheimer."

Griesheimer: "Mr. Speaker, I'm requesting an oral standing verified Roll Call."

Speaker Giorgi: "Why don't we just verify the affirmative? Representative Lechowicz, for what reason do you rise?"

Lechowicz: "Mr. Speaker, I'd like to poll the absentees and ask that we just verify it the way we normally do."

Speaker Giorgi: "Poll the absentees."

Clerk O'Brien: "Gaines, Hoffman, Dave Jones, Lauer."

Speaker Giorgi: "Representative Lauer wishes to be recorded as voting 'aye'. No, no. Change that to 'no'."

Clerk O'Brien: "McClain, McGrew, Meyer, Molloy."

Speaker Giorgi: "McClain 'aye'. McClain from 'present' to 'aye'. From 'no' to 'aye'."



Clerk O'Brien: "From absent to 'aye'. Pullen, Reilly, E.G. Steele, Terzich."

Speaker Giorgi: "Terzich 'aye'."

Clerk O'Brien: "Wikoff, Willer, Wolf, Mr. Speaker."

Speaker Giorgi: "Verify the affirmative."

Clerk O'Brien: "Abramson, Anderson, Antonovych, E.M. Barnes, Jane Barnes, Bartulis, Beatty, Bennett, Birchler, Boucek, Bowman, Bradley, Brady, Brandt, Breslin, Rich Brummer, Byers, Caldwell, Capparelli, Chapman, Christensen, Conti, Cunningham, Darrow, Corneal Davis, Jack Davis, Dawson, DiPrima, Domico, Doyle, Ebbesen, Ewell, Farley, Flinn, Friedland, Garmisa, Geo-Karis, Getty, Giglio, Giorgi, Greiman, Hanahan, Harris, Hart, Holewinski, Dan Houlihan, Jim Houlihan, Huff, Jacobs, Jaffe, Emil Jones, Kane, Katz, Kelly, Kempiners, Klosak, Kornowicz, Kosinski, Kozubowski, Kucharski, Laurino, Lechowicz, Leinenweber, Leverenz, Levin, Lucco, Luft, Madigan, Madison, Mann, Marovitz, Lynn Martin, Peggy Smith Martin, Matejek, Matijevich, Matula, Mautino, McAuliffe, McBroom, McClain, McCourt, McLendon, McPike, Miller, Mudd, Mugalian, Murphy, Nardulli, O'Brien, R.V. Walsh, Pechous, Pierce, Polk, Pouncey, Richmond, Robinson, Sandquist, Satterthwaite, Schisler, Schneider, Schoeberlein, Sharp, Shumpert, Simms, Stanley, Stearney, Steczo, Stuffle, Taylor, Terzich, Tipsword, Totten, Van Duyne, Vitek, Von Boeckman, R.W. Walsh... Bill Walsh, Williams, Winchester, Younge, and Yourell."

Speaker Giorgi: "Representative Kempiners, for what reason do you rise? Representative Kempiners."

Kempiners: "I'm recorded as voting 'yes'. Will you change me to 'no' please?"

Speaker Giorgi: "From 'aye' to 'no'? Representative Kempiners, from 'aye' to 'no'. Any questions of the Affirmative Roll Call? Representative Griesheimer."

Griesheimer: "Yes, Mr. Speaker. Abramson."

Speaker Giorgi: "Representative Abramson. He's in his chair."

Griesheimer: "Anderson."

Speaker Giorgi: "He's in his chair."

Griesheimer: "Antonovych."



Speaker Giorgi: "He's in his... no. Representative Antonovych. Is Representative Antonovych in the room? How's he recorded, Mr. Clerk?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "E.M. Barnes."

Speaker Giorgi: "Representative Barnes. Is Representative Barnes in the chambers? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Bartulis."

Speaker Giorgi: "Representative Bartulis. Is Bartulis in the chambers? He's sitting in his chair."

Griesheimer: "Beatty."

Speaker Giorgi: "Representative Beatty is in the aisle."

Griesheimer: "Birchler."

Speaker Giorgi: "Representative Birchler. Birchler's in his seat."

Griesheimer: "Bowman."

Speaker Giorgi: "Representative Bowman's in his seat."

Griesheimer: "Brady."

Speaker Giorgi: "Representative Brady is near Bradley."

Griesheimer: "Byers."

Speaker Giorgi: "Representative Byers. Is Representative Byers in the chamber? How's he recorded?"

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

Speaker Giorgi: "Representative Byers, take him off the record."

Griesheimer: "Caldwell."

Speaker Giorgi: "Representative Caldwell. Is Representative Caldwell in the chambers? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Chapman."

Speaker Giorgi: "Representative Chapman is in her seat."

Griesheimer: "Conti."

Speaker Giorgi: "Representative Conti's in his seat."

Griesheimer: "Darrow."



Speaker Giorgi: "Representative Darrow is in the back of the room."

Griesheimer: "Davis, Corneal."

Speaker Giorgi: "He's in his seat."

Griesheimer: "DiPrima."

Speaker Giorgi: "Representative DiPrima is standing in the aisle."

Griesheimer: "Domico."

Speaker Giorgi: "He's in his seat."

Griesheimer: "Doyle."

Speaker Giorgi: "Mr. Griesheimer, are you going down the Roll Call or are you going from absentees you notice?"

Griesheimer: "Doyle."

Speaker Giorgi: "Doyle's in his seat."

Griesheimer: "Ebbesen."

Speaker Giorgi: "Representative Ebbesen is standing beside you there."

Griesheimer: "No, that's Representative Porter."

Speaker Giorgi: "Oh, I thought it was Representative Ebbesen."

Griesheimer: "Farley."

Speaker Giorgi: "He's sitting in his seat."

Griesheimer: "Ewell."

Speaker Giorgi: "Representative Ewell. Is Representative Ewell in the chambers? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Farley, Representative Farley, did you say he was in his seat?"

Speaker Giorgi: "You checked him once. There he is if you want to take a look around."

Griesheimer: "I'm sorry, I didn't hear. Representative Friedland."

Speaker Giorgi: "Friedland, Friedland is back in his seat. Representative Houlihan."

Houlihan: "I rise on a point of order, Mr. Speaker. This isn't a verification, this is going through every affirmative vote in alphabetical order that's on the Roll Call. And he is being dilatory, he's out of order."

Speaker Giorgi: "I tend to agree, Mr. Houlihan. Mr. Griesheimer, would you please consult your sheet where you were taking notes

on the absentees rather than the board?"

Griesheimer: "Mr. Speaker, I'm exercising my right. The only thing dilatory about this is that the Chair wouldn't exercise the privilege of calling an electronic vote call in order to snowball this thing through; another attempt to take advantage of the taxpayers of this state by the other side of the aisle."

Speaker Giorgi: "You could have put a motion, Mr. Griesheimer. You failed to put a motion to that effect."

Griesheimer: "Well, if the Speaker could take a motion as I gave it to him, he might understand one."

Speaker Giorgi: "Continue with..."

Griesheimer: "Geo-Karis."

Speaker Giorgi: "Just a moment, Mr. Clerk."

Griesheimer: "Houlihan."

Speaker Giorgi: "Just a moment, Mr. Griesheimer. Put Mr. Byers back on the Roll Call. Ms. Geo-Karis is in her seat."

Griesheimer: "J.M. Houlihan."

Speaker Giorgi: "Mr. Houlihan, is Mr. Houlihan in the chambers? Jim. How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Hanahan."

Speaker Giorgi: "Just a moment, Mr. Clerk. Mr. Beatty, for what reason do you rise?"

Beatty: "Mr. Speaker, point of order. I'd like to know the position of the Gentleman standing on your right and what his position is and why... what right he has to stand where he's standing now, sir?"

Speaker Giorgi: "It's the custom of the House. They're having a Conference."

Griesheimer: "Representative Hanahan."

Speaker Giorgi: "Representative Hanahan. Hanahan say hello to Griesheimer."

Griesheimer: "Hi, hi there, Tommy. Representative Huff."

Speaker Giorgi: "Representative Huff, I think, is sitting in his seat over there if you'll look that way."

Griesheimer: "Emil Jones."

Speaker Giorgi: "Representative Jones. Is Representative Jones in the chamber? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Representative Katz."

Speaker Giorgi: "Representative Katz is in his seat, Mr. Griesheimer."

Griesheimer: "Representative Klosak."

Speaker Giorgi: "Klosak, I think, is in his seat."

Griesheimer: "Representative Kozubowski."

Speaker Giorgi: "Representative Kozubowski. Representative Kozubowski, is he in the chambers? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Representative Laurino."

Speaker Giorgi: "Representative Laurino. Is Representative Laurino in the chambers? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Representative Lechowicz."

Speaker Giorgi: "Representative Lechowicz was in the chambers. Is Representative Lechowicz in the chambers? How's he recorded?"

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

Speaker Giorgi: "Well, take him off the record temporarily."

Griesheimer: "Representative Luft."

Speaker Giorgi: "Representative Luft. Is Representative Luft in the chambers? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Representative Madison."

Speaker Giorgi: "Representative Madison. Is Representative Madison in the chambers? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Representative Marovitz."

Speaker Giorgi: "He's in his chair."



Griesheimer: "Representative Matijevich."

Speaker Giorgi: "Representative Lechowicz is back in the chamber.

Put Representative Lechowicz back on the Roll Call. Representative Matijevich. Is Representative Matijevich in the chamber? How's he recorded, Mr. Clerk?"

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

Griesheimer: "Representative Matejek."

Speaker Giorgi: "Take him off the record. John Matejek is in his chair."

Griesheimer: "Representative McAuliffe."

Speaker Giorgi: "He's in his chair."

Griesheimer: "Representative McLendon."

Speaker Giorgi: "He's in his chair."

Griesheimer: "Representative Miller."

Speaker Giorgi: "He's at the back of the room."

Griesheimer: "Representative Mudd."

Speaker Giorgi: "He's in his chair."

Griesheimer: "Representative Mugalian."

Speaker Giorgi: "He's in his chair."

Griesheimer: "Mr. Speaker, one of the reasons... there's no possible way to see over there."

Speaker Giorgi: "I can see from here."

Griesheimer: "Okay, Representative Murphy."

Speaker Giorgi: "He's in his chair."

Griesheimer: "Representative Nardulli."

Speaker Giorgi: "He's standing there, hasn't moved for the last twenty minutes."

Griesheimer: "Representative O'Brien."

Speaker Giorgi: "Representative O'Brien. Is he in the chambers? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Representative Pierce."

Speaker Giorgi: "Representative Pierce. Is he in the chambers?

Representative Pierce, how's he recorded?"

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



Speaker Giorgi: "Take him off the record."

Griesheimer: "Representative Flinn."

Speaker Giorgi: "Flinn, Representative Flinn. Is he in the chambers? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."

Griesheimer: "Representative Polk."

Speaker Giorgi: "Polk, Representative Polk. Representative Polk in the chambers? Polk is sitting there."

Griesheimer: "Representative Steczo."

Speaker Giorgi: "Representative Steczo's in his chair."

Griesheimer: "Representative Rigney."

Speaker Giorgi: "Representative Rigney. He's over to your right. Oh, yes, he's voting 'no'."

Griesheimer: "Representative Sandquist."

Speaker Giorgi: "Sandquist is in his chair."

Griesheimer: "Representative Sharp."

Speaker Giorgi: "Sharp is in his chair."

Griesheimer: "Representative Schneider."

Speaker Giorgi: "Schneider is sitting next to Mugalian."

Griesheimer: "Representative Stuffle."

Speaker Giorgi: "Stuffle's in the aisle."

Griesheimer: "Representative Shumpert."

Speaker Giorgi: "In the back of the room."

Griesheimer: "Representative Mulcahey."

Speaker Giorgi: "You're in the S's now."

Griesheimer: "Representative Younge."

Speaker Giorgi: "How is... is Representative in the chambers? Representative Younge, how's she recorded?"

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

Speaker Giorgi: "Take her off the record."

Griesheimer: "Representative Totten."

Speaker Giorgi: "Representative Totten. Is Representative Totten in the chambers? How's he recorded?"

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

Speaker Giorgi: "Take him off the record."



Griesheimer: "Representative Boucek."

Speaker Giorgi: "Representative Boucek. Is Representative Boucek in the chambers? Representative Boucek. How's he recorded?"

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

Speaker Giorgi: "Take him off the record. Does that complete it, Mr. Griesheimer?"

Griesheimer: "One other one. Representative Walsh, the new Representative Walsh."

Speaker Giorgi: "The new Representative Walsh is in his chair. How much... what's the count, Mr. Clerk? There are 102 affirmative 'ayes'. Representative Collins, for what reason do you rise? Change Representative Collins from 'no' to 'aye'. Representative Bluthardt, for what reason do you rise?"

Bluthardt: "Change my vote, Mr. Speaker, from 'present' to 'aye'."

Speaker Giorgi: "Change Representative Bluthardt from 'present' to 'aye'. 104 affirmative votes. Representative Boucek has returned to the chambers, put him back as to where he was voting. Representative Madigan, for what reason do you rise? Representative Mudd, for what reason do you rise?"

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

Speaker Giorgi: "How's Mr. Mudd recorded? Mr. Mudd. Just a moment, we've got a couple of requests. Representative Flinn is back here to be placed back on the Affirmative Roll Call and Representative Dunn wants to be... Representative Dunn. Representative Dunn, for what reason do you rise?"

R. Dunn: "Thank you, Mr. Speaker. I'm recorded as 'no'. Will you change me to 'aye' please?"

Speaker Giorgi: "Change Mr. Dunn to 'aye'. Mr. Totten, do you want to get back? Mr. Totten would like to be put back on as an affirmative vote. Yes, Sir. Totten and Dunn. Just a minute, Representative. We'll see where we're at, this is very crucial. Representative Keats, for what reason do you rise?"

Keats: "Mr. Speaker, I would appreciate it if you would take the record. This is grossly dilatory. Everybody in the room knows you're... emptying the bars, the bathrooms and the poker games. If you don't mind, we'd appreciate it if we could get on with



the business of the House, quit playing with these shenanigans and let's get the game going. I know the power of the gavel is important, but let's quit playing games with it and close the record."

Speaker Giorgi: "I agree, Mr. Keats. There now are 107 affirmative votes and how many 'nay' votes? 38 'nay' votes? 107 'aye' votes, 38 'nays' and 5 voting 'present'. This motion having received a Constitutional three-fifths Majority prevails and House Bill 651 is declared passed notwithstanding the veto of the Governor. Representative Telcser, for what reason do you arise?"

Telcser: "Mr. Speaker, I thought I'd make a suggestion to you. It could save an awful lot of time, the Democratic Members could go to their slate making, people can go to the Senate. Why don't we just take every matter that's on the Calendar and put a long piece of paper on the Clerk's desk and whenever somebody drifts in they could put their name on the Roll Call and when it has enough affirmative votes, you could declare it passed at your convenience. That might save us all some time."

Speaker Giorgi: "I agree. That's how you and Blair handled it once. For what reason do you arise?"

Telcser: "Well, Representative, I just want to give you the benefit of our experience."

Speaker Giorgi: "I knew it. It's imprinted on my forehead. The House will be at ease for just a couple of minutes. Representative Johnson, for what reason do you rise?"

Johnson: "For a point of parliamentary inquiry, Mr. Speaker."

Speaker Giorgi: "Yes, Sir."

Johnson: "What was the number of votes received on House Bill 651 that's still on the board?"

Speaker Giorgi: "107 exactly."

Johnson: "How was Representative Breslin recorded?"

Speaker Giorgi: "My memory fails."

Johnson: "Could the Clerk tell us?"

Speaker Giorgi: "She's in the room."

Johnson: "Mr. Clerk, how was Representative Breslin recorded on House Bill 651?"

Speaker Giorgi: "Point of... that's... you weren't recognized for



that purpose, Mr. Johnson."

Johnson: "I was recognized..."

Speaker Giorgi: "You said Bradley. You said Bradley, though, didn't he? Oh, I misunderstood you. What's the question?"

Johnson: "My speaker is... my question is, Mr. Speaker, whether in light of the 107 votes received, in light of Representative Breslin's 'yes' vote, you still declare House Bill 651 having passed?"

Speaker Giorgi: "Mr. Johnson, I... Mr. Johnson, I read the Clerk's numbers at 107 votes. I have a good memory, but I couldn't remember 107 people voting, but I do know that that's the three-fifths majority and that's what I ruled. If you want to place a dissent on the record, write your dissent, give it to the Clerk."

Johnson: "Well, I'd like to appeal the ruling of the Chair then if that's the ruling of the Chair."

Speaker Giorgi: "That's not a rule, that's just a matter of parliamentary procedure."

Johnson: "I understand that and I think I have the right to appeal the ruling of the Chair."

Speaker Giorgi: "I can't tell you who the 107 votes were from my memory. All I know is there were 107 votes from the Clerk and it's a three-fifths majority and I declared it passed. And if you have a formal motion that you want to place, bring it down to the well and give it to the Clerk and we'll act on it. How do you like that, Skinner? Mr. Dunn on House Bill 1218, Total Veto Motion."

R. Dunn: "Thank you, Mr. Speaker, Members of the House. House Bill 1218 was considered yesterday to pass notwithstanding the Governor's veto. As I said yesterday, 1218 was a joint product of the Democrat and Republican House Revenue Subcommittee on libraries. We held hearings around the state and we found that one of the main problems that libraries have in each of our communities is the fact that they have building problems and many of them inadequate buildings. Now, this is a Bill that would not give any funds to any libraries. There were three Bills, two of them were funding Bills and this is the Bill that would



set up the mechanics for the funding. I have decided in view of the Governor's veto in saying that he didn't have enough money to fund the programs this year, we have not asked for an override on House Bill 1219 and 1229, but 1218 is merely... or it amends the Library System Act and provides for a program of state grants that can be administered under the Capital Development Funds when the money is available. The money would be voted by and authorized by the General Assembly and would be controlled by the Secretary of State. This program and this type program had the support of the last three Secretary of States, John Lewis, Mike Howlett, and now Alan Dixon. Now, I say again, no funding is requested in this Bill nor do we intend to offer one in this Session in this Fall Session of the House to fund any library construction grants. So, I would like to have an 'aye' vote on this and to get 107 votes. We got 103 yesterday and I moved for Postponed Consideration. I consider... I'd like to have your 'aye' votes to override the Governor's veto."

Speaker Bradley: "The Gentleman from Lake, Mr. Griesheimer, on the motion. The Gentleman from Livingston, Mr. Ewing, on the motion."

Ewing: "Mr. Chairman, Ladies and Gentlemen of the House, we, of course, are on Consideration Postponed and we heard this Bill yesterday and it didn't get enough votes. It was a bad Bill yesterday, it set the precedent for funding by the State of Illinois. We all know that next year we will have forgotten the rhetoric this year that this doesn't cost any money and we'll be telling ourselves that we set a precedent, we said we would fund this and now we must do it to keep our word. I believe that when we get ready to put money in the libraries, we can pass this Bill. I think it's a bad precedent to send a Bill through without the companion appropriation. And, therefore, I would ask for negative votes on this and that we sustain the Governor's veto."

Speaker Giorgi: "The Lady from Lake, Mrs. Geo-Karis. On the motion? The Gentleman from McHenry, Mr. Skinner, on the motion."

Skinner: "Yes, Mr. Speaker and Members of the General Assembly, I think the Gentleman from Pontiac overstates his case rather substantially. This is certainly not a bad Bill. If he wants

to say it's not a good enough time to pass this acceptable Bill, that might be a way to state it. Certainly there isn't money in the Capital Development Board budget this year to provide these matching grants requiring three local dollars for every one state dollar to build local libraries, but that doesn't mean that this isn't a far superior way to spend C.D.B. funds than many of the authorization Bills that are already on the books. As all of us know, just because we authorize something doesn't necessarily mean we provide the money when it comes down to the capital budget... the capital budget appropriation Bill. It seems to me that this has proved to be an excellent program in the State of Illinois when it was under Federal sponsorship and that it deserves state sponsorship at this time."

Speaker Bradley: "Mr. Yourell on the motion."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I don't think that we can lay this proposal at the feet of Representative Dunn who is sponsoring the motion to override because the result of this... the proposal, this proposal is the result of... many series of state-wide public hearings on the funding of libraries and that inquiry, state-wide inquiry was conducted by the House Revenue Committee with both Democratic and Republican Members. So it was their proposal, not Representative Dunn's and it was a consensus of the Members of that Committee that this Bill be introduced and it was introduced and received a substantial vote on Third Reading. And I think we should sustain that substantial vote on Third Reading with the proper votes to override this motion."

Speaker Bradley: "The Gentleman from Madison, Mr. Lucco. Do you wish... The Gentleman from Lawrence, Mr. Cunningham, on the motion."

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this is a pernicious foot-in-door technique. By passing this Bill, you create the pressure and the embarrassment next year to spend the money that you haven't this year and won't have it next year either. You've heard that phrase about putting the cart before the horse. In this instance, we don't have that. After the horse died, the Bill that provided the money or the taxes,



then they get the cart. There's no logical reason on earth for passing this Bill. We'll be back in Session here next year at least a hundred days and have plenty of time to wrestle with the librarians and their raids upon the treasury. We should be voting 'no' on the Bill."

Speaker Bradley: "The Gentleman, Mr. Dunn, wish to close?"

R. Dunn: "Thank you, Mr. Speaker. I'd like to yield the closing arguments to Representative Barnes who is a Cosponsor, Cosponsor on the Bill. Representative Barnes. He's not paying much attention to me. Mr. Chairman, see if Representative Barnes wants to close. If he doesn't, I will."

Speaker Bradley: "Maybe he can explain his vote."

R. Dunn: "I thought maybe you wanted to close, Representative Barnes, as a Cosponsor of the Bill."

E. Barnes: "Mr. Speaker. Oh, I'm sorry."

Speaker Bradley: "Barnes? On a motion?"

E. Barnes: "No, no, I'm closing on the debate."

Speaker Bradley: "Oh, all right. Proceed, Sir."

E. Barnes: "Thank you very much. Mr. Speaker and Members of the House, as you know this was all debated yesterday and not just yesterday, but last spring. And as has been pointed out by Representative Dunn, the direction that this General Assembly has moved in, both in the House and the Senate, had concurred with the absolute necessity of passing a program of this type. We've been working on this for a number of years now. It's a bipartisan effort by both sides of the aisle and in terms of one...as we know, in terms of one General Assembly or from one year to the next, committing another sitting Body of action that's taken, that's something that we simply can't do here. But what we're trying to do, what we're trying to do and the need is of such great magnitude that we feel that it is absolutely necessary to insure that this program be established in law this year. Another time, another General Assembly can decide and will decide how much this program should and will be funded at that time. But I think what we're trying to do here is insure that we take the initial step so that these local libraries who sorely need this



kind of help can get it in the future and I solicit your support in our effort to override the veto on House Bill 1218, Governor's veto notwithstanding."

Speaker Bradley: "The question is, shall House Bill 1218 pass notwithstanding the veto of the Governor? All in favor signify by voting 'aye', opposed by voting 'nay' and the Chair would suggest everybody vote their own switches. Have all voted who wished? Have all voted who wished? Mrs. Geo-Karis wishes to be recorded as voting 'aye'. She's recorded. Have all voted who wished? The Clerk will take the record. Mr. Dunn. The Gentleman from Perry, Mr. Dunn."

R. Dunn: "Mr. Chairman, this requires 107 votes I understand. Is that right?"

Speaker Bradley: "Need 107 votes, Sir."

R. Dunn: "I'd like to poll the absentees if we don't get 107 votes."

Speaker Bradley: "The Gentleman requests a poll of the absentees.

Mr. Ewing, for what purpose do you rise?"

Ewing: "Mr. Speaker, if this gets the required number of votes, I would like a verified oral Roll Call on this please. I've seen people pushing buttons all over the floor here."

Speaker Bradley: "We'll recognize you at the proper time. The Clerk will call the absentees."

Clerk O'Brien: "Abramson, Antonovych, Caldwell, Campbell, Catania, Jack Davis, Dawson, Deavers, Domico, Edgar, Giorgi, Hanahan, Hoffman, Hoxsey, Kent, Kosinski, Laurino, Lechowicz, Madison, Matijevich, McBroom, McClain, McGrew, Meyer, Miller, Molloy, Mudd, O'Brien, Pierce, Schoeberlein, E.G. Steele, Van Duyne, Waddell."

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

Mr. Mahar wishes to be recorded as voting 'aye'. Mr. Peters, for what purpose do you rise, Sir? Peters."

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

Speaker Bradley: "How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Peters: "In keeping with what appears to be an effort, Mr. Speaker, change my vote to 'aye'."



Speaker Bradley: "Record the Gentleman as voting 'aye'. Jane Barnes wishes to be recorded as voting 'aye'. Mr. Kucharski who is voting 'no' wishes to change his vote to 'aye'. Domico wishes to be recorded... how's the Gentleman recorded? Not voting? Record the Gentleman as voting 'aye'. Mr. Jones. Domico. Mr. Jones wishes to be recorded from 'present' to 'aye'. Daniels from 'aye' to... or from 'no' to 'aye'. Lee Daniels. J. David Jones. Mr. Reilly wishes to change his vote from 'no' to 'aye'. Hoxsey from not voting to 'aye'. Van Duyn wishes to be recorded as voting 'aye'. Campbell from 'present'... from not voting to 'no'. Abramson wishes to be recorded as voting 'aye'. Walsh, William, wishes to be recorded as voting 'no'. Jack Williams wishes to be recorded as voting 'aye'. Mr. Schuneman wishes to be recorded... he is recorded as 'no'. Mr. Schuneman, turn Mr. Schuneman on please."

Schuneman: "Mr. Speaker, obviously many of the people that have voted on this Bill are not in the chamber. There are a lot of changes on the Roll Call. Could I suggest that we drop this vote, simply dump it and ask those who are in the chamber to vote and stay off the switches of those people who aren't in the chamber?"

Speaker Bradley: "The Chair already requested that before we started this Roll Call, if you'll remember, and we do have a request for a verification. And the Sponsor indicates he does not want to dump this Roll Call, so we'll get everybody on and then we'll verify it."

Schuneman: "Well, in the interest of time, Mr. Speaker, I would again renew my request."

Speaker Bradley: "The Gentleman from Livingston, Mr. Ewing, for what purpose do you rise, Sir?"

Ewing: "Yes, Mr. Speaker, I requested an oral verification."

Speaker Bradley: "Yes, Sir. We're not to that point yet."

Ewing: "All right."

Speaker Bradley: "Is everybody recorded now that wants to be recorded? The Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Speaker, I want to move to expunge my prior remarks in opposition to the library. I think a library is a marvelous thing.



It's the storehouse and the product of the minds of great men and women that have gone before us and we should never shrink from supporting libraries regardless of how onerous the burden. I got my signals wrong. I proudly switch to 'aye'."

Speaker Bradley: "On that note with a little light coming into the chamber, we'll open the curtains so everybody will be a little brighter. Mr. Tipsword, the Gentleman from Christian, for what purpose do you rise?"

Tipsword: "Mr. Speaker, we just heard sort of a repeat of what I understand is one of the most famous remarks on the floor of this House when one of the Gentlemen years ago got up and was opposing a Bill and received the word from his Governor in the opposite direction. He says now I've told all the things bad about it, let me tell you what's really good about it and why we ought to pass it. I salute the Gentleman."

Speaker Bradley: "Has everybody been recorded now that wishes to be recorded? What's the count? 115 'ayes', 31 'nays'. Mr. Deavers, the Gentleman from McLean, wishes to be recorded as voting 'aye'. We have 116 'ayes', we have a request for an oral verification of the Roll Call. Will all the Members please be in their seats? Mr. Ewing, would you come up here just a minute please? For what purpose the Gentle... or the Lady from Lake, Ms. Geo-Karis, arise?"

Geo-Karis: "I wonder if I could be verified because I have to run over to the Senate. No, I'm not going to go sit there, I just have to go there."

Speaker Bradley: "If you promise to come back... you'll have to ask Mr. Ewing if you can be verified. The Gentleman persists in his request, so will all the Members please be in their seats and we'll have the oral verification. And Ms. Geo-Karis had better stay here until you're verified. It's an oral verification, Mr. Katz, the Chairman of the Rules Committee, and we'll have to... Dump the Roll and all the Members be in their seats and the Clerk will call the Roll. And those Members not... and those people, those who are not entitled to the floor would they please remove themselves and the Members will have to be in their own seats to vote. Mr. Clerk, proceed."



Clerk O'Brien: "Abramson 'aye'."

Speaker Bradley: "Would the Members call out a little louder so the Clerk can hear you?"

Clerk O'Brien: "Adams, pass. Adams 'no'. Anderson 'aye'. Antonovych, pass. E.M. Barnes 'aye'. Jane Barnes 'aye'. Bartulis 'aye'. Beatty 'aye'. Bennett 'aye'. Birchler 'aye'. Bluthardt, Bluthardt."

Speaker Bradley: "Mr. Bluthardt, for what purpose do you rise, Sir?"

Bluthardt: "Explain my vote, Sir. I say nobody's promised me anything, nobody's approached me for Leadership or anything else, so I'm going to vote my convictions. I vote 'no'."

Clerk O'Brien: "Bluthardt 'no'. Boucek 'no'. Bowman 'aye'. Bradley 'aye'. Brady 'aye'. Brandt 'aye'. Breslin 'aye'. Rich Brummer 'aye'. Don Brummet 'aye'. Byers 'aye'. Caldwell, pass. Campbell 'no'. Capparella 'aye'. Catania 'aye'. Chapman 'aye'. Christensen 'aye'. Collins 'aye'. Conti 'aye'. Cunningham 'aye'. Daniels 'aye'. Darrow 'aye'. Corneal Davis 'aye'. Jack Davis, pass. Dawson, pass. Deavers 'aye'. Deuster, Deuster. Aye? Deuster, pass. DiPrima 'aye'. Domico 'aye'. Doyle 'aye'. John Dunn 'aye'. Ralph Dunn 'aye'. Dyer 'aye'. Ebbesen 'no'. Edgar 'aye'. Epton 'no'. Ewell, pass. Ewell 'aye'. Ewing 'no'. Farley 'aye'. Flinn 'aye'. Friedland 'no'. Friedrich 'no'. Gaines 'aye'. Garmisa 'aye'. Geo-Karis 'aye'. Getty 'aye'. Giglio 'aye'. Giorgi, pass. Greiman."

Speaker Bradley: "Wait a minute. Mr. Farley, would you please push your switch green?"

Clerk O'Brien: "Greiman, pass. Griesheimer 'present'. Hanahan, pass. Harris 'aye'. Hart 'aye'. Hoffman 'no'. Holewinski 'aye'. Dan Houlihan 'aye'. Jim Houlihan, pass. Hoxsey 'aye'. Hudson 'no'. Huff 'aye'. Huskey 'no'. Jacobs 'aye'. Jaffe 'aye'. Johnson 'aye'. Dave Jones, pass."

Speaker Bradley: "Here he is. Mr. Jones. 'Aye?'"

Clerk O'Brien: "Aye. Emil Jones, Emil Jones, pass. Kane 'aye'. Katz 'aye'. Keats 'no'. Kelly 'aye'. Kempiners 'no'. Kent 'no'. Klosak, pass. Kornowicz 'aye'. Kosinski, pass. Kozubowski, pass. Kucharski 'aye'. Lauer 'aye'. Laurino, pass. Lechowicz, pass. Leinenweber 'no'. Leverenz 'aye'. Levin 'aye'. Lucco 'aye'."



Luft, pass. Macdonald 'aye'. Madigan, pass. Aye. Madison, pass. Mahar 'aye'. Mann 'aye'. Marovitz 'aye'. Lynn Martin 'no'. Peggy Smith Martin 'aye'. Matejek 'aye'. Matijevich, pass. Mautino 'aye'. McAuliffe 'no'. McAvoy 'no'. McBroom, pass. McClain 'aye'. McCourt 'no'. McGrew, pass. McLendon 'aye'. McMaster 'aye'. McPike 'aye'. Meyer, pass. Miller 'no'. Molloy 'present'. Mudd 'no'. Mugalian."

Speaker Bradley: "Mr. Lechowicz, you wish to be recorded, Sir?"

Mr. Lechowicz wishes to be recorded as voting 'aye'."

Clerk O'Brien: "Lechowicz 'aye'. Meyer voted 'present'. Mugalian, pass. Mulcahey 'aye'. Murphy 'aye'. Nardulli 'aye'. Neff, Neff."

Speaker Bradley: "Mr. Neff, do you wish to be recorded? Mr. Conti, we can't see Mr. Neff."

Clerk O'Brien: "Neff 'aye'. O'Brien, pass. Walsh, Robert V., is he there? Robert Walsh, pass. Pechous, pass. Peters 'aye'. Pierce, pass. Polk 'aye'. Porter, pass. Pouncey 'aye'. Pullen 'no'. Reed 'aye'. Reilly 'aye'. Richmond 'aye'. Rigney 'no'. Robinson 'aye'. Ryan, pass. Sandquist 'aye'. Satterthwaite 'aye'. Schisler 'aye'. Schlickman, pass. Schlickman 'no'. Schneider 'aye'. Schoeberlein, pass. Schuneman 'no'. Matula 'no'. Sharp 'aye'. Shumpert 'aye'. Simms 'no'. Skinner 'aye'. Stanley 'present'. Stearney 'aye'. Steczo 'aye'. E.G. Steele 'aye'. C.M. Stiehl 'aye'. Stuffle 'aye'. Sumner 'no'. Taylor 'aye'. Telcser 'no'. Terzich, pass. Tipsword 'aye'. Totten 'no'. Tuerk 'aye'. Van Duyn 'aye'. Vitek 'aye'. Von Boeckman, pass. Waddell 'aye'. Wall, Wall, pass. Walsh 'no'. Wikoff 'aye'. Willer, pass. Williams 'aye'. Winchester 'aye'. Wolf 'no'. Younge, pass. Yourell 'aye'. Mr. Speaker."

Speaker Bradley: "Aye, he wishes to be..."

Clerk O'Brien: "Aye."

Speaker Bradley: "The Gentleman... Mr. Knox, Mr. McGrew wishes to be recorded as voting 'aye'. Let's call the absentees."

Clerk O'Brien: "McGrew 'aye'. Absentees - Antonovych, Caldwell, Jack Davis, Dawson, Deuster, Giorgi. Giorgi votes 'aye'. Greiman, Hanahan, Jim Houlihan, Emil Jones, Klosak, Kosinski,



Kozubowski, Laurino, Luft, Madison, Matijevich, McBroom, Mugalian."

Speaker Bradley: "Mugalian 'aye'."

Clerk O'Brien: "Mugalian votes 'aye'."

Speaker Bradley: "Aye. Mr. Mugalian? Aye."

Clerk O'Brien: "O'Brien, Robert Walsh, Pechous, Pierce, Porter, Ryan, Schoeberlein, Terzich, Von Boeckman, Wall, Willer and Younge."

Speaker Bradley: "Mr. Deuster."

Deuster: "Aye."

Speaker Bradley: "What do we have? The motion having received a Constitutional three-fifths... Oh, take the record, Mr. Clerk. On this question there are 112 'ayes', 33 'nays'. Mr. Von Boeckman wishes to be recorded as voting 'aye'. 113 'ayes', 33 'nays', 4 voting 'present'. The motion having received a Constitutional three-fifths Majority prevails and House Bill 1218 is declared passed, notwithstanding the veto of the Governor. On the Calendar appears House Bill 1432. Mr. Taylor. Take it out of the record. 1975, Ms. Breslin. Take it out of the record. House Bill 2126, Dan Houlihan. On the question the Gentleman from Cook, Mr. Houlihan."

D. Houlihan: "Mr. Speaker, House Bill 2126 is the appropriation measure for House Bill 2173 in which there has been a similar motion filed. I would ask leave of the House at this time to have House Bill 2126 and 2173 considered together."

Speaker Bradley: "Does the Gentleman have leave to hear 2126 and 2173 as a package? Hearing no objection, we will hear both Bills at the same time."

D. Houlihan: "At this time, if I may, Mr. Speaker, I'd like to defer to Representative Lauer who is the principal Sponsor of House Bill 2173."

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

Lauer: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we discussed this Bill yesterday at some length. We fell a few votes short of being able to pass it. The Bill has not changed in the interim except, I think, perhaps the perception of some of the Members of the House might have changed simply because you found out what it meant to your individual districts, what it meant to your individual counties. The need is there. If



we are going to take a posture in this First Special Session of strengthening law enforcement, strengthening the concept of criminal justice, it becomes imperative that we be prepared to deal in a preventive way with the individual who has made one mistake, has come out of prison, having paid his debt, but now goes under probation services. If we have competent people that are administering probation services, then it comes to a situation of the chances of him having to go back to prison on any kind of a new charge becomes considerably less. We have probation service workers right now who are carrying caseloads of upwards of two hundred cases. This being the case, Mr. Speaker, it would be analogous to a teacher who is trying to counsel with two hundred young people at the same time and realize that many of the people that the probation service workers work with are under twenty-five years old. It is not a case of their loss to society. They're not lost if we can get to them in time. We were criticized yesterday by saying that you can't solve this problem by throwing money at it. Mr. Speaker, I agree with that assessment. But by the same token, you can't solve the problem by delaying and delaying and delaying. If we do not pass this Bill today, then there will probably be a minimum of eighteen months delay in upgrading probation services. Ladies and Gentlemen of the House, this is a time when I'm asking you to cast a humanistic, compassionate vote for the people who have made a mistake but need to have a chance for an honest rehabilitation. For any technical questions you have, I'll again defer to Representative Houlihan."

Speaker Bradley: "The Gentleman from Will, Mr. Leinenweber, on the motion."

Leinenweber: "Thank you, Mr. Speaker. Many of the faults of this Bill were outlined yesterday and certainly as the previous speaker indicated the charge has been made and I think very legitimately that this Bill is merely throwing money, and a lot of it, which is in very short supply, at the problem of upgrading probation services. I will just briefly go over what I consider some of the major flaws in the Bill that parenthetically were not there when this House passed this Bill last spring. There are no



minimum standards set for it. The body to establish the minimum standards is no longer the court administration office of the Supreme Court but has been turned over to a conference of Chief Judges of the Circuit Court which are the people that have for years made the appointments to the probation department. There is no effective way for the state to determine that its money is being well spent, that it's even being properly spent under whatever conditions that the conference of Chief Judges may establish. This provision for oversight has been turned over to the unlikely office of the Comptroller who has absolutely neither the manpower nor the money to properly, or the know-how to properly oversee this function. You are grandfathering in absolutely forever every existing patronage employee in the probation departments no matter how minimal their standards may be. There's no provision even for future educational requirements for these people who are grandfathered in. They're there for the rest of their life or until they can be convinced to take retirement. It is not probation reform. It is merely a subsidy Bill to continue the existing system. It is absolutely a waste of state money if you're not going to get what you're paying for. And you're spending two million... two hundred thousand dollars for it. This is not, as the previous speaker indicated, the last hope. There is a Bill in the Special Session which is fully alive in Committee seeking to upgrade and provide meaningful standards within the court administration office. I suggest to you that the Governor is absolutely correct in vetoing these two House Bills and I would suggest that we go back to the drawing boards and start over again and come up with meaningful reform before we start committing state money cause once the flow of funds is turned on, you're never going to turn it off and there's not going to be the incentive for local governments to agree to provide meaningful standards. So I firmly suggest that the proper vote is to vote 'no' and sustain the Governor's veto."

Speaker Bradley: "The Gentleman from Cook, Mr. Telcser."

Telcser: "Well, Mr. Speaker, Members of the House, this... these two Bills were bad yesterday. They're just as bad today. The



Gentleman from Will has stated the point quite well. It's a patronage grab for certain parts of the state. It does nothing to reform a system which is in desperate need of reform. It's costly. It could cost as much as four to five million dollars a year, every year, during the first full fiscal year. There are some people who say the cost could go as high as ten million dollars. As I say, the Bill is bad, both of these Bills are. I hope that every Member of the House will vote 'no' on the Gentleman's motion to override and that we should sustain the Governor's veto."

Speaker Bradley: "The Gentleman from Cook, Mr. Houlihan, to close the debate."

D. Houlihan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In supporting with Representative Lauer this override motion of both of these Bills, we have articulated yesterday the arguments as far as the need. In summary, I think that there are five basic points that can be made as far as need. Case-loads for adult probation officers are twice and in some counties five times the national recommended levels. There are some sixty-six thousand, six hundred individuals on probation of court supervision in Illinois. They are not being adequately supervised to insure public protection and that supervision is fundamental and necessary if we are to have any kind of an adequate probation system. Judges often do not receive information on offenders prior to sentencing. It's obviously vital if the Judge is to know of any current or or past probation orders. And it's going to be a situation which will be dramatically increased under any form the Class X legislation which is facing this House... should be adopted as far as the expanded presentence investigation reports, all of which are done by the County Probation Officers. Individuals on probation do not consistently get the services needed to successfully complete probation. Such services as diagnostic testing, counselling and employment assistance and professional salaries are, as a matter of fact, not paid in many counties and some are as low as seven thousand dollars a year. And obviously, adequate salaries are essential to permit probation



departments to recruit and to retain qualified and experienced probation officers. As far as the funds that are involved, let me emphasize back to the Republican side of the aisle as far as they're concerned, it is the Governor who has already earmarked the funds that are called for in this Bill. As far as the \$2.2 million expenditure for probation services to serve these some sixty-six thousand individuals in this state for an average of three hundred and thirty dollars per year is obviously much more cost efficient than the eighty-two million dollar expenditure to serve the some eleven thousand persons in state prisons at an average of over eight thousand dollars per person per year. As far as going back to the drawing boards, the answer to that is we've been on the drawing boards with this type of legislation for the past six years. This is the first time that we have been able to pass a state-wide probation Bill. The apprehension and concern about the conference of Chief Circuit Court Judges as far as the body that will set the minimal standards to guide county probation departments across this state is the same standard that we presently have and have had in effect since 1966 for juvenile probational officers for the subsidies that they receive. Now, it has worked very well in that system and every indication would seem to be that it should work just as well for adult probation officers. Essentially what the Bill would do would be to expand the present three hundred dollar maximum subsidy to juvenile probation officers to five hundred dollars and to treat in an equivalent manner the adult probation officers. I urge your support of what is a fundamentally necessary Bill if we are to improve the system of criminal justice in the state and particularly if we are to improve the quality of probation services in every county in this state and I urge your support."

Speaker Bradley: "The question is, shall House Bill 2126 pass, notwithstanding the veto of the Governor? All in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Gentleman from Winnebago, Mr. Mulcahey, to explain his vote."

Mulcahey: "It's going to affect one county in my district. I don't



think a lot of people realize... well, for example, let's use Stephenson County. Stephenson County would stand to lose some twenty-five thousand, two hundred dollars in 1978 if this legislation does not pass. This twenty-five thousand dollars would help this county and many other counties for that matter, in the salary category. Now, this loss is going to prevent the county from hiring additional staff and because many of the counties have limited incomes, as we all know, they would not be able to assist in any way, shape or form without the subsidy income. I believe this program works. The veto has done absolutely nothing to improve the probation services in Illinois, thus, we should override the veto. The counties, indeed, need this money and, believe me, Stephenson County needs it."

Speaker Bradley: 'The Gentleman from Cook, Mr. Lechowicz, to explain his vote."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think if the Membership were to listen to Representative O'Brien's excellent presentation of this Bill and the necessity of the override of the veto, they would give the... this Bill an overwhelming majority. He pointed out that the caseload for adult probation officers are twice the national recommended levels and as was pointed out by the previous speaker, this affects every county in this state. This administration is asking for fifty-eight million dollars in new authorization for prisons, but in turn will not supply the necessary votes for the appropriation process for the case workers who are supposed to rehabilitate these people. It's about time that this Assembly put its heart and its votes where it should necessarily be and that's on the override of this Bill. Thank you."

Speaker Bradley: "Have all voted who wished? The Lady from Cook, Ms. Catania, to explain her vote."

Catania: "Thank you, Mr. Speaker and Members of the House. This Bill isn't any better now than it was when we didn't give it enough votes the first time and, once again, we have the spectacle of the patronage captains from Cook County running up and down the aisles rounding up their votes because what this is is a substantial



enhancement of the patronage army in Cook County. This would give over a million dollars a year to the Cook County regular Democrat machine to campaign against Republicans and to try to once again get a majority in both the House and the Senate. Now, we are here, I would remind you, Ladies and Gentlemen, in a Special Criminal Justice Session called by the Governor to deal with the problem of criminal justice of which probation is one part. Now, I don't blame all the local probation officers from all the counties outside Cook County for coming down here or calling their Legislators and asking for support of this Bill because they've been waiting for something to help probation in Illinois ever since the Cook County organization refused to allow state-wide uniform probation to be part of the Unified Code of Corrections. So the probation officers must ask for whatever they can get and they were the ones who put together the original form of this Bill and which Representative Lauer and Representative Houlihan agreed to sponsor. When it left this House it was in pretty good shape but it went to the Senate and over in the Senate, the Chicago Democrats turned it into a vehicle for patronage in Cook County. This is a terrible Bill. It does not set minimum standards. It does not address the problem of probations. All it does is to give over a million dollars a year to Cook County to beef up its troops so that in the next election it can defeat more Republicans and try once again to have majorities in the House and Senate. If that's what you want, put the green lights up there. If you'd like to do something decent for probation, if you'd like to be honest with your probation officer, if you'd like to really address the criminal justice problems, then vote red on this Bill."

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

Ryan: "No, Mr. Speaker, at the proper time, I'd like to verify the Roll Call."

Speaker Bradley: "Have all voted who wished? The Gentleman from Cook, Mr. Houlihan, for what purpose do you rise, Sir?"

D. Houlihan: "Poll of the absentees."



Speaker Bradley: "Let's take the record first. Have all voted who wished? The Clerk will take the record. Mr. Houlihan requests a poll of the absentees. The Clerk will poll the absentees."

Clerk Hall: "Cunningham, Klosak, Peggy Martin, Meyer, Porter."

Speaker Bradley: "Clerk will call the affirmative roll at the request of Mr. Ryan for verification. Members will be in their seats. Those people not entitled to the floor will remove themselves. Call the affirmative roll."

Clerk Hall: "Anderson, Antonovych, Barnes, Beatty, Bennett, Birchler, Bowman, Bradley, Brady, Brandt, Breslin, Rich Brummer, Don Brummet, Byers, Caldwell, Campbell, Capparelli, Chapman, Christensen, Daniels, Darrow, Corneal Davis, Dawson, Deavers."

Speaker Bradley: "Slow down the pace just a trifle."

Clerk Hall: "DiPrima, Domico."

Speaker Bradley: "Would the Members please be in their seats when their name is called? Please raise their hands so that the Gentleman on this side could verify. Proceed."

Clerk Hall: "Doyle, John Dunn, Ralph Dunn, Edgar, Ewell, Ewing, Farley, Flinn, Gaines, Garmisa, Geo-Karis, Getty, Giglio, Giorgi, Greiman, Hanahan, Harris, Hart, Hoffman, Holewinski, Dan Houlihan, Jim Houlihan, Hoxsey, Huff, Jacobs, Jaffe, Johnson, Dave Jones, Emil Jones, Kane, Katz, Kelly, Kornowicz, Kosinski, Kozubowski, Lauer, Laurino, Lechowicz, Leverenz, Levin, Lucco, Luft, Madigan, Madison, Mann, Marovitz, Lynn Martin, Matejek, Matijevech, Mautino, McClain, McGrew, McLendon, McMaster, McPike, Mudd, Mugalian, Mulcahey, Murphy, Nardulli, Neff, O'Brien, Walsh, Pechous, Pierce, Polk, Pouncey, Reed, Richmond, Satterthwaite, Schisler, Schneider, Schoeberlein, Sharp, Shumpert, Steczo, E.G. Steele, Stuffle, Taylor, Terzich, Tipsword, Van Duyn, Vitek, Von Boeckman, Wikoff, Willer, Williams, Winchester, Younge, Yourell, Mr. Speaker."

Speaker Bradley: "The Gentleman from Cook, Mr. Porter, what purpose do you rise?"

Porter: "How am I recorded, Mr. Speaker?"

Speaker Bradley: "How's he recorded?"

Clerk Hall: "The Gentleman's recorded as not voting."

Porter: "Speaker, would you record me as voting 'no'?"



Speaker Bradley: "Record the Gentleman as voting 'no'. The Gentleman from Perry, Mr. Dunn. Ralph Dunn."

R. Dunn: "Thank you, Mr. Speaker. I'm recorded as voting 'aye'. Change me to 'no' please."

Speaker Bradley: "Record the Gentleman as voting 'no'. Questions of the affirmative. Mr... the Gentleman from Sangamon, Mr. Jones, for what purpose do you rise?"

J. Jones: "How am I recorded, Mr. Speaker?"

Speaker Bradley: "How's he recorded?"

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

J. Jones: "Change it to 'no' please."

Speaker Bradley: "Record the Gentleman as 'no'. The Gentleman from Sangamon, Mr. Robinson, what purpose do you rise?"

Robinson: "I'm recorded as voting 'present'. Record me 'aye'."

Speaker Bradley: "Please record the Gentleman as voting 'aye'. Questions of the affirmative. Who's going to question for the affirmative, Mr. Ryan?"

Ryan: "I am. Representative Barnes, Gene Barnes."

Speaker Bradley: "Gene Barnes. He's not in his seat. Is he in the chambers? How's the Gentleman recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Beatty."

Speaker Bradley: "He's over there on your side."

Ryan: "Oh, I didn't see him. Representative Caldwell."

Speaker Bradley: "Representative Caldwell is not in his chair. Is he in the chambers? How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Capparelli."

Speaker Bradley: "Capparelli is in his chair."

Ryan: "Representative Chapman."

Speaker Bradley: "Pardon, Sir?"

Ryan: "Chapman."

Speaker Bradley: "Eugenia Chapman is not in her chair. Is she in the chambers? How's she recorded?"



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

Speaker Bradley: "Take her off the roll."

Ryan: "Representative Darrow."

Speaker Bradley: "Darrow's in his seat."

Ryan: "Representative Domico."

Speaker Bradley: "Domico is in his seat."

Ryan: "Representative Ewing."

Speaker Bradley: "Representative Younge."

Ryan: "Ewing."

Speaker Bradley: "Ewing? In his seat."

Ryan: "Representative Farley."

Speaker Bradley: "Representative Farley is not in his seat. Is he in the chambers? How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Flinn."

Speaker Bradley: "Representative Flinn. I don't see him back there. Is he in the chambers? How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Garmisa. I see him."

Speaker Bradley: "He's standing right..."

Ryan: "Representative Getty."

Speaker Bradley: "Representative Getty is not in his... chamber... not in his seat. Is he in the chamber? How's he recorded?"

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

Speaker Bradley: "Take Mr. Getty off the roll. Mr. Farley has returned to the chamber and he's at his desk. Put him back on the roll."

Ryan: "Representative Giglio."

Speaker Bradley: "Giglio is in his seat."

Ryan: "Representative Greiman."

Speaker Bradley: "Representative Greiman is not in his seat. Is he in the chamber? How's he recorded?"

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

Speaker Bradley: "Take him off the roll."



Ryan: "Representative Hanahan."

Speaker Bradley: "Representative Hanahan is not in his chair. Is he in the chamber? How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Harris."

Speaker Bradley: "Representative Harris is not in his seat. Is Mr. Harris in the chamber? How's he recorded?"

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

Speaker Bradley: "Take him off."

Ryan: "Representative J.M. Houlihan."

Speaker Bradley: "J.M. Houlihan is not in his seat. How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Jaffe."

Speaker Bradley: "Representative Jaffe is not... here he is in Mr. Garmisa's seat."

Ryan: "There's no resemblance. Representative Jones. Oh, he changed. No, that's... Emil Jones."

Speaker Bradley: "Emil Jones is not in his seat. How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Katz."

Speaker Bradley: "Representative Katz. He's not in his seat. Is he in the chamber? How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Kozubowski."

Speaker Bradley: "Representative Kozubowski is not in his seat. How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Luft."

Speaker Bradley: "Representative Luft. He's not in his seat. How's the Gentleman recorded?"

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



Speaker Bradley: "Take him off the roll."

Ryan: "Representative Madison."

Speaker Bradley: "Representative Madison. Representative Madison is not in his seat. How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Mautino."

Speaker Bradley: "Representative Mautino is right here in the front of the chambers. Now, we have Mr. Flinn who was removed, is back in the chambers, wishes to be back on the roll."

Ryan: "Representative McClain."

Speaker Bradley: "Representative McClain is in his seat."

Ryan: "Representative O'Brien."

Speaker Bradley: "Representative O'Brien is not in his seat. Is he in the chamber? How's he recorded?"

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

Speaker Bradley: "Take him off."

Ryan: "Representative Pechous."

Speaker Bradley: "Representative Pechous is not in his seat. Is he in the chamber? Take him off the roll or how's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Sharp."

Speaker Bradley: "Representative Sharp is in the rear chamber in Emil Barnes' seat."

Ryan: "Representative Steczo."

Speaker Bradley: "Representative Steczo is in the rear of the chamber."

Ryan: "Representative Everett Steele."

Speaker Bradley: "Mr. Steele is not in his seat. Is he in the chamber? How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Stuffle."

Speaker Bradley: "Right here in the front of the..."

Ryan: "Oh, I see him, all right. I know that Representative Jimmy Taylor must be here."



Speaker Bradley: "Representative Taylor is in the rear of the chamber."

Ryan: "Hi, Jimmy. Representative Terzich."

Speaker Bradley: "Representative Terzich is not in his seat. How is... not in the chamber. How's the Gentleman recorded?"

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

Speaker Bradley: "Take him off the roll. For what purpose the Gentleman from Cook, Mr. Marovitz, arise?"

Marovitz: "Mr. Speaker, I request to be verified at this time. I have to go to a meeting."

Ryan: "Certainly."

Marovitz: "Thank you."

Ryan: "Representative Von Boeckman."

Speaker Bradley: "In the rear of the chamber."

Ryan: "Representative Winchester."

Speaker Bradley: "Representative Winchester is not in his seat. Is he in the chamber? How's the Gentleman recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Younge."

Speaker Bradley: "Representative Younge is not in her seat. Is she in the chamber? How's she recorded?"

Clerk Hall: "The Lady's recorded as voting 'aye'."

Speaker Bradley: "Take her off the roll."

Ryan: "Representative Schneider."

Speaker Bradley: "Representative Schneider is not in his seat. Is he in the chamber? How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative Ewell."

Speaker Bradley: "Representative Ewell is not in his seat. Is he in the chamber? How's he recorded?"

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

Speaker Bradley: "Take him off the roll."

Ryan: "Representative John Dunn."

Speaker Bradley: "John Dunn is in the chamber."

Ryan: "Representative Mulcahey."

Speaker Bradley: "Right there in front of you, Sir."

Ryan: "Representative Brummer."

Speaker Bradley: "Brummet?"

Ryan: "Brummer."

Speaker Bradley: "Representative Brummer is in his seat."

Ryan: "Representative McLendon."

Speaker Bradley: "McLendon is in the rear of the chamber."

Ryan: "Representative Mugalian."

Speaker Bradley: "Representative Mugalian is not in his seat. Is he in the chambers? How's he recorded?"

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

Ryan: "Would you give me a count, Mr. Speaker?"

Speaker Bradley: "Just a minute. Take Mr. Mugalian off the roll.

On this question we have 93 'ayes' and 51 'nays'. The Gentleman from Cook, Mr. Houlihan."

D. Houlihan: "Has Mr. Harris been placed back on the Roll Call?"

Speaker Bradley: "Return Mr. Harris to the roll. On this question now there are 94 'ayes'. Mr. Houlihan."

D. Houlihan: "I'd like to verify the Negative Roll Call, Mr. Speaker."

Speaker Bradley: "There have been objections and I don't know that we can... The rules do not provide for it unless you can point it out in the rules. Mr. Luft has returned to the chamber and would like to be placed on the Roll Call. The Gentleman from Cook, Mr. Houlihan."

D. Houlihan: "Now, Mr. Speaker, I've made a request and I see the Parliamentarian is there. I would ask that the Parliamentarian consult with the Speaker and then cite the rule which makes my request unavailing."

Speaker Bradley: "We'll check the rules. The Gentleman from Winnebago, Mr. Mulcahey, what purpose do you rise, Sir?"

Mulcahey: "Mr. Speaker, was I... was I taken off the Roll Call?"

Speaker Bradley: "Was Mr. Mulcahey removed? No, you weren't, Sir."

Mulcahey: "Then I'm still recorded as 'aye'?"

Speaker Bradley: "Yes, Sir."

Mulcahey: "Thank you."

Speaker Bradley: "The Gentleman from Cook, Mr. Antonovych."

Antonovych: "Mr. Speaker, could you change my vote to 'no' please?"

Speaker Bradley: "The Gentleman wishes to be recorded as voting 'no'.

We don't find anyplace in the rules that provide for the negative, for verification of the Negative Roll, Mr. Houlihan, and the only way I think it provides for is for oral verified Roll Call. And on this question now, what is the count? On this question we have 95 'ayes' and 52 'noes'. The Gentleman from Cook, Mr. Houlihan."

D. Houlihan: "Well then, I would make my request that of for an... verified oral Roll Call, Mr. Speaker."

Speaker Bradley: "In the opinion of the Chair, that request is not timely, Sir. Mr. Houlihan."

D. Houlihan: "Well, how can it not be timely? You've just made... in respect to my prior request, I could not have made a request for a verification of the negative until after the affirmative and now you're telling me that there is no specific rule, but you are suggesting, Mr. Speaker, that I have a right to a verified oral Roll Call. Now, the Parliamentarian is there. I think I'm entitled if you're going to tell me that it's unavailing, then I want to know what the rule is. And I think the easy way to solve the question is an oral verified Roll Call and we'll have both the affirmative and the negative of the issue there."

Speaker Bradley: "I think it's in the Chair's discretion. But the Gentleman from Logan, Mr. Lauer, what purpose do you rise, Sir?"

Lauer: "Mr. Speaker, I would support Mr. Houlihan in his request.

I think that it's certainly not unseemly to request that that Negative Roll Call also be verified. The people have a right to know, you know."

Speaker Bradley: "I don't... if you could... if you could point out in the rules where it's provided for, Mr. Lauer, I'd be very happy to take a look at it, but I don't find where it provides for that to take place. The Gentleman from Cook, Mr. Houlihan."

D. Houlihan: "Well, it's very simple, Mr. Speaker. Dump this Roll Call, we'll go to a verified oral Roll Call. And I so move,

Mr. Speaker."



Speaker Bradley: "For what purpose does the Gentleman from Rock Island, Mr. Darrow, arise?"

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

Speaker Bradley: "How's the Gentleman recorded?"

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

Darrow: "Please change that to 'no'."

Speaker Bradley: "Have the Gentleman recorded as 'no'. Any other changes? We took the record a long time ago. Now, the count is 94 'aye', 53 'nay'. And the motion on these two Bills having failed to receive... The Gentleman from Cook, Mr. Houlihan."

D. Houlihan: "Well, Mr. Speaker, I have just made a motion for a verified oral Roll Call. You haven't ruled on that motion, Mr. Speaker."

Speaker Bradley: "The Chair has suggested that that motion is not within the rules, the House rules, Mr. Houlihan, and I would like to... would accommodate you, but I don't find..."

D. Houlihan: "Mr. Speaker... where in the rules is that for evidence?"

Speaker Bradley: "Would you point out to the Chair in the rules that provides for that... verification."

D. Houlihan: "...the Parliamentarian and he's there next to you, Mr. Speaker."

Speaker Bradley: "I believe under 48(a), Mr. Houlihan, if you would take a look that you can have either/or, but you can't have both. You either have the oral Roll Call... the oral verified Roll Call or a verification of the Roll Call. And we've had a request for a verification of the roll. And the Gentleman from Lake, Mr. Matijevich, for what purpose do you rise, Sir?"

Matijevich: "Well, Mr. Speaker, I think he can suspend Rule 48 and ask for that. I think... you know, I think Representative Houlihan is right in what he's doing. We're not going to be in Session, I understand, one day next week for a Republican function. We're here operating today and everybody knows that the Democratic party is doing something that's probably as important, most important to that party, and they're in a slate-making session. I left that session because I'm elected. I'm an elected State Central Committee-

man. I had to wrestle with my conscience whether I should be

there or I should be here. I'm not going to be here next Wednesday because the Republicans have a social function, I understand. We have an important function which is part of our elected electoral process. So I think Dan Houlihan is doing something right because he knows that many Democrats are there wrestling with their conscience. And therefore, I think he has a right to suspend Rule 48 and ask for a verified oral Roll Call. He has that right. I don't think anybody can take that right away from him. And I'm here because I'm elected by the people of the State of Illinois. I'm also elected as a State Central Committeeman. I should be over there, too. And really, if the House were doing it properly, we'd do what we Democrats are going to do for you next Wednesday. We're not going to be in Session for your social functions. Now, you ought to take some cognizance of the fact that we've got rights, too, as Democrats."

Speaker Bradley: "The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Well, thank you, Mr. Speaker. The Gentleman is totally out of order. We don't want to know what his social schedule is or what his obligations are. We're here to talk about this Bill. Announce the roll, quit abusing the Chair, do what you're supposed to do and do it now."

Speaker Bradley: "The Gentleman..."

Ryan: "You've made your ruling, let's go."

Speaker Bradley: "The Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we recess till the hour of six o'clock."

Speaker Bradley: "The Gentleman moves that the House stand in recess till the hour of six o'clock. The House stands in recess till six o'clock. Mr. Ryan, do you want to announce the caucus, Sir? Mr. Hart."

Ryan: "Yes, a Republican caucus now in 118, I believe is the room, Mr. Speaker. A Republican caucus now."

Speaker Bradley: "Mr. Hart has an announcement for the Democrats."

Hart: "There'll be a Democratic caucus right now in Room 114. Let's all get down there."

Speaker Bradley: "114 for the Democrats. For how long a period did



we say, Mr. Ryan, Mr. Hart? Recess till six."

House in recess

Speaker Madigan: "The House will come to order. On the first Supplemental Calendar in the Regular Session, corrected copy, there appears House Bill 2435. The Chair recognizes the Gentleman from Christian, Mr. Tipsword, for purposes of a motion."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, I understand that the motion I'm going to make has been cleared on both sides of the aisle. This relates to House Bill 2435 which is the staggered registration Bill and it appears on the Calendar now at Second Reading, First Legislative Day. I would move that the rules be suspended, I believe that would be Rule 33(a) and that this Bill be advanced to the Order of House Bills, Second Reading, Second Legislative Day."

Speaker Madigan: "The Gentleman..."

Tipsword: "And be read a second time."

Speaker Madigan: "Mr. Darrow, would you return to your chair? The Gentleman moves that the rules be suspended to provide that House Bill 2435 shall be placed on the Order of Second Reading, Second Legislative Day. Is there leave? Leave being granted, the Bill shall be placed on the Order of Second Reading, Second Legislative Day. On the... Read the Bill."

Clerk O'Brien: "House Bill 2435. A Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any further Amendments?"

Clerk O'Brien: "No motions or Amendments."

Speaker Madigan: "Third Reading. On the Order of House Bills, Second Reading, First Legislative Day, there appears House Bill 2450. Mr. Darrow."

Darrow: "I don't believe there's any Amendments to this, Mr. Speaker, and I'd move that it be advanced to Third Reading. It requires the rules being waived."

Speaker Madigan: "The Gentleman moves that the rules be suspended to provide that this Bill shall be placed on the Order of Second

Reading, Second Legislative Day. Is there leave? Leave being granted, the Bill shall be placed on the Order of Second Reading, Second Legislative Day. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2450. A Bill for an Act to amend Section 1 of an Act to provide for fees for the Sheriff, Recorder of Deeds, County Clerks and Counties, Third Class. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any further... are there any Amendments or motions?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. On the Order of House Bills, Second Reading, First Legislative Day there appears House Bill 2497. Mr. Brady."

Brady: "Yes, Mr. Speaker, I would seek leave of the... to move this, suspend proper rules and ask that this Bill be placed on Second Reading, Second Legislative Day and read a second time."

Speaker Madigan: "The Gentleman moves that this Bill be placed on the Order of Second Reading, Second Legislative Day. Is there leave? Leave being granted, the Bill shall be placed on the Order of Second Reading, Second Legislative Day. Are there any Amendments?"

Clerk O'Brien: "House Bill 2497. A Bill for an Act in relation to conflicts of interest amending certain Acts named therein. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Third Reading. Excuse me. Place the Bill on the Order of Second Reading. There's a Floor Amendment."

Clerk O'Brien: "Amendment #1, Levin-Skinner-Peggy Martin. Amends House Bill 2497 on page 1, line 1 by changing the comma and so forth."

Speaker Madigan: "Mr. Skinner. You don't see the Amendment? Mr. Skinner."

Skinner: "Yes, this is the only ethics Bill on the Calendar and so Representative Levin came up with the bright idea that we should try to put some real depth into it. This Amendment would prohibit any official of an executive agency from being employed as an attorney, agent or representative of any party other than a local governmental entity, the State of Illinois or the United



States government of... for compensation before any executive agency of the State of Illinois that that person has represented for a period of two years after the termination of his employment with state government. I think this will end the revolving door situation that we've seen in the Department of Insurance where, I think, the last three Directors have gone to the fertile fields of the insurance industry after supposedly regulating insurance in the State of Illinois. There are other professions one might point to. For instance, one might point to Director... the immediate past Director of the Department of Registration and Education who not only went to represent clients which his Department had previous... had regulated but took the files with him to make his representation easier. In addition, one might point to the immediate past Director of the Department of Public Aid who immediately upon leaving office started working for the nursing home industry which he had supposedly regulated. This is a Bill whose time has undoubtedly come in the State of Illinois. I hope it is not a Bill.... I hope it is not an idea whose time has also passed knowing how fast reform waves go through the body politic here."

Speaker Madigan: "Mr. Leinenweber."

Leinenweber: "I got a question for the Sponsor. Representative Skinner, you gave an example that if this Amendment was adopted and the Bill was signed into law then the Director of the Department of Insurance would be prohibited for a two year period from working for an insurance company. Is that right?"

Skinner: "Basically what we're saying is that those who regulate should not go to the other end of the trough without twenty-four months having intervened."

Leinenweber: "As a practical matter, would this not make it difficult for a Governor to obtain someone from the insurance industry to be his Director of Insurance?"

Skinner: "I am reliably informed that it has not made it difficult for the current Governor to find a Director of the Department of Insurance because Director Mathias has, I believe, informed me personally, but it may have been an indirect informing of me that

he does not intend to go back to the insurance industry from whence he came which would be a distinct improvement over the... over past Directors performance."

Leinenweber: "Well if a person's occupation or profession is that of an insurance broker or someone in the insurance industry, it would be very difficult for him to accept service in the state wouldn't it unless he was independently wealthy?"

Skinner: "Well, I would suggest that in the State of Illinois with people getting convicted of crimes X, Y and Z right and left that it's about time we decided that we don't want the regulators being hired by the people they're regulating after they leave public office."

Leinenweber: "Well, it would just appear to me that it would make it very difficult for the state and maybe that's good, I don't know; but it would be very difficult for the state to obtain someone in a necessary field like insurance and get someone from the insurance industry and the state would have to look and maybe this would be good, for someone who is not familiar with the insurance industry in order to direct the Department."

Skinner: "Well, I would suggest that is not necessarily correct. There were candidates for the Department of Insurance office that had, that did not come from the industry."

Leinenweber: "Well, it usually... from the industry also and they know where the skeletons are and... six of one and half dozen of the other to me."

Skinner: "Well, it seems to me that it's long past time that the State of Illinois has ceased putting the Department of Insurance Directorship up to the highest bid."

Speaker Madigan: "Mr. Simms."

Simms: "Would the Sponsor yield?"

Speaker Madigan: "Sponsor indicates he'll yield."

Simms: "I think, Cal, I understand what you're getting at as in the area of the Department of Insurance, but hypothetically, how about the Director of the Department of Public Health who is a physician that leaves private practice or other type of practice to take the position of Director of Public Health? He or she would then

be prohibited from returning then to the practice of medicine for a two year period?"

Skinner: "I would... I believe that the medical profession, the doctors are regulated by the Department of Registration and Education, so I don't think there would be a conflict there."

Simms: "Well, that's not entirely true because Public Health, the Director does regulate to comprehensive health and comp. health review. They set the schedules for drugs, et cetera. There is a direct relationship of the regulation in the practice of medicine and I'm concerned as I think Representative Leinenweber might be concerned."

Skinner: "I see what you're saying."

Simms: "I agree with you about the insurance industry. I'm not so sure that we're not over regulating for medicine and for mental health."

Skinner: "Let me give you an example. Had Director Levitt been Director of the Public Health Department instead of the Mental Health Department, I certainly would not approve of his going to head a major medical hospital medical's staff. I don't think the Director of the Department of Public Health which has major regulatory authority over hospitals should go into a hospital administration job. But the practice of medicine I don't think is a problem."

Simms: "Well, I think it would depend how you would interpret that. And someone and I kind of agree with what Representative Leinenweber was getting at that to find someone who is extremely qualified you really prohibit them from going back into their profession for a two year period. I think there should be some exemptions, some clarification as to exactly what that person to person cannot do. I think it's pretty broad at the present time under your Amendment in the case of... I think it was Dr. Lashoff who's Director of Public Health under former Governor Walker, left a position with a hospital in a teaching position. She could not have gone back to that former position under your Amendment. What is she to do then for that two year period if that is her specialty or the area that she had her area of expertise in? I think we

very well might be closing the door on some very qualified and competent people that could serve with state government for a short duration of time and I don't think there's any individuals that have obtained Directorships of Departments perhaps with the exception of the Department of Insurance that have perhaps benefited from it. But I don't want to cut some qualified person from further employment after they leave state government that has a profession. I think we'd be doing them a disservice, I think we would be depriving the citizens of the state adequate people to serve in those capacities."

Speaker Madigan: "Mr. Brady."

Brady: "Yes, Mr. Speaker, I rise in opposition to this Amendment and I'd like to explain why. This Bill, as presented by Representative Friedrich and myself, was presented an emergency measure - an emergency measure that was heard in Rules Committee and brought out to the floor of this House. This situation has evolved because we passed two public acts last spring. They are in ambiguity or some form of conflict and eminent bond council tells us that the schools of our state are going to be in trouble unless we pass a revisory Bill. But what we're attempting to do here by Amendment is open this up to a substantive language Bill, a laudable cause that Representative Skinner tried last spring and fell just short of passing. Representative Levin has proposals up in Committee now on hearing on this. I think this is a matter that can be dealt with in the Spring Session, but unless we get this revisory Bill through and we only have a short time to do it, the schools of our state are going to be in a state of bedlam because they cannot have bond money raised and they won't be able to issue warrants exceeding their twenty-five thousand dollar cap because the bond council says that there might be some conflict in the public acts as they now are. This Bill is strictly revisory as it now stands and adding any Amendment, no matter how good the Amendment may seem, will do nothing but kill this Bill in this Session and it's an emergency we should address ourselves to."

Speaker Madigan: "Mr. Levin."

Levin: "Mr. Speaker, to clarify what this Amendment does, it is not quite as broad as Representative Skinner suggests. In the spring, we had an Amendment that Representative Skinner offered which almost passed which would have effected subsequent employment. If somebody was with the Insurance Department, it would have prohibited those individuals from being employed by the insurance companies. This Amendment does not do that. This Amendment is best entitled a Ron Stackler Amendment. Director Stackler left the Department of Registration and Education, I believe, on a Friday after having been involved in a particular matter involving a dentist and he came back Monday morning representing that dentist. All this Amendment does is to deal with that very narrow situation. What it does is to prohibit a person in the executive agency or any over twenty thousand dollars a year from coming back for a period of two years on a matter in which he or she was involved to represent a client before that particular agency on that matter. It does not preclude an individual from being employed by the field in which he would formerly regulate. It does not preclude an individual from coming back to represent the private party on a matter before the agency that he was not involved in. This is a very, very narrow Amendment and what it is meant to do is to deal expressly with the situation that occurred last February when Ron Stackler came back representing the very party that he had been involved in dealing with... as the Director of Registration and Education the week before."

Speaker Madigan: "Mr. McPike."

McPike: "Will the Sponsor yield?"

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

McPike: "Well, Representative Skinner has explained this just the opposite as Representative Levin."

Skinner: "Yes, I was wrong."

McPike: "It has confused us. Now, who has given the correct explanation?"

Skinner: "Well, Representative Levin is giving the correct explanation of the current Amendment. I am giving the correct explanation of the Amendment of probably July 1 or 2 of this past year ...



and I apologize."

McPike: "Okay, so it does not prohibit someone working for the Department of Insurance from going back to work for an insurance company. It simply prohibits that individual from coming back on behalf of the insurance company before the Department of Insurance. Is that correct?"

Skinner: "Yes, it's a deplorably weak Amendment."

McPike: "Could you tell me why you decided to pick twenty thousand dollars as the level? It would seem to me like we have numerous employees that are not in policy-making decisions that could be making twenty thousand dollars. For example, engineers with the Department of Transportation, I would think, although I'm not that familiar with their salaries, that quite a few make an excess of twenty thousand dollars and yet are clearly not in policy-making positions and I can see nothing wrong with them going to work for a consulting agency and coming back before the Department of Transportation."

Skinner: "I certainly can."

McPike: "Thank you."

Speaker Madigan: "Mr. McAuliffe."

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

Speaker Madigan: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', all those opposed by saying 'no'. Mr. Skinner, we're on the motion for the previous question. And let us now take the vote on the motion for a previous question. All those in favor of the previous question say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The motion carries and the Chair recognizes Mr. Friedrich to close the debate. Who is? Who is the Sponsor of the Amendment? Levin? Mr. Levin to close the debate."

Levin: "Many other states have adopted measures that are much stronger than this as far as dealing with conflict of interests. First of all, this only applies to the Executive Branch. Secondly, it only applies to individuals earning over twenty thousand dollars a year. And thirdly, it only applies when an individual attempts to come back representing a client on a matter in which he was



involved. So for the example of the engineer earning twenty thousand dollars a year and coming back subsequently, if he was involved in a matter before the agency, he would be precluded because he would have inside information or had access to influencing the policy makers. Yeah, we got... other states have lot stronger measures than this and I think this is a first step toward putting back confidence in terms of conflict of interest for state executive agencies."

Speaker Madigan: "The question is, shall the House adopt Amendment #1 to House Bill 2497? All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk shall take the record. On this question there are 78 'noes', 44 'ayes', 1 voting 'present' and the Amendment fails. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. For what purpose does Mr. Epton arise?"

Epton: "Mr. Speaker, this is a bit belated but I did try to get your attention. I just wanted the House to know that I either have a conflict of interest in this or hope to have a conflict of interest in this. But in any event, I voted."

Speaker Madigan: "Mr... For what purpose does Mr. Porter arise?"

Porter: "Mr. Speaker, I intended to vote 'aye' on that and inadvertently voted 'no'. I would ask leave to have that vote recorded as 'aye'."

Speaker Madigan: "The Gentleman requests leave to change his vote from 'no' to 'aye'. Is there leave? Leave being granted, Mr. Porter's vote shall be changed from 'no' to 'aye' and Mr. Byers requests leave to be recorded as 'aye' and Mr. Holewinski requests leave to be voted as 'aye'. And leave being granted, they shall be recorded as 'aye'. Mr. Pierce requests leave to change his vote from 'no' to 'aye'. Leave being granted, it shall be changed from 'no' to 'aye'. On the Order of Total Veto Motions there appears House Bill 375, Mr. Stearney. For what purpose does Mr. Collins arise?"



Collins: "Inquiry, Mr. Speaker."

Speaker Madigan: "State your inquiry."

Collins: "Inquiry, is that right? Mr. Speaker, when we recessed we were waiting for the announcement of a result on a verified Roll Call on House Bill 2126 and on House Bill 2173. I was wondering if you have announced that result. And if not, why not?"

Speaker Madigan: "Mr. Collins, the Clerk informs me that in our absence, that matter disappeared."

Collins: "Mr. Speaker, for years Senator Neistein tried to move the Capitol to Chicago. Apparently, you have succeeded in doing so. But, Mr. Speaker, unfortunately, the vote total was announced by an occupant of the Chair at that time and so we do have the recorded transcript and I would hope that you could or at least continue on that Roll Call. How did we get on this order of business?"

Speaker Madigan: "Might we form a search party and make you the Chairman?"

Collins: "Only if you'll come with me."

Speaker Madigan: "For what purpose does Mr. Boucek arise?"

Boucek: "Mr. Speaker, for your information, the Clerk cleared the board on House Bills 2126 at the hour of 6:15."

Speaker Madigan: "Thank you. Mr. Stearney. House Bill 413, Mr. Holewinski. House Bill 601, Mr. Yourell. This may be our last chance, Mr. Yourell. Out of the record? House Bill 696, Mr. Birchler. House Bill 978, Mrs. Hoxsey. House Bill 1454, Mrs. Geo-Karis. Mrs. Geo-Karis."

Geo-Karis: "Yeah, but you got to help me."

Clerk O'Brien: "I move that House Bill 1454 do pass, the veto of the Governor notwithstanding."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1454 was a Bill that was approved unanimously by the Illinois Energy Resources Commission and the only thing that it did is give the Commission a little more time to get experts in the field of coal development before the Commission approves or disapproves any of the millions... the sixty-five million dollars that we have allocable for coal development bond funds. And the... under this Bill, we would lengthen the time from sixty days... from

forty-five days to ninety days and inasmuch as the scheduling the Commission meetings, are usually every two months. This ninety day provision would be far more suitable to a complete review of a submitted proposal by the Commission once it receives bids from the Business and Economic Development Agency and the only reason for this story is to give us a little more time to get some real experts in the field of coal development who can advise us better, but it's hard to find them and have them act on the proposal within forty-five days. And I would like to move the passage of this Bill, notwithstanding the Governor's veto accordingly."

Speaker Madigan: "Is there any discussion? Mr. Lucco."

Lucco: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House.

I rise in support of Representative Geo-Karis' move to override the Governor's veto of this Bill. There's no money involved, no appropriation of any kind. All it does is give the Members of the Energy Resources Commission which is the Commission of the Legislature the prerogative of studying projects from forty-five days to ninety days. You understand that the Commission has at the will of the Legislature seventy million dollars of coal bonded money in which we can allocate these monies for pilot projects as set out by the Executive Department or the State Legislature. And we would like to have the right to take a good look at these projects over a period of ninety days rather than forty-five days and not be rushed into assigning ten million or twenty million dollars at something for something which we do not thoroughly understand and do not maybe quite get behind it. So I solicit your vote in support of this measure to override the Governor's veto."

Speaker Madigan: "Is there any further discussion? The question is, shall House Bill 1454 pass, the veto of the Governor notwithstanding? All in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Mrs. Geo-Karis, would you wish Postponed Consideration?"

Geo-Karis: "Well, I need seventy votes to go further. I'm telling you, it's just a safeguard of the taxpayer's money. We don't



want to be forced into spending millions of dollars of the coal development bond fund in forty-five days when we can't get experts in the field to testify for us and let us know if we're doing the right thing. That's all we're asking. We're not asking to make some money and the reason the Governor vetoed the Bill is cause he thought it was coming in another Bill but that other Bill ran into trouble in the Senate and there's no likelihood of it being passed. That's why."

Speaker Madigan: "Shall we place it on Postponed Consideration?"

Geo-Karis: "I'll place it on Postponed Consideration."

Speaker Madigan: "This matter shall be placed on Postponed Consideration. House Bill 1524, Mr. Walsh. Certainly, Mr. Walsh. House Bill 2243, Mr. Sandquist. Out of the record. House Bill 2338, Mr. Lechowicz. Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House adopt House Bill 2338 disregarding the Governor's total veto. House Bill 2338 would prohibit the state agencies from holding funds outside the state treasury without the statutory authority. This Bill would require the funds received from the Federal government be appropriated by the General Assembly before they may be dispersed by the State Treasurer unless they are authorized to be spent without an appropriation. The effect Bill... the effective date of this Bill is January 1 of 1978. This is one of the series of Bills that were recommended by the Economic and Fiscal Commission. The Governor suggested in his veto message that the controls achieve after the fact when the report that's submitted to the Comptroller and after the fact when the... those reports are reviewed by the Auditor General. There are some sentiment to the belief that no legislative control exists unless the General Assembly determines how monies are to be spent. The Governor also believes that the checks and balances of the voucher-warrant system would constitute in some unstated number of cases a hardship on individuals at many state institutions. House Bill 2338 was written with the knowledge that agencies maintain local funds unauthorized by law. This Bill would prohibit this practice of keeping unauthorized

checking accounts. It would force agencies to justify why the money should be subject to the appropriation process and that these monies should not be dispersed to the checks and balances of the voucher system. Agencies which can justify both will be able to obtain explicit authority, statutory authority for using a local banking checking account. I can't see why there's Members of this General Assembly and may I point out to the Members of this General Assembly there are over three hundred accounts in this category. They were not authorized, we know nothing about them and, in turn, the Governor's asking us to go in after the fact when it goes to the Comptroller's office and the Auditor General. We're saying that we want to know about these checking accounts and if there's specific authority that is needed for extraordinary cases, they should be authorized by law. I strongly suggest an 'aye' vote on this Bill."

Speaker Madigan: "Mr. Telcser."

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

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

Telcser: "Representative Lechowicz, as I read your Bill I believe that your Bill would cover prisoner's accounts in jail for their cigarettes and candy bars and would also include accounts such as many people in our mental institutions have; their relatives deposit some money for the commissary so they may buy things while they're staying in... while they're patients. Is that true?"

Lechowicz: "Mr. Telcser, I don't believe you heard my explanation. There is a procedure built in within the Bill to have an exemption for the specific accounts that you're referring to."

Telcser: "What is it, Representative?"

Lechowicz: "It's 2338 and 2350 and I'm hopeful that the General Assembly will adopt both Bills because I don't believe that the Bureau of the Budget or the Governor's advisors have read either one of the Bills."

Speaker Madigan: "Is there any further discussion? The question is, shall House Bill 2338 pass, the veto of the Governor notwithstanding? All in favor signify by voting 'aye', all those opposed by voting 'no'. Mr. Lechowicz to explain his vote."



Lechowicz: "Mr. Speaker, I don't believe why there should be any reservation on this Bill. As I pointed out, the effective date is July 1 of '78 and we're talking about accounts that may have special classifications. We want to authorize the exemption for those accounts. Where presently in state government is over three hundred checking accounts that we know nothing of and you really can't have a good check and balance system unless you have: one, a knowledge of an account that exists; two, the purpose of the account; and three, the expenditures from that account for what purposes. It's a recommendation of the Auditor General of this state that specific recommendations of the Economic and Fiscal Commission of this state which, may I point out, is a bipartisan Commission. This is addressed at the Commission. The vote was eighteen to nothing to override the Governor's veto."

Speaker Madigan: "Have all voted who wished? Have all voted who wished?"

Mr. Tipsword to explain his vote."

Tipsword: "Mr. Speaker, Ladies and Gentlemen, I'm wondering why this Bill would be vetoed and why there would be a strong opposition to it because certainly there should be nothing in the State of Illinois that anyone wants to hide from public scrutiny and I'm sure our Governor would not want to hide anything from the complete public scrutiny of the necessary public officials and to have all of these accounts properly accounted for. Consequently, I think this is something we should pass. I think that this government in the State of Illinois and its financial dealings should certainly be above reproach. I'm sure the Governor would not want to in any way nor any executive official of this state in any way be accused of hiding accounts that are not handled in a fashion that is completely open to the entire public. And I would say a favor to every executive official, every director of department, every head of every agency that we should certainly pass this House Bill over the Governor's veto. I think the Governor regrettably has been misled in the veto message that he presented to this General Assembly; and I'm sure that in the future, he would thank us for overriding this."

Speaker Madigan: "Have all voted who wished? Have all voted who wished?"

Have all voted who wished? Mr. Houlihan to explain his vote.

For what purpose does Mr. Matijevich arise?"

Matijevich: "Well, I was going to explain my vote while Dan collected and sought, but he's already collected then, so go ahead. Elect them both, too."

Speaker Madigan: "Mr. Houlihan."

D. Houlihan: "Thank you, Mr. Speaker. I just would like to express my support of Representative Lechowicz's motion for the Bill that would require the funds received from the Federal government must be appropriated by the General Assembly before they may be dispersed by the State Treasurer unless they are authorized to be spent without appropriation. As far as legislative oversight and legislative input, this is the type of legislation that we need in order for us to maintain a control of what is going to be governmental spending here in this state. It's a reasonable proposal, one that deserves our support. Apparently, the Membership is not aware of just how fundamentally important a Bill this is legislatively in order for us to have legislative input and legislative oversight and I would ask you to consider your vote on this. It's a fine Bill and it deserves just a few more votes so that we have the 107 which are necessary to override this veto."

Speaker Madigan: "Mr. Kane to explain his vote."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, when I grew up there was a myth going around that it was the Republican Party that was the party of fiscal conservatism and that the Republican Party was the party that wanted to keep track of the taxpayers funds and that the Republican Party was the party that kept a tight fist on the purse strings. And I'm forced to conclude after looking at that board and the vote on House Bill 2338, that that was a myth. And somehow or another it's the Democratic Party that is the party of fiscal control, that it's the Democrats that is the party that wants to keep track of the taxpayer's dollar, that it's the Democratic Party that wants to show... thank you, Ladies and Gentlemen, appreciate it. Oh, now come on... Where are all those Democrats? But seriously, this is a

question of who is going to control the purse strings of the state if we're going to have control over them or not. The Bill has an effective date of July 1, 1978, so that if there are problems with specific accounts that they... we have all of the Spring Session to make those exemptions and I would ask for a favorable vote on this motion."

Speaker Madigan: "Have all voted who wished? The Clerk shall take the record. On this question there are 110 'ayes', 50 'noes', 5 voting 'present' and Mr. Telcser requests a verification. Mr. Lechowicz requests a poll of the absentees. Mr. Skinner desires to explain his vote. Mr. Skinner."

Skinner: "Yes, I'd like to suggest to my Republican colleagues that are voting 'no' on this that the Governor has every, every sense of self-preservation of the Executive Branch to veto this Bill. This is a question that has to do with territorial imperatives. He now controls money over which we have no control even though the state Constitution says we shall appropriate all funds, no exceptions. Now the Bill... we've seen Bills coming through this House in the Fall Session about appropriating Federal money that the Executive Branch has somehow managed to capture since we have gotten out of our Summer Session. Now, we can do that in the future. If you're a Legislator, you ought to be voting 'yes' for this. If you're going to be... I would hope that the 'no' votes who be limited to those people who intend to be future Governors. Certainly you should vote 'no' if you expect to be a Governor; but if you're going to be a Legislator, you ought to be voting 'yes'."

Speaker Madigan: "Mr. Johnson, do you seek recognition?"

Johnson: "Is it still proper to explain our votes or are you verifying it?"

Speaker Madigan: "Why don't we proceed with the verification? The Clerk shall poll the absentees."

Clerk O'Brien: "Adams, Greiman, Hoffman, Lynn Martin, McMaster, Meyer, Molloy, Mugalian, Pechous, Satterthwaite, Schlickman, E.G. Steele. That's all."

Speaker Madigan: "The Clerk shall proceed to a verification of the

Affirmative Roll Call."

Clerk O'Brien: "Abramson, Antonovych, E.M. Barnes, Beatty, Bennett, Birchler, Bowman, Bradley, Brady, Brandt, Breslin, Rich Brummer, Don Brummet, Byers, Caldwell."

Speaker Madigan: "Mr. Telcser, would you verify Mr. Houlihan at this time? Thank you. Proceed, Mr. Clerk."

Clerk O'Brien: "Capparelli, Chapman, Christensen, Collins, Conti, Cunningham, Daniels, Darrow, Corneal Davis, Dawson, DiPrima, Domico, Doyle, John Dunn, Edgar, Ewell, Farley, Flinn, Friedrich, Garmisa, Getty, Giglio, Giorgi, Hanahan, Harris, Hart, Holewinski, Dan Houlihan, Jim Houlihan, Hudson, Huff, Jacobs, Jaffe, Johnson, Emil Jones, Kane, Katz, Keats, Kelly, Kornowicz, Kosinski, Kozubowski, Laurino, Lechowicz, Leinenweber Leverenz, Levin, Lucco, Luft, Macdonald, Madigan, Madison, Mann, Marovitz, Peggy Smith Martin, Matejek, Matijevich, Mautino, McClain, McGrew, McLendon, McPike, Mudd, Mulcahey, Murphy, Nardulli, O'Brien, Walsh, Pierce, Pouncey, Pullen, Reilly, Richmond, Robinson, Schisler, Schneider, Schoeberlein, Sharp, Shumpert, Skinner, Steczo, Stuffle, Taylor, Terzich, Tipsword, Totten, Van Duyne, Vitok, Von Boeckman, Willer, Williams, Winchester, Younge, Yourell, Mr. Speaker."

Speaker Madigan: "Mr. Leinenweber."

Leinenweber: "I inadvertently put my green button, I'd like to be 'no' instead of green."

Speaker Madigan: "Record the Gentleman as 'no'. Leinenweber. Are there any questions of the Affirmative Roll Call? Mr. Telcser."

Telcser: "Representative Bennett."

Speaker Madigan: "Mr. Bennett is in the rear of the chamber."

Telcser: "Representative Brandt."

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

Telcser: "Representative Chapman. I see her."

Speaker Madigan: "Mrs. Chapman is in her chair."

Telcser: "Representative Daniels."

Speaker Madigan: "Mr. Daniels is in the chambers."

Telcser: "Representative John Dunn."

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



Telcser: "Representative Abramson."

Speaker Madigan: "Mr. Abramson is in the rear of the chamber."

Telcser: "Representative Farley."

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

Telcser: "Representative Garmisa."

Speaker Madigan: "Mr. Garmisa is at his chair."

Telcser: "Representative Getty."

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

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

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

Telcser: "Representative Hanahan."

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

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

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

Telcser: "Representative Katz."

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

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

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

Telcser: "Representative James Houlihan."

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

Telcser: "That's Jim not Dan."

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

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

Telcser: "Representative Kosinski."

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

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

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

Telcser: "Representative Greiman."

Speaker Madigan: "Mr. Greiman. How is he recorded? Greiman."

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

Telcser: "Representative Luft."

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

Telcser: "Representative Marovitz."

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

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



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

Telcser: "Representative McPike."

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

Telcser: "Representative... Representative Von Boeckman."

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

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

Speaker Madigan: "Remove... Mr. Von Boeckman shall be removed from
the Roll Call."

Telcser: "Representative Younge."

Speaker Madigan: "Mrs. Younge. Mr. Von Boeckman has returned to
the chamber, restore Mr. Von Boeckman to the Roll Call."

Telcser: "Representative Younge."

Speaker Madigan: "How is he recorded?"

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

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

Telcser: "That's it, Mr. Speaker."

Speaker Madigan: "Mr. Clerk. On this question there are 102 'ayes',
51 'noes', 5 voting 'present'. And the... Mr. Ebbesen."

Ebbesen: "How am I recorded?"

Speaker Madigan: "How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Ebbesen: "Change me from 'no' to 'aye' please."

Speaker Madigan: "Record the Gentleman as 'aye'. Restore Mr. Katz
and Mr. Getty. Who? Mr. Mugalian wishes to be recorded as 'aye'.

Mrs. Geo-Karis. How is the Lady recorded?"

Clerk O'Brien: "The Lady's recorded as voting 'no'."

Geo-Karis: "Change me to 'aye' please."

Speaker Madigan: "Record her as 'aye'. Mr. Winchester. How is the
Gentleman recorded?"

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

Speaker Madigan: "Change Mr. Winchester from 'aye' to 'no'. Mr.
Friedrich."

Friedrich: "Would you please change my vote to 'no' please?"

Speaker Madigan: "Change Mr. Friedrich from 'aye' to 'no'. How
is Mr. Mulcahey recorded?"

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

Speaker Madigan: "Mrs. Satterthwaite."

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

Speaker Madigan: "How is the Lady recorded?"

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

Satterthwaite: "Please vote me 'aye'."

Speaker Madigan: "Record the Lady as 'aye'. Mr. Epton, do you seek recognition?"

Epton: "I believed you called, Mr. Speaker. Did you... did I call you or did you call me?"

Speaker Madigan: "Yeah, you didn't know?"

Epton: "I don't have my glasses. What Bill is this we're voting on?"

Speaker Madigan: "This is the Bill to allow us to appropriate Federal monies."

Epton: "And this would cost the state..."

Speaker Madigan: "To execute our..."

Epton: "Ryan, get away from me. And Lechowicz, you stay away from me, too. I have a terrible headache, Mr. Speaker, and I may have to... is the nurse available? Let's do this properly. How am I recorded... Lechowicz, keep looking for some of your troop. How am I recorded, Mr. Speaker?"

Speaker Madigan: "How is the Gentleman recorded?"

Epton: "Before that, I think I asked for the nurse. What am... do the nurse... I change my vote from 'no' to 'yes'."

Speaker Madigan: "Mr. Peters."

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

Speaker Madigan: "How is the Gentleman recorded?"

Peters: "How am I recorded?"

Speaker Madigan: "Mr. Peters."

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Peters: "I'll have to follow my Leadership, Mr. Speaker. Change me to 'aye'."

Speaker Madigan: "Mr. Wolf."

Wolf: "How am I recorded, Mr. Speaker?"

Speaker Madigan: "How is the Gentleman recorded?"

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



Wolf: "I, too, must follow our Leadership. Vote me 'aye' please."

Speaker Madigan: "Record the Gentleman as 'aye'. Mr. Sandquist."

Sandquist: "How am I recorded, Mr. Speaker?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Sandquist: "Change it to 'aye'."

Speaker Madigan: "Record the Gentleman as 'aye'. Mrs. Barnes wishes to be recorded as 'aye'. Mr. Deuster. Mr. Deuster. Aye?"

Mr. Deuster requests to be recorded as 'aye'. Mrs. Martin 'aye'. Mr. Mahar."

Mahar: "How am I recorded, Mr. Speaker?"

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

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Mahar: "Leave it there."

Speaker Madigan: "Leave Mr. Mahar as 'no' and Mr. Porter."

Porter: "Change me to 'aye' please."

Speaker Madigan: "Record Mr. Porter as 'aye'. Mr. Anderson wishes to be changed from 'no' to 'aye'. Mr. Lauer wishes to be changed from 'no' to 'aye'. Mr. Winchester wishes to be changed from 'no' to 'aye'. Mr. Madison."

Madison: "Mr. Speaker, maybe while we re... all this switching is going on, maybe we could call Senate Bill 6. Mr. Speaker, I was off the floor and I understand we're in the midst of a verification. Was I removed from the roll?"

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

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

Madison: "Thank you."

Speaker Madigan: "On this question there are 117 'ayes', 46 'noes', 5 voting 'present' and the motion prevails and House Bill 2338 is declared passed, the veto of the Governor notwithstanding, by a three fifths majority. The Regular Session shall stand in recess and the Second Special Session shall be called to order. And in the Second Special Session there appears House, excuse me, Senate Bill 6, Mr. Ryan. Senate Bill 6. Committee Report. Senate Bill 6, Mr. Ryan. Mr. Ryan requests that this be taken out of the record. The Second Special Session will stand in recess. Then the Regular Session shall be called to order."

On the Order of Total Veto Motions House Bill 2340, Mr. Cunningham."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, 2340 is noncontroversial. I would never have been vetoed except it got caught in a bunch of bad company and was just inadvertently included among the vetoes. The effect of 2340 is to forbid the payment from the Court of Claims Fund of awards that exceed the agencies appropriation for the fiscal year. The purpose as you will perceive in a moment is to restore and guarantee the integrity of the appropriations process. The stated reason for the veto was the fear that it might delay the payment to the vendor. Those of who are familiar with how these matters work realize that that's rather a doubtful development. Mr. Speaker, if you'd bang the gavel so I could get a few 'ayes', I'd be all right."

Speaker Madigan: "Would the Membership please give their attention to Mr. Cunningham."

Cunningham: "I know of no opposition to the override of 2340 and respectfully urge your support in behalf of that motion."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, shall House Bill 2340 pass, the veto of the Governor notwithstanding? All in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Mr. Cunningham to explain his vote."

Cunningham: "Mr. Speaker, I have no prospect of being the Assessor of Cook County in the near future, but I submit to you that this is far more deserving of your favorable consideration than the prior Bill. These all came out of the Economic and Fiscal Commission. We had a series of Bills and I hoped that you'd gone back and checked the Roll Call on it. This is a Bill unique in my experience in that it did not have a single negative vote at anywhere in the legislative process either in the Committee, before the House here last May, over in the Senate Committee and on the Senate floor. Now if so many people then felt that it had merit, there's no reason to believe that it has lost any of the charm or the desirability that it has shown in those occurrences. I have emphasized to you in every way that I knew how that there is no strong-arm-twisting pressure coming from the same floor

to beat this particular Bill. It will not shake the foundations of government. The Capitol of integrity will stand the same as heretofore, but the principle is right and that principle is that the legislative process shall have control over the appropriations, integrity of the appropriations and I urge you to reconsider and see if you can find it in your heart to give us a green light on behalf of this Bill."

Speaker Madigan: "Mr. Matijevec, to explain his vote."

Matijevec: "Yes, Mr. Speaker. I think everyone that voted for the prior Bill ought to be voting for this Bill. Roscoe Cunningham is absolutely right when he says this is a matter of fiscal integrity. Here's all that the Bill says, that claims shall not be paid which, when combined with previous expenditures exceed the amount appropriated. From a political standpoint I was hoping that you would not vote for the last Bill and this Bill and we'd go all around the state complaining about what the Governor did and the fact that he was not fiscally responsible. But from a standpoint of doing what's right for the people of the State of Illinois, I'm glad that we voted in favor of the last Bill and hopefully we will also get the necessary votes on this Bill. It is a matter of fiscal integrity and you ought to be on it voting 'aye'."

Speaker Madigan: "Mr. Brummer to explain his vote."

Brummer: "Yes, Mr. Speaker, Ladies and Gentlemen. The fact that there were no negative votes on this Bill previously speaks well for the Bill. That seldom occurs with a Roscoe Cunningham Bill. Roscoe has here found an excellent piece of legislation and I urge your 'aye' vote."

Speaker Madigan: "Mr. Mautino to explain his vote."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm voting red because I have a question that has arisen with the Court of Claims and maybe if Roscoe could reexplain his vote, he might answer the question. If in fact a person was awarded a decision that was over thirty thousand dollars, let's say fifty thousand, how in fact could that claim be paid if that was over and above the appropriation that was allocated even though the

court had agreed to pay that amount?"

Speaker Madigan: "Mr. Lechowicz to explain his vote."

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand in support of House Bill 2340 as well as...as was pointed out by Representative Matijevich and Representative Cunningham, the main purpose of this Bill is to remove from the court the ability to make immediate direct payment of claims which would exceed an appropriation which would have been delayed beyond September the 30th of the last period by an agency or the vendor. There are two sets of rights involved in this Bill which may conflict at times. The right of the citizen to have agencies live within their appropriation and the right of the vendor to prompt payment. Promptness at the cost of promoting agency over-spending is expensive. Contrary to what the Governor suggested in his veto message, this Bill does protect the citizen of the state from an unlawful claim and discourages all branches of state government from obligating the state in excess of appropriations. This as was pointed out by Representative Matijevich is a series of Bills that were recommended by the Economic and Fiscal Commission. It deserves your support whether it be the Court of Claims or any other agency, the money that is appropriated should be for the specific purpose should be expended by the appropriation process. I strongly encourage an 'aye' vote."

Speaker Madigan: "Have all voted who wished? Have all voted who wished?"

The Clerk shall take the record. On this question there are 114 'ayes', 33 'noes', 2 voting 'present' and the motion prevails and House Bill 2340 is declared passed with a three-fifths majority, the veto of the Governor notwithstanding. Mr. Lechowicz, House Bill 2348. Mr. Lechowicz."

Lechowicz: "Mr. Speaker, based upon the recommendation of the Economic and Fiscal Commission and a commitment to that Membership, the motion was filed in error and I'd like to take that out of the record at this time."

Speaker Madigan: "Take this Bill out of the record. House Bill 2350,

Mr. Lechowicz."

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

House Bill 2350 amends an Act in relation to the payment and disposition of monies received by officers and employees of the State of Illinois by virtue of the office of employment. No monies can be held out outside the State Treasury unless the General Assembly has specifically authorized their local retention. This Bill is a companion Bill which was just passed by this House in House Bill 2338. It addresses itself to the problem that was raised by Representative Telcser as far as giving the agencies ample time to define the accounts, the purpose of the accounts and, in turn, if they are deemed an emergency account or for a specific nature as was pointed out in the prisons or mental facilities, they would be exempt by law if this Bill was passed giving them July 1 of '78 the statutory authority. Be more than happy to answer any questions. It's a companion Bill of 2338 which was just passed."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, shall House Bill 2350 pass, the veto of the Governor notwithstanding? All in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Lechowicz to explain his vote."

Lechowicz: "Well, Mr. Speaker, very briefly, as I pointed out, this Bill authorizes the exemption procedure for the special accounts which were considered in House Bill 2338. And if there is a hardship, this is the Bill that provides the vehicle and the exemption of special accounts based upon the justification and the need submitted by the respective agency. And this Bill should pass."

Speaker Madigan: "Have all voted who wished? The Clerk shall take the record. On this question there are 112 'ayes', 33 'noes', 2 voting 'present'. The motion prevails and House Bill 2350 is declared passed with a three-fifths majority, the veto of the Governor notwithstanding. House Bill 2375, Mr. Taylor."

Taylor: "Thank you, Mr. Speaker. Mr. Speaker, could I have leave of the House to have House Bill 2375 and House Bill 1432 heard



together? They're companion Bills."

Speaker Madigan: "The Gentleman requests leave to consider House Bill 2375 and House Bill 1432 at the same time since they are companion Bills. Leave being granted, they shall be heard together. Mr. Taylor."

Taylor: "Mr. Speaker and Members of the House, House Bill 1435 and 2370, 1432 and 2375 are work study Bills for high school students living in the area where unemployment is nine percent or higher. This Bill was introduced in the last three Sessions and it passed all three times. What it does do is provide for employment for high school students under a pilot program situation whereas the state would pay half of the salaries and the employer would pay the other half. Many employers have complained in many business that they would not hire high school students simply because they did not get the amount of work out of a student for the minimum wages that they would have to pay them. Under this Bill, that particular employer would have the opportunity to hire two kids for the price of one. The kid must be in school, they must have the consent of their school, his teachers, his parents and so forth. I suggest that this would be a good Bill and I think that the Governor was not accurate when he said that this should be did by the Federal Vocational Educational Act. And it also has been... progressed it under this C.E.T.A. program. It is not that I do not agree with what he wants to do, but it does not solve the problems that the state should try to prepare our kids and get somebody for... to make gainful employment once they're out of school. I suggest that we should support that motion and override the Governor's veto. I ask for your support on House Bill 1432 and 2375."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, shall House Bills 2375 and 1432 pass, the vetoes of the Governor notwithstanding. All in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Taylor to explain his vote."

Taylor: "Mr. Speaker and Members of the House, I don't think that

we want to go on record in this state as not trying to help our young people to become productive citizens. I think this is a very good concept. This Bill would not... it's not the record for my district or any district. The State Superintendent of Public Instruction will have the right to designate the area where this program would be implemented. I think it's a good program and it needs your support and I think that you ought to support the kids of the State of Illinois."

Speaker Madigan: "Mr. Lucco to explain his vote."

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

In the field of education there have been many, many problems that have arisen in the last few years. Just whose fault, we don't know. But one of the main theories being developed in modern education is an alternate type of education. The type that youngsters who maybe are not interested in the curriculum that's being presented in the book-learning type of school to give them the type of vocational training that is very, very much lacking in various parts of our particularly large cities. And this program here, these Bills, would help to not only instigate and develop these particular programs, but would really be an added incentive to youngsters to continue on and to learn a trade and develop some vocational arts. And I certainly think that those of you that are interested in the furthering education of young people, particularly those in the poor section and the culturally deprived areas of the large cities should certainly support this Bill."

Speaker Madigan: "Mr. Deuster to explain his vote."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, I think the Sponsor, Representative Taylor, has identified a real problem, but what he has come up with is the wrong solution. The problem is that businessmen cannot hire teenagers because they aren't worth the minimum wage. And the businessmen cannot afford to pay somebody what they're not worth. Now the answer is not to take taxpayers money and send it out to subsidize small businessmen so they can add on and pay teenagers what the government has told them to pay: The answer is to reduce the minimum wage

for teenagers or to exempt them. Now, part of the problem... part of the solution lies in our hands here in the State of Illinois, part of it is a Federal problem. But I think this legislation does point out the problem and this should encourage many of us to reexamine the minimum wage, particularly as it applies to teenagers who would like to work but can't qualify for the merit of their work for high wages. And I think a 'no' vote is a responsible vote, but I appreciate the Sponsor pointing out this problem for our attention."

Speaker Madigan: "Have all voted who wished? Have all voted who wished? Mr. Pierce to explain his vote."

Pierce: "Mr. Speaker, if there's one thing we have to do in our urban society is to educate those young people to work and be useful citizens who are denied that opportunity. We must give them a chance to join the mainstream of American economic life through work study programs. That's all this Bill intends to do. It's a mere two hundred thousand, am I right, Mr. Sponsor, for this purpose? Here we have a Bill that passed both Houses of the Legislature. We were all proud to support it and I'm surprised the Governor, if he wants to make a name for himself nationally, should take credit for this program and he should thank the Sponsor for bringing this Bill before the Legislature so that he will have the privilege of signing it. Mistakenly, he vetoed it. Now, I believe that we in the Legislature have the obligation to make this Bill become law to override his veto and I believe that the Governor will no way hold it against any of his strong supporters on the other side of the aisle on this matter. I think probably now in due reflection, he probably wishes he had signed the Bill. We'll give him a second chance right here. It's good legislation. I know the Majority Leader favors it very strongly and I do as well and, therefore, I ask all my colleagues to vote to override the Governor's veto on House Bill 2375. You'll sleep better tonight if you do it."

Speaker Madigan: "Mr. Gaines to explain his vote."

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

I rise to urge you to vote for this fine Bill. We all talk about



asking people in depressed and deprived communities to pull themselves up by their own bootstraps. Well, these are bootstraps that they are asking for so they can pull themselves up. Whenever we have something here that people want to go to work, you vote against it; and if they have to have welfare, you vote against it. What do you want these people to do? All end up in prison? Give them an opportunity to work themselves out of poverty, give them an opportunity to work themselves out of crime. This is the solution. Thank you."

Speaker Madigan: "Mr. Brady to explain his vote."

Brady: "Yes, thank you, Mr. Speaker and fellow Members. What we have here before us is a pilot program, a pilot program that is supposed to be done in cooperation with the Illinois Office of Education. We're talking about a two hundred thousand dollar appropriation for this pilot program and it's not just the Illinois Office of Education that's in on this cooperative bargain, it is the businesses in the given area. They're going to pay half the reimbursement of the salary. They're going to be involved, too. This is a good Bill. It involves business, it involves the Illinois Office of Education and the children in the areas of high unemployment. I don't think we've had an opportunity to do this many good pilot programs. I urge your support of this legislation."

Speaker Madigan: "Have all voted who wished? Mr. Bennett to explain his vote."

Bennett: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You might think on the surface that this might be a Chicago Bill, but I'm voting green because I come from Decatur which is downstate and Decatur has one of the highest unemployment rates in the entire state and I know that this is a program, this is a program that will do Decatur well. We can be proud of it. It is something that is progressive, it is something that... does not really deal in a lot of money. It's really kind of a pilot project, but I think we can really look at and see that we can be helping not only... later not only business, but our teenagers and those who should be a part of this working process and I would



ask that those of you who are from downstate and some of the metropolitan areas downstate that experience unemployment. You may not know the high rate but there is unemployment downstate. Look at it. It's a good program. I commend it to you and let's pass this good piece of legislation."

Speaker Madigan: "Mr. Bowman to explain his vote."

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

I would like to address my remarks to Representative Deuster and those who feel that the problem is with the minimum wage or that the problem is with something else. In this particular case, we're dealing with a Bill that addresses itself to impacted areas, areas where the unemployment rate is abnormally high. And there, we're dealing with situations like, most common situation in the Chicago area would be one of racial discrimination. We're dealing in the case of downstate communities with communities where the principal business has pulled out and has left a very large residue of unemployment behind. We're dealing with not just a normal situation, we're dealing with a very abnormal situation. We're dealing with impacted areas, areas with very great problems and it seems to me that the state has an obligation to the citizens of those areas and particularly, I say particularly, to the use of those areas to help them help themselves. And I think this is a good way to start, it's a pilot program and I think we ought to get behind it with another four votes up there."

Speaker Madigan: "Mr. McPike to explain his vote."

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

It appears from what has been said already that we can take two approaches to this problem. First, we can blame the unemployment among teenagers today on the minimum wage. In fact, we can eliminate the minimum wage. We can encourage employers to hire teenagers for a dollar an hour or fifty cents an hour or even twenty-five cents an hour. In fact, we can have employers hiring ten teenagers for less than what they can hire one adult. And then we can have increased unemployment among adults. Now, that is one approach to the problem. The second approach seems to be much more logical. We can recognize that the unemployment rate

among black teenagers is today between thirty-five and forty percent. We can recognize that four out of every ten black teenagers are being told that they cannot have a decent job and that they have no prospects for a decent job and no prospects for raising a family in a decent living. What we can do is offer these people a chance. What we can do is offer them a training program that says to them, yes, we recognize that a problem exists. Yes, we are going to help you get into a decent paying job, a decent standard of living so that you can pull yourself up, so that your family in the future can have the prospects of a decent living and so that we can break this cycle of poverty. There are two approaches that we can take and I sincerely think we should take this last approach and offer these teenagers a chance in today's world."

Speaker Madigan: "Mrs. Dyer to explain her vote."

Dyer: "Mr. Speaker and Ladies and Gentlemen, I have been sustaining the Governor's vetoes all day. In fact, all week. However, I'm jumping the traces on this one for two reasons. One, it's not going to break us. It only costs two hundred thousand dollars. It's a pilot program as others have said. And secondly, I think for a Governor who is tough on crime and who really wants to help conquer the crime problem in this state, this is a program that he really in his heart must approve of. Preventing crime is a lot cheaper than building several more new prisons and the greatest high risk people for crime are unemployment young people. This is a good, practical program and I certainly would urge four more green lights to get on this Roll Call."

Speaker Madigan: "Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Caldwell to explain his vote."

Caldwell: "Very briefly, Mr. Speaker, Ladies and Gentlemen. I think that if all of us would reflect for a moment and realize that the job of government is to develop a better society, this Bill which is an experiment and which is badly needed will prove to the young people and incidentally the young people that this

Bill is addressed to, they are forty percent unemployed. And when

you stop and think how serious that is, it reminds me of how treacherous the people down in Georgia the other day when the dyke broke through. We could very easily give some encouragement to not only the people in Representative Taylor's district, but to young people throughout this state. I would think that we could be doing one of the best deeds that can happen in this particular Session if we give enough green lights up there to pass this Bill. I'm certain that the Governor in his wisdom meant well, but we have definite proof in our districts that this Bill can do a great deal toward improving the quality of life in our communities. And I would urge all of you who possibly can see your way to vote green."

Speaker Madigan: "Have all voted who wished? Mr. Bluthardt to explain his vote."

Bluthardt: "Yes, Mr. Speaker and Members of the House, this is a concept that I find very difficult to accept. It seems to be a concept whereby we say the Federal government will mandate what the minimum wage shall be and the State of Illinois shall subsidize that minimum wage because certain employees cannot produce to the value of the minimum wage. We talk about two hundred thousand dollars, it's a pilot program. Well, it seems to me that we've talked of nominal amounts in the past only to find ten years later that a two hundred thousand dollar pilot program now costs two hundred thousand dollars. If that's what you want to do, if you want to subsidize a minimum wage, then you vote 'yes'. I don't want to do it, I vote 'no'."

Speaker Madigan: "Have all voted who wished? The Clerk shall take the record. On this question there are 107 'ayes', 56 'noes', 4 voting 'present'. For what purpose does Mr. Ryan arise?"

Ryan: "For the purpose of a verification, Mr. Speaker."

Speaker Madigan: "Mr. Taylor requests a poll of the absentees."

Clerk Hall: "Ewing, Hoffman, Kempiners, Lauer, Meyer, Pechous, Schlickman, Schuneman, Stearney, E.G. Steele."

Speaker Madigan: "Proceed to a verification of the Affirmative Roll Call."

Clerk Hall: "Antonovych, E.M. Barnes, Beatty, Bennett, Birchler,

Bowman, Bradley, Brady, Brandt, Breslin, Rich Brummer, Don Brummet, Byers, Caldwell, Campbell, Capparelli, Catania, Chapman, Christensen, Darrow, Corneal Davis, Dawson, DiPrima, Domico, Doyle, John Dunn, Dyer, Ewell, Farley, Flinn, Gaines, Garmisa, Geo-Karis, Getty, Giglio, Giorgi, Greiman, Hanahan, Harris, Hart, Holewinski, Dan Houlihan, Jim Houlihan, Huff, Jacobs, Jaffe, Johnson, Emil Jones, Kane, Katz, Kelly, Kornowicz, Kosinski, Kozubowski, Laurino, Lechowicz, Leverenz, Levin, Lucco, Luft, Macdonald, Madigan, Madison, Mann, Marovitz, Lynn Martin, Peggy Smith Martin, Matejek, Matijevich, Mautino, McClain, McCourt, McGrew, McLendon, McPike, Molloy, Mudd, Mugalian, Mulcahey, Murphy, Nardulli, O'Brien, Walsh, Pierce, Polk, Pouncey, Richmond, Robinson, Sandquist, Schisler, Sharp, Shumpert, Skinner, Steczo, Stuffle, Taylor, Terzich, Tipsword, Totten, Van Duynes, Vitek, Von Boeckman, Willer, Williams, Younge, Yourell, Mr. Speaker."

Speaker Madigan: "Mr. Beatty."

Beatty: "Could I be verified? I have to leave the chamber for a few minutes."

Speaker Madigan: "Mr. Beatty shall be verified as an 'aye' vote. Mr. Ryan."

Ryan: "Capparelli."

Speaker Madigan: "He's in his chair."

Ryan: "Chapman."

Speaker Madigan: "Mrs. Chapman."

Ryan: "Darrow."

Speaker Madigan: "Mrs. Chapman."

Ryan: "She's in her chair, I see her."

Speaker Madigan: "In her chair."

Ryan: "Darrow."

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

Ryan: "John Dunn."

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

Ryan: "Getty."

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

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

Speaker Madigan: "Mr. Getty is in the front of the chamber."

Ryan: "Garmisa."

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

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

Speaker Madigan: "Mr. Garmisa is in the front of the chamber."

Ryan: "Greiman."

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

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

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

Ryan: "Hanahan."

Speaker Madigan: "How is the Gentlemen recorded?"

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

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

Ryan: "J. M. Houlihan."

Speaker Madigan: "How is he recorded?"

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

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

Ryan: "Jacobs."

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

Ryan: "Emil Jones."

Speaker Madigan: "Emil Jones. How is he recorded?"

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

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

Ryan: "Katz."

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

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

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

Ryan: "Laurino."

Speaker Madigan: "Mr. Laurino. Mr. Laurino is in the rear of the chamber."

Ryan: "Madison."

Speaker Madigan: "Mr. Madison. Mr. Madison is at the rear of the chamber."

Ryan: "Marovitz."

Speaker Madigan: "Mr. Marovitz. Mr. Marovitz, as usual, is not in the chamber."

Ryan: "Martin, Lynn Martin."

Speaker Madigan: "Mrs. Martin."

Ryan: "Did you take Marovitz off, Mr. Speaker?"

Speaker Madigan: "What's your question, Mr. Ryan?"

Ryan: "Did you take Representative Marovitz off the roll?"

Speaker Madigan: "Was Mr. Marovitz removed from the Roll Call? No, he wasn't. Mr. Marovitz is over on the side of the chamber."

Ryan: "Representative Martin."

Speaker Madigan: "Mrs. Martin is in her chair."

Ryan: "Lynn Martin."

Speaker Madigan: "Lynn Martin? How is the Lady recorded?"

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

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

Ryan: "Polk."

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

Ryan: "Schisler."

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

Ryan: "Younge."

Speaker Madigan: "Mrs. Younge. How is she recorded?"

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

Speaker Madigan: "Remove her from the Roll Call and verify Mr. Lechowicz in the front of the chamber. Mr. Lechowicz."

Ryan: "Yourell."

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

Ryan: "Dawson."

Speaker Madigan: "Who was that, Mr. Ryan?"

Ryan: "Dawson."

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

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

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

Ryan: "Mugalian."

Speaker Madigan: "Mugalian. How is he recorded?"

Clerk Hall: "The Gentleman is recorded..."

Speaker Madigan: "Mr. Mugalian is in the front of the chambers."

Ryan: "Representative Kosinski."

Speaker Madigan: "Mr. Kosinski. How is he recorded?"



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

Speaker Madigan: "Remove Mr. Kosinski from the Roll Call and verify Mr. Kane as 'aye'."

Ryan: "Christensen."

Speaker Madigan: "Mr. Christensen. Mr. Christensen is in the chamber. Any further questions, Mr. Ryan? Mr. Dawson has returned to the chamber."

Ryan: "No, no further questions."

Speaker Madigan: "Restore Mr. Dawson to the Roll Call. Any further questions?"

Ryan: "None, Mr. Speaker. Would you announce the results please?"

Speaker Madigan: "On this question there are 98 'ayes', 56 'noes', 4 voting 'present'. The motion having failed to receive a Constitutional three-fifths Majority is declared lost. The Regular Session will stand in recess and the First Special Session will be called to order. In the First Special Session on the Order of House Bills, Second Reading, First Legislative Day there appears House Bill 26. The Chair recognizes Speaker Redmond."

Speaker Redmond: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 26 is a Bill which sets up the State Board of Elections as required by the Supreme Court decision. It was heard in Committee today and it's now on the Order of House Bills, Second Reading, First Legislative Day and I move to suspend the appropriate rule so that House Bill, Second Reading... so that House Bill 26 may be moved to the Order of House Bills, Second Reading, Second Legislative Day."

Speaker Madigan: "Speaker Redmond moves that the rules be suspended to allow House Bill 26 to be placed on the Order of Second Reading, Second Legislative Day. Is there leave? Leave being granted, the Bill shall be placed on the Order of Second Reading, Second Legislative Day."

Clerk Hall: "House Bill 3. A Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. One Committee Amendment."

Speaker Madigan: "Has the Bill been read a second time? Committee Reports."



Clerk Hall: "Representative Laurino, Chairman from the Committee on Elections, to which the following Bills were referred; action taken November 8, 1977. Reported the same back with the following recommendations: do pass as amended House Bill 26; do not pass as amended House Bill 17. Representative Katz, Chairman from the Committee on Judiciary II, to which the following Bills were referred; action taken November 8, 1977. Reported the same back with the following recommendations: be adopted House Joint Resolution #1. Representative Katz, Chairman from the Committee on Judiciary II, to which the following Bills were referred; action taken November 8, 1977. Reported the same back with the following recommendations: do not pass House Bill 4."

Speaker Madigan: "The Bill has been read a second time. There is one Committee Amendment and a motion has been filed relative to that Amendment."

Clerk Hall: "I move to table Amendment #1 to House Bill 26 of the First Special Session."

Speaker Madigan: "Mr. Telcser. Mr. Friedrich on his motion. Excuse me, Mr. Telcser, on his motion."

Telcser: "Mr. Speaker... I withdraw my motion, Mr. Speaker."

Speaker Madigan: "The House will stand at ease for five minutes."

House at ease

Speaker Madigan: "Mr. Telcser withdraws his motion. Mr. Clerk, are there further Amendments?"

Clerk Hall: "Floor Amendment #2, Friedrich. Amends House Bill 26 in the First Special Session as amended in the title and Section 1 and so forth."

Speaker Madigan: "Mr. Friedrich, Amendment #2."

Friedrich: "Mr. Speaker, Members of the House, this is an Amendment to the Bill as amended in Committee. And all it actually does is leave in the Section that's in the present law which has a prohibition of employees of the State Board of Elections engaging in partisan politics. As the Bill is drawn now it also precludes any Member of the State Board of Elections of having an office in a political party. Frankly, I think this is an insult because



I believe the two-party system is the backbone of our government and it's part of the success of it through the years. And to me it makes anyone who's even a Precinct Committeeman a second-class citizen. I don't think there's any point whatsoever in precluding that a Member of the State Board of Elections not be a active Member in his political party and that's all this Amendment does. It merely takes out two words but retains the nonpolitical activity for employees of the State Board of Elections. I urge your support of this Amendment."

Speaker Madigan: "Speaker Redmond."

Speaker Redmond: "Mr. Speaker and Ladies and Gentlemen of the House, I sympathize with the idea of Representative Friedrich, but in the light of the intent of the Constitutional Convention, in the light of the decisions of the Supreme Court, it would seem to me very inadvisable to adopt this Amendment. And therefore, I resist it and suggest that it not be adopted."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, the intent of the language of the Amendment adopted at the behest of the Speaker of this House and seven other Members of the Democratic party was to take the Board of Elections membership out of the political arena. Indeed, we are not doing what Representative Friedrich says; indeed, we're trying to protect both Democrat and Republican from what someday may be a potential witch-hunt. We don't believe that the Members of the Board of Elections should be directly involved in the political process. Instead, we believe that the Members of the Board of Elections should be involved in protecting the two-party system. And for that reason, they ought not to be involved in the political process. Anyone who believes that the Board of Elections ought to be above reproach, ought to be above political chicanery, ought to be above being daily involved in the politics of the two parties, ought to vote against this Amendment. Speaker Redmond is exactly right. It took many hours to put this together - the proposal that's in Amendment #1-and for those reasons, we ought to reject out of hand Amendment #2 to protect the two-party system, to keep



the daily activities of the Board of Elections out of politics and out of the two-party system. I agree as much as anyone with Representative Friedrich when he says anyone ought to be involved in the political process up to a certain extent and that ought not to include being a Member of the Board of Elections."

Speaker Madigan: "Mr. Lechowicz."

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

I stand in opposition to Amendment #2 offered by my good friend, Representative Friedrich. I believe that this Board should not be a political arm of either party. And when the intent of the State Board of Elections was created, it was to be a fair tribunal consisting of individuals of both parties not involved in the political party structure of this state. We're hopeful not only that the Board members should be excluded from politics, but the employees should be protected by civil service as well. It's about time we set an example in this state. We, in Chicago, have been unjustly accused many a time for supposedly some stipulations in the election machinery. But if you take a look at the Chicago Board of Election Commissioners, that Board is based upon the fact that the employees are protected by civil service. It's based upon the fact that the membership of the Board also does not involve itself in the day to day political party structure of either party. I believe this Amendment is a bad Amendment for that reason and should be defeated."

Speaker Madigan: "Mr. Totten."

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

Speaker Madigan: "Any further discussion? There being no further discussion, Mr. Friedrich to close the debate."

Friedrich: "Mr. Speaker, I think there has been some misrepresentation here from the other side of the aisle. The representation was that the employees would be active in politics. That prohibition is still in the Bill with this Amendment. I never intended to make the employees of the State Board of Elections active in the political process, but it would make about as much sense to say that nobody can serve in this Legislature if they were active in a political party. Certainly, if it's a disgrace,



a lot of us on this floor are disgraced. We've got state Central Committeemen, we've got Precinct Committeemen, we've got Ward Committeemen and everything else. You consider that a disgrace? Do you think that disqualifies you to serve in public office? If you do, I challenge you to resign. I was at the Constitutional Convention. I can tell you now it was never intended that the Board of... State Board of Election Members be political eunuchs. That they were... was recognized they would be members of a political party. And I tell you what, we've done enough to destroy the two-party system in this state now without putting in the suggestion here that it disqualifies you to be active in a political party. I urge your support of my Amendment."

Speaker Madigan: "The question is, shall Amendment #2 to House Bill 26 be adopted? All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk shall take the record. On this question there are 39 'ayes', 94 'noes', no voting 'present' and the Amendment fails. Further Amendments."

Clerk Hall: "No further Amendments."

Speaker Madigan: "Third Reading. The... Introduction and First Reading."

Clerk Hall: "House Bill 38, Giorgi. A Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill."

Speaker Madigan: "On the Order of House Bills, Third Reading there appears House Bill 9. Mr. Capparelli."

Clerk Hall: "House Bill 9. A Bill for an Act relating to certain records and information concerning juveniles. Third Reading of the Bill."

Capparelli: "Mr. Speaker, Ladies and Gentlemen, House Bill 9, we have to go back first to Senate Bill, last year, Senate Bill 360 which was passed in both Houses and received the Governor's signature. Senate Bill 360 directed the Commission to establish a state-wide unidentifiable police contract record system for the juvenile file... juvenile delinquency file. This contract record system is limited to statistical information only. No individual or identifiable information. 360 further mandates that the



Commission maintain a separate state-wide central adjudicated record system for persons under nineteen years of age who have adjudicated as delinquent minors. Senate Bill 360, therefore, had provided and created and established these two functions. However, 360 neglected to provide the method which to collect this information. House Bill 9 will give them that prerogative to gather this information and disperse it. I would ask for a record Roll Call. Thank you."

Speaker Madigan: "Is there any further discussion? There being no further discussion, the question is, shall House Bill 9 pass? All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk shall take the record. On this question there are 132 'ayes', 11 'noes', 2 voting 'present'. House Bill 9 having received a Constitutional three-fifths Majority is hereby declared passed with an immediate effective date. House Bill 20, Mr. Kempiners."

Clerk Hall: "House Bill 20."

Kempiners: "Mr. Speaker, I'd ask leave of the House to combine House Bill 20 and 21 and have them read together."

Speaker Madigan: "The Gentleman requests leave to consider House Bill 20 and 21 together. Is there leave? Leave being granted, the Bills shall be considered together."

Clerk Hall: "House Bill 20. A Bill for an Act in relation to the provision for certain services for State's Attorneys. Third Reading of the Bill. House Bill 21. A Bill for an Act making an appropriation to the State's Attorneys Appellate Service Commission. Third Reading of the Bill."

Kempiners: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 20 creates the State's Attorneys Appellate Service Commission as an agency of state government. In addition, it abolishes the Prosecutor's Advisory Council. The purpose of the agency that is created is to help local State's Attorneys prepare appeals that are taken to the Appellate Court by convicted criminals. The second Bill, House Bill 21, appropriates five hundred and eighty-seven thousand, eight hundred and sixty-four dollars to



the State's Attorneys Appellate Service Commission of which three hundred and ninety-one thousand is General Revenue Funds and a hundred and ninety-five thousand will be county funds put into the county fund that's created by this Act. I would urge your support of these two Bills."

Speaker Madigan: "Is there any discussion? Mr... Is there any discussion? Mr. D.L. Houlihan."

D.L. Houlihan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to join Representative Kempiners in support of these two Bills which will provide funding for the State's Attorneys Appellate Service Commission as an agency of state government and provide an appropriation therefore. During the past three years, the Illinois State's Attorney's Association has with the aid of grants received from the Illinois Law Enforcement Commission been able to fund an efficient and an effective appellate program for State's Attorneys in order to meet what has been a dramatic increase in appellate litigation particularly in the intermediate appellate courts. This present grant fund will be exhausted as of November the 15th of this year which is why this legislation is now essential. Funds committed by the counties who now participate in the program would only enable this program to continue for a few additional months. Therefore, the way the Bill here is structured, this state funding will be matched on a local level by the individual counties that will participate in it. Obviously what we have here is a similar situation to the State Appellate Defender program, now we're going to do it also for the prosecutor's arm in the criminal justice system. The appropriation that is involved here is a reasonable one. The service that it does provide is an absolutely essential one and I urge your support of the measures."

Speaker Madigan: "Mr. McMaster."

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

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

McMaster: "Representative Kempiners, I heard you say that there would be local county funds involved in the support of this program?"



Kempiners: "That's correct."

McMaster: "How are they supposed to produce those funds? Where are they going to come from?"

Kempiners: "House Bill 20 sets up a fund that is contributed to by the counties which are utilizing the services."

McMaster: "Yes, I know they are contributing to the fund, but where do they get the money to? From their County General Fund?"

Kempiners: "Yeah, those are County General Revenue Funds and they presently... this agency as created has been existing under an I.L.E.C. grant and currently counties are contributing to this fund on a per capita basis and there... I would estimate there are approximately ten downstate counties that do not and all the other counties do."

McMaster: "Will this Bill cause an increase in the amount of contributions by local government, by the counties?"

Kempiners: "It would be about the same or a decrease."

McMaster: "Thank you."

Speaker Madigan: "There any... Mr. McMaster. Have you completed, Mr. McMaster? Mr. Tipword."

Tipword: "Would one of the Gentlemen yield for a question please?"

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

Tipword: "Is there anything in the Bill that makes any provision as to how much the Director and Deputy Director are going to be paid?"

Kempiners: "No."

Tipword: "None at all?"

Kempiners: "That would be set by the Commission."

Tipword: "Is it as wide open as the salaries and expenses of the Prosecutor's Advisory Council that we've had heretofore?"

Kempiners: "No... the answer to that question is that the State's Attorneys are very sensitive to what has occurred in this General Assembly and the goal will be about a thirty thousand dollar salary. There will be... we don't have a guarantee. It's not listed in the Bill."

Tipword: "I was just wondering what guarantees that they will remember to be as sensitive hereafter."

Kempiners: "Well, the guarantee is that they're going to have to come



back to this General Assembly for appropriations and there are people here on the Appropriations Committee on the floor of the House who will remind them, I can assure you of that."

Tipsword: "Well, all the funds do not come from our appropriations, do they?"

Kempiners: "That's correct, but they still have to come here for an appropriation and justify the funds that were spent and provide their budget for it."

Tipsword: "Thank you."

Speaker Madigan: "Is there any further discussion? No further discussion... Mr. Stearney."

Stearney: "Will the Gentleman yield?"

Kempiners: "Yes."

Stearney: "Is this the same Prosecutor's Appellate Service that was tied in with a Bill earlier this spring, the Illinois Prosecutor's..."

Kempiners: "No, it's not."

Stearney: "Wait, Illinois..."

Kempiners: "Prosecutor's Advisory Council."

Stearney: "The same agency that the Illinois House exiled to the Island of Angelos Towhead?"

Kempiners: "No, it is not."

Stearney: "That isn't the same Prosecutor's Appellate Service that you had earlier?"

Kempiners: "No, I answered your question. Can I answer your question, Sir?"

Stearney: "Okay."

Kempiners: "You're talking about the Prosecutor's Advisory Council which was exiled to Angelos Towhead, but it's abolished by this Bill."

Stearney: "And you had a Bill earlier this spring that tied in the Prosecutor's Advisory Council with the Appellate Service, am I right?"

Kempiners: "No, this appellate service as tied to the Prosecutor's Advisory Council."

Stearney: "Okay, the adverse, but not the reverse."

Kempiners: "Right."



Stearney: "One other question. Has this Prosecutor's Appellate Service been funded by the Illinois Law Enforcement Commission for the last three years?"

Kempiners: "Yes, it has."

Stearney: "So this is a... an agency created by the Illinois Law Enforcement Commission, Federal funds, am I right?"

Kempiners: "Yes."

Stearney: "And those Federal funds have now run out?"

Kempiners: "Yes."

Stearney: "And the Appellate Service is now asking the State of Illinois, the people of the State of Illinois to fund the project that was created by Federal funds?"

Kempiners: "Partially, yes. They're also asking that we create a county fund so that the counties can contribute for the services that they purchase from this particular agency."

Stearney: "Well, in addressing myself to the question, Mr. Speaker, this is another instance of a Federally funded created project by the Illinois Law Enforcement Commission of five hundred thousand dollars a year. Federal money from... that the Illinois Law Enforcement Commission has no way of spending except to think up new and greater ideas. Unfortunately, however, the State of Illinois has to fund these projects because after three years these agencies now come to the State of Illinois, to the General Assembly and ask us to fund the project that we had no input into into the creation of this particular project. And I say to you now, and I want you to remember this, the Illinois Law Enforcement Commission is spending forty million dollars a year and I have yet to see one of their projects not be funded by the State of Illinois. And if we look at this over a period of ten years, we will be funding something like four hundred million dollars in Illinois Law Enforcement Commission projects. I don't think that the middle-income taxpayer in the State of Illinois can continue funding these projects, no matter how good they are. There has to come a point when we say 'no'. And I think as we said to the Prosecutor's Advisory Council in the spring, 'no' we are not going to fund you anymore, I think perhaps that's the appropriate vote



to take at this particular time. Let them come back with a scaled-down version and not ask continuously for the same amount in which they've been funded by the I.L.E.C. Perhaps two hundred thousand would be more appropriate, but not a half million dollars to start with because I imagine in a year to come it will be six and seven hundred thousand. I think we should say 'no' and let them come back at another time with a scaled-down version. Thank you."

Speaker Madigan: "Mr. Skinner."

Skinner: "I think the Representative from Cook must be soft on crime. We certainly have already passed an appropriation for something to the Appellate Defender's Service, is it? And certainly, we want the State's Attorneys to have at least as much money as those people that are defending the crooks that come from the Representative's district."

Speaker Madigan: "Mr. Ewing."

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

Speaker Madigan: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', all those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it. The motion carries. Mr. Kempiners is recognized to close the debate."

Kempiners: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'll be very brief. As one of the persons who spoke and indicated we are funding the Appellate Defender at the rate of approximately two million dollars a year, we're in this Bill asking for five hundred thousand to fund a program so that State's Attorneys who have obtained a conviction in court to help them maintain that conviction in the Appellate Courts. And I think that if you've ever taken a poll of your district, people have said we... if money is to be spent in any particular area, we would like to increase it in law enforcement. And I think that if you look at this service and especially those of you downstate if you check with your State's Attorneys, they'll tell you that they do not have the staff, the personnel or the money to proceed with the appeals and they're losing in the Appellate Court what they've gained in the Circuit Courts and I would urge your support



of House Bill 20 and 21."

Speaker Madigan: "The question is, shall House Bills 20 and 21 pass?"

All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk shall take the record. On this question there are 153 'ayes', 5 'noes', 4 voting 'present' and these Bills having received a three-fifths Constitutional Majority are hereby declared passed with an immediate effective date. Mrs. Breslin."

Breslin: "Mr. Speaker, I have a conflict of interest in House Bills 20 and 21 and as a consequence, I'm not voting. Thank you."

Speaker Madigan: "First Special Session shall stand in recess. The Second Special Session shall be called to order. Introduction and First Reading."

Clerk Hall: "House Bill 14, John Dunn. A Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. House Bill 15, John Dunn. A Bill for an Act to appropriate fifty million dollars from the Capital Development Fund. First Reading of the Bill."

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Speaker Madigan: "On the Order of House Bills, Third Reading there appears House Bill 2, Mr. McGrew. Mr. McGrew. On the Order of House Bills, Third Reading there appears House Bill 3. Mr. Yourell. Mr. Yourell. On the Order of House Bills, Third Reading there appears House Bill 4. Mrs. Chapman."

Clerk O'Brien: "House Bill #4. A Bill for an Act to amend Sections of the Civil Administrative Code. Third Reading of the Bill."

Chapman: "Mr. Speaker, I ask leave to return House Bill 4 to the Order of Second Reading for the purpose of considering further Amendments."

Speaker Madigan: "The Lady requests leave to take this Bill to the Order of Second Reading for purpose of Amendment. Is there leave? Leave being granted, the Bill shall be placed on the Order of Second Reading."

Clerk O'Brien: "Amendment #7, Chapman. Amends House Bill 4, Second Special Session as amended by making the following changes and so forth."

Speaker Madigan: "Mrs. Chapman."

Chapman: "Mr. Speaker, Amendment #7 which Mr. Daniels and I are offering has been on the Member's desks all day. It makes a number of changes that have been sought, one by the Illinois Hospital Association, one by the Department of Registration and Education, and some from the Illinois Department of Public Aid. They are additional provisions which clarify and expressly authorize certain procedures which the Department currently exercises in administration of the medical assistance program. I move the adoption of Amendment #7."

Speaker Madigan: "The Lady moves for the adoption of Amendment #7. Is there any discussion? There being no discussion, the question is, shall Amendment #7 be adopted? All those in favor signify by saying 'aye', all those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #8, Edgar. Amends House Bill 4, Second Special Session as amended in the title and so forth."

Speaker Madigan: "Mr. Edgar."



Edgar: "Thank you, Mr. Speaker. This Amendment to House Bill 4 would insure that vendors who had previously abused or defrauded the Medicaid Fraud Program in the state will not, in effect, be given total amnesty from the provisions of this Bill. This will allow the Director the authority to reconsider those vendors who were terminated, the 95 vendors, prior to the enactment of this law. Gives the Director the power to terminate these people after reviewing the hearings, the information compiled previously. This Amendment, I think, makes sense. It basically says those people who have defrauded the state cannot continue with the passage of this legislation to defraud the state in the area of Medicaid fraud. Without this Amendment on the Bill, the Department would not have the authority to terminate agreements with these vendors who in the past have been found fraudulent."

Speaker Madigan: "Is there any further discussion? Mrs. Chapman."

Chapman: "Mr. Speaker, the Sponsors of the Bill do not oppose this Amendment. However, I would like to make it clear that in my view, this Amendment is not necessary. The authority set in this Amendment is presently contained in the Bill which is before us now. I intend to vote 'yes' on this Amendment because I do agree with the intent of the Amendment even though its provisions do not add to the authority which the Bill contains."

Speaker Madigan: "Mr. Lechowicz."

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

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

Lechowicz: "Will this make the Bill retroactive with the adoption of the Amendment?"

Edgar: "This will allow... not...this will allow in the future to allow the Director to use these powers in regard to cases in the past. He will have to make... look at each case again and make that decision. It doesn't automatically terminate the 95 vendors who were terminated before this Act, but he can take the evidence and the hearing material from past occurrences and use that in making his decision."

Lechowicz: "Jim, that didn't really answer my question. With the



adoption of the Amendment, does this make this Bill retroactive? Yes or no?"

Edgar: "I would say 'no' in that strict a term."

Lechowicz: "Good, thank you."

Speaker Madigan: "Mr. Leinenweber."

Leinenweber: "Mr. Speaker, I hadn't intended to speak on this. Just very briefly, it does not operate retroactively, but it does provide that the Department may consider in a hearing for future banning of a provider based upon the providers... the experience the state has had with the provider which tends to establish whether or not the provider is a worthy person to continue to serve the state. So it's not... it operates prospectively, but the state may consider the history it has had with the provider as any other private individual would consider when he seeks to do business... whether to do business with another person... what the history has been with that individual."

Speaker Madigan: "Is there any further discussion? There being no further discussion, the question is, shall Amendment #8 to House Bill 4 be adopted. All those in favor signify by saying 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #9, Pullen. Amends House Bill 4, Second Special Session as amended in the title and the first sentence and so forth."

Speaker Madigan: "Mrs. Pullen."

Pullen: "Yes, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, Amendment #9 would require the Department to print on the application for services a notice to the recipient or applicant that in applying for services under the Public Aid Code, he is waiving the rights to confidentiality. Under this Bill, many matters which are now protected by professional confidentiality are required to be told to the Department. The providers of services who are professional are caught between requirements that they keep information confidential and now requirements that they disclose that type of information. This Amendment would



inform the recipient of services that by applying for these services under the Public Aid Code, he is waiving the right to confidentiality. This is needed in the Bill in order to be sure that the disclosure requirements are enforceable and conformed with. I ask your adoption of the Amendment."

Speaker Madigan: "Mr. Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, reluctantly I must rise to oppose the adoption of Amendment #9. Purely on a practical basis I should advise you that the Department of Public Aid tells me there are presently outstanding over one million green cards in existence in the State of Illinois today. The practical effect of the Amendment would require a reprinting of those one million green cards. Now when people come in and apply for public aid, at the point of application, they are informed by the public aid individual and the Department of their various and respective rights through their application. They are also given their other rights such as employment information, family size and items like that. We feel that these people are adequately advised and protected through the information of their rights. In order to force us to print over one million green cards would be an undue burden on state government and costly at a minimum. Thank you and I urge you to oppose Amendment #9."

Speaker Madigan: "Is there any further discussion? Mr. Gaines."

Gaines: "I rise to support this Amendment. I think it's vitally necessary for the recipients to be informed that their records will be made available to the Department to ascertain whether or not they have received, are receiving the care that the doctor had billed the state for. As a former caseworker who worked with the Department of Public Aid for nine years, this can be done when they make their redetermination visits which they should do periodically. And the persons now on assistance when they come in to sign up for various functions and services can at that point in time be given supplemental forms to sign. And I do not feel that they have to rewrite all the green cards. They can have them sign these forms when they come into the office or the caseworker goes out to the district. I certainly feel



that when I was with the Department, they had to visit them every three months and I'm quite sure that they do have similar rules now that they have to visit the homes of these recipients. So, therefore, I feel that the recipients should be given this information because many doctors are quite concerned that their medical ethics will conflict with the rules of the Department of Public Aid. I think the recipients should be informed so that they can be aware that their medical services are being made available to be reviewed by a state agency."

Speaker Madigan: "Is there any further discussion? Mrs. Pullen."

Pullen: "May I close, Mr. Speaker? Mr. Speaker, Ladies and Gentlemen of the House, I urge you to adopt this Amendment. The wording of the Amendment is that this notice shall be printed in the application for goods and services. I do not see that this would require the reprinting of the cards that are now in the hands of the recipients of services, so I don't believe that the problem anticipated by the Department would actually come about. There is a problem that the Department is not paying a great deal of attention and that is that one association of professional people is withholding information from the Department on the basis that they have a confidential relationship and unless the client is aware that their rights of confidentiality are waived, they cannot violate that confidential relationship. The providers of services invoking this kind of confidentiality will make it impossible to enforce this Bill and I believe this Amendment is absolutely essential to its enforcement. I urge you to vote 'aye'."

Speaker Madigan: "Is there any further discussion? Mr. Levin."

Levin: "Mr. Speaker, I for one am very much in favor of informed consent for consumers and for welfare recipients and other individuals. Unfortunately, I don't think that Amendment #9 accomplishes this objective. If you were to look at a welfare application form, you will see that there's a great deal of fine print. Line after line after line..."

Speaker Madigan: "For what purpose does Mr. Davis arise?"

J. Davis: "Point of order, Mr. Speaker. I believe the Lady has closed."



Is Mr. Levin explaining his vote which he has not cast yet?"

Speaker Madigan: "Mr. Levin, Mrs. Pullen closed the debate. You can explain your vote. The question is, shall Amendment #9 to House Bill 4 be adopted? All those in favor signify by saying 'aye', all those opposed by saying 'no'. In the opinion of the Chair, we should have a Roll Call. All those in favor of the Amendment signify by voting 'aye', all those opposed by voting 'no'. Mr. Levin, to explain his vote."

Levin: "Yeah, in explaining my 'no' vote, as I was indicating before, the forms are so impossible... I think we've got the requisite votes on the board. Thank you."

Speaker Madigan: "Have all voted who wished? The Clerk shall take the record. On this question there are 41 'ayes', 81 'noes', 2 voting 'present' and the Amendment fails. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mrs. Chapman."

Chapman: "Mr. Speaker, I move to suspend the provisions of rule 35(c) in order that we may vote on House Bill 4 today. It was read a second time yesterday and so we fulfilled the requirements of the Constitution."

Speaker Madigan: "Mrs. Chapman moves to suspend the rules to allow for the immediate consideration of this Bill on Third Reading. Is there leave? Leave being granted, the Bill shall be read for a third time."

Clerk O'Brien: "House Bill 4. A Bill for an Act to amend Sections of the Civil Administrative Code and to amend Sections of the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Madigan: "Mrs. Chapman."

Chapman: "Mr. Speaker and Members of the House, fraudulent and abusive Medicaid providers have cost Illinois taxpayers millions of dollars. In recent months, the Department of Public Aid has initiated termination proceedings against over one hundred, eighty providers and terminated more than eighty of them. The recent Supreme Court decision unfortunately nullifies the state's ability to invoke these sanctions. Therefore, it is necessary that we



pass House Bill 4 today. I ask for your affirmative vote."

Speaker Madigan: "The question is, shall House Bill 4 pass? All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Will all Members please be recorded at this time? Would someone record Mr. McAuliffe? Mr. Houlihan, to explain his vote."

Houlihan: "Mr. Speaker, briefly I want to state my understanding on the record that in voting for the Bill as I have, it's my understanding that Amendment #8 has expressly made this not retroactive."

Speaker Madigan: "Would you state your point again, Mr. Houlihan?"

Houlihan: "Stating as part of the record, Mr. Speaker, it's my understanding the Bill as amended now by Amendment #8 that it is specifically not retroactive."

Speaker Madigan: "For what purpose does Mr. Skinner arise?"

Skinner: "Well, it seems to me that this Bill in passing certainly will allow the State of Illinois' Department of Public Aid to get rid of all the crooks that have ever defrauded the Department of Public Aid no matter when they did it."

Speaker Madigan: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, point of clarification on Representative Houlihan's statement. I think the proper statement would be that the Bill itself is not purely retroactive. Does that mean the Bill passed? The Bill itself is not purely retroactive, but there's no civil or criminal implications, but it does cover prior terminations for Medicaid fraud and approximately 95 people involving over one million dollars. So in that regard, the Bill is retroactive to prior terminated... prior activities of new... of old vendors. New terminations would have to take place though under this Bill. So I think that clarifies the language for everybody's consideration."

Speaker Madigan: "Mrs. Younge. Mrs. Younge, do you seek recognition? Would you turn your light off, please? Have all voted who wished? The Clerk shall take the record. On this question there are 171 'ayes', no 'noes', 1 voting 'present' and House Bill 4 having received a Constitutional three-fifths Majority is hereby declared



passed with an immediate effective date. House Bill 5, Mr. Friedrich."

Clerk O'Brien: "House Bill #5. A Bill for an Act to make an appropriation to the Capital Development Board for the Department of Corrections. Third Reading of the Bill."

Friedrich: "Mr. Speaker and Members of the House, this is the Bill which authorizes the... makes an appropriation for the Governor to create two new penal institutions - one near Hillsboro and one near Centralia. This is a result of a three-month study made by a Committee appointed by the Governor on locating these two prisons and is an effort to get these two prisons constructed in time to prevent excessive overcrowding to where we'll be subjected to Federal court orders restraining us. The prison population in Illinois is increasing rapidly. It will take about two years to build these prisons which will hold about two hundred and... about seven hundred and fifty inmates each. I would urge your favorable support of this Bill."

Speaker Madigan: "Mr. Cunningham."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, in candor I must observe that my constituents have had serious grievances with the Chief Executive in his selection of the prison sites that are proposed here by this Bill. Specifically, my constituents were outraged the State of Illinois chose to purchase land where better land was available in the County of Lawrence for free at an indisputable savings of one million dollars to the taxpayers of this particular state. Secondly, my constituents regretted very much that it was the official determination of this administration that highways that were deemed good enough for the taxpayers of the 54th District to travel upon weren't good enough to transport criminals upon. Thirdly, my constituents were outraged that the Chief Executive chose to believe a lying Senator rather than a certified civil engineer as to whether or not a certain track of land flooded. But I want to say to you here and now that I am more forgiving than are my long-suffering constituents and I'm more of a political realist than they. I must not fritter away with my tongue the hundreds of patronage



jobs that have been showered upon my people. I would say to you lest that I be accused of any bias in this matter, I view it with impartial objectivity. I tell you by all that's holy that this is the Bill that deserves richly to be defeated on its lack of merit. Now the awesome power of this administration, a rather peculiar power, is such that this Bill will get 130 votes at a minimum. But I want to tell you and I want you to think about it that... my time isn't up. I want to tell you about this that the reason that we have this crisis is that the administration has created itself by accepting prisoners who were heretofore housed in the county jail. That's why we've had such an increase in the number of prisoners in the State of Illinois and you need to recognize that in determining the merit of this case. We used to have a rule when I was State's Attorney of Lawrence County that you had to be sent for one year before you were accepted in a state penitentiary. Now if you have sixty days sentence, you are admitted to the state penitentiary. There's no rhyme nor reason to that. The problem could be solved in standard by the Department of Corrections adopting a rule reinstating the one year rule. The irony of this is, I would point out to you, that during the last decade, Federal government, the State of Illinois has spent a hundred million dollars in remodeling, rebuilding, refurbishing the county jails throughout this particular state. And these jails are no longer in use except as an overnight lockup. If we proceed with this operation rat hole as you're about to do, you will find that that money is money down the drain. I want to urge you, may I have your attention just for a moment and I'll quit? I want to gently urge you that a society cannot sweep the problems that it grapples with behind iron bars. The money that you're about to spend in the matter that's proposed by this Bill could far better be served for mankind, for schools, for hospitals, for roads, for housing, even for food for the poor. But if you spend it in the way that you propose to do, you'll miss all of these opportunities to be of service to your constituents. I will let you go now to do your master's bidding."



Speaker Madigan: "Mr. Van Duynes."

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

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

Van Duynes: "Mr. Friedrich, do you have any feedback from Mr. DeVito or Mr. Rowe either as to what they're going to do with Mantino?"

Friedrich: "No, I don't have."

Van Duynes: "Nothing at all?"

Friedrich: "No. I know that they're going to be considering other possibilities because these two institutions will probably not be adequate in the foreseeable future."

Van Duynes: "Mr. Speaker, may I address the Bill please?"

Speaker Madigan: "Proceed."

Van Duynes: "Ladies and Gentlemen of the House, even though I'm probably classed as a law and order type of Representative, they make it terrifically hard to vote fifty million dollars for two institutions such as this. Now, we've been to Mantino where they have a mental health institution in Representative Ryan's district and they have an institution there which I would put in a category of several billion dollars in value and they are just leaving it lay there and idle and become some type of decrepit institution. A couple of the buildings have leaks in the roofs and they are not doing a thing about it. The point is hanging like stalagmites from the ceiling. The buildings are all concrete, masonry type structures with slate roofs, copper gutters, that type of thing. They have a hospital, they have a gymnasium or more like a field house and they have eight hundred and some odd patients in this institution where normally they used to hold anywhere from eight to nine thousand. Now, I think it's a terrific misuse of the taxpayers money to take an institution like this and just leave it sit idle. So therefore, I'm going to sit here and vote 'aye'... vote 'present' and I don't know whether or not it would..."

Speaker Madigan: "For what purpose does Mr. Ryan arise?"

Ryan: "Well, Mr. Speaker, this Gentleman is totally out of order.

He's not addressing one thing to do with this Bill. If he wants



to talk about Mantino State Hospital, tell him to go to Mantino and do it. He don't need to do it on the floor on this Bill."

Speaker Madigan: "Mr. Van Duynes, would you confine your remarks to the Bill please?"

Van Duynes: "Mr. Speaker, I was just leading up to the fact that if they would use the present institution properly, maybe they could eliminate the need for one twenty-five million dollar institution. It housed nine thousand mental patients at one time and it only is housing eight hundred of them now and I... and we have tried to interest Mr. DeVito or Mr. Rowe and the Governor into turning this place over. You were getting rid of the eight hundred or nine hundred people, eight hundred and ninety-some people that are there and putting it all together into a minimum or a middle security prison or else take the people back that they've got housed out in these private nursing homes and use it as a real honest to goodness mental institution. And as I was starting to sum up, they make it awfully hard as a law and order Representative to vote for an institution such as these when you see one of these places just systematically being destroyed. And as I started to ask, I think it would be a very good thing for every Representative in this House, especially the Democrats, to sit here and either vote 'present' or 'no' until we get some answers from the Governor, Dr. DeVito or Mr. Rowe. Thank you."

Speaker Madigan: "Mr. Madison."

Madison: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I shudder to think that I'm going to be voting on the same side as Roscoe Cunningham, but I rise to oppose this Bill for one basic reason, Mr. Speaker. This administration has steadfastly refused to give serious and I mean serious consideration to the location of one of these facilities in Cook County. Now, all of you here know that a majority of the inmates in these institutions come from Cook County and the very idea that you would locate these institutions so far away that the families of these inmates have to travel extended distances to make visits and the fact that there are so many jobs available that serious consideration to places like Robbins, Illinois, which is totally



depressed or other places in Cook County were never given serious consideration. I think it's an abomination on the part of this administration to talk about locating both of these facilities that far away from where the majority of the population comes and until such time as this administration is willing to give serious consideration to the construction of a prison facility in Cook County, I will continue to oppose this Bill."

Speaker Madigan: "Mr. Houlihan."

Houlihan: "I have a question of the Sponsor if he'd yield, Mr. Speaker."

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

Houlihan: "Representative Friedrich, the appropriation here is fifty-eight million dollars. Is that correct?"

Friedrich: "That's correct."

Houlihan: "Would I be correct in estimating what the actual total cost of this will be over the life of the bonds when you include debt service will be approximately eighty-five to ninety million dollars?"

Friedrich: "I assume the debt service would be the same as on any other bond issue, including Luke College."

Houlihan: "Mr. Speaker, I want to address the Bill. It would be my intention to vote 'present' on the Bill. And the reason for it is we are dealing here with an administration which has worked now particularly hard for the last two days to defeat Bills which would have increased the probation subsidy across the state by \$2.2 million and then can ask us to come in here and get into an expenditure what is going to be totally about ninety or ninety-five million dollars. I'm going to vote 'present'. I'm going to ask that my colleagues particularly on this side of the aisle vote 'present' also."

Speaker Madigan: "Mr. Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, to me, it's a little bit ludicrous that the state would use so much of our time, the time of correctional officers in travel to great distances from where the prisoners actually come from. The bulk of the prisoners as we know statistically come from Cook County. There is no valid or justifiable reason why one of these institutions could or



should not be located in Cook County. We have depressed areas in Cook County which could accommodate them. We have the ability to provide for several needs at once. When we talk about the problem of employment, when you talk about building new prisons, you're talking about construction. You're talking about providing full-time jobs for a large number of people plus all of the support services. There is no valid reason, none whatsoever that all of these jobs, both of the prisons ought to go to jurisdictions in far downstate areas. I suggest to you that even if we thought of saving only the dollars, we would think about the utilization of present facilities. But it appears here that the Governor is not concerned about the dollar impact upon the people of the State of Illinois. I suggest when we talk about spending eighty-five to ninety million dollars in new money, we are again misleading the public, telling them that we're going to solve all their particular problems. I think that this Governor has the opportunity to pick a site in Cook County and to pick up by their bootstraps one, two or three communities which are located in Cook County which indeed have been declared depressed areas with one of the highest rates of unemployment in the state. And it's unreasonable, it's unconscionable that the Governor would not give some form of consideration. And for this reason, I am going to vote 'present' and I'm going to ask everybody else that we know of to vote 'present' so that we can bring this matter to the attention of the Governor and do justice by all of the citizens of the State of Illinois and incidentally, save some dollars for the people of the... save some dollars for the taxpayers."

Speaker Madigan: "Mr. Mugalian."

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

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

Mugalian: "Will the enactment of this Bill determine the location of the two institutions that are contemplated by this appropriation?"

Friedrich: "I didn't... I can't hear the question. The order in here's not very good, Mr. Speaker."

Mugalian: "It has been reported that the two institutions in question



will be located downstate."

Friedrich: "The two locations are named in the Bill."

Mugalian: "They are named in the Bill? I see. Can you tell me what the estimates are of the Department of Corrections as to racial makeup of the persons that will occupy these two prisons?"

Friedrich: "The racial makeup of the Centralia's fourteen percent which happens to be exactly that of the State of Illinois."

Mugalian: "I didn't hear."

Friedrich: "The population of Centralia's fourteen percent black and that happens to be the same percentage of the State of Illinois."

Mugalian: "My question was, the expected racial makeup of the inmates in these two institutions."

Friedrich: "Well, I assume that they will be... incidentally, the black population percentage-wise is going down in the State of Illinois, whereas at one time, I think it was about seventy percent. It's down now to about fifty percent and I assume it's going to continue to go down till it has the... as the crime rate decreases in the black population."

Mugalian: "Can you tell me the location from which... can you tell me what percentage of these inmates will be from Cook County and the surrounding collar counties?"

Friedrich: "I would say it would depend entirely on the Department of Corrections where they send them. I will say this, a high percentage of the people who will be in these institutions will come from southern Illinois. You people seem to think that everybody lives in Cook County. We've got a million and a half people who will live within fifty miles of these two institutions. The two fastest growing counties in the state are right adjacent to this."

Mugalian: "Thank you. I don't have anymore questions because the answers aren't terribly responsive."

Speaker Madigan: "Mrs. Willer."

Willer: "Mr. Speaker, it's sort of noisy in here. Could we have some order please?"

Speaker Madigan: "Would the Body give Mrs. Willer their attention?"

Willer: "Mr. Speaker and Ladies and Gentlemen of the House, as a



Member of Judiciary II, as Chairman of the Subcommittee on Human Resources studying utilization of correctional facilities, I'm well aware of the crisis in our need for prisons. I do not quarrel with putting one prison downstate. I violently quarrel with putting both prisons downstate. The population may be going down as far as blacks which may just prove that more crooks are coming from the suburb. The fact of the matter is there's at least half coming from Cook County. Now, the argument is nobody wants a site in the urban areas. I would join with Representative Van Dyne saying we have a site at Mantino. The Governor and the people on the other side of the aisle keep preaching fiscal conservatism, save the taxpayers money; but we are embarked upon spending twenty-nine million dollars per prison and we have spent only four and a half million to renovate the Lincoln Annex, giving us seven hundred beds, that's thirty maximum security beds for four and a half million dollars. Now, what kind of fiscal irresponsibility are you advocating? And we can do the same thing to Mantino that we did at Lincoln Annex, have a facility that's close to the urban area of Cook County and have the prisoners who are there have visitation by their families. They can't have it both ways. Stop preaching that you're worried about the taxpayers money and then put both prison sites at a cost of twenty-nine million dollars a site when Mantino is sitting there empty with very good buildings. I've been there, I brought my own architect list. They're sound. They can be renovated at one-third the cost of building a new prison. So let's not kid ourselves that we're being fiscally responsible when we advocate twenty-nine million dollars a prison when we could do it at one-fourth the cost in an urban area of Cook County. And I vote 'no'."

Speaker Madigan: "Mr. Boucek."

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

Speaker Madigan: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', all those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it. Mr. Friedrich is recognized to close the debate."

Friedrich: "Now, Mr. Speaker, Members of the House, if you'll give



me your attention, I think I can answer most of the questions that have been raised here. I think it's rather interesting, number one, that the Gentleman from Lawrence only ninety days ago he thought we ought to have a prison in downstate Illinois. Thirty days ago he thought we ought to have, two weeks ago he thought so, but now he doesn't. It's amazing how this man can change his mind. Now as far as Mantino is concerned, let me tell you this that the Governor of this state did consider converting mental hospitals to prisons before he ever talked about building new ones. He had a team that went around and surveyed every mental hospital in this state to see if it was feasible to convert it. And it developed that the only one that was feasible to convert was Lincoln Annex and it is being done and the Director said they were getting a real bargain there in space, prison space. But as far as the other is concerned, including Mantino, including Mantino, Mr. Van Duynes, it was not feasible or... to do it from a practical standpoint. It was surveyed as was every other mental hospital. Now as for you people who say we ought to build them in Cook County, number one, there was not one community in Cook County or northern Illinois who wanted a prison, not one. And every one was invited and every one of you got a letter and say if you've got a site, bring it forth and not one of you did. Now, let me tell you something else. Most of the prisons now are located in northern Illinois. Joliet and Stateville are both within quick driving distance. Pontiac is not far away. Dwight is not far away. Those are in northern Illinois. So, we are not without prisons in northern Illinois and now some of the people from southern Illinois are being sent to prisons in northern Illinois and we don't want that any more than you do. But I can tell you this that unless we get busy right now and build these prisons, you're going to find the Federal government down us and you're going to have more problems than you can shake a stick at and there's not time to build it. It will take two years now, two years from the time we pass this Bill until it's operative. and the prisons are already overcrowded. This will just about take care of the overcrowding now. Now, you people



wail about the poor conditions under which our prisoners live and you stand here and vote 'no' for better living conditions for those inmates. Now, which side of the fence are you on? Here's the time for you to make up your mind. I just say to you that it's time something is done. These locations are feasible, they are in quick driving distance of the fastest growing area in the State of Illinois and I urge your support on this Bill."

Speaker Madigan: "The question is, shall House Bill 5 pass? All those in favor signify by voting 'aye', all those opposed by voting 'no'. Mrs. Geo-Karis to explain her vote."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, it grieves me to hear comments from the other side that we have been voting against some of their Bills. Frankly, I've been voting to override my Governor quite a few times today and I think we ought to keep in mind, we ought to keep in mind that it's necessary that we do establish new prisons because we have the men in the prisons right now, three in a room and we've had far more crime in the prisons than we have out. So if we want to do anything meaningful, I think we should support this Bill."

Speaker Madigan: "Mr. Byers to explain his vote."

Byers: "Thank you, Mr. Speaker. I have been involved in this whole selection process with the Department of Corrections in selecting these sites and I think there's a couple of things that's come out in the debate that are true. For example, Madison in St. Clair County... that there's seven hundred and fifty people that are in prison from those two counties alone that are south of here and within fifty miles of the Centralia site. We have people in the southern part of the state that get in trouble, too, and these prisons will provide a humane place for these people to serve their terms. Now if you really believe in law and order and you want a humane place for people to be sent, you should vote 'aye' on this Bill."

Speaker Madigan: "Mr. Skinner to explain his vote."

Skinner: "I so much wanted to vote 'present' or 'no' on this Bill.

I wish the Democrats that are voting 'present' or 'no' would tell



us whether they'll sell out for just a probation Bill or whether they really want the third prison. I prefer them having the third prison in Chicago. Conrad Hilton maybe."

Speaker Madigan: "Mr. Robinson to explain his vote."

Robinson: "Mr. Speaker, one of these prisons is in my district. I didn't fight to get that prison in the district. I didn't lobby for it. As a matter of fact, the person who took the lead was... for that was a State Senator not of my party. I didn't go to the announcement, I wasn't at the announcement when the Governor made his announcement, but now that the site has been selected, I think it would be irresponsible to change in midstream. It would mean a delay of two to three years in even starting construction. It would mean that the plans that have already started could not be carried out. We would be in trouble with the Federal government on the overcrowding of existing prisons and I think that even though the 'present' votes are well-intentioned, I think that it would really mean worse conditions in prison. As Representative Friedrich pointed out during this whole process, the communities in northern Illinois were invited and did not submit any applications to get these prisons. I ask for a favorable vote so that we can get this project moving immediately."

Speaker Madigan: "Mr. Gaines to explain his vote."

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

I'm a resident of Cook County and I feel that Cook County is well deserving of a prison facility. However, in this emergency situation where the Federal courts are requiring the State of Illinois to decrowd these prisons, that the time it would take to get the land in Cook County, that we can look forward to having the next jail in Cook County, the next prison. Make it a priority and get these Bills so that the prisoners can have a healthy place to stay, so that the prisoners no longer have to be stacked on top of each other like cordwood. I've talked to a lot of the prisoners and they say that they're willing to forego their visits this time to get them... get them a healthy place, so that next time we can insist on a Cook County site. You will have two downstate now. The next time, you can have no... no matter who the



Governor is, he can't have any excuse of not putting one in northern Illinois. And I feel that because of the emergency situation due to the court order in the Federal court that we need to expeditiously build these prisons so that we can have a humane place for the prisoners to be. I think the physical welfare of the prisoners should be put above our wrangling about where they're going to go. And since it is clear we're going to have to have another facility that I feel that facility should be given priority in the northern part of Illinois. Thank you."

Speaker Madigan: "Mr. Barnes to explain his vote."

Barnes: "Thank you very much, Mr. Speaker and Members of the House.

I think this is a very serious subject and one of the things that a couple of the speakers before has indicated is the timeliness of the speed that's necessary, that's involved in these facilities. The conversion of the Lincoln facility was started in August of this year. Now, the Department of Corrections has indicated that the first person will be moved into that facility as of December 1. In four months, in four months that facility will be able to be utilized for corrections facilities. To build a new facility by the indication of the Capital Development Board and the Department of Corrections will take a minimum of two years. If we are serious about having a facility or having facilities available, the sensible, more expedient way to go is to convert... to convert the already existing facilities that we have where people could be housed in them anywhere from four to six to eight months at a maximum compared to two years that it will take to develop a new facility. The many... for those reasons and many others that have been articulated here, I think it would be incumbent upon all the Members of the General Assembly to vote 'present' on this Bill, to additional consideration to be given to where these sites should be located and whether or not it is more economically feasible to go into conversion other than from starting from scratch on something that we know will cost a great deal of additional money plus it will take a minimum of... a minimum of two years to build a new facility. I vote 'present', I urge all the Members of the House to do likewise."



Speaker Madigan: "Mr. Brummet to explain his vote. This Bill requires 107 votes to pass. Mr. Brummet to explain his vote."

Brummet: "Mr. Speaker, Ladies and Gentlemen of the House, as a Democrat, I had no input in it as to the location where these penitentiaries would be placed. The only thing that I could do was follow this through the newspapers and the radios and on TV. I think everyone in the State of Illinois was given ample privilege in order to try to have someplace to put this. I know that many of you who are voting 'present' or voting red at the present time had your counties to turn these facilities down and did not want them. I live in Vandalia, we have a Vandalia Correctional Facility there at the present time. We got inquiries from all over the state wondering how the local people put up with this and I do know that many of the counties did turn them down. I think it's time that we did do something about this. I was informed by the Corrections Department that they are figuring on a third facility. I think it would be time then to get into the picture and try to get this third facility. I am surprised at Mr. Cunningham voting red. I told him I'd try to help him out on getting one down in his part of the country, but I didn't know he was going to place it on the bottom of the Wabash River. But we would appreciate a 'yes' vote."

Speaker Madigan: "Have all voted who wished? Mr. Jones to explain his vote."

J. Jones: "It seems like we're in agreement here that there is a need for the two prisons, that seems to be the consideration and... but the problem is about the location with some of you with the yellow light. But it seems like to me that's untimely because as has been stated, when the administration decided to build the two prisons, they sent letters to every Legislator and to the Chairman of every County Board in the state asking them if they had a suitable site that... to be considered. None of the areas in the northern part of the state responded and in southern Illinois and in the Montgomery County's situation in particular, the citizens invited them to be there. They even raised money to pay for part of the costs. They raised over thirty thousand dollars



by popular subscription to help defray the cost of the land. And it's ready there and ready to go and that the consideration of the site is... seems to me that has been decided by those of us here collectively by our response in the original invitation. And that the need is there and the sites have been selected and we need your vote to approve the funding."

Speaker Madigan: "Mr. McAuliffe to explain his vote."

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

I think it's about time that we got to work and built these prisons. We have certainly got an ample supply of thieves, murderers, robbers, crooks, dope peddlers, rapists, everything else in Chicago that we could fill these prisons up with the day after they were built. It's about time we helped the police departments cause what they do now, I believe the Judges have a quota system. They send so many people to jail, they put the rest of them on probation and they go back out on the streets and hit somebody on top of the head again to get enough money to pay the lawyer for the last time they were in court. It's like a revolving door system. We could fill up the jails, we could build ten thousand cells and build them up in two weeks with the product of what's going on in Chicago. This is something that we desperately need and it's certainly a measure that's going to help make the citizens of Chicago safer and make the streets of Chicago safer. I urge you to put your locality differences apart and get on and vote green for this."

Speaker Madigan: "Mr. Mudd to explain his vote."

Mudd: "Yes, Mr. Chairman, Mr. Speaker, I have heard several reasons in Committee why people might be voting 'present' and I think that the thing that's important now is that there has been eight or nine or ten speakers and there hasn't been much movement on this Bill. And I suggest that we dispose of it one way or another and get on with the other business."

Speaker Madigan: "Have all voted who wished? Clerk shall take the record. On this question there are 94 'ayes', 11 'noes', 62 voting 'present' and the Chair recognizes Mr. Friedrich."

Friedrich: "Mr. Speaker, would you put this on Consideration Postponed



please?"

Speaker Madigan: "This matter shall be placed on Postponed Consideration. On the Order of House Bills, Third Reading there appears House Bill 2. Mr. McGrew."

Clerk O'Brien: "House Bill #2. A Bill for an Act to amend Sections of the Public Community College Act. Third Reading of the Bill."

McGrew: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2, I'm sure most of you are aware, is the eight categorical grant for the junior college funding for the State of Illinois. We have already passed the appropriation and at this stage of the game, no money should be paid to any of the Junior College Districts until such time as we pass legislation saying how it shall be paid out. This Bill purports to do that. We have established eight categories, the cost, the state funding share of which will be the average cost per instructional hour for the state's share. So it is actually established on the cost of what it costs the districts to put on such a program. I'd be happy to answer questions."

Speaker Madigan: "Mr. Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, I have to stand here in sincere opposition to this Bill. Sponsor said that these colleges can't be paid. It's not true. They can be paid under the old formula. What we're arguing about on this Bill is children. We're concerned about the interest and the needs of the children of the State of Illinois - all of the children of the State of Illinois. Unfortunately, there is no equity and no parity in this Bill for the junior colleges in the Chicago area. There is no dispute, no one will challenge the statement that we have sixty-four thousand students out of a hundred and seventy-eight thousand. No one denies that the Chicago system has one-third or better of the children. No one will deny the fact that the City of Chicago will only receive about twenty-eight percent of the funding and the rest of it is distributed to the other junior colleges around the state. This represents the most dastardly rip-off of students in the Chicago area that's ever been perpetrated in this Body. We did not always have a magic formula,



a formula that could be jiggled on one end and produced different results on the other. Mr. Speaker, could I have just a little order?"

Speaker Madigan: "Would the Membership please give their attention to Mr. Ewell?"

Ewell: "We've tried in all sincerity to reach a compromise, to ask if there wasn't some measure of equity or parity that could be retained from the Chicago area. But the Higher Education Committee lost step from downstate and the other areas and said to the three Representatives of Chicago, you don't have the votes and out you go. This is unreal. It's unreasonable. It's unconscionable. And in the words of the Supreme Court, it ought to be one dollar - one student. Any other formula is inequitable, unjust and bound to bring about a division between the peoples in the State of Illinois. You have to have equity, you have to have parity. And any time a formula allows the entire Chicago area to be funded at under \$17.61 and every district outside the area to be funded in excess of \$17.61. This is unjust, it's arbitrary, it's capricious and it is not the thing that we as Representatives ought to do. You can nail Chicago to the cross and say we do not hear you, we do not understand your needs for some kind of equity and funding, but I say to you that it's going to rain in the spring. It's going to wash away some of the farmland. It's going... some of the... I'll say to you again that some of your field houses are going to burn down, they're going to need roofed. Your grandstands, your fairs, your rivers, your creeks, your sloughs, the roads and I suggest to you that all of these things need consideration and I say as a Member of the City from Chicago, all we ask for is one dollar - one child. I say that the Sponsors of this Bill will talk about magic formulas, they'll talk about costs but they won't talk about the bottom line which is dollars. I would urge each and every Member of this Body to at least vote 'present' on this Bill if you can't vote 'no' until an equitable formula can be worked out between Chicago and the other Junior College Districts. And in closing, I want to point out that the Junior College Districts give the



best value per dollar in education in the entire State of Illinois. And for this reason, we ought to consider it and consider the students who are locked into the city and so that they might get equal education with everybody else. And the rules of necessity and fairness has to be one child - one dollar because nothing else can be fair or equitable."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, I rise in support of House Bill 2. Unlike Representative Ewell and for diametrically opposed reasons, he says on one hand that because one-third of the students in the community college system reside in Chicago that we ought to chase each of those one-third of the students with one-third of the dollars in the community college system. But yet, he stood here earlier last Session and argued for more money for Title I in the elementary and secondary funding formula for Chicago, not chasing one student with one dollar, but chasing one student in Chicago because he was a Title I student with more than one dollar. And now he argues exactly the opposite simply because it puts more money downstate and not as much in Chicago. He argues that there ought to be a floor in this system and indeed the floor that he argues for is forty-two percent of the highest credit hour grant that would be provided in Representative McGrew's Bill despite the fact that the floor he supported in the school aid formula is only four and a half percent of the maximum amount of money that could go after each child. He's inconsistent one hundred percent, whether you agree with him that there ought to be a formula or not. Representative McGrew's Bill is predicated on one thing - paying for every credit hour and every student on the basis of cost and nothing else. Whether you buy the argument for a floor, whether you buy the argument for a formula, whether you buy everything else, the consistency is lacking between the argument made from Chicago on the school aid formula and the argument made on the credit hour formula. And if you're going to be consistent with what we did here before and what we've done over the years on the school aid formula, then you've got to vote if you're going



to be fair, if you're going to be consistent in your argument, for House Bill 2 even if you're going to put more money downstate and let's be frank. It does put more money downstate for every school district in the community college system except Chicago. Let's cut it that way. We cut it that way in elementary and secondary for Chicago. Why not cut it that way for downstate. Vote for House Bill 2."

Speaker Madigan: "Mr. Brady."

Brady: "Yes, Mr. Speaker and fellow Members, I'm sorry that when we get to this point we approach an education Bill on the basis of 'let's cut it for one or the other'. I think that we can do a job for everybody. Representative Stuffle said this Bill sends more money to all downstate schools. That's correct, it does. And I think that's a good thing and I don't think there's anybody who wants to take any of that money away. But the appropriation with the enrollment figures shows that there will be a balance of money and that money will last. We funded the community colleges to a certain level - one hundred million, one hundred and twenty-seven thousand. What we're looking for is to try and use the overage in that appropriation to create a floor, a ceiling that Chicago can come up with a little more money under this formula. When he says that there are differences between this and the resource equalizer formula, that is correct, too. And I think we ought to address ourselves to changing the resource equalizer formula and I would gladly have Representative Stuffle assist in that. But I don't think we've labored here to produce a compromise. I don't think that we necessarily have the majority of people in mind when we're producing this kind of piece of legislation. I'm for supporting the downstate colleges at the level we're talking about in the funding. I'm just asking and as I've asked in my Amendment before that we consider Chicago at the back-end of that deal. That's all we're looking for in this and I think that you can support this, if you could vote 'present' on this Bill at this time and we could work out a compromise, that a majority of people in both Houses in this General Assembly can agree on and we can pass on to the Governor.



Thank you."

Speaker Madigan: "Mr. Skinner."

Skinner: "I would echo what Representative Stuffle has pointed out that the arguments of the Representatives from Chicago are not terribly consistent considering what we heard earlier this spring. Chicago, for example, has twenty-five percent of the elementary and secondary students, but yet thirty-three percent of the dollars in the state aid to education formula. In fact, I've heard it said that the formula means absolutely nothing. We give Chicago one-third of the money, then the rest of us in the state in the suburbs and downstate fight over what's left. Now, if those people who are... do not represent the City of Chicago will take a look at what this coalition on this Bill... the victorious coalition, I trust, can do, perhaps they'll get some idea of what might happen if they would join with us on issues such as highways or mass transportation. You could even get another sixteen million dollars in the Road Fund and another hundred and twenty million dollars in the General Fund if you didn't want to dump it in the Chicago Transit Authority. But on the other hand, perhaps we should be intimidated by all the yellow lights and red lights we'll see up there, but when the Gentleman from Chicago threatens arson on our field houses, perhaps he means it."

Speaker Madigan: "Mr. Lauer."

Lauer: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Higher Education Committee heard these arguments, I think, last Wednesday evening at considerable length. In fact, I was at a meeting that I had anticipated would be fairly short and that Committee adjourned, I think, someplace around 10:30. This was very thoroughly hashed out and the Committee in its judgment decided that House Bill 2 was the way that they should make the recommendation and this should be the only recommendation. Ladies and Gentlemen, we went through the one student-one dollar debt. We went through the Chicago-downstate bit. But the one thing that rather impressed a good many people is that the formula in Representative McGrew's Bill gives a basic recognition



to the cost of delivery of educational services and the various programs that the various junior colleges throughout the state offer. It's much, much cheaper to teach English than it is to teach health services or a nursing program. It's much easier to teach remedial reading or remedial math than it is to teach one of your physics or chemistry courses. Anytime you get into a lab science, you're going into considerable cost. Essentially, what this Bill does is to give a basic recognition to the cost of the delivery of the educational services on whatever level they might be in the junior college system. If they're remedial, the cost is reimbursed. If they're advanced, the cost is reimbursed. If they're lab sciences, the cost is reimbursed. And it's on a very highly realistic basis so that the state for its dollar can get the very best value received that it can get. I know full well that there are junior colleges that are downstate that their local Representatives probably feel are not meeting their mandate, but nonetheless, it is true that there is a constant swinging, a constant shifting of the programs offered and the programs that will be taken by students based upon the demand for students of various sorts of programs. Mr. Speaker, Ladies and Gentlemen of the House, we cannot ignore this, nor can we take away state funding from the delivery of these educational systems and we can't ignore the relative cost factor that is involved. I strongly solicit from all of you an 'aye' vote on House Bill 2."

Speaker Madigan: "Mr. Keats."

Keats: "Thank you, Mr. Speaker. You're doing my heart good cause I'd like to move the previous question."

Speaker Madigan: "The question is, shall the main question now be put? All those in favor signify by voting 'aye', all those opposed by voting 'no'. In the opinion of the Chair the 'ayes' have it, the motion carries and the Chair recognizes Mr. McGrew to close the debate."

McGrew: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I think the information has been as best I know how. I hope you've had time to look over the information that



I had sent to your offices. What we are attempting to do is following a tradition of transition for the funding of junior college systems. We have been working on some five years of getting the cost analysis and trying to establish the state's share of funding the junior college and have that on the cost of instruction. That's what this Bill amounts to. If I might just briefly address some of the arguments that have been against the Bill and that is that Chicago loses money. Let me point out to you that last year under the flat-rate grant, the City of Chicago junior colleges got \$23.6 million. Under this proposal, they get \$28.5. That's three million, two hundred thousand dollars more money any way you cut it. Perhaps we should do some investigation into what is going on in that particular system. I think if anyone is familiar with it, you know that they have had some problems of trying to establish that they actually have the number of students that they claim. You will know that they have agreed upon union contracts that says junior college teachers shall only have no more than twelve clock hours per week. I think those are a couple of things that perhaps merit investigation. And in light of that, in light of the fact that we're giving \$2.3 million more to the City of Chicago, I think their argument is not very well put. I think that this is a good move and a progressive move and I ask for your support."

Speaker Madigan: "The question is, shall House Bill 2 pass? All those in favor signify by voting 'aye', all those opposed by voting 'no'. Mr. Mann to explain his vote."

Mann: "Well, Mr. Chairman, Mr. Speaker rather and Members of the House, what some of us attempted to do at the meeting that Representative Lauer referred to, the Higher Education Committee, was to get all four Bills out on the floor of the House for discussion because no matter how you rationalize it, when you look at the teacher's salary for the junior colleges in the City of Chicago and you find some teachers for remedial courses making only eight dollars and others getting as high as fifty-five dollars and you talk about \$17.51 as being inequitable, you're flying in the face of plain math, plain arithmetic. Now, this Bill may get out of



this chamber, but I doubt very much whether it can get out of the chamber across the hall. At some point or another there's going to have to be some equitable arrangement for the City of Chicago and its junior colleges. And you may think that you can bottle up these Bills and stifle them, but I tell you that it will not be possible until you provide us with a little equity and a little fairness. And while House Bill 2 is not a bad Bill, per se, it does not fairly allocate the resources to the City of Chicago. And therefore, I think we ought to vote 'present' until we get a more equitable Bill."

Speaker Madigan: "Mrs. Satterthwaite to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House, the community colleges will not be receiving funding under these grant programs until January as it is now even if we pass this Bill and get it on its way. It's obvious that we have a great deal of controversy over how they should be funded. Otherwise we would have passed the legislation last spring. I suggest that we cannot afford to delay any longer. This is the recommendation that has come to you from your Higher Education Committee, from the Community College Board, from the Board of Higher Education. I think there has been enough study of this issue. We have an equitable distribution set up by the rates as they are listed in this Bill. I urge your support so we can get on with the other urgent business that has to be cared for before midnight tonight. I solicit your 'aye' vote."

Speaker Madigan: "Mr. Peters to explain his vote."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, this piece of legislation is essentially the legislation which passed this House last June by a hundred and thirty to twenty-two votes. Representative McBroom did remove one Amendment from this piece of legislation which some Members of the Senate found to be objectionable. I would agree with some of the speakers who talked about some of the problems that the City of Chicago has in regard to the community college system there. They are correct in where they are leading the discussion. But I also suggest to you that in this matter, the House has spoken last June. And in the



suggestions that have been made to correct this inequity to this point, we work a very serious disservice to the suburban areas and to the downstate areas. It would be my fervent and earnest hope that this General Assembly provide enough votes for Representative McGrew's Bill, over the 107 required and that we along with the Members of the Community College Board, Junior College Board and Chancellor Shabitt in the City of Chicago, Representative Brady, Representative Ewell and the others who are interested set down really to preparing the kind of program and the kind of formula that in this next Session we could address with some logic and some sense and to straighten out some of the inequities that exist. I urgently request and respectfully request your affirmative vote on Representative McGrew's Bill. Thank you."

Speaker Madigan: "Have all voted who wished? Have all voted who wished?"

The Clerk shall take the record. On this question there are 113 'ayes', 2 'noes', 55 voting 'present'. For what purpose does Mr. McGrew seek recognition? Mr. McGrew."

McGrew: "Nothing yet, Mr. Speaker."

Speaker Madigan: "This Bill having received... Mr. Ewell."

Ewell: "Mr. Speaker, I would just like a little honesty in elections.

And so for the first time, I'm going to request a verification."

Speaker Madigan: "Mr. McGrew requests a poll of the absentees. The Clerk shall proceed to a poll of the absentees."

Clerk Hall: "Conti, DiPrima, Hanahan, Hoffman, Nardulli, Pechous, and Schlickman."

Speaker Madigan: "Mr. Porter."

Porter: "Speaker, how am I recorded?"

Speaker Madigan: "How is the Gentleman recorded?"

Clerk Hall: "The Gentleman's recorded as voting 'present'."

Porter: "Vote me 'aye' please."

Speaker Madigan: "Record the Gentleman as 'aye'. Mrs. Peggy Martin."

P. Martin: "Mr. Speaker, how am I recorded?"

Speaker Madigan: "How is the Lady recorded?"

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

P. Martin: "Please change it to 'present'."

Speaker Madigan: "Record the Lady as 'present'. Proceed with a poll



of the absentees. Proceed with a verification of the Affirmative Roll Call."

Clerk Hall: "Abramson, Adams, Anderson, Antonovych, Jane Barnes, Bartulis, Bennett, Birchler, Boucek, Bradley, Breslin, Don Brummet, Byers, Campbell, Chapman, Christensen, Collins, Daniels, Darrow, Jack Davis, Deavers, Deuster, John Dunn, Ralph Dunn, Dyer, Ebbesen, Edgar, Epton, Ewing, Flinn, Friedland, Friedrich, Geo-Karis, Greiman, Griesheimer, Harris, Hart, Hoxsey, Hudson, Jacobs, Jaffe, Johnson, Dave Jones, Kane, Katz, Keats, Kempiners, Kent, Klosak, Kucharski, Lauer, Leinenweber, Leverenz, Lucco, Luft, Macdonald, Matijeveh, Matula, Mautino, McAuliffe, McBroom, McClain, McGrew, McMaster, McPike, Miller, Mudd, Mugalian, Mulcahey, Neff, Walsh, Peters, Pierce, Polk, Porter, Pullen, Reed, Reilly, Richmond, Rigney, Ryan, Satterthwaite, Schisler, Schneider, Schoeberlein, Schuneman, Sharp, Simms, Skinner, Stanley, Stearney, E.G. Steele, C.M. Stiehl, Stuffle, Sumner, Telcser, Tipsword, Totten, Tuerk, Van Duynes, Von Boeckman, Waddell, Walsh, Wikoff, Willer, Winchester, Wolf, Younge, Yourell, Mr. Speaker."

Speaker Madigan: "Questions of the Affirmative Roll Call."

Ewell: "Representative Willer."

Speaker Madigan: "Mr. McAvoy."

McAvoy: "I change my vote from 'present' to 'aye'."

Speaker Madigan: "Record the Gentleman as 'aye'. Mr. Ewing."

Ewing: "Mr. Speaker, may I request leave to be verified?"

Speaker Madigan: "The Gentleman requests leave to be verified.

Mr. Ewing. Mr. Huskey."

Huskey: "Mr. Speaker, would you change my 'present' vote to 'aye'?"

Speaker Madigan: "Record Mr. Huskey as 'aye'. Mr. Ewell."

Ewell: "Willer."

Speaker Madigan: "Mrs. Willer is in the rear of the chamber."

Ewell: "Von Boeckman."

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

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

Speaker Madigan: "Remove the Gentleman from the cham... from the..."

Mr. Von Boeckman just returned. Leave him on the Roll Call."



Ewell: "Telcser."

Speaker Madigan: "Mr. Telcser is in the chamber. Mr. Wall."

Wall: "Mr. Speaker, change my 'present' vote to 'aye'."

Speaker Madigan: "Record Mr. Wall as 'aye'."

Ewell: "Mr. Katz."

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

Ewell: "Mr. Greiman."

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

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

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

Ewell: "Schisler."

Speaker Madigan: "Mr. Schisler is in the chamber."

Ewell: "Mr. Pierce."

Speaker Madigan: "Who?"

Ewell: "Pierce."

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

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

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

Ewell: "Mr. Johnson."

Speaker Madigan: "Mr. Johnson is in the chambers."

Ewell: "Mr. Lucco... oh, never mind. Mr. McAuliffe."

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

Ewell: "Mugalian."

Speaker Madigan: "Mr. Mugalian is in the chamber."

Ewell: "Mr. Polk."

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

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

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

Ewell: "Mr. Walsh."

Speaker Madigan: "Mr. Walsh, what's Mr. Walsh? William is in the chambers."

Ewell: "Well, he's here. What about the other one?"

Speaker Madigan: "He is also."

Ewell: "All right. Mr. Daniels."

Speaker Madigan: "Mr. Daniels?"

Ewell: "Yes."



Speaker Madigan: "Mr. Daniels is in the chamber."

Ewell: "Mr. Schuneman."

Speaker Madigan: "Mr. Schuneman is in the chamber."

Ewell: "Mr. Yourell."

Speaker Madigan: "Mr. Yourell. Mr. Yourell. How is he recorded?"

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

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

Ewell: "Mr. Collins."

Speaker Madigan: "Mr. Collins. He's in the rear of the chamber."

Ewell: "Mr. Simms."

Speaker Madigan: "Mr. Simms is in the chambers."

Ewell: "Did I ask for Mr. Kucharski?"

Speaker Madigan: "Mr. Kucharski. How is he recorded?"

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

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

Ewell: "Mr. McBroom."

Speaker Madigan: "Mr. McBroom. How is he recorded?"

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

Speaker Madigan: "Remove him from the Roll Call. Restore Mr. Polk

to the Roll Call. For what purpose does Mr. Mahar arise?"

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

Speaker Madigan: "How is the Gentleman recorded?"

Clerk Hall: "The Gentleman's recorded as voting 'present'."

Mahar: "Please change my vote to 'aye'."

Speaker Madigan: "Record Mr. Mahar as 'aye'."

Ewell: "Mr. Ebbesen."

Speaker Madigan: "Mr. Ebbesen. How is he recorded?"

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

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

Ewell: "Mr. Klosak."

Speaker Madigan: "He's in the chambers."

Ewell: "I see him. Lynn Martin."

Speaker Madigan: "Mrs. Martin is in the chamber."

Ewell: "Mr. Luft."

Speaker Madigan: "Mr. Luft. He's in the chambers."

Ewell: "Mr. Johnson."



Speaker Madigan: "Who was that?"

Ewell: "Johnson."

Speaker Madigan: "Mr. Johnson is in the chamber. He was verified previously."

Ewell: "Oh, I'm sorry. Pullen."

Speaker Madigan: "Mr. Polk was restored."

Ewell: "Pullen."

Speaker Madigan: "Pullen."

Ewell: "Pullen, Pullen."

Speaker Madigan: "She is in the center aisle."

Ewell: "Mr. Edgar."

Speaker Madigan: "Mr. Edgar is in the rear of the chamber."

Ewell: "McPike."

Speaker Madigan: "Mr. McPike is in the rear of the chamber."

Ewell: "Mr. Leverenz."

Speaker Madigan: "Mr. Leverenz is in the rear of the chamber."

Ewell: "One second, I'll consult my notes. I'm near the end."

Speaker Madigan: "Mr. Williams. Mr. Williams."

Williams: "Will you please change my 'present' to 'aye'?"

Speaker Madigan: "Record Mr. Williams as 'aye'. Mr. Ewell."

Ewell: "Mr. Speaker, I took Mr. Yourell off, did I not?"

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

Clerk Hall: "He's been verified off."

Speaker Madigan: "Remove... Mr. Yourell has been removed."

Ewell: "Mr. Speaker, I am going to concede the inevitable. There are no more challenges."

Speaker Madigan: "What's the count, Mr. Clerk? Record Mr. Giorgi as 'aye'. On this question there are 114 'ayes', 2 'noes', 55 voting 'present' and House Bill 2 having received a three-fifths Constitutional... Record Mr. Conti as 'aye'. On this question there are 115 'ayes', 2 'noes', 55 voting 'present' and House Bill 2 having received a three-fifths Constitutional Majority is hereby declared passed with an immediate effective date."

Speaker Redmond: "Representative McGrew."

McGrew: "Mr. Speaker, having voted on the prevailing side, I'd move to reconsider the vote by which House Bill 2 passed."



Speaker Redmond: "Representative Tipsword."

Tipsword: "Mr. Speaker, I move that that motion lie on the table."

Speaker Redmond: "Representative McGrew has... having voted on the prevailing side has moved that the vote by which House Bill 2 passed be reconsidered. Representative Tipsword has moved that that lie on the table. Those in favor of Representative Tipsword vote 'aye', opposed vote 'no'. Those in favor of Representative Tipsword's motion say 'aye', opposed 'no'. The opinion of the Chair, the 'ayes' have it and the motion carries. Not yet."

(con't on next page)



Speaker Redmond: "Representative Madigan. What Session are we in?

Second Special? We're in the Second... I want to recess the Second Special... huh? Okay. Recess the Second Special Session to... No, wait a minute, I don't want to recess it. I want to call Senate Bills, Second Reading. On Senate Bills, Second Reading appears Senate Bill 6. Representative Ryan. Representative Ryan. Representative Dan Houlihan."

D. Houlihan: "Mr. Speaker, on a point of order. Are we on Second Legislative Day for Second Reading on Senate Bill 6?"

Speaker Redmond: "We're on First Legislative Day. That's the reason I called on Representative Ryan. Representative Ryan."

Ryan: "Thank you, Mr. Speaker. I move to suspend the appropriate rule for Senate Bill 6 to be read a second time and for the Second Legislative Day and placed on Second Reading."

Speaker Redmond: "Representative Ryan has moved that the rule be suspended and that Senate Bill 6 be placed on the Order of Second Reading, Second Legislative Day. Does he have leave? Hearing no objections, read the Bill."

Clerk O'Brien: "Senate Bill 6. A Bill for an Act to amend Sections of the Unemployment Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Is there any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Hanahan-Giorgi."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, in the absence of Representative Hanahan, he's asked me to handle the Amendments and I'd like to move to table Amendment #1, 2, 3 and 4 which will be replaced by Amendments 5, 6, 7 and 8."

Speaker Redmond: "Representative Giorgi moves to withdraw Amendments 1, 2, 3, 4. Is that correct?"

Giorgi: "Yes, Sir."

Speaker Redmond: "Does he have leave? Hearing no objections, Amendments 1, 2, 3 and 4 are withdrawn. Any further Amendments, Mr. Clerk?"

Clerk O'Brien: "Amendment #5, Hanahan-Giorgi. Amends Senate Bill 6, Second Special Session on page 43 by deleting line 24 and so forth."



Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, Amendment #5 tends to penalize the very good employer by... and being lenient on the poor employer, the employer that has a lot of layoffs. And #5..."

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

Ryan: "For a point of order, Mr. Speaker. I believe Amendment #5 is out of order. Not drafted correctly."

Speaker Redmond: "Let's see the Amendment. Objection has been withdrawn. Proceed, Representative Giorgi."

Giorgi: "Mr. Speaker, to explain the Amendment there are now over two hundred thousand employers in Illinois and nearly seventy-five thousand are paying the minimum one-tenth of one percent. If we use the Senate Bill 6, every employer will be penalized in the same extent and we feel that the employer with the lousiest record should be at least paying proportionately as much as the good employer is paying, so that's the reason for the Amendment and I move for its adoption."

Speaker Redmond: "Any discussion? Representative Ryan."

Ryan: "Thank you, Mr. Speaker. I oppose the Amendment. It raises everybody nine-tenths of one percent and... it's about two million dollars for the employers that are presently in trouble. And for those reasons, I have to oppose the Amendment."

Speaker Redmond: "Anything further? Representative Levin."

Levin: "Will the Sponsor of the Amendment yield for a question? What will be the effect on the small employers as far as your Amendment?"

Giorgi: "The small employer with a good work record, his charges will go from four dollars and twenty cents an employee to sixty dollars. It'll be a fifty-four dollars increase for him. And the poor employer, the bad employer, he'll only be paying an eighteen dollar penalty as compared to the good employer."

Levin: "So this would shift some of the burden off of the small employer..."

Giorgi: "To the bad employer, correct, with a bad record."

Speaker Redmond: "Representative Keats."

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



Speaker Redmond: "The Gentleman's moved the previous question. The question is, shall the main question be put? Those in favor say 'aye', opposed 'no'. The 'ayes' have it, the motion carries. Representative Giorgi, to close."

Giorgi: "Well, Mr. Speaker, I think that we've heard throughout the entire length and breadth of the State of Illinois that the small employer, the small manufacturer, the small construction person, the ma and pa stores want some relief from these exorbitant taxes. And now we're hitting them in the neck at the expense of the small employer and letting the big employer that can very well afford this tax get away with a small increase. I think this is unfair and I think in our haste to enact a Federal compliance law, we're hurting the small employer again and I resist this. And I resist it very strongly."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment #5 to Senate Bill #6. Those in favor vote 'aye', opposed vote 'no'. Representative... Have all voted who wished? Clerk will take the record. On this question there's 21 'aye', 107 'no'. The Gentleman's motion's lost. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Hanahan-Giorgi. Amends Senate Bill 6, Second Special Session on page 29, line 1 by deleting 1 and so forth."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, Amendment #6 covers the nonacademic school employees between academic years. Senate Bill 6 as now written prohibits these employees, these are secretarial workers, school bus drivers, janitors, from collecting unemployment compensation during the school terms. This is contrary to state policies regarding every other type of seasonal employee and we believe these employees should be treated equally."

Speaker Redmond: "Representative Ryan."

Ryan: "Well, thank you, Mr. Speaker. I also oppose this Amendment. This Amendment as I understand it allows school employees to draw compensation during the summer hours. And for that reason, I oppose the Amendment."



Speaker Redmond: "Representative Keats."

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

Speaker Redmond: "The Gentleman's moved the previous question. The question is, shall the main question be put. Those in favor say 'aye', opposed 'no'. The 'ayes' have it, the motion carries. Representative Giorgi, to close."

Giorgi: "I reiterate, this covers the nonacademic school employees, Mr. Speaker, and I urge its adoption."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment #6 to Senate Bill #1. Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'noes' have it and the motion fails. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, Hanahan-Giorgi. Amends Senate Bill 6, Second Special Session on page 46 by deleting line 27 through 32 and so forth."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, this Amendment would rid Senate Bill 6 of the opt-out provision now within the Bill. As now written, Senate Bill 6 provides that if the law mandating coverage of public employees is struck down by a Federal court, Illinois' four hundred and fifty thousand public employees would be completely without unemployment compensation coverage. It is also questionable whether or not state employees would remain covered if this mandate were struck down. That's why I urge the adoption of Amendment #7."

Speaker Redmond: "Representative Ryan."

Ryan: "Well, thank you, Mr. Speaker. I also rise in opposition to this Amendment. This would delete language which repeals the state's... coverage of local government employees if a Federal court should rule the Federal mandate unconstitutional. This would require that these local governments cover such employees even after the suit has been decided in their favor. And for that reason, I oppose the Amendment."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, I'd move the previous question."

Speaker Redmond: "The Gentleman's moved the previous question. The



question is, shall the main question be put? Those in favor say 'aye', opposed 'no'. The 'ayes' have it and the motion carries. Representative Giorgi, to close."

Giorgi: "Mr. Speaker, I repeat that in the event the Federal courts rule the law unconstitutional all four hundred and fifty thousand of the state employees of the state, counties, cities, municipalities and other local jurisdictions wouldn't be covered and we don't think we want that to be included."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment #7 to Senate Bill 6. Those in favor say 'aye', opposed 'no'. Chair is unable to decide. In the opinion of the Chair, the motion fails. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, Giorgi. Amends Senate Bill 6, Second Special Session, in the title and by deleting the period and inserting in lieu thereof and so forth."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, I'll want a Roll Call vote on this one. Well, Nanahan took off on me. Mr. Speaker, Amendment #8, we received volumes of mail from the small merchant, small manufacturer, the person in the construction field, the ma and pa stores, the people that are employing one, two or three or four people on the ex-orbitant taxes they're paying in unemployment compensation. Amendment #8 allows these people to deduct their unemployment compensation insurance payments against their state income tax filing. And I move for this adoption."

Speaker Redmond: "Representative Ryan."

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I question the germaneness of this Amendment at this time, Mr. Speaker. It's outside of the call. It does not deal, portions of it do not deal with the Unemployment Compensation Act and that's the purpose of the call. So I will now question the germaneness."

Speaker Redmond: "Will you repeat the basis of your objection?"

Ryan: "I'm wondering whether it's within the call, Mr. Speaker, because portions of it do not deal with unemployment compensation."

Speaker Redmond: "I've been advised by the Parliamentarian that it is not within the call. It is not within the call. Any further



Amendments?"

Clerk O'Brien: "Floor Amendment #9, Mautino. Amends Senate Bill 6, Second Special Session, on page 38 by deleting line 17 through 24 and so forth."

Speaker Redmond: "Representative Giorgi. Pardon me, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House."

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

Lechowicz: "Before we go to Amendment #9, I would like to have the justification from the Parliamentarian why that Amendment #8 was not within the call. It's dealing with unemployment compensation and all we're saying is that any premiums that are paid by the employers in this state are deductible from their state income tax."

Speaker Redmond: "The call, paragraph one, 'Enactment or amendment of laws relating to unemployment insurance.' And there's subparagraphs A, B, C and D. And it only relates to the question of implementation of unemployment insurance. In the call, he did not in any way provide for any Amendment to any law other than the unemployment compensation law."

Lechowicz: "Well, Mr. Speaker, is the premiums that's paid by the employers in the state part of the call?"

Speaker Redmond: "Yes, but what is sought in this Amendment is tax relief. And there isn't anything in the call that provides for tax relief."

Lechowicz: "Well, Mr. Speaker, then we'll have a special Bill on that order tomorrow and I'll ask that the Rules Committee meet as well."

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

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #9 to Senate Bill 6 is a very important Amendment because I think there are very few Members of this General Assembly who have not received correspondences from their home areas stating that if we in the General Assembly are going to mandate a program,



we had better figure out a way to finance local government and the entities of government including education that come under the purview of the Federal mandate. What I'm attempting to do with Amendment #9 is to state to the local entities that when the Federal dollars run out which will be the third quarter of 1978, that I will give them an additional year for them to figure out a way and to budget appropriately to get their money to operate and finance their unemployment compensation funding. I've done that in the quarterly procedure that appears in this Amendment for the quarters of October 1, '78 through December, for the quarters of January, '79 through March of '79, and fifty percent again for the quarters of April 1, '79 through December. It's a fifty percent state coverage at the local level. I would ask for your support on this most important Amendment because this is part of a mandated program. You'd better be able to tell your local governments and your educators and school boards that when we mandate a program, we will, in fact, fund it. That's what I'm proposing here. I brought it up in the Labor and Commerce Committee this morning. Fifty percent funding. Otherwise, what you're going to do is turn on to the local governmental entities and the school districts and the park districts one hundred percent funding with virtually no time to accomplish that task mainly because the procedure for levying taxes and the authority given to those governmental agencies has to come from us. I don't know how we're going to do it before the implementation time, so, therefore, I present this Amendment which takes the state into fifty percent funding at the local level when the Federal monies are phased out. And I ask for your support on this Amendment."

Speaker Redmond: "Representative Ryan."

Ryan: "Thank you, Mr. Speaker. Presently under Senate Bill 6, there's a year before this becomes effective. And for that reason, plus the reason that this Bill costs the State of Illinois or this Amendment would cost the State of Illinois twenty-eight, almost twenty-nine million dollars compared to the four million that's there, I stand in opposition to this Amendment."

Speaker Redmond: "Representative Daniels. Jaffe."



Jaffe: "Mr. Speaker, I rise in opposition to this Amendment, too.

It is my feeling that we have an emergency situation that we have to meet within a couple of days. I think it's quite obvious that the Bill as passed over by the Senate takes us through the third quarter of 1978. I really think we have enough time to come back next year and actually work on this particular problem in the Session that we have next year. I think for us to start monkeying around with the Senate Bill at this time would be a little bit foolhardy inasmuch as we have to comply with the Federal law and we have to do it within the next couple of days. I would urge the defeat of this Amendment and all further Amendments so we can pass this Bill on, get it onto the Governor's desk and go about the business of the House that we have to do."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, I rise in support of this Amendment. We all know that this is a program which has been thrust upon us against our will. The program is with us today because of action of the United States Congress. I'm sure that if any one of us or all of us remembers the Congress at the time that this program was mandated by the Congress that to a man, you would have voted 'no'. Those of us in the General Assembly have heard from our constituents. We know that they are opposed to further mandating of programs upon local government from those governments above them whether they be at the Federal or the state level. Regretfully, unemployment compensation for local governmental employees is now with us. It's being challenged in the courts, but for now it is with us. This Amendment recognizes the existence of the program, but attempts to alleviate a very perilous situation which exists for local governments in the state that are nonhome rule units. For a home rule unit, which is currently at its tax levied limit, there is no method available to raise the money to pay for the cost of this system. What this Amendment proposes is very fair and very equitable because it suggests that the cost of the program to local governments be borne one half by the state, one half by local governments for two budget years of those local governments. The cost to the state of \$25.4 million would be



spread out over two state budget years. There would be no cost incurred by the State of Illinois in this current budget year. In the next budget year, there would be a cost to the state of \$14.4 million. In the following budget year, there would be a cost of \$11.2 million. In a sense, these are large figures. But in another sense, when you compare the revenue sources of the state to those of local governments, then I suggest to you that \$25.4 million is a minimal amount of money for this state to offer to the governments of this state which serve the people just as well as we do and who are in a very dire financial straits at this time. The proposal is not obnoxious. It does not suggest that there shall be no participation by local governments. On the contrary, it suggests that local governments pay one half of the cost and then they will be in a position to police the system so that there will be no abuses as has been raised by certain parties to this debate. I suggest to you, Ladies and Gentlemen, that if you do not vote for this Amendment, your vote will return to haunt you because eventually, and it could occur in the very near future, the local governments who are oppressed now will go to their voters and say to them in one form or another, 'We must raise taxes. And Ladies and Gentlemen, you, the voters, we might have avoided this rise in taxes had the Illinois General Assembly approved Mr. Mautino's Amendment for the minimal amount, twenty-five million dollars, spread out over two years.' I know that there has been great pressure put upon Members of this Body on this particular Roll Call, but just don't think of local governments, just don't think of those who are pressuring you to vote 'no' on this Amendment. Think of yourselves and think of what your answers are going to be when you go to your community meetings in your districts. I recommend an 'aye' vote for this Amendment."

Speaker Redmond: "Representative Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I don't know what we can say in response to Representative Madigan other than to point out to you that much the same issue has already been addressed in the Senate. They had, first of all, an Amendment



for a hundred percent reimbursement, ad infinitum. And then they dealt on a lesser percentage. Now, none of us enjoy standing here and casting a vote which would, in essence, continue on with the problems that the United States Congress has thrust upon us. We all want to be able to go back and tell our local municipalities that, in fact, we were able to assist them and the monies that they are going to be forced to spend in the future because of this action by the U.S. Congress. But I think that we have to, too, in the very same spirit that we've listened to the past few days concerning our general revenue, recognize the fact that we are talking about approximately twenty-five million dollars more if we accept this Amendment than we are under the proposal contained in Senate Bill 6. I frankly think that the Bill that was sent over to us by the Senate can have some strengthening features in it. We have time to address those features in the springtime. We've gone over a lot of factors that we can consider - the nonreferendum tax, for instance, is one and other items that we will look at in the springtime. Under Senate Bill 6, we have presented a mechanism which will carry us through and allow us to rationally discuss and view this. I urge you to think very, very carefully about your vote on this Amendment which would, in effect, take out of General Revenue Funds in the State of Illinois, twenty-five million dollars that we don't have at this time. Your people back home understand this. They know that this problem has been thrust on us by Congress and they know that we're going to continue to look at the issue. So be careful on this vote. Vote rationally, keep in mind our revenue funds that we have so limited in the State of Illinois. I urge you to oppose this Amendment."

Speaker Redmond: "Representative Mudd."

Mudd: "Yes, Mr. Speaker and Members of the House, in Cosponsoring this Amendment I have met with my school boards and park boards and they're deeply concerned about where they're going to raise the monies to pay this debt. And I think if you'll read Senate Bill 6 very carefully you'll see that what we've been sent over is not very much help to them. Because in the first and second



quarters of that hundred or fifty percent funding by the state in helping these local governments, the first two quarters are covered by the Federal government, seventy-five percent of the third quarter and twenty-five percent for the fourth quarter. So what we're really giving them is not much help in the way of assistance. In the second year, they get no assistance at all. So this Amendment takes care of the second year and I think, I may be wrong and if I am, I would stand corrected that the second year will be based upon inexperience. So it may not reach the levels of cost that some predict that this Bill may, so I think it's important that we do support this to give these local governments which are having a hard time now raising the funds because they've got a cap on almost every source of income. And the only place that they can get it even if we give them the power is from the local income tax. Our revenue base is a lot broader than theirs and I think that what we do here today may cost us some money, but it will save the serious impact on local income tax at home. So I very seriously solicit your support for this Amendment."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Yes, Mr. Speaker, I move the previous question."

Speaker Redmond: "The Gentleman has moved the previous question. The question is, shall the main question be put? Those in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Mautino to close."

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

In reference to the comments of the previous speakers, I think it's a decision that we all have to make individually. There's no easy answer. It's going to be very difficult for those people who oppose this type of an Amendment to go back and look those local governmental agencies right in the eye, especially those school districts that have already put out tax anticipation warrants to cover the ordinary expenses of the school areas, school districts, park districts that don't have any money and your local officials... and your local officials who are caught in inflation like every other form of government or any other business. The bottom line is this, you have a choice to make. Whether or



not the increases will come at the local level through real estate taxes and I think a red vote would purport that or the state picking up that portion, fifty percent of the local costs and because we are mandating a program. The people at home don't particularly care who sent that program to them. What they know is that they have it in their lap. And the General Assembly passed the legislation and put the local governmental agencies in that posture. There have been Bills introduced in this House on both sides of the aisle, many candidates have been in the posture of taking the stand, they will not support another mandated program without funding it. It's time to stand up and be counted. We're mandating a program and I've given you a way to fund it for two years. I ask for your support."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment #9. Those in favor say 'aye'... Roll Call has been demanded. The question's on the Gentleman's motion for the adoption of Amendment #9 to Senate Bill #6. Those in favor vote 'aye', opposed vote 'no'. Representative Bluthardt, are you seeking recognition?"

Bluthardt: "I've been watching the tote board up there for... and I don't think it'll be necessary to speak on this, Mr. Speaker."

Speaker Redmond: "Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question there's 65 'aye' and 91 'no'. The Gentleman's motion fails. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #10, John Dunn. Amends Senate Bill 6, Second Special Session, on page 46 by deleting line 27 through 32 and so forth."

Speaker Redmond: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #10 is an Amendment that would take care of the possibility of a lawsuit or an act of the Federal Congress which would declare the mandate that we are under to be unconstitutional. This would result in the repeal of what we are doing here in the event it is not needed. I think it's a good Amendment and I urge your favorable vote."



Speaker Redmond: "Representative Ryan."

Ryan: "Well, thank you, Mr. Speaker. I rise in opposition to this Amendment also. Senate Bill 6 as it now reads has repealer language in the Bill and I see no need for this. It just could delay the Bill for the necessary deferral in the compliance passed Thursday and I would certainly urge the defeat of this Amendment."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Well, Mr. Speaker, may I ask the Sponsor of the Amendment a question?"

Speaker Redmond: "Proceed."

Lechowicz: "The clarifying language that's within the Amendment, exactly what does it clarify?"

Dunn: "The purpose of the Amendment is to clarify the situation in the event there is an act of Congress or a court action in which an injunction is granted staying the effect of this legislation. If that takes place, Amendment #10 would provide that the applicability of the provisions of this Act shall automatically be stayed as to local government employees so long as that stay is in effect. In other words, what this does is get this out from under the... looking down the barrel of the gun of this mandate in the event we really don't have to react to it."

Lechowicz: "Thank you. May I speak my... address myself to the Amendment, Mr. Speaker? I want to talk on Amendment #9 as well as 10 but unfortunately maybe my light isn't working up there on Amendment #9. That Amendment and this Amendment are both supported by the Illinois Municipal League and the County Councils throughout this state and I walked over and I talked to the Chairman of the Illinois Municipal Problems Commission and asked him if he was going to be supporting the Municipal League position on Amendment #9. And he told me he was not. I'm publicly asking whether the Members of that Commission are going to be supporting Amendment #10 on this floor because if you don't, you should resign. I personally believe that you either represent the people that talk to you and explain their positions, especially when a program that is mandated by another Body and we have been under the policy that if it's mandated, we should



either come up with the money from the respective mandated source. What Representative Dunn's Amendment is doing now is the possibility that the Federal Congress will excuse the State of Illinois and three hundred and twenty-one million dollars that is owed the unemployment insurance treasury. Now, we actually owe seven hundred and fifty-one million. There is a Bill in Congress, one in the House and one in the Senate, to excuse approximately three hundred and twenty-one million dollars of that debt. Representative Dunn's Amendment goes one step further. There is a court suit that is being filed by the League of Municipal Cities on a nation-wide basis asking that they be withdrawn from the Federal provision and they are asking that the suit be adjudicated on its merits. They did not create the debt, they don't want to be part of the system, they were mandated into this system. Senate Bill 6 addresses itself on the compliance measure but Representative Dunn's Amendment gives us the leeway if the two provisions are fulfilled. One, a three hundred and twenty-one million dollar debt and excused by Congress, or two, if the suit is favorably adjudicated. I strongly believe that this House should support Amendment #10 and it should be adopted."

Speaker Redmond: "Representative Simms."

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

(con't on next page)



Speaker Redmond: "The Gentleman has moved the previous... Representative Bluthardt."

Bluthardt: "Well, Mr. Speaker, I ask for leave to address this Assembly on a personal privilege. If you didn't know it, I'm the Co-Chairman that the last speaker was suggesting ought to resign as Co-Chairman of the Illinois Municipal Problems Commission. I didn't think that when I accepted that vote from the members of that Commission that I had to give up my independent beliefs and judgments. I firmly believe that the effort of the Sponsor of Senate Bill or Amendment 9 was wrong in the approach he took in attempting to place the burden of twenty-eight million dollars upon the State of Illinois and upon the people of Illinois. I am not convinced that local government is going to suffer so greatly that most of them cannot pay the small, minimal amount that will accrue as a result of passage of Senate Bill 6. As I figure it, first of all, we don't have to be concerned about home rule municipalities. That takes care of Chicago and Cook County and all the larger towns. We have to be concerned to some extent for the smaller cities and villages. There are very few cities and villages that hire or employ much more than fifty people. Even at a hundred people that would only be six thousand dollars a year that they'd be called upon to pay into this fund. I'm sure that most municipalities can find that six thousand dollars, their budgets aren't that close. They do have that much leeway and I have that experience as President of a town for seventeen years. I know the money is there for those emergencies. I can also... I would also accept and support a Bill that would grant a small, nonreferendum tax, special tax to units of local government of, say, one cent per hundred dollars assessed valuation. That's roughly a dollar on every ten thousand dollar assessed valuation. That would more than amply take care of the charge made against cities and villages. I do recognize that perhaps the hardest hit of all will be the school districts. They also, likewise, should be granted a one cent tax increase. And you say, many of you will say I cannot support a no-referendum tax increase. And yet, I'll bet you the majority of this House each year for the last eight



or nine years have voted for a tax increase. Just think back, think of all the tax increases without referendum we gave to the Metropolitan Sanitary District. Tremendous tax increases without referendum. Tremendous bonding increases without referendum. Now how about the Chicago Library? How about the Chicago Park District and other park districts? All without referendum. And I say to you, let the people know that this is mandated by the Federal Government in that this is a special tax levied to pay unemployment insurance compensation as mandated by the Federal Government. I feel that I can justify my position regardless of the position of the Illinois Municipal League and I hope that I've explained my position to the last speaker. Thank you."

Speaker Redmond: "Representative Matijevich."

Matijevich: "No, I... Mr. Speaker, I was just going to explain my vote. I think we moved the previous question, so I..."

Speaker Redmond: "I think that is correct. Representative Simms has moved the previous question. The question is, shall the main question be put? Those in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Dunn to close. Representative Dunn to close."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Considering the results of the previous Amendment, I think that I'll take note of the effect that sometimes the light at the end of the tunnel is an oncoming train. And being well aware of that, I'll be brief and get right to the point here. I do think we should consider this Amendment. It is important. The only reason we are here and the only reason we are here tonight in Special Session, the only reason we have had a lot of mail about unemployment compensation is because we are under the gun of a mandate from the Federal Congress. And in the event that mandate disappears, why should we be burdened with legislation that we would not otherwise have, that we would not otherwise need, that we would not otherwise want except to comply with the provisions of an onerous Federal mandate? Amendment #10 will give us that option in the event the mandate disappears by injunctive stay, by a declaration that the Federal mandate is unconstitutional, in the courts



or by a repeal of the Act by the Federal Congress. Let's give ourselves that way out, let's give ourselves a chance to save dollars if we really don't need this legislation and let's do this all for the business people of the State of Illinois, both large and small. I urge a favorable vote on Amendment #10."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment #10. Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'noes' carry and the motion fails. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #11, Brady-Giorgi. Amends Senate Bill 6, Second Special Session, by deleting the title and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative Ryan."

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like a point of order, parliamentary inquiry on the..."

Speaker Redmond: "I think maybe you'd better let Representative Giorgi present the Amendment before we..."

Ryan: "Well, I thought he had, I'm sorry."

Speaker Redmond: "No, not yet."

Giorgi: "Mr. Speaker, Amendment #11 is at the request of the educational people throughout the entire length and breadth of the State of Illinois, specifically the I.E.A. They'd like us to allow the school boards throughout the entire State of Illinois to levy the tax necessary to pay this increased onerous burden of unemployment compensation that the Federal Daddy says we must pay. It's a good Amendment. All the previous speakers have alluded to the problems of local governments, townships, cities, counties and especially the sixteen hundred or more school districts in Illinois. They need this relief and I urge the adoption of this Amendment."

Speaker Redmond: "Representative Ryan."

Ryan: "Thank you, Mr. Speaker. I raise the question of germaneness since Senate Bill 6 deals with unemployment insurance and whereas Amendment #11 provides for a revenue producing mechanism under the School Code. The Amendment inserts a Section of the School Code, a different statute within the Unemployment Insurance Act."



This is an improper Amendment because it is not germane. And the title of the Bill deals with unemployment insurance and whereas the substance of the Amendment deals with changing the School Code. And I would request a ruling of the germaneness."

Speaker Redmond: "Parliamentarian has advised me that strictly speaking it is not germane to the Bill because it refers to a property tax. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Under the Order of Total Veto Motions, Consideration Postponed appears House Bill 186. Representative Luft. Before you start, I understand that the... our host for the Chili is ninety dollars short and I understand that the Democrats have been very generous. Representative Luft."

Luft: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill, yesterday, the day before was discussed thoroughly but I think there was some misunderstanding on the origin of the Bill. The Bill came out of Subcommittee of a House Executive Committee. Representative Kent and Representative Hudson were the Republican Members on that Subcommittee. We had agencies appear before us, I believe, on two hearings. They had no specific problems with this Bill. The problems that they did have with this Bill are incorporated in the Bill. We did correct them. This Bill is part of a package of the two Bills that we already passed today - one by Representative Lechowicz and Representative Cunningham. The Bill simply mandates the appropriation of Federal funds and I hope all misunderstandings have been cleared up and at this time we can pass the Bill. Roll Call."

Speaker Redmond: "Anything further? The question is, shall House Bill 186 pass, notwithstanding the veto of the Governor? All in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question there's 120 'aye' and 37 'no' and the motion having received the Constitutional three-fifths Majority prevails. The House Bill 186 is declared passed, notwithstanding the veto of the Governor. Reduction in Item Veto Motions. House Bill 2379. 2379, Representative McBroom. I'll



get there now. Representative Cunningham. We'll get there. I don't want... McBroom, 2379. Motion #3, Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. My motion has to do with funding for the Midland Avenue storm sewer in Joliet. I don't think the question need to really be debated. We passed it out of the House and we passed it through the Senate. The reason for the veto... The Department of Transportation recommended the veto because they said it really wasn't..."

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

Ryan: "Well, thank you, Mr. Speaker. The Sponsor of the Bill is not on the floor and not here. I wonder if we could take this out of the record for now."

Speaker Redmond: "Sponsor of the motion is here."

Ryan: "Sponsor of the Bill is not, Mr. Speaker."

Speaker Redmond: "Sponsor of the motion is here. Okay, come on.

Members please be in their seats. Let's get going here. The question is on Motion #3 to House Bill 2379. Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. The two reasons given for the veto was that it was supposed to be a local problem and also that it wasn't highway connected and I'd just like to point out that there are three highways involved in this storm sewer. Route 52 which will take up at least half of the money that it takes to put this sewer in, Route 52 which is Jefferson Street in Joliet. Also, Route 80 which is graded so that the drainage off of Route 80 goes across Midland Avenue. And also, Route 7 which is Larkin Road which is only a skip and a jump away from where this storm sewer goes down Midland Avenue. Virtually, Jefferson Street is a little lake every time you get any type of heavy rainfall at all and I think that justifies the connection with the highway, but I don't want to belabor it any longer. People are getting... Can I have a little order, Mr. Speaker? I don't speak very often and I'd like to at least have the..."

Speaker Redmond: "Please give the Gentleman order."

Van Duyne: "I'm just trying to justify that. Out of the money that's going to be spent in this, over half of it will be spent at the



intersection in and about Jefferson Street and Midland Avenue. I don't know what else I can say. We went through this before in the previous Session. Joliet has tried to come up with the money for this thing many, many times and has been unable to do it. Everybody in this Legislature knows how the local governments are strapped for money. Anyway, I believe the Department of Transportation was wrong. I think we should reaffirm our desire to pass this and my motion should be given an 'aye' vote and reinstated, the veto of the Governor notwithstanding."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Well, Mr. Speaker, the Sponsor of this Amendment couldn't have said it any better. This is probably one of the most necessary projects ever to be proposed in the Department of Transportation budget. The City of Joliet for years in the neighborhood of Midland Avenue has had a flooding problem. I can attest to that. I live within one block of Midland Avenue and if you want me to have a dry basement, then I would suggest that we should vote for this Amendment. Seriously, though, it is a much-needed project. The City of Joliet has for years tried to accumulate the funds to do this project, so I join with the other... my distinguished colleague from the other side of the aisle and urge an 'aye' vote on this most important motion to restore a line item veto."

Speaker Redmond: "Representative Cunningham."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, if you've checked the Bill, you noticed that when it left the Senate before, it was two billion, one hundred and thirty-nine million dollars. The Governor struck a hundred and thirteen million dollars, about five percent from the Bill. These weren't done on a partisan basis. I hope that you checked the items that were vetoed and if you did so, you found that more than two-thirds of all of the items that were vetoed had Republican sponsors. They were done on a basis of necessity. It's an arithmetical question. If the money were there, they would fix every sewer in the State of Illinois that needs fixing. We want Representative Leinenweber to have a dry basement, we want everyone to be happy; but just a



moment. No, the... we... the million dollars isn't there in the D.O.T. budget. The money that they spend fixing his sewer, they can't fix on your roads. It's a question of priorities. Do not lose perspective. Vote 'no' on this particular veto."

Speaker Redmond: "Representative Kempiners."

Kempiners: "Thank you, Mr. Speaker. Well, I guess it depends on whose ox is being gored where you stand on this issue, but this particular avenue separates the 39th and the 42nd District and it's LeRoy Van Dwyne's ox, it's Harry Leinenweber's ox and Jack Davis' ox and my ox is being gored if this doesn't get passed. And I want you to know that there are people in Rockville which is south of Interstate 80, that are complaining all the time about the flooding that's going on in Midland Avenue. And what has been said here has not been exaggerated. This money is needed and I can guarantee you this. If it's not passed today and it passes in the Senate and not passed in the Senate, we're going to be back next year and we're going to do our homework a little bit better next year. I can guarantee you that and I would urge a 'yes' vote."

Speaker Redmond: "Representative Mulcahey."

Mulcahey: "Speaker, I would move the previous question."

Speaker Redmond: "The question is, shall the main question be put? Those in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Van Dwyne to close."

Van Dwyne: "Thank you, Mr. Speaker. I think all has been said and rather than irritate anybody, I would just please ask for an 'aye' vote."

Speaker Redmond: "The question is, shall the reduced item of appropriation on page 43, line 17 to 22 be restored to its original amount, notwithstanding the reduction of the Governor. Those in favor vote 'aye', opposed vote 'no'. 89 votes. Have all voted who wished? Representative Daniels, pardon me. Davis, rather. Representative Davis."

J. Davis: "Thank you, Mr. Speaker. In my explanation of my 'aye' vote I, too, will support Representative Van Dwyne's motion since I am from that 42nd District that Representative Kempiners mentioned."

However, I come from a part of the district that doesn't even have sanitary sewers, so maybe I'll be addressing that one next year."

Speaker Redmond: "I've been advised by the Parliamentarian that I put the question improperly. The question is, shall the item on page 17, page 43, lines 17 to 22 pass, notwithstanding the veto of the Governor? Now, those in favor signify by voting 'aye' and opposed by voting 'no' and this takes 107 votes. Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question there's 74 'aye' and 69 'no' and the motion having failed to receive a three-fifths Constitutional Majority is hereby declared passed... lost, lost, lost. Motion #4, Giorgi. Representative Giorgi."

Giorgi: "Mr. Speaker, Motion #4 deals with the north-south highway that has been promised by the last seven Governors and would you believe it? The engineering studies are completed. The right of way has been acquired and I had to drive my wife from Chicago yesterday morning on my way down to Springfield and I really enjoyed driving that divided highway from Chicago to Springfield. And getting down around Bloomington, I saw where the southern Legislators again put it over on us cause there's highways in every direction. Now, you know, what happens is the Chicago Legislators don't drive 51, neither does any of the Governors drive 51. Then when they come to Rockford, they tell us how they're going to take care of Rockford, then the next week I have to vote for Chicago projects. And then, they'll be back next March telling us how they're going to promise us the north-south highway again. That highway is so bad that it's now carrying six times the traffic it was intended. It's so bad... It's so bad you don't have adequate sight. You can't see far enough to pass. It has the highest truck-car ratio in the entire State of Illinois. You realize that you're talking about the north-south highway. It isn't Giorgi's Highway, it isn't a Democratic highway, it isn't a highway from... it isn't a Bloomington highway. It's from New York to... it's from Chicago... Rockford to Bloomington. I voted for the Series A bonds. There's plenty of money in the Series A



bonds treasury. I repeat, all the right of ways have been acquired, all the engineering studies have been done and to stop the carnage on that highway I plead with you to restore the item that the Governor cut out."

Speaker Redmond: "Representative Cunningham."

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, believe me when I tell you that none know better than I, knows better than I how maddeningly frustrating the position is of people that want fine highways. But Representative Giorgi should have told you that there is ten million dollars in this budget for his highway. He's off to a running start. I can name hundreds of thousands of communities who would trade positions with him. Forty million dollars just isn't there for this year. Be patient. The pledge of seven different Governors is being fulfilled by this Governor, but there's a limit. And the limit is the ten million dollars. We must have a 'no' vote on this if we're to have a viable road program throughout the state in the year that lies ahead."

Speaker Redmond: "Representative Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise to join my colleague from Rockford, Representative Giorgi, in urging that this item be restored. It has been promised to us by every Governor in my recollection. Route 51, in my opinion, is the worst route in the state. In fact, our state Senator feels it's so bad that she has to fly back and forth to Springfield to Chicago and she doesn't feel safe on Route 51. Route 51 is a hazard and at the same time, other parts of the State of Illinois do have adequate highways. People in northern Illinois have suffered long enough with just a two-lane highway. If it hadn't been for Governor Walker using the funds for other purposes in other parts of the state, we would have had Route 51 long before now. So I urge that this item be restored and Route 51 be expedited and I join my distinguished colleague from Rockford in urging that the Members of the Assembly vote for this motion."

Speaker Redmond: "Representative Ebbesen."

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



Speaker Redmond: "The question is, the Gentleman's moved the previous question. The question is, shall the main question be put? Those in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Giorgi. Representative Giorgi."

Giorgi: "Mr. Speaker, I appreciate the support by Representative Cunningham and Representative Simms, but I'd like to correct Representative Cunningham on that ten million dollars. That's the ten million dollars that Stratton promised us when he built the toll roads from Rockford to Chicago. Now, we need a little more consideration than that. I repeat, the engineering studies are complete, the right of ways have all been acquired, the people, the length and breadth of Illinois have waited patiently for this highway. Now, the Governor wants to build that highway. Let's give him that little impetus that he needs to build this highway. There have been a huge number of accidents on the highway. Last year, fifteen people were killed and I think it's a very serious thing and I know that everyone in this room since before has talked about a north-south artery. This is it. Let's put the votes up on the board."

Speaker Redmond: "The question is, shall the reduced item on page 24, lines 10 to 13 be restored to its original amount in House Bill 2379, notwithstanding the reduction of the Governor? Those in favor vote 'aye', opposed vote 'no'. Representative Skinner."

Skinner: "I suggest that Representative Giorgi ought to know as well as anyone where the money went for this highway. Approximately sixteen million dollars a year is drained out of the General... out of the Road Fund to subsidize the C.T.A. which is subsidized by the R.T.A. which Representative Giorgi voted for. And if the money, forty-eight million dollars, since the R.T.A. has been passed isn't there to build the Route 51, we know it's because he agreed with Chicago once too often."

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

Giorgi: "Would you poll the absentees, Mr. Speaker?"

Speaker Redmond: "Poll the absentees."

Clerk O'Brien: "Bartulis, Bluthardt."



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

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

Speaker Redmond: "How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Steczko: "Please vote me 'aye'."

Speaker Redmond: "Vote the Gentleman 'aye'. Representative Martin,
Peggy Smith Martin."

P. Martin: "Mr. Speaker, how am I recorded?"

Speaker Redmond: "How's the Lady recorded?"

Clerk O'Brien: "The Lady's recorded as not voting."

P. Martin: "Please record me 'aye'."

Speaker Redmond: "Record her as 'aye'. Proceed with the poll."

Clerk O'Brien: "Bluthardt, Conti, Daniels, Ralph Dunn, Ewing."

Speaker Redmond: "Representative Conti 'no'."

Clerk O'Brien: "Flinn, Friedland."

Speaker Redmond: "Representative Flinn 'aye'."

Clerk O'Brien: "Friedland, Geo-Karis, Getty."

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

Christensen: "Mr. Speaker, would you change my vote to 'aye'?"

Speaker Redmond: "Change the Gentleman from 'no' to 'aye'. Proceed."

Clerk O'Brien: "Hoffman, Kane, Katz, Leverenz, Madison, McGrew,
Meyer, Walsh, Pechous, Satterthwaite, Schlickman, Walsh, and
Willer."

Speaker Redmond: "Representative Robert Walsh 'aye'. What's the
score, Mr. Clerk? On this question there's 92 'aye'... Repre-
sentative Cunningham."

Cunningham: "Verification."

Speaker Redmond: "Representative Brummet. Representative Brummer."

Brummer: "Yes, the board showed... they just changed it. Was... is
that a line item veto or is that a reduction veto?"

Clerk O'Brien: "Reduction."

Speaker Redmond: "Reduction."

Brummer: "Requiring how many votes?"

Speaker Redmond: "89. The Gentleman's requested... Representative
Cunningham."



Cunningham: "In view of the fact that many people have cast a vote here and the thought to just be a nice guy in the misunderstanding of the rules, could I respectfully urge that it would be only fair to have a new Roll Call? We've got people voting here for this that are depriving their own district of roads, two of them are from my district and on the notion... on the notion that somehow they can spend forty million dollars elsewhere and not be lost in the road program. Fiscal responsibility's involved here and some didn't understand the rules about the number required."

Speaker Redmond: "I don't know any way we can dump it. Representative Giorgi."

Giorgi: "Mr. Speaker, Representative Cunningham knows full well that this is the will of the General Assembly and the Governor signs the check. He has the final word on the expenditure of the funds."

Speaker Redmond: "Representative Cunningham."

Cunningham: "Mr. Speaker, we repeat our request for a verification of the Roll Call."

Speaker Redmond: "Representative Kane."

Kane: "How am I recorded?"

Speaker Redmond: "How's the Gentleman recorded?"

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

Kane: "Please vote me 'aye'."

Speaker Redmond: "Vote the Gentleman 'aye'. Representative Cunningham has requested a verification of the Affirmative Roll Call. Representative Hart."

Hart: "I'd like to have leave to be verified. I've got to leave."

Speaker Redmond: "Does he have leave? Because he's going to leave. Proceed with the verification of the Affirmative Roll Call."

Clerk O'Brien: "Adams, Anderson, E.M. Barnes, Beatty, Bennett, Birchler, Bradley, Brady, Brandt, Breslin, Rich Brummer, Caldwell, Capparelli, Chapman, Christensen, Darrow, Corneal Davis, Dawson, DiPrima, Domico, Doyle, John Dunn, Ewell, Farley, Flinn, Friedrich, Garmisa, Giglio, Giorgi, Greiman, Hanahan, Harris, Hart, Holewinski, Dan Houlihan, Jim Houlihan, Hoxsey, Huff, Jaffe, Dave Jones, Emil Jones, Kane, Kelly, Kent, Kornowicz, Kosinski, Kozubowski, Kucharski, Laurino, Lechowicz, Levin, Lucco, Luft, Nadigan, Mann, Marovitz,



Lynn Martin, Peggy Smith Martin, Matejek, Matijevich, Mautino, McClain, McLendon, McPike, Mudd, Mulcahey, Murphy, Nardulli, O'Brien, Walsh, Pierce, Pouncey, Richmond, Rigney, Schisler, Sharp, Shumpert, Simms, Skinner, Steczo, Stuffle, Taylor, Terzich, Tipsword, Van Duyne, Vitek, Von Boeckman, Waddell, Williams, Winchester, Younge, Yourell, Mr. Speaker."

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

Brummet: "Aye."

Speaker Redmond: "Change the Gentleman from 'present' to 'aye'. Any questions of... Representative Lee Daniels."

Daniels: "How am I recorded?"

Speaker Redmond: "How's he recorded?"

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

Daniels: "Please vote me 'no'."

Speaker Redmond: Record the Gentleman as 'no'. Any questions of the Affirmative Roll Call? Representative Byers, do you seek recognition? Representative Byers desires to be recorded as 'aye'. Any questions, Mr. Cunningham?"

Cunningham: "Mr. Speaker, do we commence with?"

Speaker Redmond: "What's the number now, Mr. Clerk? 95 'ayes'."

Cunningham: "Hanahan."

Speaker Redmond: "Is he here? How's he recorded?"

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

Speaker Redmond: "Remove him."

Cunningham: "Brandt."

Speaker Redmond: "Who?"

Cunningham: "Representative Brandt."

Speaker Redmond: "He's here."

Cunningham: "Representative Brady."

Speaker Redmond: "He's here."

Cunningham: "Representative E.M. Barnes."

Speaker Redmond: "E.M. Barnes. He's in the seat back there. He's thinking."

Cunningham: "Well, the rules require him to be awake do they not to be counted on that..."



Speaker Redmond: "The rules require the Members to be courteous to each other at all times. Proceed, Mr. Cunningham."

Cunningham: "What does the Parliamentarian say?"

Speaker Redmond: "Same. Proceed."

Cunningham: "Representative Brummer."

Speaker Redmond: "Brummer. He was here a minute ago. Is Representative Brummer here? How is Representative Brummer recorded?"

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

Speaker Redmond: "Remove him."

Cunningham: "Representative Walsh, Robert Walsh."

Speaker Redmond: "Which one? Robert is here."

Cunningham: "Representative Chapman."

Speaker Redmond: "Representative Chapman is here."

Cunningham: "Representative Doyle."

Speaker Redmond: "Representative Doyle is here."

Cunningham: "Representative John Dunn."

Speaker Redmond: "Representative John Dunn."

Cunningham: "Representative Ray Ewell."

Speaker Redmond: "Who?"

Cunningham: "Representative Ewell."

Speaker Redmond: "Representative Ewell? He's here."

Cunningham: "He is here?"

Speaker Redmond: "Well, look in the middle aisle."

Cunningham: "Representative Farley."

Speaker Redmond: "Farley. Yeah, but look in the middle aisle.

Farley is here."

Cunningham: "Representative Garmisa."

Speaker Redmond: "He's here."

Cunningham: "Representative Greiman."

Speaker Redmond: "Representative Greiman. How's he recorded?"

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

Speaker Redmond: "Remove him."

Cunningham: "Representative Kucharski."

Speaker Redmond: "Representative Kucharski. How's he recorded?"

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

Speaker Redmond: "Remove him."



Cunningham: "Representative Houlihan."

Speaker Redmond: "Which one?"

Cunningham: "Both."

Speaker Redmond: "Representative Houlihan is here."

Cunningham: "James Houlihan."

Speaker Redmond: "James Houlihan, is he here? How's he recorded?"

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

Speaker Redmond: "Remove him."

Cunningham: "Representative Huff."

Speaker Redmond: "Representative Huff. He's here."

Cunningham: "Where?"

Speaker Redmond: "In the back. Stand up and take a bow, Representative Huff."

Cunningham: "Representative Laurino."

Speaker Redmond: "Representative Laurino is here. Right here."

Cunningham: "Representative Luft."

Speaker Redmond: "Luft is here."

Cunningham: "Representative Mann."

Speaker Redmond: "He's here."

Cunningham: "Representative Marovitz."

Speaker Redmond: "Marovitz is here."

Cunningham: "Representative McClain."

Speaker Redmond: "Here in front."

Cunningham: "Representative Dawson."

Speaker Redmond: "Representative Dawson is visiting constituents in the gallery, over your head."

Cunningham: "Representative Richmond."

Speaker Redmond: "Representative Richmond's here."

Cunningham: "Representative Pierce."

Speaker Redmond: "Representative Pierce. How's he recorded?"

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

Speaker Redmond: "Remove him. Proceed."

Cunningham: "Representative Lechowicz."

Speaker Redmond: "Representative Lechowicz here? How's he recorded?"

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

Speaker Redmond: "Remove him. Proceed."



Cunningham: "Representative Winchester."

Speaker Redmond: "Representative Winchester on the floor? How's he recorded?"

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

Speaker Redmond: "Remove him. Representative Lechowicz has returned. Put him back on."

Cunningham: "Speaker, how about Representative Winchester? Was he ordered removed?"

Speaker Redmond: "Yes, he was."

Cunningham: "Representative Kosinski."

Speaker Redmond: "He's here."

Cunningham: "Representative Von Boeckman."

Speaker Redmond: "Saw him coming in. There he is."

Cunningham: "Representative Flinn."

Speaker Redmond: "He's here."

Cunningham: "Representative Jacobs."

Speaker Redmond: "Representative Jacobs here? How is he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Redmond: "Take him off."

Cunningham: "Representative Yourell."

Speaker Redmond: "He's here."

Cunningham: "Speaker, we don't see Representative Yourell. Where is he?"

Speaker Redmond: "He's sitting in his seat. Representative Yourell, the middle aisle. There he is. Ewell is over here and Yourell is in the middle aisle."

Cunningham: "Representative Matejek."

Speaker Redmond: "Who?"

Cunningham: "Matejek, John Matejek."

Speaker Redmond: "Representative Matejek. He's in the back. He's with Representative Murphy. Representative J. David Jones, for what purpose do you rise? How is he recorded? He's recorded 'yes'."

J. Jones: "Change me to 'present'."

Speaker Redmond: "Desires to be changed from 'yes' to 'no', J. David Jones. Any further questions of the Affirmative Roll Call?"



Representative Anne Willer, for what purpose do you rise?"

Willer: "Mr. Speaker, I would like to vote 'yes'."

Speaker Redmond: "Record the Lady as 'yes'. Representative McGrew."

McGrew: "Record me 'aye'."

Speaker Redmond: "Record the Gentleman as 'aye'. Representative
Leverenz."

Leverenz: "Record me as 'aye'."

Speaker Redmond: "Record the Gentleman as 'aye'. Representative
Madison."

Madison: "Please record me 'aye'."

Speaker Redmond: "Where are we, Jack? On this question there's 90
'ayes'... Representative Cunningham."

Cunningham: "Representative Adams."

Speaker Redmond: "He's here."

Cunningham: "Where?"

Speaker Redmond: "Right over there. Maybe you should have a taller
fellow do that."

Cunningham: "Representative Bradley."

Speaker Redmond: "He's right there, a good looking young man. Rep-
resentative Brummer has returned. Put him back on the Roll Call.
What's the number, huh? 91 'ayes', any questions, Mr. Cunningham?
91 'ayes', 66 'noes', the motion having received the Constitu-
tional Majority prevails and the item on page 24, lines 10 and 13
is restored to its original amount, notwithstanding the reduc-
tion of the Governor."

(con't on next page)



Speaker Redmond: "House Bill 2379, Representative McClain. Motion #1."

McClain: "Motion #2, Mr. Speaker."

Speaker Redmond: "Motion #2? What happened about 1?"

McClain: "I'm not going to call that one."

Speaker Redmond: "Not going to call it, take that out of the record."

#2. Representative Stanley, for what purpose do you rise?"

Stanley: "Thank you, Mr. Speaker. I rise because the hour is approaching twelve o'clock and I just want to make the point that we are in a position in the next ten minutes to disenfranchise the voters of Illinois from an additional hour to vote. And you promised when..."

Speaker Redmond: "You're not making it any easier. If you'll all be very quiet now, we'll get to 1706. Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Motion #2 to Department of Transportation budget restores two million dollars to hire design engineers for the Chicago-Kansas City Expressway, a segment of Quincy to Macomb to Canton. I won't take much time of the House, but a lot of Members worked diligently on this and it has been endorsed by the Highway Study Commission, Illinois Transportation Study Commission. Representative Neff has been instrumental and Representative Kent and Representative Schisler and a lot of us have... and Representative Sharp, a lot of us have been very active in support of this. It was appropriated the last fiscal year and was not reappropriated by this administration. I believe there is a possibility that the money will not be spent this year; but just in case, we'd like to keep that segment in the road alive and well. I've tried to educate you as best I can with editorials and pins and letters and I would ask for an affirmative vote."

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

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, our staff's analysis was that this was the best of the bad lot in regard to all of the veto motions that were involved here. The money isn't involved... the money isn't available, but I'm not taking any position on behalf of the administration either way."



Speaker Redmond: "The question... the Gentleman asks leave, which one now? He's not going to proceed with 1. On this item, he has two items. Now, he asks leave to take both of them together. Does he have leave? Representative Cunningham."

Cunningham: "Our understanding that the first, the eight million dollar item had been dropped and he was proceeding only on the two million item. That's what the Sponsor said to the Chair a moment ago."

Speaker Redmond: "It says that there are two items, page 18, lines 5 through 12 and 13 and 14. Is that one or two? Motion #2. Hearing no objection, they'll be taken together. Now, the question... question is... Motion #2 and there's two items. The question is, shall the reduced items of appropriations on page 18, lines 5 to 12 and 13 and 14 be resorted to its original amount, notwithstanding the reduction of the Governor. All in favor signify by voting 'aye', all... voting 'no'. Representative Cunningham."

Cunningham: "Are we agreed that the total there is two million dollars?"

Speaker Redmond: "Is that right, Representative McClain? Right."

Cunningham: "Very well."

Speaker Redmond: "Have all voted who wished? This is an item veto and the question is, shall the items on page 18, lines 5, 12, 13 and 14 pass, notwithstanding the veto of the Governor? All in favor signify by voting 'aye' and opposed by voting 'no'. 107 votes. Have all voted who wished? Representative Garmisa."

Garmisa: "Mr. Speaker, in explaining my vote, I just want to mention to the Members of the General Assembly that the Transportation Study Commission last March did recommend that there is a great need for an improved facility in this corridor. And as Chairman of that Commission, I highly recommend that funding should be made available for the design work so that we can proceed with the building of this highway when the needed revenues do become available. I ask the support of the General Assembly and everyone here."

Speaker Redmond: "Have all voted who wished? Clerk will take the record. On this question there's 112 'aye' and 36 'no'. The



motion having received the three-fifths Constitutional Majority prevails and the items on page 18, lines 5, 12, 13 and 14 of House Bill 2379 is declared passed, notwithstanding the veto of the Governor. On the Order of... Amendatory Veto Motions, House Bill 1706. Representative Terzich."

Terzich: "Yes, Mr. Speaker, I may not be in a Leadership position but I do have some problems in my district and I believe the next order of business we were on, we're on Reduction Item Veto Motions and I did ask the courtesy of the Speaker to call my Motion #5 which I believe I'm next in order, Mr. Speaker and I would like..."

Speaker Redmond: "Speaker has the authority to change the order of business at any time and the Speaker had promised the Sponsor of this Bill earlier in the day that the Bill would be called. Now, my word is at stake here and I said that I would call it and that's the reason that I changed. 1706, Representative Edgar."

Edgar: "The promise you gave us was that you'd call this Bill so we'd have an ample chance. I hope we get that. The Bill is a very simple Bill. I think everybody here knows what it does. The Governor made a technical amendatory veto to this Bill to make sure there's no doubt that this Bill covers the entire state to extend the voting hour from six p.m. to seven p.m. I think everybody here knows what it is. I hope we have a chance to have a Roll Call before midnight. Thank you."

Speaker Redmond: "Representative Mudd."

Mudd: "I move the previous question."

Speaker Redmond: "The question is, the Gentleman has moved the previous question. The question is, shall the main question be put? Those in favor say 'aye', opposed 'no'. The 'ayes' have it. The opinion of the Chair, unable to determine, unable to determine. Those in favor vote 'aye', opposed vote 'no'. This is on the previous question. Representative Dan Houlihan. Clerk will take the record. On this question there's 139 'aye' and 18 'no' and the motion carries. Representative Madigan, for what purpose do your rise?"

Madigan: "Request a verification of the Roll Call."

Speaker Redmond: "Requested... previous question. Representative Edgar



to close."

Edgar: "I don't think there's need for anymore debate. I'd ask for a favorable Roll Call."

Speaker Redmond: "The question is... the question is, shall the House accept the Governor's specific recommendation for change with respect to House Bill 1706 by adoption of the Amendment? Those in favor will vote 'aye' and opposed will vote 'no'. Representative Dan Houlihan."

D. Houlihan: "Well, Mr. Speaker, I was seeking your attention on a point of order. I want a ruling from the Chair as to the constitutional validity of this action being contained in an amendatory veto and I cite to the Chair the case of Clinger vs. Howlett. A decision that this Illinois Supreme Court in 1972 reported at fifty Illinois second, page 237. I'm serious about it, Mr. Speaker. You're ramroding this one through and I want a ruling from the Parliamentarian. Now, Mr. Speaker, I would like to quote from that opinion to the Chair. This was a decision of Mr. Justice Schaefer in delivering the opinion of the court. On October 29, 1971, this court granted leave to file an original petition for mandamus to compel the respondent, auditor of public accounts, to process vouchers and to issue warrants in connection with Senate Bills 1195, 1196 and 1197, passed by both Houses in the 77th General Assembly. These Bills are also identified as Public Act 77-1656, 77-1657 and 77-1658. They relate to financial assistance for nonpublic school education. The respondent answered denying the constitutionality of the Bill. And expeditive briefing schedule was fixed, an oral argument was heard on December 13, 1971. The briefs of the parties have discussed the validity of the Bills under the First Amendment to the Constitution of the United States and under Article I, Section 3 and Article XX, Section 3 of the 1970 Constitution of Illinois. Issues were also discussed as to the proper interpretation of authority given to the Governor under Section 9(e) of Article IV of the Constitution of 1970 to return a Bill passed by the General Assembly with his specific recommendations for change. A question was also raised as to whether the Bills complied with the command of Article IV, Section 8(d)



of the Constitution of 1970 that appropriation Bills shall be limited to the subject of appropriations. Since the case was submitted, the parties have complied with the court's request that they submit supplemental memoranda on the question of whether or not the three Bills are presently in effect. The three Bills were passed by the Senate on June 2, 1971 and by the House on June 22, 1971. By messages dated September 10, 1971, the Governor stating that he was acting pursuant to the authority vested in him under Article IV, Section 9(c) of the Constitution of 1970, returned each Bill with the recommendation that the title of each Bill be amended and..."

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

Ebbesen: "Mr. Speaker, I don't know what that's all about, but this is not the Supreme Court, this is a legislative Body and we got a Roll Call going on. I don't know what all that tirade is about over there. We got a Roll Call going on here and he's out of order, Mr. Speaker."

Speaker Redmond: "Representative Stuffle."

Stuffle: "Yes, would it be in order to ask for a verification if this receives 89 votes?"

Speaker Redmond: "It will be in order."

Stuffle: "I would make that request."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Now, Mr. Speaker, this Gentleman was pointing out so that the Parliamentarian could consider the importance of this Bill that he's pointing out the cases that have been ruled in this order. And I would hope that the Parliamentarian would listen and in turn make a proper decision or make a recommendation to the Speaker."

Speaker Redmond: "Parliamentarian has advised me that it's not been the practice of the Speaker to rule on the question of the constitutionality and that this decision has been called... the Governor's recommendation. The Chair will not rule on that matter. Representative Bradley."

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



would just like to point out to the Chair, to you, Sir, that in all fairness I know you tried to get to Mr. Edgar's Bill like it had never been called before. But all the times that we sat in the Chair and other people were in the Chair, we called asking if he wanted 1706 called time after time after time. He waited until the very last minute so that this would come about and he would have passed. You were not... cause any problem... you did not... we did not cause you any problem at all, Mr. Edgar. You had your chance to call to have a hearing on this Bill, to debate the Bill and you have preempted that by waiting until the last minute and you caused your own problems, Sir, and I think that we're in a position now where it's after twelve o'clock and I think we can't do anything with the Bill."

Speaker Redmond: "Representative Matijeovich."

Matijeovich: "Mr. Speaker, all of us know that under the old Constitution we used to stop the clock around here. We have not done it now under the new Constitution and I make the point of order that any action taken now after midnight is out of order and that the only thing we can do now is move to adjourn and I so move."

Speaker Redmond: "Representative Edgar."

Edgar: "Point of personal privilege, my name was mentioned in debate. Let me point out, starting today our Leadership asked for a caucus so we could bring this point up. Your Leadership on the other side refused our Leadership that caucus. I've never remembered that practice, even their former Speakers being denied. We also received a promise when... before I took that out of the record from the Speaker that we would have an ample opportunity to call this Bill after we discussed it in caucus. I don't think five minutes to twelve o'clock is ample. Now, I agree it's passed midnight. You guys have done a good job over there. Let's have the record straight who did it. We didn't do it. We asked for fair play, we didn't get it. Now, you're the people that are denying the voters of this State a chance to vote till seven o'clock and let's just keep the record straight."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, I would like to reiterate and confirm Mr. Edgar's



statement that it is now beyond midnight, Mr. Speaker. And I would like to read into the record a letter which I personally presented to Governor Thompson regarding this issue because I think it will be relevant to any further interest in this Bill that it be a matter of record that the Governor was fully informed as to the consequences of his actions. And this letter is dated July 26, 1977. 'Dear Governor Thompson, regarding House Bill 1706, I must urge you to veto House Bill 1706 due to the adoption of Senate Amendment #2 and its incorporation into the Bill as it will be presented to you. Senate Amendment #2 as you probably know amends Section 18-2 of the Election Code to extend the polling hours to seven p.m. in Board of Election Commissioner's jurisdictions. The Bill in its final form is patently unconstitutional as it relates to polling hours and that defect cannot be remedied by an amendatory veto. If you were to approve House Bill 1706, that legislation would create a nonuniform classification in regard to conduct of elections in clear violation of Article III, Section 5 of the Constitution. This would result from the Bill's extension of polling hours and Board of Election Commissioner's jurisdictions together with the present six p.m. closing time prescribed by Sections 17-1 of the Election Code for County Clerk jurisdictions. Section 17-1 was not amended by House Bill 1706 generating the potential disparity in polling hours. House Bill 1706 if approved by you, would also be in violation of Article IV, Section 13 of the Constitution by virtue of creating an unreasonable irrational classification. There is simply no rational basis for creating these two different classes of polling time along jurisdictional or territorial lines. The same consideration renders the Bill in violation of the equal protection clauses of the United State as well as the Illinois Constitution. The defect in the Bill's extension of polling hours cannot be remedied through your amendatory veto powers since the incorporation of parallel Amendment to Section 17-1 of the Election Code would be a substantial and substantive expansion of the Bills provisions not within the scope of the Bill as originally passed by the General Assembly. Our Supreme Court has held that the amendatory veto procedure cannot



be employed to substantially rewrite a Bill. See People, X-row, Clinger vs. Howlett, fifty Illinois, second 242, 1972. I am sure that an amendatory veto on House Bill 1706 if it were accepted by the Assembly would result in a judicial challenge. The status of polling hours for the March, 1978, primary would thus be in limbo and ultimately only further remedial legislation can clarify the state of the law. To avoid these problems you should simply veto House Bill 1706 outright and commend to the General Assembly whatever recommendations you might have on this subject for separate, uniform legislation. I think such action would be in the interest of better election administration since a seven p.m. extension of polling hours without some common consideration for the judges of elections would exasperate a presently difficult situation in many areas of the state where Election Judges are hard to recruit and retain. This is especially true in smaller downstate counties where paper ballots are used and thus require long after-closing hours in the polling place to count the ballots. Thank you for your consideration. Sincerely, Michael J. Madigan, Majority Leader of the House of Representatives'. I submit to you, Mr. Speaker, and to the Members of the House, that Governor Thompson was fully informed prior to his offering of an amendatory veto to this Bill that it was substantially not in compliance with the Supreme Court decision of the State of Illinois, that the Governor under our Constitution does not have the authority or the power to substantially rewrite a Bill in his Executive Office and then simply offer it back to this Assembly for acceptance or rejection. Were the Governor in favor of this proposal, then it should be submitted to a Committee hearing which is the rule of this House and the rule of the Senate. We never had a Committee hearing on this particular Bill and I submit to you, Mr. Speaker, number one, that the Governor's amendatory veto substantially rewrites the Bill and, therefore, is violative of our Illinois Supreme Court decision. Number two, Mr. Speaker, as admitted by Mr. Edgar in the record and as verified by many of those standing around me, it is now twelve o'clock. And our Constitution requires that this motion must be made within fifteen days of receipt by this House. And,



therefore, this motion is out of order and whatever is taken tonight will be null and void."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Speaker, Ladies and Gentlemen of the House, two points.

Point number one, there were ninety-three votes on that board before midnight. There was a request for verification before midnight and I ask for a parliamentary inquiry whether or not as long as the votes were taken before midnight, the verification was requested that vote should be valid and should be considered. Let's go with the verification."

Speaker Redmond: "Parliamentarian advises me that if it was subject... if the vote was subject to a verification, which it was, it wouldn't be final until the result would be declared. And the Clerk called my attention to the fact that it was twenty seconds past twelve o'clock and the vote has not been declared. So that I'm powerless to declare the Bill passed. Representative Ryan."

Ryan: "Well, thank you, Mr. Speaker. I wonder if the Clerk can tell us when that Bill was posted in the House."

Speaker Redmond: "Posted?"

Ryan: "When was it delivered out? Entered?"

Clerk O'Brien: "The motion was filed October 25th."

Ryan: "What time?"

Clerk O'Brien: "I don't have a time stamp on the filing of the motion."

Speaker Redmond: "Representative Lechowicz."

Ryan: "Mr. Speaker..."

Lechowicz: "Thank you, Mr. Speaker. I was wondering if the Clerk could also put in the record the number of times the Bill was called and it was taken out of the record. And I also want to put it officially on the record and I hope to God those tapes are working now because I went up there... the clock was stopped and the tapes were stopped. I don't appreciate that fact. Thank God the electrician went up there immediately when it was brought to his attention and the clock was on when I left and we were doing auxiliary tape work by the time I left. Now, I know that malfunctions do occur, but, good God, let's make sure that our equipment is well... functioning, working properly at all times.



Thank you."

Speaker Redmond: "Representative Stanley."

Stanley: "Yeah, I rise to a point of personal privilege. I was the initial Sponsor of this Bill in the House and I just want to be on record as saying that...that in 1972 you, Mr. Speaker, introduced a similar Bill in the House Elections Committee as many other Democrats have. There were other thirty-nine other states in this country that have longer voting hours than Illinois and I thought we were a progressive state and wanted to enfranchise voters from Rockford to Carbondale to Chicago. But apparently, that isn't the case tonight and I just want the red lights to know that what you've done is basically disenfranchise a number of voters in Illinois whether they be Republicans, Democrats or Independents."

Speaker Redmond: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, the question that I have really is, I guess it's an inquiry. The fact that this Bill was initiated prior to midnight and the fact that the Roll Call was being taken is, you know... I guess it's not a football game, but, you know, I think if you've got a ball in the air and the whistle blows or the gun goes off and you catch the ball, the touchdown, the end result will change. And is there a parallel situation here? The fact that this was initiated, the fact that we had a Roll Call in motion and I just ask it as a point of inquiry. Isn't the final vote since it was initiated before midnight, shouldn't that become a realistic vote?"

Speaker Redmond: "Well, you know..."

Ebbesen: "I'm just asking the question, Mr. Speaker."

Speaker Redmond: "The thing is this that from here there were... be quiet please. From here there were some votes green that I saw were the button had been pushed by other people, so it was subject to verification. Now, I have no idea what the count would be. The point is that until the result has been declared, it seems to me that there's no way in the world that you can say when it begins is when the result is declared. Representative Ebbesen."



Ebbesen: "My only point is, Mr. Speaker, that the fact that the vote was in motion shouldn't it come to a culmination of the fact that we would follow through in its entirety? That's my question and I'd like a ruling from the Chair on that."

Speaker Redmond: "Representative Tipsword."

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

it has always been my opinion that this House is supposed to be conducted according to rules and that this House was supposed to be a Body representative of all the people of this state. Wherein all of the people should have their representative voice heard and have an opportunity for them to be heard. I think it is most unfortunate when we have a situation that develops in the House at any time where this House is used or misused. And although on this last vote and I don't refer to it alone. I happen to be in disagreement with the motion that was presented on this Bill. Nevertheless, every person no matter who they are that represents any district in this State of Illinois should have the opportunity in this House to present the matters that are legitimately upon the Calendar of this House at any time on either side of the aisle whoever they may be or how much anyone may disagree with the position which they take. This House has been used and misused again today. We have seen this House used by proceeding upon Bills that had absolutely no time limit upon them today, but Amendments that had no time limit upon them today and so Members of this Body representing districts throughout this state and in all parts of this state have had their voters disenfranchised by the disability that was imposed upon them to present motions on the floor of this House and to have those issues decided by this House. Any time that the rules of this Body are misused by people in power for their own private purposes, it is a corruption of democracy and can lead to but one conclusion and that is the destruction of democracy. And I think this has been a very, very, very sad day for all of the people of the State of Illinois."

Speaker Redmond: "Representative Mann."

Mann: "Mr. Speaker, I merely want to say a very hearty 'Amen'."

Speaker Redmond: "Representative Matijevich."



Matijevid: "Well, Mr. Speaker, I'd say Amen but that's not true because the Bill had been taken out of the record and many times, you know, Sponsors take a Bill out of the record because they look around and they don't find the votes. And then they catch themselves in this position. Now, I want to say, I listened to you over there, Joe, and all I've got to say is Coach Lucco had the answer to you. He said that when you were running for that touchdown, you stepped out of bounds. That's the problem. Now, he also has a solution from now on when we have this midnight deadline, he's going to say we're going to have a two minute warning like they do in football. Then maybe you won't have that happen again. But I agree with what Rollie said except for the fact that this Bill had been taken out of the record, so the Sponsor... it's his own fault."

Speaker Redmond: "Representative Edgar."

Edgar: "Mr. Speaker, to reiterate that last... if I went out of bounds, I think the referee pulled me out of bounds. Okay, let me just make this suggestion. Fifteen calendar days is what the Constitution says. I would suggest this Bill did not come here at 12:01, at midnight. It came here sometime in the morning so we've not reached the fifteenth day."

Speaker Redmond: "Representative Epton."

Edgar: "If you could check your records and show that you did not receive it in the Clerk's office until sometime at the earliest in the morning of that day, so I think we still have time for this Bill and I would ask you to so rule."

Speaker Redmond: "Representative Epton."

Epton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This may very well be an exercise in futility but the fact remains I do believe that the only way the matter can be resolved to the satisfaction of all concerned undoubtedly will end up in the courts or it may be disposed of completely. My suggestion to the Chair would be and it's only a suggestion, would that we be allowed to complete this Roll Call subject to verification. Whether you declare the Bill passed or not is relatively unimportant. We will simply have a vote... my colleagues, I listened



to everybody else. I don't ask this privilege often and I respectfully present it to the Chair. If the Chair finds on its fault, I think that's the privilege, the prerogative of the Chair. I do think it would certainly make the record clear for everybody concerned it was presented before twelve, as a lawyer I have some doubts as to the validity of its passage, but I think that many of us on this side certainly would be satisfied if the Roll Call were completed, the verification might very well cause it to fail and leave it to the Speaker to decide what disposition happens thereafter."

Speaker Redmond: "I'm reading from the Constitution of the State of Illinois, Section 9, Veto Procedure, Article IV, Section 9, paragraph (c): 'The House to which a Journal is returned shall immediately enter the Governor's objections upon its journal. If within fifteen calendar days after such entry that House by a record vote of three-fifths of the Members elected passes the Bill, it shall be delivered immediately to the second House.' Now, it seems crystal clear to me that it's fifteen calendar days and a calendar day ends at midnight. So therefore, I don't think we have any alternative. It has gone passed the fifteenth calendar day. Representative Geo-Karis."

Geo-Karis: "Believe the Clerk said that the letter was filed the 25th of October."

Speaker Redmond: "Motion was filed."

Geo-Karis: "The motion, the motion then if it's fifteen days, fifteen days is on the ninth, not on the eighth."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I move to adjourn until eleven a.m. in the morning."

Speaker Redmond: "The question's on the Gentleman's motion to adjourn until eleven o'clock tomorrow morning. Those in favor say 'aye', opposed 'no'. The 'ayes' have it and the motion carries. House stands adjourned. First Special Session. First Special Session, Representative Lechowicz moves that the House stand adjourned until 11:10 tomorrow morning. Those in favor say 'aye', opposed 'no'. The 'ayes' have it, the motion carries. Second Special



Session, Representative Lechowicz moves that the Second Special Session stands adjourned until twenty minutes after eleven tomorrow. Those in favor say 'aye', opposed 'no'. The 'ayes' have it, motion carries and stands adjourned until 11:20 tomorrow.

Representative Friedrich."

Friedrich: "Mr. Speaker, I think you mean this morning, not tomorrow morning. You've adjourned..."

Speaker Redmond: "That's right, you're correct. It's the sixteenth day.



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	1.
1	12:00	Speaker Redmond	House to order	
		Reverend Krueger	Prayer	
		Speaker Redmond	Committee Reports	
		Clerk O'Brein		
		Speaker Redmond		
2		Cunningham		
		Speaker Redmond	Agreed Resolutions	
		Clerk O'Brien		
		Giorgi		
		Speaker Redmond		
		Terzich	Question	
		Speaker Redmond		
3		Matijevich	Discussion	
		Speaker Redmond		
		Anderson		
		Speaker Redmond		
		Epton		
		Speaker Redmond		
		Giorgi		
		Speaker Redmond		
		Epton		
		Speaker Redmond		
		Waddell		
4		Speaker Redmond		
		Giorgi		
	12:10	Speaker Redmond	Resolutions adopted	
		Clerk O'Brien	Further Resolutions	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	2.
		Speaker Redmond	Committee on Assignment Roll Call for Attendance	
		Clerk O'Brien	Introduction and 1st Reading	
		Speaker Redmond		
		Madigan	Move recess of Regular Session till call of chair	
		Speaker Redmond	Regular Session in recess First Special Session	
		Giorgi	Roll Call	
		Speaker Redmond		
		Giorgi		
5		Speaker Redmond	First Special Session recess till call of chair	
		Giorgi	Roll Call	
		Speaker Redmond		
		Clerk O'Brien		
		Speaker Redmond	Second Special Session recess till call of chair Regular Session in order	
		Clerk O'Brien	H.R. 507 - Chili	
6		Speaker Redmond		
		Matijevich		
		Speaker Redmond		
		Giorgi		
		Speaker Redmond		
	12:20	Telcser		
		Speaker Redmond	Resolution adopted	
		Speaker Giorgi		
		Vitek		
7		Speaker Giorgi		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	3.
		Madigan	Announcement	
		Speaker Giorgi		
		Mudd		
		Speaker Giorg		
		Clerk O'Brien		
		Speaker Giorgi		
		Telcser	Introduction	
8		Speaker Giorgi		
		Holewinski	H.B. 806 - table motion	
		Speaker Giorgi	Tabled	
		D. Houlihan		
9		Speaker Giorgi	Discussion	
		Kent		
		Clerk O'Brien	H.B. 2470, 3rd Reading	
		Speaker Giorgi		
	12:40	Kent	Sponsor explains	
		Speaker Giorgi		
		Darrow	Question	
10		Kent	Discussion	
		Speaker Giorgi		
		Matijevich	Corrects Rep. Kent	
		Speaker Giorgi	Discussion	
		Kent	Explains	
		Speaker Giorgi	H.B. 2470 passed	
11		Clerk O'Brien	H.B. 2461, 3rd Reading	
		Speaker Giorgi		
		Terzich		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	4.
		Speaker Giorgi	passed	
		Clerk O'Brien	H.B. 2462, 3rd Reading	
		Speaker Giorgi		
		Terzich		
12		Speaker Giorgi	passed	
		Clerk O'Brien	H.B. 2463, 3rd Reading	
		Speaker Giorgi		
		Terzich		
		Speaker Giorgi	Passed	
		Clerk O'Brien	H.B. 2477, 3rd Reading	
13		Speaker Giorgi		
	12:50	J. Davis		
		Speaker Giorgi		
		Jones	Aye on H.B. 2470	
		Speaker Giorgi	H.B. 2477 passed	
		Clerk O'Brien	H.B. 2479, 3rd Reading	
		Speaker Giorgi		
		D. Houlihan	pass it	
		Speaker Giorgi	Take out of record	
		Clerk O'Brien	H.B. 2481, 3rd Reading	
		Speaker Giorgi		
		Winchester		
14		Speaker Giorgi		
		Barnes	Discussion	
		Winchester	Sponsor	
		Speaker Giorgi	Pull out for five minutes	
		Winchester	Take out of record	



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		Speaker Giorgi		
		Clerk O'Brien	H.B. 2479, 3rd Reading	
15		Speaker Giorgi		
		D. Houlihan		
		Speaker Giorgi		
		Bowman	Yield?	
16		D. Houlihan	Discussion	
	12:56	Speaker Giorgi		
		Walsh	Explain vote	
		Speaker Giorgi		
		Beatty		
17		Speaker Giorgi	H.B. 2479 passed	
		Keats		
		Speaker Giorgi		
		Clerk O'Brien	H.B. 2489, 3rd Reading	
		Speaker Giorgi		
		Matijevich		
18		Speaker Giorgi		
		Bowman		
		Speaker Giorgi	Passed	
		Clerk O'Brien	H.B. 2492, 3rd Reading	
		Speaker Giorgi		
		Lechowicz		
		Speaker Giorgi		
19		Griesheimer	Yield?	
		Lechowicz		
		Speaker Giorgi		



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		Waddell	On the Bill...	
		Speaker Giorgi		
		Lechowicz	To close	
		Speaker Giorgi	H.B. 2492, passed	
20	1:00	Clerk O'Brien	H.B. 2494, 3rd Reading	
		Speaker Giorgi		
		D. Houlihan		
		Speaker Giorgi		
		Robinson	Yield?	
		D. Houlihan	Discussion	
21		Speaker Giorgi		
		D. Houlihan	To close	
		Speaker Giorgi	Passed	
		Breslin	Conflict of interest on 2494	
		Speaker Giorgi		
		Clerk O'Brien	H.B. 2495	
		Speaker Giorgi		
		Hoxsey	Explains	
		Speaker Giorgi		
		Darrow	Yield?	
22		Hoxsey	Discussion	
		Speaker Giorgi		
		Cunningham	H.B. 2495 'aye'	
23		Speaker Giorgi		
		Skinner		
		Speaker Giorgi		
		Leverenz	Yield?	



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24		Speaker Giorgi		
		Hoxsey	Discussion	
		Speaker Giorgi		
		Geo-Karis	Question	
		Hoxsey	Discussion	
		Speaker Giorgi		
	1:20	Hoxsey	To close	
25		Speaker Giorgi	Passed	
		Clerk O'Brien	S.B. 1385, 3rd Reading	
		Speaker Giorgi		
		McClain		
		Speaker Giorgi	Passed	
26		Clerk O'Brien	S.B. 1390, 3rd Reading	
		Speaker Giorgi		
		Griesheimer	Point of personal privilege	
		Speaker Giorgi		
		Clerk O'Brien	S.B. 1390, 3rd Reading And S.B. 1391	
		Hart		
27	1:23	Speaker Giorgi	S.B. 1390 and 1391 passed	
		Madison	Question	
		Speaker Giorgi	Discussion	
28		Schisler	H.B. 1018, move to accept	
		Speaker Giorgi	House accepts Gov. rec.	
		Polk	H.B. 360, moves to accept	
		Speaker Giorgi		
		R. Dunn	Question	



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		Polk	Discussion	
		Speaker Giorgi		
		Leinenweber	Question	
29		Polk	Discussion	
		Speaker Giorgi	House accepts Gov. rec.	
30		Clerk O'Brien	H.B. 1284, move to accept	
		Speaker Giorgi	House accepts the Gov. rec.	
		Peters	H.B. 733, leave to table motion	
31		Speaker Giorgi	Let it die, Take out of record	
		Greiman	H.B. 1802, move to accept	
		Speaker Giorgi	Correction - 1802, House accepts, Gov. rec.	
		Mann	H.B. 1915, move to accept	
32		Speaker Giorgi		
		Hudson	Question	
33		Mann	Discussion	
34		Speaker Giorgi		
	1:45	Schlickman		
		Speaker Giorgi		
		Kelly	Oppose motion	
35		Speaker Giorgi		
		Kempiners	Yield?	
36		Mann	Discussion	
		Kempiners	Support	
		Speaker Giorgi		
		Johnson		
37		Speaker Giorgi		



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		Leinenweber	Support	
38		Speaker Giorgi		
39		Mann	To close	
		Speaker Giorgi		
		Cunningham		
40		Speaker Giorgi		
		Mugalian	Explain vote	
		Speaker Giorgi		
		Kosinski	Explain vote	
41		Speaker Giorgi		
		Stearney	Oppose	
42		Speaker Giorgi		
	2:07	Jaffe	Explain vote	
43		Speaker Giorgi		
		Katz		
		Speaker Giorgi		
		Getty	Explain 'aye' vote	
44		Speaker Giorgi		
		Mann	To explain vote	
45		Speaker Giorgi		
		Mann	Poll absentees	
		Speaker Giorgi		
		Clerk Hall	Polls absentees	
		Speaker Giorgi		
		Mann		
		Speaker Giorgi	H.B. 1915 lost	
46		Antonovych	H.B. 2069, move to override	



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47		Speaker Giorgi		
		D. Houlihan	Support	
48		Speaker Giorgi		
		Antonovych		
		Speaker Giorgi		
		Lechowicz		
		Speaker Giorgi	H.B. 2069, passed	
		Kelly	Question	
49		Speaker Giorgi	Discussion	
		Clerk O'Brien	H.B. 17	
	2:25	Kelly	H.B. 17, move to override	
		Speaker Giorgi	Motion lost	
50		Mudd	Take H.B. 186 out of record	
		Speaker Giorgi		
		Beatty	H.B. 651, move to override	
51		Speaker Giorgi		
		Geo-Karis		
		Speaker Giorgi		
		Griesheimer	No vote	
52		Speaker Giorgi		
		Ebbesen	Support	
		Speaker Giorgi		
		Waddell	Oppose	
		Speaker Giorgi		
		Beatty	To close	
53		Speaker Giorgi		
		Conti	Explain vote	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	11.
54		Speaker Giorgi		
		Griesheimer	Request verification	
		Speaker Giorgi		
		Griesheimer	Request revification	
		Speaker Giorgi		
		Lechowicz	Poll absentees	
		Speaker Biorgi		
55	2:40	Clerk O'Brien		
		Speaker Giorgi	verify affirmative	
		Clerk O'Brien		
		Speaker Giorgi		
		Kempiners	Change to 'no'	
		Speaker Giorgi		
56, 57		Griesheimer	Questions Aff. Roll	
		Speaker Giorgi		
		D. Houlihan	Point of order	
		Speaker Giorgi		
58, 59		Griesheimer	Continues	
60, 61, 62		Speaker Giorgi		
		Beatty	Point of order	
		Speaker Giorgi		
		Griesheimer	Continues	
		Speaker Giorgi	102 Affirmative votes	
		Collins	Change to 'aye'	
		Speaker Giorgi		
		Bluthardt	Change to 'aye'	
	3:00	Mudd		



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		Speaker Giorgi		
		R. Dunn	Change to 'aye'	
		Speaker Giorgi		
		Keats		
63		Speaker Giorgi	H.B. 651, override	
		Telcser		
		Speaker Giorgi	Discussion	
		R. Dunn	H.B. 1218, move to override	
65		Speaker Bradley		
		Ewing		
		Speaker Bradley		
		Skinner		
66		Speaker Bradley		
		Yourell		
		Speaker Bradley		
		Cunningham		
67		Speaker Bradley		
		R. Dunn	Asks Barnes to close	
		Speaker Bradley		
		E.M. Barnes	To Close	
68		Speaker Bradley		
		R. Dunn	Parliamentary inquiry	
		Speaker Bradley		
		Ewing	Possible verification	
	3:17	Clerk O'Brien	Polls absentees	
		Speaker Bradley		
		Peters	Change to 'aye'	



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69		Speaker Bradley		
		Schuneman	Suggest dump Roll Call	
		Speaker Bradley		
		Ewing	renews request to verify	
		Speaker Bradley		
		Cunningham	Change to 'aye'	
70		Speaker Bradley		
		Tipsword		
		Speaker Bradley	Oral verification	
		Geo-Karis	Asks to be verified	
		Speaker Bradley	Dump Roll Call	
71		Clerk O'Brien	Calls oral Roll Call	
		Speaker Bradley		
		Bluthardt	Vote 'no'	
72		Clerk O'Brien	Continues	
73		Speaker Bradley	Call absentees	
		Clerk O'Brien		
		Speaker Bradley		
		Deuster	Aye	
	3:41	Speaker Bradley	H.B. 1218 passed	
		D. Houlihan	H.B. 2126 and 2173 together	
		Speaker Bradley	Leave granted	
		D. Houlihan	Defer to Lauer	
		Lauer	Speaker on the Bill	
74		Speaker Bradley		
		Leinenweber		
75		Speaker Bradley		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	14.
		Telcser		
76		Speaker Bradley		
		D. Houlihan	To close	
77		Speaker Bradley	H.B. 2126	
		Mulcahey	Explain vote	
78		Speaker Bradley		
		Lechowicz	Explain vote	
		Speaker Bradley		
		Catania	Explain Vote	
79		Speaker Bradley		
		Ryan	Possible verification	
		Speaker Bradley		
		D. Houlihan	Poll of absentees	
80		Speaker Bradley		
		Clerk Hall		
	4:00	Speaker Bradley		
		Clerk Hall	Calls Aff. Roll Call	
		Speaker Bradley		
		Porter	Vote me 'no'	
81		Speaker Bradley		
		R. Dunn	Change to 'no'	
		Speaker Bradley		
		Robinson	Aye	
82, 83		Speaker Bradley		
84		Ryan	Questions Aff. Roll	
85		Marovitz	Leave to be verified	
86		Speaker Bradley		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	15.
		Ryan	Continues questions	
		Speaker Bradley	93 'ayes', 51 'noes'	
		D. Houlihan	Question	
		Speaker Bradley		
		D. Houlihan	Verify Neg. Roll	
		Speaker Bradley	Objections raised	
		D. Houlihan	Persists	
		Speaker Bradley		
		Mulcahey	Question	
87		Speaker Bradley		
		Antonovych	Change to 'no'	
		Speaker Bradley	Rules don't prevail for Neg. Roll Call	
		D. Houlihan	Request Oral Verified Roll	
		Speaker Bradley	Not timely	
	4:20	D. Houlihan	Persists	
		Speaker Bradley		
		Lauer	Supports Houlihan	
		Speaker Bradley		
		D. Houlihan	Requests dump roll	
88		Speaker Bradley		
		Darrow	Change to 'no'	
		Speaker Bradley		
		D. Houlihan	Discussion	
		Speaker Bradley	Cites Rule 48(a)	
		Matijevich	He can suspend rule	
89		Speaker Bradley		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	16.
		Ryan	Out of order	
		Lechowicz	Move to recess to 6:00	
		Speaker Bradley		
		Ryan	Republican Conference	
		Speaker Bradley		
90		Hart	Democratic Conference	
		Speaker Bradley	Recess	
	6:30	Speaker Madigan	H.B. 2435	
		Tipsword	Motion to suspend 33A	
		Speaker Madigan	H.B. 2435 to 2nd Rdg.	
		Clerk O'Brien	Reads H.B. 2435	
		Speaker Madigan	3rd Reading	
		Darrow	H.B. 2459, suspend rule	
		Speaker Madigan	H.B. 2450, 2nd Rdg.	
91		Clerk O'Brien	Reads H.B. 2450	
		Speaker Madigan	3rd	
		Brady	Suspend for H.B. 2497	
		Speaker Madigan	H.B. 2497, 2nd Rdg.	
		Clerk O'Brien	Reads H.B. 2497	
		Speaker Madigan	2nd Rdg.	
		Clerk O'Brien	Reads Amt. #1	
		Speaker Madigan		
		Skinner	Explains Amt. #1	
92		Speaker Madigan		
		Leinenweber	Question	
93		Skinner	Discussion	
		Speaker Madigan		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	17.
94		Simms	Yield?	
		Skinner	Discussion	
95		Speaker Madigan		
		Bradt	Talks on Amt. #1	
		Speaker Madigan		
96		Levin	Talks on Amt. #1	
	6:47	Speaker Madigan		
		McPike	Yield?	
97		Skinner	Discussion	
		Speaker Madigan		
		McAuliffe	Moves previous question	
		Speaker Madigan	Previous question moved	
		Levin	To close on Amt. #1	
98		Speaker Madigan	Amt. #1 fails, 3rd Rdg.	
		Epton		
		Speaker Madigan		
		Porter	Leve 'aye' on H.B. 2497	
		Speaker Madigan	Leave granted	
99		Collins	Inquiry of the Chair	
		Speaker Madigan		
		Collins	Discussion	
		Speaker Madigan		
		Boucek		
		Speaker Madigan		
		Clerk O'Brien		
		Geo-Karis	H.B. 1454, Sponsor	
100		Speaker Madigan		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	18.
		Lucco	Speaks on H.B. 1454	
		Spekaer Madigan		
101		Geo-Karis	Postponed Consideration	
		Speaker Madigan		
		Lechowicz	H.B. 2338, Sponsor	
102		Speaker Madigan		
		Telcser	Yield?	
		Lechowicz	Discussion	
		Speaker Madigan		
103		Lechowicz	Explains vote	
		Speaker Madigan		
		Tipsword	Explains vote	
		Speaker Madigan		
104		Matijeovich		
		Speaker Madigan		
		D. Houlihan	Explains vote	
		Speaker Madigan		
		Kane	Explains vote	
105		Speaker Madigan		
		Skinner	Explains vote	
		Speaker Madigan		
		Johnson		
		Speaker Madigan		
		Clerk O'Brien	Polls absentees	
		Speaker Madigan		
106	1:18	Clerk O'Brien	Reads Affirmative Roll Call	
		Leinenweber	Record me 'no'	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	19.
		Speaker Madigan		
	7:22	Telcser	Questions Aff. Roll	
107, 108		Speaker Madigan		
		Ebbesen	No to aye	
		Speaker Madigan		
		Geo-Karis	No to 'aye'	
		Speaker Madigan		
		Friedrich	Aye to no	
109		Speaker Madigan		
		Satterthwaite	Aye	
		Speaker Madigan	Discussion	
		Epton	No to aye	
		Speaker Madigan		
		Peters	No to aye	
		Speaker Madigan		
110		J. Wolf	Aye	
		Speaker Madigan		
		Sandquist	Aye	
	7:30	Speaker Madigan		
		Mahar	Leave at no	
		Speaker Madigan		
		Porter	Aye	
		Speaker Madigan		
		Madison		
		Speaker Madigan	H.B. 2338 passed	
	7:35		Regular Session in recess	
			2nd Special Session in order	
			2nd Special Session recessed	
			Back to Regular Session	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	20.
111		Cunningham	Asks to override H.B. 2340	
		Speaker Madigan		
		Cunningham	Explains vote	
112		Speaker Madigan		
		Matijevec	Explains vote	
		Speaker Madigna		
		Brummer	Explains vote	
		Speaker Madigan		
		Mautino	Explains vote	
113		Speaker Madigan		
		Lechowicz	Explains vote	
		Speaker Madigan	H.B. 2340 passed	
		Lechowicz	H.B. 2348, Sponsor Take out of record	
		Speaker Madigan		
114		Lechowicz	Explains H.B. 2350	
		Speaker Madigan		
		Lechowicz	Explains vote	
		Speaker Madigan	H.B. 2350 passed	
		Taylor	H.B. 2375 and 1432 together	
115		Speaker Madigan	Leave granted	
		Taylor	Explains Bills	
		Speaker Madigan		
		Taylor	Explains vote	
116		Speaker Madigan		
		Lucco	Explains vote	
		Speaker Madigan		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	21.
		Deuster	Explains vote	
117		Speaker Madigan		
		Pierce	Explains vote	
		Speaker Madigan		
		Gaines	Explains vote	
118		Speaker Madigan		
		Brady	Explains vote	
		Speaker Madigan		
		Bennett	Explains vote	
119		Speaker Madigan		
		Bowman	Explains vote	
		Speaker Madigan		
		McMike	Explains vote	
120		Speaker Madigan		
		Dyer	Explains vote	
		Speaker Madigan		
		Caldwell	Explains vote	
121		Speaker Madigan		
		Bluthardt		
		Speaker Madigan	H.B. 2375	
		Ryan	Verification	
		Speaker Madigan		
		Clerk Hall	Reads absentees	
		Speaker Madigan		
	8:08	Clerk Hall	Reads Aff. Roll Call	
122		Speaker Madigan		
		Beatty	Wants to be verified	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	22.
		Speaker Madigan		
123, 124		Ryan	Asks questions	
125		Speaker Madigan	H.B. 2375 fails Regular Session in recess First Special Session	
		Speaker Redmond	Explains H.B. 26 2nd Rdg. suspend rules	
		Speaker Madigan	Leave granted	
		Clerk Hall	Reads H.B. 26	
		Speaker Madigan		
126		Clerk Hall	Reads Committee Reports	
		Speaker Madigan		
		Clerk Hall	Reads Amt. #1	
		Speaker Madigan		
		Telcser		
	8:25	Speaker Madigan	House stand at ease five min.	
		Clerk Hall	Reads Amt. #2	
		Speaker Madigan		
		Friedrich	Explains Amt. #2	
127		Speaker Madigan		
		Redmond	Opposes Amt. #2	
		Speaker Madigan		
		Stuffle	Talks on Amt. #2	
128		Speaker Madigan		
		Lechowicz	Opposes Amt. #2	
		Speaker Madigan		
		Totten	Moves previous question	
		Speaker Madigan		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	23.
		Speaker Madigan		
		Friedrich	To close on Amt. #2	
129		Speaker Madigan	Amt. #2 fails, 3rd Rdg.	
		Clerk Hall	Introduction and 1st Reading	
		Speaker Madigan	House Bills, 3rd Rdg.	
		Clerk Hall	Reads H.B. 9	
		Capparelli	Explains H.B. 9	
130		Speaker Madigan	passed	
		Clerk Hall	Reads H.B. 20	
		Kempiners	H.B. 20 and 21 to gether	
		Speaker Madigan	Leave granted	
		Clerk Hall	Reads H.B. 20 and 21	
		Kempiners	Explains Bills	
131		Speaker Madigan		
		D. Houlihan	Supports	
		Speaker Madigan		
		McMaster	Yield?	
132		Kempiners	Discussion	
		Speaker Madigan		
		Tipsword	Question	
133		Kempiners	Discussion	
		Speaker Madigan		
	8:43	Stearney	Yield?	
134		Kempiners	Discussion	
135		Speaker Madigan		
		Skinner		
		Speaker Madigan		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	24.
		Ewing	Moves previous question	
		Speaker Madigan	Motion carries	
		Kempiners	Close debate	
136		Speaker Madigan	H.B. 20, 21 are passed	
		Breslin	Conflict of interest	
		Speaker Madigan	1st Special Session recessed 2nd Special Session in order	
		Clerk Hall	Introduction, First Reading	
137		Speaker Madigan	House Bills, 3rd Reading	
		Clerk O'Brien	Reads H.B. 4	
		Chapman	Return to 2nd Rdg?	
		Speaker Madigan	Leave is granted	
	8:51	Clerk O'Brien	Reads Amt. #7	
		Speaker Madigan		
		Chapman	Explains #7	
		Speaker Madigan	#7 adopted	
		Clerk O'Brien	Reads Am. #8	
		Speaker Madigan		
138		Edgar	Explains #8	
		Speaker Madigan		
		Chapman	Yes	
		Speaker Madigan		
139		Lechowicz	Yield	
		Edgar	Discussion	
140		Speaker Madigan		
		Daniels	Oppose	
		Speaker Madigan		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	25.
		Gaines	Support	
141		Speaker Madigan		
		Pullen	To close	
		Speaker Madigan		
		Levin		
		Speaker Madigan		
		J. Davis	Point of order	
142		Speaker Madigan		
		Levin	No vote	
		Speaker Madigan	Fails	
		Clerk O'Brien		
		Speaker Madigan	3rd Reading	
		Chapman	Moves suspension of rule	
		Speaker Madigan	Leave granted	
		Clerk O'Brien	H.B. 4, 3rd Rdg.	
		Speaker Madigan		
		Chapman	Explains	
143		Speaker Madigan		
		Houlihan	Disucssion	
		Speaker Madigan		
		Skinner		
		Speaker Madigan		
		Daniels		
		Speaker Madigan	Passed	
144		Clerk O'Brien	H.B. #5	
		Friedrich	Explains	
		Speaker Madigan		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	26.
145	9:10	Cunningham	H.B. 5, 3rd Rdg.	
146		Speaker Madigan		
		Van Duyne	Yield?	
		Friedrich	Discussion	
		Van Duyne	Addresses the Bill	
		Speaker Madigan		
		Ryan	Van Duyne is out of order	
		Speaker Madigan		
147		Van Duyne	Continues	
		Speaker Madigan		
		Madison	Explains vote	
148		Speaker Madigan		
		Houlihan	Yield?	
		Friedrich	Discussion	
		Speaker Madigan		
		Ewell	Explains vote on H.B. 5	
149		Speaker Madigan		
		Mugalian	Yield?	
150		Friedrich	Discussion	
	9:20	Speaker Madigan		
		Willer	Explains Vote 'no'	
151		Speaker Madigan		
		Boucek	Moves previous question	
		Speaker Madigan	Motion carries	
152		Friedrich	To close on H.B. 5	
153		Speaker Madigan		
		Geo-Karis	Explains vote	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	27.
		Speaker Madigan		
		Byers	Explains Vote	
		Speaker Madigan		
		Skinner	Explains Vote	
154		Speaker Madigan		
		Robinson	Explains vote	
		Speaker Madigan		
	9:35	Gaines	Explains vote	
155		Speaker Madigan		
		Barnes	Explains vote	
156		Speaker Madigan		
		Brummett	Explains vote	
		Speaker Madigan		
		D. Jones	Explains vote	
157		Speaker Madigan		
		McAuliffe	Explains vote	
		Speaker Madigan		
		Mudd	Explains vote	
		Speaker Madigan		
		Friedrich	Postponed Consideration	
158		Speaker Madigan	H.B. 2	
		Clerk O'Brien	Reads H.B. 2	
		McGrew	Explains H.B. 2	
		Speaker Madigan		
159		Ewell		
160	9:50	Speaker Madigan		
		Stuffle	Supports	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	28.
161		Speaker Madigan		
		Brady	Explains Vote	
162		Speaker Madigan		
		Skinner	Supports	
		Speaker Madigan		
163		Lauer	Explains vote	
		Keats	Moves previous question	
		Speaker Madigan		
		McGrew	Closes	
164		Speaker Madigan		
		Mann	To explain vote	
165		Speaker Madigan		
		Satterthwaite		
		Speaker Madigan		
		Peters	To explain vote	
166		Speaker Madigan	H.E. 2	
		McGrew		
		Speaker Madigan		
		Ewell	Verification	
		Speaker Madigan		
		Clerk Hall	Polls absentees	
		Speaker Madigan		
		Porter	Aye	
		Speaker Madigan		
		P. Martin	Present	
		Speaker Madigan		
167		Clerk Hall	Reads Affirmative Roll Call	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	29.
		Speaker Madigan		
		Ewell	Questions of the Affirmative	
		Speaker Madigan		
		McAvoy	Aye	
		Speaker Madigan		
		Ewing	Leave to be verified	
		Speaker Madigan		
		Huskey	Aye	
		Speaker Madigan		
168		Ewell	Questions of Affirmative	
		Speaker Madigan		
		Wall	Aye	
169		Ewell	Continues	
		Speaker Madigan		
		Mahar	Aye	
170		Speaker Madigan		
		Ewell		
		Speaker Madigan		
		Williams	Aye	
		Speaker Madigan		
		Ewell	Continues	
		Speaker Redmond	H.B. 2 is passed	
		McGrew	Reconsider the vote	
171		Speaker Redmond		
		Tipsword	McGrew's motion lie on table	
172		Speaker Redmond	Tipsword's motion carries	
	10:25		Senate Bills, 2nd Reading	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	30.
		D. Houlihan		
		Speaker Redmond		
		Ryan	Suspend rules on S.B. 6	
		Speaker Redmond		
		Clerk O'Brien	reads S.B. 6	
		Speaker Redmond		
		Giorgi	Withdraws Amt. #1, 2, 3, 4	
		Speaker Redmond		
		Clerk O'Brien	Reads Am. #5	
173		Speaker Redmond		
		Giorgi	Explains Amt. #5	
		Speaker Redmond		
		Ryan	Amt. #5 is out of order	
		Speaker Redmond		
		Giorgi	Continues to explain Amt. #5	
		Speaker Redmond		
		Ryan	Opposes	
		Speaker Redmond		
		Levin	Yield?	
		Giorgi	Discussion	
		Speaker Redmond		
		Keats	Moves previous question	
174		Speaker Redmond		
		Giorgi	To close on Amt. #5	
		Speaker Redmond	Amt. #5 is lost	
		Clerk O'Brien	Reads Amt. #6	
		Speaker Redmond		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	31.
		Giorgi	Explains Amt. #6	
		Speaker Redmond		
		Ryan	Opposes	
175		Speaker Redmond		
		Keats	Moves previous question	
		Speaker Redmond	Motion carries	
		Giorgi	To close on Amt. #6	
		Speaker Redmond	Amt. #6 fails	
		Clerk O'Brien	Reads Amt. #7	
		Speaker Redmond		
		Giorgi	Explains Amt. #7	
		Speaker Redmond		
		Ryan	Opposes	
		Speaker Redmond		
		Skinner	Moves Previous question	
		Speaker Redmond	Motion carries	
176		Giorgi	To close on Amt. #7	
		Speaker Redmond	Amt. #7 fails	
		Clerk O'Brien	Reads Amt. #8	
		Speaker Redmond		
		Giorgi	Explains Amt. #8	
		Speaker Redmond		
		Ryan	Questions germaneness	
		Speaker Redmond	Not germane	
177		Clerk O'Brien	Reads Amt. #9	
		Speaker Redmond		
		Mautino		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	32.
		Speaker Redmond		
		Lechowicz	Why was Amt. #8 not germane	
		Speaker Redmond		
		Mautino	Explains Amt. #9	
178		Speaker Redmond		
	10:43	Ryan	Opposes	
		Speaker Redmond		
179		Jaffe	Opposes	
		Speaker Redmond		
		Madigan	Supports	
180		Speaker Redmond		
		Daniels		
181		Speaker Redmond		
		Mudd		
182	10:52	Speaker Redmond		
		Schuneman	Moves previous question	
		Speaker Redmond	Motion carries	
		Mautino	To close	
183		Speaker Redmond		
		Bluthardt		
		Speaker Redmond	Amt. #9 fails	
		Clerk O'Brien	Reads Amt. #10	
		Speaker Redmond		
		J. Dunn	Explains Amt. #10	
184		Speaker Redmond		
		Ryan	Opposes	
		Speaker Redmond		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	33.
		Lechowicz	Yield?	
		J. Dunn	Discussion	
185		Speaker Redmond		
		Simms	Moves previous question	
186		Speaker Redmond		
	11:02	Bluthardt	Personal privilege	
187		Speaker Redmond		
		Matijevich		
		Speaker Redmond	Motion on previous question carries	
		J. Dunn	To close	
188		Speaker Redmond	Amt. #10 fails	
		Clerk O'Brien	Reads Amt. #11	
		Speaker Redmond		
		Ryan	Point of Order, Parliamentary inquiry	
		Speaker Redmond		
		Giorgi	Explains Amt. #11	
		Speaker Redmond		
		Ryan	Questions germaneness	
189	11:10	Speaker Redmond	Not germane	
		Clerk O'Brien		
		Speaker Redmond	3rd Reading Total Veto Motions	
		Luft	Explains H.B. 186	
		Speaker Redmond	H.B. 186 passes Reduction and Item Vetoes Motion #3 to H.B. 2379	
190		Van Duyne	Explains motion	
		Speaker Redmond		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	34.
		Ryan	Sponsor is not here	
		Speaker Redmond		
		Van Duyne	Continues Explanation	
191		Speaker Redmond		
		Leinenweber	Supports	
		Speaker Redmond		
	11:20	Cunningham	Opposes	
192		Speaker Redmond		
		Kempiners	Supports	
		Speaker Redmond		
		Mulcahey	Moves previous question	
		Speaker Redmond	Motion carries	
		Van Duyne	Closes on Motion #3	
		Speaker REDmond		
		Davis	Aye	
193		Speaker Redmond	Motion #3 fails to H.B. 2379	
		Giorgi	Explains Motion #4	
194		Speaker Redmond		
		Cunningham	Opposes	
		Speaker Redmond		
	11:30	Simms	Supports	
		Speaker Redmond		
		Ebbesen	Moves previous question	
195		Speaker Redmond	Motion carries	
		Giorgi	To close	
		Speaker Redmond		
		Skinner	Explains vote	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Redmond	
		Giorgi	Poll the absentees
		Speaker Redmond	
		Clerk O'Brien	
196		Speaker Redmond	
		Steczo	Aye
		Speaker Redmond	
		P. Martin	Aye
		Clerk O'Brien	Continues
		Speaker Redmond	
		Christensen	Aye
		Speaker Redmond	
		Clerk O'Brien	Continues
		Speaker Redmond	
		Cunningham	Verification
		Speaker Redmond	
		Brummer	Inquiry
		Speaker Redmond	Discussion
197		Cunningham	
		Speaker Redmond	
	11:35	Giorgi	
		Speaker Redmond	
		Cunningham	Verification
		Speaker Redmond	
		Kane	Aye
		Speaker Redmond	
		Hart	Wants to be verified



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	36.
		Speaker Redmond		
		Clerk O'Brien	Reads Affirmative Roll	
198		Speaker Redmond		
		Brummet Aye		
		Speaker Redmond		
		Daniels	No	
		Speaker Redmond		
		Cunningham	Question the Roll Call	
199, 200, 201		Speaker Redmond		
	11:45	J. Jones	Present	
		Speaker Redmond		
202		Willer	Aye	
		Speaker Redmond		
		McGrew	Aye	
		Speaker Redmond		
		Leverenz	Aye	
		Speaker Redmond		
		Madison	Aye	
		Speaker Redmond		
		Cunningham		
		Speaker Redmond	Motion #4 to H.B. 2379 passes	
203		McClain	Motion #2	
		Speaker Redmond		
		Stanley	Inquiry	
		Speaker Redmond		
		McClain	Explains Motion #2 to H.B. 2379	
		Speaker Redmond		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	37.
		Cunningham		
204		Speaker Redmond		
	11:51	Cunningham		
		Speaker Redmond		
		Garmisa	Explains vote on Motion #2	
		Speaker Redmond	Motion #2 passes on H.B. 2379 H.B. 1706	
205		Terzich	Qants Motion #5	
		Speaker Redmond		
		Edgar	Explains H.B. 1706	
		Speaker Redmond		
		Mudd	Moves Previous Question	
		Speaker Redmond	Motion carries	
		Madigan	Verification	
		Speaker Redmond		
206		Edgar		
		Speaker Redmond		
		D. Houlihan	Point of order	
207		Speaker Redmond		
		Ebbesen		
		Speaker Redmond		
		Stuffle	Verification	
		Speaker Redmond		
		Lechowicz		
		Speaker Redmond		
	12:10	Bradley		
208		Speaker Redmond		

