

Speaker Redmond: "The House will come to order, Members please be in their seats. We will be lead in prayer by the Clerk, Jack O'Brien."

Clerk O'Brien: "Let us pray. Lord bless this House and all those who serve and work here. Amen."

Clerk O'Brien: "House Joint Resolution and Constitutional Amendment #12. Resolved by the House of Representatives of the 80th General Assembly of the State of Illinois, the Senate concurring herein, there shall be submitted to the electors of the State of the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section I of Article X of the Constitution to read as follows: Article X, Section 1, goal-free schools. A fundamental goal of the people of the state is the educational development of all persons to the limits of their capability. The state shall provide for an efficient system of high education of high quality public educational institutions and services. Education to the public schools to the secondary level shall be free. There may be such other free education as the General Assembly provides by law. The state has a primary responsibility for financing of public education. The General Assembly shall establish by law a formula for the equability distribution among school districts of adequate state aid to provide high quality education through the secondary level, taking in the consideration of student enrollment or attendance, the compliance of the districts with state established standards and the availability and utilization of funds from local tax sources and federal revenue sources. For each financial year the General Assembly shall appropriate and the Governor shall approve such amount that may be required to fully fund the distribution of school aid under the formula. Schedule the Amendment of Section 1 of Article X of the Constitution proposed by this Resolution shall take effect July 1 next



after the adoption by the electors of this state and shall apply to the appropriations of the state funds of the fiscal year beginning on that date. Second Reading of the Constitutional Amendment, held on Second Reading.

Clerk Hall: "House Joint Resolution Constitutional Amendment #15. Resolved by the House of Representatives of the 80th General Assembly of the State of Illinois, the Senate concurring herein, there shall be submitted to the electors of this state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution a proposition to amend Section 2, of Article X of the Constitution to read as follows: Education. Section 2, Superintendent of Public Instruction. A Superintendent of Public Instruction shall be elected by the electors of the state and hold office for four years beginning on the second Monday of January after the election. To be eligible to hold the office of Superintendent of Public Instruction a person must be a United States citizen and at least twenty-five years old and a resident of the state for the three years preceding election. Superintendent of Public Instruction shall be the chief educational officer of the state having general supervisory responsibility in relation to public elementary and secondary schools. And shall, except as limited by law, establish goals to determine policies, provide for planning and evaluating educational programs, recommend financing and have such other duties and powers as provided by law. Transition Schedule. If this Amendment is approved by the electors of the general election in 1978, a Superintendent of Public Instruction shall be elected at the general election in 1980 for a term of two years and will take office on the second Monday of January after the election at which time the State Board of Education will cease to exist. Thereafter the Superintendent of Public Instruction shall be elected in 1982 and every fourth



year thereafter for a term of four years. Second Reading of the Constitutional Amendment. Held on Second Reading. House Joint Resolution Constitutional Amendment #24. Resolved by the House of Representatives of the 80th General Assembly of the State of Illinois that the Senate concurring herein, shall be submitted to the electors of this state at the general election next occurring, six months after the adoption of this Resolution. Proposition to amend Section 9 of Article VII of the Constitution to read as follows: Article VII, Salaries and Fees. Compensation of offices, employees and the office expenses of the units of local government shall not be paid from fees collected. Fees may be collected as provided by law and by ordinance and shall be deposited upon receipt with the treasure, of the unit. Fees shall not be based upon funds disbursed or collected, nor upon the levy of extension of taxes. However, when a county officer collects or extends taxes for the units of local government, the county may charge the other units of local government, it is the actual cost thereof which shall be apportioned among the several units involved porportionately on the basis of the amount of taxes collected for the respective units. An increase or decrease from the salary of an elected officer of any unit of local government shall not take effect during the term for which that officer is elected. Schedule. This Amendment takes effect from the first day of January, following its adoption. Second Reading of the Constitutional Amendment, held on Second Reading. Amendment #1, to amend House Joint Resolution Constitutional Amendment #24, on line 20, by deleting the second 'the' in that line. House Joint Resolution Constitutional Amendment #33, resolved by the House of Representatives of the State of Illinois, 80th General Assembly of the State of Illinois that the Senate concurring herein, that it will be submitted to the electors of this state for adoption or rejection at the



general election next occurring at least six months after the adoption of this Resolution. a proposition to amend Section 12, Article VI, of the Constitution to read as follows: Article VI, Election and Tenure. Supreme and Appellate and Circuit Judges shall be nominated at primary elections or by petitions. A Judge shall be elected at general or judicial elections as the General Assembly shall provide by law. A person is eligible for the office of Judge may * cause his name to appear on the ballot as a candidate for Judge at a primary and at the general or judicial elections by submitting petition. The General Assembly shall prescribe by law the requirements for petition. The office of Judge shall be vacant upon his death or resignation or retirement or removal. Whenever an additional Appellate or Circuit Judge is authorized by law, the office shall be filled in a manner provided for filling a vacancy in that office. A vacancy occurring in the office of Supreme, Appellate or Circuit Judge shall be filled as the General Assembly and they provide by law. In the absence of a law, a vacancy shall be filled by appointment by the Supreme Court. A person appointed to fill a vacancy sixty or more days prior to a primary election to nominate Judges shall serve until the vacancy is filled for a term at the next general or judicial election. A person appointed to fill a vacancy less than sixty days prior to next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment. Schedule. This Amendment, Section 12 of Article VI, of the Constitution takes effect January 1, following its approval by the electors of this state. Second Reading of the Constitutional Amendment, held on Second Reading."

Clerk O'Brien: "Regular Session now stands in recess until 4:00 o'clock P.M. The Hour of 1:10 having arrived the First Special Session is now in Session. First Special



Session stands in recess until the call of the Chair.
The Second.....the hour of 1:20 having arrived, Second
Special Session is now in Session. The Second Special
Session stands in recess until the call of the Chair."

Doorkeeper: "Attention Members of the House of Representatives,
the House will convene in fifteen minutes. Can I have
your attention, all persons standing in the gallery please
sit down. Nobody will be standing up."

Doorkeeper: "All persons..... 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: "The House will come to order, Members please
be in their seats. We will be led in prayer by Reverend
Krueger, the House Chaplain."

Reverend Krueger: "In the name of the Father, the Son and the
Holy Ghost. Amen. O Lord, bless this House to Thy service
this day. Amen. In the 24th chapter of the Book of Proverbs,
these words are found in the 3rd and 4th verses: 'Through
wisdom is an house builded; and by understanding it is
established; And by knowledge shall the chambers be filled
with all precious and pleasant riches.' Let us pray.
Almighty God, we pray to Thee this day for the Members
of this Illinois House of Representatives. We beseech Thee
to grant them the gift of understanding that they may pre-
ceive the ills of our society; grant to them the gift of
knowledge so that they may be well-equipped and well-informed
to cope with the needs of our present day; and finally,
O Lord, bestow upon them the gift of wisdom that they may
effect only that which is good for the people of
the State of Illinois and consistent with Thy divine plan
for man. Through Jesus Christ our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. House Bill,
Second Reading, House Bill 2506."

Clerk O'Brien: "House Bill 2506, a Bill for an Act to amend



Sections of Medical Practice Act. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2507."

Clerk O'Brien: "House Bill 2507, a Bill for an Act making certain appropriations to the Department of Mental Health and Developmental Disability. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2517."

Clerk O'Brien: "House Bill 2517, a Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of the Department of Public Aid. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Constitutional Amendment, Second Reading... have these been read? House Joint Resolution Constitutional Amendment #12, has that been read, Mr. Clerk?"

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #12, this Resolution has been read a second time previously."

Speaker Redmond: "Any Amendments? Representative Giorgi, is there an Amendment on the House Joint Resolution Constitutional Amendment #12? Third Reading. House Joint Resolution Constitutional Amendment #15."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #15, this Resolution has been read a second time previously."

Speaker Redmond: "Any Amendments?"

Clerk O'Brien: "No Amendments."

Speaker Redmond: "Third Reading. House Joint Resolution Constitutional Amendment #24. Representative Van Dyne or Hart on the floor?"



Clerk O'Brien: "House Joint Resolution Constitutional Amendment #24, this Resolution has been read a second time previously."

Speaker Redmond: "Is there any Amendments?"

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

Speaker Redmond: "Who is the Sponsor of the Amendment?"

Clerk O'Brien: "Amendment #1, Representative Hart. Amends House Joint Resolution Constitutional Amendment #24 in line 20 by deleting the second 'the' in that line."

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

Beatty: "Yes, Mr. Speaker. Could you pass this Resolution and the next one until the Sponsor on the Resolution is here please."

Speaker Redmond: "Okay, we'll take this out of the record. House Joint Resolution Constitutional Amendment #33. Is that one out too? Out of the record. He was signaling he was safe.... Is 33, yes read it."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #33, this Resolution has been read a second time previously."

Speaker Redmond: "Any Amendments?"

Clerk O'Brien: "No Amendments."

Speaker Redmond: "Third Reading. Constitutional Amendment, Third Reading. House Joint Constitutional Amendment #22, is Representative Totten on the floor? Out of the record at the request of the Sponsor. On the Calendar on the Order of Total Veto Motions appears Total Veto Motion with respect to Senate Bill 392. Representative Gene Hoffman. Representative Hoffman.... out of the record. Senate Bill 622, Total Veto Motion. Representative Jack Davis... out of the record at the request of the Sponsor. Senate Bill 856 Total Veto Motion, Representative Getty.... out of the record at the request of the Sponsor. Senate Bill 1322, Representative Giorgi. Representative Giorgi... Representative Giorgi.... 1322."

Giorgi: "Mr. Speaker, Senate Bill 1322 is a Bill that passed the House last Session, it passed the Senate with Amendment by the



Governor. It has passed the Senate, back again in the House and what it does is requires the Director of the Department of Revenue to give written notice to a taxpayer when United States Government or any other form of.... or any other form of subsidiary of our government wants information on the taxpayers tax information. What it requires is a ten day notice to the taxpayer and that the CIA, FBI, Internal Revenue Service of the State of Illinois or the State of Missouri is looking at your income tax form. And I urge the support of the Membership in the 107 votes necessary."

Speaker Redmond: "Any questions? Representative Ryan."

Ryan: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Gentleman's motion. This Bill in requiring that the Department of Revenue give taxpayers ten days written notice before releasing the tax information to another state or Federal Government could have a devastating effect on the ability to catch tax cheats. And the measuring enforcement tool that the Illinois Department of Revenue uses in enforcing compliance with our state income tax is matching computer tapes of persons paying federal taxes with those paying state taxes. And that information accounts for the collection of about three and a half million dollars in tax revenues that would otherwise go uncollected. The Internal Revenue Service said that if the notice requirement that is outlined in this Bill is put into effect they will consider their agreement with the state terminated. And clearly without this program our state revenues would decline and we need that operation. So I strongly urge a 'no' vote."

Speaker Redmond: "Anything further? Representative Jaffe."

Jaffe: "Mr. Speaker, I am in support of Representative Giorgi's motion. I must say that the Minority Leader is misleading us a little bit because I think he is probably reading veto analysis which is not actually correct. There was



sort of a secondhand opinion from a middle level bureaucrat, I might say. Sort of indicated that they would do what Representative Ryan has said, in fact the Internal Revenue Service has really never said that and that was really just an opinion by some official who was lower down on the administrative level. So, in fact, we do not have that type of an opinion at all. I think that this is really a very good Bill and if we're interested in protecting the privacy of our citizens, I think we ought to go ahead and cast an 'aye' vote for this particular veto and vote with Representative Giorgi and override the Governor on Senate Bill 1322."

Speaker Redmond: "Representative Waddell."

Waddell: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Waddell: "If we have enacted this particular provision with the ten days, are we not in fact destroying the Privacy Act that we now have?"

Giorgi: "No, I think any taxpayer ought to be notified that the IRS or the FBI or Missouri or Texas wants to look at his income tax form. I think it's fair play to notify a taxpayer that some foreign agent is looking at his income tax form. It is not true... it's not true as the Minority Leader says that this inhibits protection of tax cheats.

I mean that's a falsehood on its face. The Minority Leader shouldn't speak like that."

Waddell: "May I speak to the Bill?"

Speaker Redmond: "Proceed."

Waddell: "I think that the Sponsor.... although well-intended, is actually wrong in this case and what we are doing is destroying that segment of reasonability that the court will ask for as it relates to privacy. And I think that if we pass this we open up the door for them on the ten-day provision that has really nothing to do with the fact that you want that privacy. And I would urge a defeat of



the Bill."

Speaker Redmond: "Representative Tipsword."

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

Speaker Redmond: "He will."

Tipsword: "Representative Girogi, I think I happened to be sitting in Revenue Committee on the day that this matter came before that Committee. And what we told at that time, I believe there was a gentleman that appeared there in behalf of the Federal Government and really all of his objections were answered in the Bill as it came through from the Senate, were they not?"

Giorgi: "Yes, Sir, very emphatically."

Tipsword: "And so, consequently.... there is absolutely nothing left in this Bill that really interferes in any way with the agreement or requirement that the Federal Government has."

Giorgi: "I will say for the record, Mr. Tipsword, this Bill does not abrogate existing reciprocal agreements between the Illinois, IRS and other states, this does not abrogate any agreements."

Tipsword: "All it does is just simply gives the Illinois taxpayer the right of notice that their income tax return is being looked at by another government."

Giorgi: "And I don't think that's an unfair thing to ask."

Tipsword: "I agree with you, I don't think it is either. I think the taxpayers of Illinois are entitled to know that when their Illinois tax returns are under investigation by another government no matter what level of government that may be. Thank you very much."

Speaker Redmond: "Representative Mulcahey."

Mulcahey: "Will the Sponsor yield?"

Speaker Redmond: "He will."

Mulcahey: "Representative Girogi, does the Director of Department of Revenue at the present time have the authority to give



tax information to another state or to the Federal Government? Do they at this present time have that authority?"

Giorgi: "I think the Director has some discretion that I'm not aware of. All we're saying here is if you're one of the four and a half million taxpayers in the State of Illinois, and you could be just a little laundry worker in some little motel, I think you ought to be notified if someone is looking at your income tax record."

Mulcahey: "Well, my question was, indeed does the Director have that authority now to go ahead and do that?"

Giorgi: "He does."

Mulcahey: "Does he?"

Giorgi: "Yes, he does."

Mulcahey: "All right, I think it is a good Bill, Mr. Speaker, and I think it should pass and I think it is only fair that the taxpayers of this state do indeed be allowed a ten-day notice as to where that tax information is going."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I rise because I think that Representative Waddell, who I know to be a conservative, has really misread this Bill. Because I know him to be one who protects the right of privacy and this Bill does protect our right to privacy because.... without this Bill you do not know if the Federal Government is looking at your IRS records. With this Bill you have that knowledge, you have that protection. So, I think Representative Waddell would be the first type of person to be in support of this type of Bill because it does provide that protection; and, as I recall, we had the debate on the floor of the House initially on this Bill. There was wide support for this Bill and I speak for it now and I think that we should, therefore, vote for the override."

Speaker Redmond: "Representative Skinner."



Skinner: "Yes, Mr. Speaker, I rise to oppose this Bill. It is quite obvious to me that the Gentleman from Rockford is fronting for the Chicago politicians that are now under investigation by the Internal Revenue Service. And it is perhaps not as obvious but should be known by every Member of this Body that the Internal Revenue Service has threatened to abrogate its agreement for exchange of information with the Department of Revenue on income tax matters. And as everyone knows under Governor Walker, they did a cross check against those who filed federal income tax returns vs. those who filed state income tax returns, and the result was additional money was collected by the State of Illinois. If we want to cut down on state revenues and if we want to help those people that deserve being investigated for God knows what, maybe even taxicab scandals, we certainly should vote in favor of this Bill. If we don't, we ought to vote 'no' to protect the State of Illinois source of revenue."

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

Giorgi: "Mr. Speaker, I resent the remarks of the last irresponsible Legislator who made some notorious list last month as to his....."

Speaker Redmond: "Representative Schlickman, for what purpose do you arise?"

Schlickman: "A point of privilege, Mr. Speaker. I don't think it is in the prerogative of any Member of this House on this floor without foundation to accuse another Member as being irresponsible. I think that was an irresponsible statement on his part and I think the Chair ought to correct him and chastise him and educate him with respect to what constitutes proper manners."

Speaker Redmond: "Representative Giorgi, confine your remarks to the motion."

Giorgi: "Yes, Sir, and I would like to answer the last speaker."



He knows how to write censored Resolution, he can aid Representative Skinner writing them. Now, to correct a couple of things."

Speaker Redmond: "Confine your remarks to the motion."

Giorgi: "I think it's a good idea. Mr. Speaker, this Bill, you know there are four million and a half taxpayers in Illinois and they are not all Chicago politicians. Illinois runs from the Wisconsin boarder to the Kentucky boarder from Indiana and Missouri. These people have a right to be notified if someone is looking at their income tax forms. This is not Russia, this is not Nazi Germany. All I'm saying is, if it is that important to whoever is looking at their forms they ought to be allowed the scrutiny of the person.... this fellow has just attacked me, but I forgive him. And this Bill does not inhibit the suggestion of tax... income tax cheat. This Bill does not abrogate any existing agreements between the State of Illinois, IRS and other states. I urge your support for this fight for privacy."

Speaker Redmond: "The question is, shall House Bill 1322 pass notwithstanding the veto of the Governor? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 78 'ayes', 63 'no' and the motion having failed to receive a Constitutional three-fifths Majority is declared lost. Representative Giorgi."

Giorgi: "Put on Postponed Consideration please."

Speaker Redmond: "Consideration on Postponed. Representative Skinner."

Skinner: "Thank you, it seems to me that the Gentleman from Rockford if he takes offense certainly should take offense when I point out he traded the Lottery Bill for the... his vote on RTA. And thereby, kept the money from being.... staying in the Road Fund that could have built Route 51...."



forty-eight million dollars."

Speaker Redmond: "1359, Representative Matejek."

Matejek: "Mr. Speaker and Ladies and Gentlemen of the House, I move to override the Governor's veto on Senate Bill 1359. This Bill establishes the Illinois Board Hearing Aid Dealers and Fitters. It passed the Senate this spring 51 to nothing and it passed the House 105 to 45. There was no opposition by the Department of Registration and Education, the Bill is not a Registration Bill... it is a Registration Bill and not a Licensing Act. The Bill has a delayed effect of July 1, 1978. Similar legislation to Senate Bill 1359 was enacted in forty-two states including all the adjacent states around the State of Illinois. The public interest future of this Bill is that every person sold a hearing aid shall be given a user instructional brochure which will consist of advice regarding medical valuation. A receipt shall be given to the person supplied with the hearing aids together with specifications of the hearing device. Citizen dealers must pass a written and practical examination. I happen to wear a hearing aid myself and it is one of the reasons why I sponsored this Bill in the House and I ask the Members of the House support my motion to override."

Speaker Redmond: "Representative Simms."

Simms: "Mr. Speaker and Ladies and Gentlemen of the House, will the Sponsor yield to a couple of questions?"

Speaker Redmond: "He will."

Simms: "First, is it correct that persons presently employed as hearing aid dealers may be certified under this Bill without an examination?"

Matejek: "If he has been in the business more than two years, Representative."

Simms: "So the answer is yes then, right? Okay. The second question does the Bill cover that audiologist and speech phonologist



also be licensed?"

Matejek: "Does not cover an audiologist simply because... in a case of an impaired hearing person the help of an audiologist is only needed when his hearing is impaired as the result of speech impediment."

Simms: "All right, if persons who are currently hearing aid dealers are not required to take the test, what type of protection is available in the Bill for the consumer?"

Matejek: "I said, they don't have to take the test if they have been in the business for two years or more."

Simms: "Well, let's say most of them have been in the business for two years or more. What protection is there for the consumer of the state."

Matejek: "It would just be certified by the Department of Registration and Education."

Simms: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I rise reluctantly in opposition to this Bill because of respect for the House and Senate Sponsor. Senate Bill 1359 is being presented as a consumer protection Bill because it appears to regulate the practices of hearing aid dealers in Illinois. The Bill in fact serves the interest of the hearing aid sales industry and provides little of any consumer protection. This legislation will certify hearing aid dealers without any specific type or amount of academic training to work with hearing impaired persons. Such certification will unknowingly lead consumers to think they are dealing with professionally trained personnel. This is not the case, the certification board created by the Bill is dominated by hearing aid dealers. The board will control the numbers of certificates issued and deal with consumer complaints. Therefore, only a limited number of certificates will be approved, this will reduce competition in hearing aid prices... will continue on excessive high level. And secondly, consumers will be unable to successfully resolve their complaints



among ethical sales practices because the board will not vote to punish their own peers. Therefore, Senate Bill 1359 will continue and enhance an already existing conflict of interest in the hearing aid sales business. I suggest that Governor Thompson's veto of this legislation was prudent, it was prudent in protecting the consumers of the State of Illinois and I would urge that this legislation not be overridden and the Governor be supported in the veto of this Bill."

Speaker Redmond: "Anything further? Representative Yourell."

Yourell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of House Bill... or Senate Bill 1359 and in response to a previous speaker who had difficulty understanding about speech and hearing audiologist. I would suggest to that individual that they are... they would enjoy separate discipline from hearing aid specialist. They obtain university degrees to practice in that field in which they are trained. That of speech and hearing with regard to speech and auditory training and that is all. They are not supposed to be included in this Bill because they do not sell hearing aids and for that reason they don't have to be included in this legislation as close.... as close to the FDA rulings and I would suggest that you consider a positive motion to override the Governor's veto of Senate Bill 1359."

Speaker Redmond: "Is there anything further? Representative Matejek to close."

Matejek: "The Food... U.S. Food and Drug Administration classifies a hearing aid as a restricted medical device and as stated that a strong state and local certification law are needed to establish and maintain minimum competency standards for those persons who test hearing loss and select and fit hearing aids. As I say, I wear a hearing aid myself; if I didn't think this was good consumer legislation, I wouldn't have sponsored it here in the House. I ask you



on behalf of the hearing impaired citizens of the state of Illinois, the Society of Hearing Aid Specialists, I urge you to vote 'yes' on the motion to override the Governor's veto."

Speaker Redmond: "The question is, shall House Bill 1359 pass notwithstanding the veto of the Governor? Those in favor vote 'aye', opposed vote 'no'. Representative James Houlihan."

Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House, I rise reluctantly to oppose this legislation. I believe the intent is valid and there are some protections that have to be instituted. But I see in Senate Bill 1359 no provisions for consumer protection. No establishment of adequacy complacency standards and I see it as a problem, what we will be doing is rather than controlling this area we will be giving license and some aura of respectability to some of those people who are in fact now undertaking this practice without the proper training, without the proper expertise and I think that would be a mistake. And I reluctantly would urge the Members to vote 'no' and work on additional legislation that would address this particular problem."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there is 72 'aye' and 62 'no', the motion having failed to receive a Constitutional three-fifths Majority is hereby declared lost. Reduction Veto Motions, a motion with respect to Senate Bill 362, Representative Edgar... out of the record. Representative Gene Barnes, for what purpose do you rise?"

Barnes: "Thank you very much, Mr. Speaker, the motion on Senate Bill 362 was filed by myself not Representative Edgar."

Speaker Redmond: "Which one was that?"

Barnes: "The motion on Senate Bill 362...."

Speaker Redmond: "Oh, pardon me."



Barnes: "...was filed by myself not..."

Speaker Redmond: "Pardon me, do you want that called now? Okay on the Order of Reduction Veto Motions, the motion has been filed with respect to Senate Bill 362, Representative Barnes is recognized."

Barnes: "Thank you very much. Mr. Speaker and Members of the House, the motion that appears before you on Senate Bill 362 is a line item reduction on... as it relates to foster care. Mr. Speaker and Members of the House, the one bottom line problem that exists here is that the foster care parents in this state has not received an increase of any kind since a twenty dollar a month across-the-board increase in June of 1974. The current range of reimbursement for foster care parents is only in the range of a hundred and six to one hundred and fifty dollars per month, depending on the age of the child involved. Mr. Speaker and Members of the House, I am sure that none of us here can concur... cannot concur in the fact that a range of a hundred and six to a hundred and fifty dollars per month will not in any way compensate for care of a child at today's prices and the prices relative to the maintenance to that child. What we are asking here in Senate Bill 362 is to give to the much-needed foster care parent the kind of necessary increase in parity to simply bring them up in some way to catch up with some of the existing cost of living and the cost of maintain children in the last year since 1974. The institutional cost in the last two years have been down 70...7% but the increasing... ever-increasing cost to the foster care parent has not kept up with the existing rise in the cost of living and the cost of maintaining these children. Without a doubt I think all of us agree that the best posture to put these children in any foster care home where they can receive the love and the care and the warmth and the assurance of that home vs. the



institutionalized setting. I concur with this thought and I would ask all of you, Members of the House to consider this very carefully and to vote and to override the Amendatory Veto of notwithstanding the Governor's message."

Speaker Redmond: "Is there any discussion? Ready for the question? The question is, shall the reduced item on page 7, line 31 of Senate Bill 362 be restored to its original figure notwithstanding the reduction of the Governor. Those in favor vote 'aye', opposed vote 'no'. 89 votes. Have all voted who wished? Representative Jaffe."

Jaffe: "Mr. Speaker and Members of the House, I rise in support of Representative Barnes motion. You know, what we're trying to do is we're trying to get, you know, kids into a normal home life atmosphere. We're trying to get kids into foster homes as Representative Barnes has indicated foster parents have not received an increase since 1974 and we all know what the cost of living has gone up since 1974. People who are foster parents are good people, I mean they take in kids, they try to give them a normal life style. They try to do things for them that no one else will do in our society. I don't think we ought to really penalize foster parents by not paying them enough to take care of these foster children. I think foster parents give far above that which they are called to give and I really think that it is incumbent upon us to put the necessary votes up on the board so that we can sustain... so that we can vote with Representative Barnes and override the Governor's veto. You know, the Governor if you read his reduction veto message, he said the reduced line item will be sufficient to fund the foster care program. That just isn't so and I haven't heard one person from the Republican side of the aisle get up and say to us that this will be sufficient to fund the foster



care programs. It will not be sufficient to fund the foster care program and I think that we ought to all vote with Representative Barnes and put a green light on the board."

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

Bradley: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I think if everybody would stop and reflect for a minute on this piece of legislation, if they would realize what the legislation is for, I would think that we would probably have every green light that is available. Every light up there would be green if they would stop and remember, we had a Bill in the House that is in Interim Study now and it is upgrading the amount of money that a foster parent would receive for taking care of those children who need their services so desperately. The... this Bill specifically says that the funds shall be used at the discretion, at the determination of the Department of Children and Family Services to provide additional dollars for those parents who are now so grossly underpaid. I see we have 92 votes up there, Mr. Speaker, and I'm very gratified that the General Assembly has overridden the Reduction Veto. Thank you."

Speaker Redmond: "Anyone else seek recognition... Representative Edgar. Are you seeking recognition?"

Edgar: "Just briefly, Mr. Speaker. I handled this Bill in the House and I think it would be good if we could provide more money for foster parents because they definitely set a very important service to the people of the State of Illinois. There are a lot of other worthwhile programs and it would be nice if we had the money to fund but the money is not there. Now, we go out and do this but if the Department.... still it would be a cruel hoax. I think on these foster parents if the Department was unable to release this money to them. So I think at this time the



only thing that we can do is to vote to uphold the Governor's veto and hopefully the Department has promised.... they are looking at all their programs that next Session when there is hopefully more revenue coming into the state, will be able to afford this increase and they will actually receive the increase. It won't be something that we say is coming and it won't be delivered."

Speaker Redmond: "Representative Mudd."

Mudd: "Mr. Speaker and Members of the House, I think what we see here today is something that a lot of Legislators until about a week ago said was going to happen... came true and you can see how I am voting; but on the 333, I voted against the override and we've got a lot of these people today that are voting against this increase who voted on the prevailing side on that Bill. And what they said was going to come true, came true today. They want people who can't afford to have kids have them but they're not willing to supply the money to pay for their keep."

Speaker Redmond: "Anything further? Congressman from the 22nd District, Congressman Cunningham."

Cunningham: "Thank you..."

Speaker Redmond: "A lot of relieved seatmates."

Cunningham: "Mr. Speaker, it is too early for my farewell speech I'll make a hundred of those before I go off to Washington but I want you to know that each of you will be welcomed there on the Potomac. But getting back to the business at hand, it needs to be pointed out that heretofore we had a pretty good moratorium against spending more money that's available. It's time to reinstate that moratorium, we're not that close to Christmas that we become irresponsible. The vote on this board of 94 contains entirely too many empty seats, it spends three and a half million dollars that is not available to taxpayers. It is a delusion, it's something that needs to be corrected. We can save the time, the effort, the sweat for a bigger show to come if we will



have a new Roll Call, Mr. Speaker, that will correctly reflect the fact there are not 89 people here who want to be irresponsible by spending three and a half million dollars that we do not have. It is just a wishbone appropriation to put it up there, I would respectfully urge the Chair to dump this Roll Call, have a new one and let no one vote who isn't here."

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

Schlickman: "Mr. Speaker and Members of the House, it is often said that the future of this country lies with its youth. I respectfully suggest, Mr. Speaker and Members of the House, the youth that we should be primarily concerned with is our dependent, neglected, our children in otherwise in need of supervision. Now, Mr. Speaker and Members of the House, it has been the established policy of this state that we not institutionalize these kids. That we place them with foster families, well, Mr. Speaker and Members of the House, if we want that to be effectively and successfully implemented we then have to reimburse fairly these families. I respectfully suggest, Mr. Speaker and Members of the House, that the additional three and a half million dollars that we're talking about for the implementation of this program is a sound investment and I for one who has driven for fiscal responsibility cannot believe that this state doesn't have three and a half million dollars extra for this worthwhile cause and I urge an 'aye' vote."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. Representative Ryan, requests a verification of the Affirmative Roll Call. Representative Barnes has requested a poll of the absentees. Mr. Clerk, will you please poll the absentees."

Clerk O'Brien: "Antonovych, Boucek, Deuster, Ebbesen, Friedrich, Griesheimer, Hanahan, Kucharski, Lauer, Laurino, Madison,



Stearney and Winchester."

Speaker Redmond: "Proceed with the verification of the Affirmative Roll Call, Mr. Clerk."

Clerk O'Brien: "Adams, E.M. Barnes...."

Speaker Redmond: "Representative Collins, for what purpose do you arise?"

Collins: "Mr. Speaker, I must have pushed the wrong button, I meant to vote 'yes'."

Speaker Redmond: "Representative Collins desires to be recorded as 'yes'. According to Hanahan's Rules, Members please be in their seats. We're having a verification of the Affirmative Roll Call. Representative Kucharski, for what purpose do you arise? Desires to be recorded as 'aye'. Representative Collins, Representative Cunningham suggests that you be in your seat. Representative Lauer, for what purpose do you arise? Representative Lauer.... Representative Deuster, please be in your seat. And Representative.....is that George Ray Hudson? Representative Lauer desires to be recorded as 'no'. Representative Hanahan, for what purpose do you arise? Representative Hanahan desires to be recorded as voting 'aye'. Proceed with the verification of the Affirmative Roll Call. Representative Sarunas will you please sit down."

Clerk O'Brien: "Beatty, Birchler, Bowman, Bradley, Brady, Brandt, Breslin, Rich Brummer, Don Brummet, Byers, Caldwell, Campbell, Capparelli, Catania, Chapman, Christensen, Collins, Darrow, Corneal Davis, Dawson, DiPrima, Domico, Doyle, John Dunn, Dyer... Mrs. Dyer wants recognition."

Speaker Redmond: "Representative Dyer."

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

Speaker Redmond: "How is the Lady recorded?"

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

Dyer: "Change that to 'no' please."

Speaker Redmond: "Change the Lady to 'no'."

Clerk O'Brien: "Ewell, Farley, Flinn, Friedland, Gaines, Garmisa,



Getty, Giglio, Giorgi, Greiman, Hanahan, Harris, Hart, Holewinski, Dan Houlihan, Jim Houlihan, Huff, Jacobs, Jaffe, Emil Jones, Kane, Katz, Kelly, Kornowicz, Kosinski, Kozubowski, Kucharski, Lechowicz, Leverenz, Levin, Lucco, Luft, Madigan, Mann, Marovitz, Peggy Smith Martin, Matejek, Matijevich, Matula, McClain, McCourt, McGrew, McLendon, McPike, Meyer, Molloy, Mugalian, Mulcahey, Murphy, Nardulli, O'Brien, Walsh, R.V., Pechous, Pierce, Pouncey, Richmond, Rigney, Robinson, Satterthwaite, Schisler, Schlickman, Schneider, Sharp, Shumpert, Steczo, Stuffle, Taylor, Terzich, Tip sword, Van Dwyne, Vitek, Von Boeckman, Walsh, W.D., Willer, Williams, Younge, Yourell, Mr. Speaker."

Speaker Redmond: "Are there any questions of the Affirmative Roll Call, Mr. Ryan? Mr. Ryan, any questions?"

Ryan: "Yes, we have a few, Mr. Speaker."

Speaker Redmond: "Remember please sit down... please sit down. Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker. Just an inquiry, what number are we starting with?"

Speaker Redmond: "Mr. Clerk, what number are we starting with?"

Clerk O'Brien: "104 'ayes'."

Speaker Redmond: "104 'ayes'."

Barnes: "Thank you, Sir."

Ryan: "Representative Adams."

Speaker Redmond: "Adams... is Representative Adams on the floor? How is he recorded?"

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

Speaker Redmond: "Remove him."

Ryan: "Representative Bradley."

Speaker Redmond: "Representative Bradley is on the floor, in his seat."

Ryan: "Representative Campbell."

Speaker Redmond: "Representative Campbell... how is he recorded?"

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

Speaker Redmond: "Remove him."



Ryan: "Representative Capparelli."

Speaker Redmond: "Representative Capparelli is in his seat.
He's the little fellow there."

Ryan: "Representative Davis... oh, I see him."

Speaker Redmond: "Representative Davis, is in his seat."

Ryan: "Representative Doyle."

Speaker Redmond: "Representative Doyle is in his seat."

Ryan: "Representative John Dunn."

Speaker Redmond: "Representative John Dunn... he's right behind
you."

Ryan: "He's over here trying to negotiate a seat on this side.
Representative Farley."

Speaker Redmond: "Representative Farley... he's back in his
seat."

Ryan: "Representative Giorgi."

Speaker Redmond: "Representative Giorgi... is in his seat."

Ryan: "Representative Holewinski."

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

Ryan: "Representative Dan Houlihan... there he is."

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

Ryan: "Representative Lechowicz."

Speaker Redmond: "How is Representative Lechowicz recorded?"

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

Speaker Redmond: "Is he in his seat? I don't see him... remove
him."

Ryan: "Representative Leverenz."

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

Ryan: "Representative Marovitz."

Speaker Redmond: "Representative Marovitz... how is he recorded?"

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

Speaker Redmond: "Remove him."

Ryan: "Representative McGrew."

Speaker Redmond: "He's here. Marovitz has returned... he's in
the rear of the chamber, Mr. Ryan."

Ryan: "Thank you. Representative O'Brien."



Speaker Redmond: "Who was that?"

Ryan: "O'Brien."

Speaker Redmond: "Representative O'Brien, is he in the chambers?
Remove him."

Ryan: "Representative Pechous."

Speaker Redmond: "Representative Pechous is right there."

Ryan: "Representative Schneider."

Speaker Redmond: "Schneider is here."

Ryan: "Representative Jaffe."

Speaker Redmond: "Jaffe.... with the Human Relations Department...
Subcommittee."

Ryan: "Representative Terzich."

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

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

Speaker Redmond: "Remove him."

Ryan: "Representative Van Duyne."

Speaker Redmond: "He's in the back of the chamber. Representative
Terzich has returned, put him back on the Roll Call."

Ryan: "Representative R.V. Walsh."

Speaker Redmond: "Representative Walsh is in his seat."

Ryan: "Representative Matula."

Speaker Redmond: "Representative Matula is in his seat."

Ryan: "Representative Friedland."

Speaker Redmond: "Representative Friedland is in his seat."

Ryan: "Representative Robinson."

Speaker Redmond: "Representative Robinson....."

Ryan: "Is in somebody else's seat."

Speaker Redmond: "Over with Representative Londrigan....Houlihan."

Ryan: "I have no further questions, Mr. Speaker."

Speaker Redmond: "On this question there are 100 'ayes', 43
'no's' and the motion having received the Constitutional
Majority prevails and the item on page 11, line 31 is
restored to its original amount notwithstanding the
reduction of the Governor. On the Calendar under the
Order of Mandatory Veto Motions appears the motion with



respect to Senate Bill 728. Representative Getty."

Getty: "Mr. Speaker, at the request of the Senate Sponsor, Senator Sangmeister, I would like to take this out of the record at this time."

Speaker Redmond: "Out of the record. Under the Order of Amendatory Veto Motions with respect to Senate Bill 1310, there is a motion to accept the Amendatory Motion. Representative Getty."

Getty: "Mr. Speaker, Members of the House, I move that we accept the Amendatory Veto of the Governor. This makes a technical change and deletes an offense of using the name of another which would possibly have caused a misunderstanding in reducing the offense of forgery. I believe that the Governor's Amendatory Veto is proper and I would move for its adoption."

Speaker Redmond: "Is there any discussion? The question is, shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 1310 by adoption of the Amendment. All in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished. The Clerk will take the record. On this question there are 151 'aye' and no 'nay' and the motion having received the Constitutional Majority prevails and the House accepts the Governor's specific recommendation. Representative Lauer, for what purpose do you arise? Out of the record. Approval of the Journals."

Clerk O'Brien: "Journal for Thursday, November 8, 1977, 12 o'clock noon the House met pursuant to adjournment... Speaker in the Chair, prayer by Father William Krueger, Chaplain."

Speaker Redmond: "Representative Bradley."

Bradley: "Mr. Speaker, I move that the... we dispense with the reading of the Journal. Journal #98 of November 8, 99 of November 9, and Journal #100 of November 16, 1977, be approved as read."



Speaker Redmond: "Is there any discussion? The question is on the Gentleman's motion. Those in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it and the motion carries and the Journals are approved. Introduction, First Reading."

Clerk O'Brien: "House Bill 2543, Johnson, Kosinski, Geo-Karis. A Bill for an Act to repeal the insanity defense, First Reading of the Bill."

Speaker Redmond: "Constitutional Amendment, Second Reading. House Joint Resolution Constitutional Amendment #24."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #24, this Resolution has been read a second time previously."

Speaker Redmond: "Are there any Amendments?"

Clerk O'Brien: "Amendment #1, Hart. Amends House Joint Resolution Constitutional Amendment #24 in line 20 by deleting the second 'the' in that line."

Speaker Redmond: "Representative Hart."

Hart: "Thank you. This corrects a typographical error, I move for the adoption of the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. On the Order of House Bills, Third Reading appears House Bill 2507. Representative Jaffe....it has just been moved to the Order of Third Reading. Representative Jaffe seeks recognition for the purpose of removing that to the Order of Second Reading for the purpose of an Amendment. Does he have leave? Hearing no objections, leave is granted and 2507 will be returned to the Order of Second Reading. Have you got the Amendment, Mr. Clerk? Those of you who are on the floor a little earlier know that that went to Third Reading."

Clerk O'Brien: "This Bill has been read a second time previously."



Amendment #1, Kosinski. Amends House Bill 2507 on page 1, line 30 by deleting 'one hundred thousand' and inserting in lieu thereof 'one'."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, Amendment #1 is actually Representative Kosinski's Amendment which deletes the 'sum of one hundred thousand dollars for scholarships' and inserts in lieu thereof 'one dollar'. So that the people know that we still have thrust that.... the legislative thrust but we're not putting the money in this fiscal year. I have no objection to Amendment #1, as a matter of fact, I made a commitment in the Committee that I would accept Amendment #1. And I would move its adoption but it is Representative Kosinski's Amendment."

Speaker Redmond: "Is there any discussion? Representative Schlickman. The House will please be in order."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "You say that you're reducing the one hundred thousand dollar amount in line 30 to one dollar."

Jaffe: "Yes, what happened there, Gene, is people came in who actually will operate this particular program and they said that they would not be in a position to actually implement the program with a hundred thousand dollars at this point. However, the Committee did feel in its wisdom that they wanted to leave one dollar there to show that the Legislature feels very strongly about it. So since they are not in a position to go ahead with the program, we're going to delete one hundred thousand dollars and instead put the one dollar."

Schlickman: "Well, why not delete the whole Section rather than perpetuating a hope."

Jaffe: "Well, what we want to do is show intent and that was the feeling of the entire Committee and that, personally, I could accept it and I could live with it. I have no problems



with it, it is a matter of legislative intent by leaving one dollar in there. We're trying to get students really institutions to practice medicine, we haven't been able to do that. We have to have some kind of scholarship programs but we're not going to be able to do it this year because we're just not set up to do so. So we want to show legislative intent by leaving one dollar in there so we will not have to delete one hundred thousand dollars."

Schlickman: "One further question, is this a new program?"

Jaffe: "No, the program actually is in existence but they did not have any money put into it up until this time. And we thought we would put in that appropriation for one hundred thousand dollars, but the people who operate that particular program came forward and said that they would not be in a position to implement a hundred thousand dollars at this time."

Schlickman: "May I address myself to the Amendment, Mr. Speaker? Mr. Speaker and Members of the House, it seemed to.... it seems to me that we ought to do one thing or do another. The one thing being, appropriating the hundred thousand dollars for a program, the other being... if we can't fund it adequately, then let's not legislatively establish the program without any funding and one dollar doesn't constitute sufficient funding. I would respectfully suggest that we beat this Amendment and hopefully another Amendment would be offered deleting in its entirety Section 3, so that we don't give undue hope or encouragement to people who want to secure benefit from this program and find that there isn't any money to do it. It would be one more example of the Legislature promising and not coming through on its promise. I think it is a hoax and ought to be defeated."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, I can understand Mr. Schlickman's reaction because he was



not a Member of the Appropriations Committee which considered this. Gene, let me indicate that this is meant with good intent. Now, first of all we had a problem... we had a problem that the courts are indicating that they could not determine that scholarships given in this particular profession... of medical profession must be maintained in the State of Illinois. In other words, they do not have to become professionals of the State of Illinois. That would then put us in a position.... I repeat, in a position of giving scholarships in an area where they could then move to Indiana, Wisconsin and so forth on the fruits of our money. Now, the philosophy of this is clearly agreeable that we help people become physicians. On that basis I left one dollar in this to show intent and at the same time I'll not use my constituents money to promote scholarships for people who would then practice in another state. This would be ridiculous, so this is legislative intent to maintain scholarships.... hopefully maintain scholarships for physicians, however, at the same time we will withdraw the money at this time until we get some court determination as to whether they will be obliged then to use their scholarship money in this state. Gene; you were not a Member of that Committee but I think it is in good order and I wish you would withdraw your objection."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much. Mr. Speaker and Members of the House, the Chairman of the Appropriation Committee, Representative Kosinski is absolutely correct and I would like to extend that.... to say that there is a program that does exist. The.... Governor Thompson did sign House Bill 106 and 107, which has established a program of this type, which is now being... the rules and regulations are now being promulgated by the Department of Health relating to this very type of program. So the purpose of... given in this Amendment as stated by Representative



Kosinski and Representative Jaffe is correct. The program does exist, the problem was there was no experience from that program at this time that could be indicated. So the purpose of this Amendment is to reduce the amount to one dollar but that dollar is to give the intent of the Legislature as it relates to this program. So I would support Representative Jaffe and I would employ the other Members of the House to support this Amendment to House Bill 2507."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, I can understand Mr. Schlickman's concern... is a justified concern but he was not a Member of that Committee. The Chairman of this Committee knows what he is talking about. The Sponsor of this Bill knows what he is talking about and people who are not concerned directly should take heed. We want scholarships for medical people but we want them to be used in the State of Illinois. On that basis let the Bill go forward to Third Reading but accept my Amendment to reduce it to one dollar to show legislative intent and at the same time not to fund this sort of thing. Gene, please withdraw your objection."

Speaker Redmond: "Representative Jaffe to close."

Jaffe: "Mr. Speaker, Members of the House, it is really a very simple Amendment. As indicated, there is a program, however, the people came before the Appropriations Committee and said that they could not implement this hundred thousand dollar appropriation at this particular time. So we merely want to show legislative intent by inserting one dollar in lieu of one hundred thousand dollars. As indicated to you, its an agreement with the Committee.... After all, the Committee Chairman is in favor of it, I as a Committee Sponsor am in favor of it and the Sponsors of the Amendment are all in favor of Amendment #1. I just urge an 'aye' vote and let us adopt Amendment #1."

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



adoption of Amendment #1 to House Bill 2507. Those in favor vote 'aye', opposed vote 'no'. Representative Mulcahey to explain his vote. Have all voted who wished? Have all voted who wished? The motion for the adoption of the Amendment. Have all voted who wished? The Clerk will take the record. On this question there are 80 'aye' and 45 'no' and the motion prevails and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Representative Ryan."

Ryan: "Thank you, Mr. Speaker. Will you let the record show that Representative Ebbesen is absent today due to illness."

Speaker Redmond: "Is there any objection? Hearing none the record will so show. Total Veto Motions appears a motion with respect to Senate Bill 392 and Representative G.L. Hoffman is recognized."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 392 is a product of work of the School Problems Commission during the last year prior to the Spring Session. Senate Bill 392 eliminates an exclusionary procedure in Section 14.103 and Section 14.105 of the School Code. Section 14 is that part of the School Code which deals with special education. Senate Bill 392 eliminated the Section that is presently in law which provides that students either, maladjusted or trainably men..... handicapped children can be excluded from a special education program after a joint consultation with the parents and the Department of Mental Health and Developmental Disabilities. In our judgement, the Constitution of the State of Illinois as well as numerous landmark lawsuits over the past seven years have firmly established that all children have a Constitutional right to free and appropriate public education. Now, this right is not only based upon the Constitution of the State of Illinois, Article X, but it is also based and grounded and founded



upon the fifth and fourteenth Amendment of the United States Constitution. The premise being that once the state undertakes to provide public education to some children such education must be offered on equal basis to all children of the same age. Number of landmark decisions of Pennsylvania, ACR vs. the Commonwealth Pennsylvania, Rainey vs. the Tennessee Department of Education. Mels vs. the Board of Education of District of Columbia and established a right of all handicapped children to a free and appropriate education. The existence of these exclusionary clauses in state statutes notwithstanding, in fact the.... their being in the statutes in our judgement is a meaningless gesture Now, it's the state's responsibility to provide a free and appropriate education to the limit of every person's capacity. Seems to us or it seems to the School Problems Commission that this language should be deleted, it is the responsibility of every school district to provide a program or to see that a child is placed in a program that meets its particular needs. Full educational service for all children is not an obligation from which we can legally retreat, we cannot exclude children from the educational process legally.... more is that it is morally defensible. And it is for this reason that I urge that we override the Governor's veto on Senate Bill 392 because I believe it is legally unjustified and it's also morally unjustified because really the highest ideas of government provides that we serve all of our citizens on an equal basis and I don't believe that this is a moral principle from which we can retreat. Let me share with you the following sources of support for Senate Bill 392 and ask for your support of this override. The Illinois Association for the Retarded Citizens support the override, the Illinois Association for Retarded Citizens in Chicago support the override, Council for Exceptional Children, the Illinois Catholic Conference and Iles Township District



of Special Ed., the Regional Service Agency and the East Central County Regional Service Agency. In my opinion the Senate by overriding the veto by a vote of 43 to 11, indicates that they understood the underlined premises of the Bill very well. If we are concerned about cost and I think we certainly should be, there is no way of establishing a cost in my judgement, it would be minimal to dispute... is really one of policy. Does Article 14 entitle every child to an education regardless of his handicap or does it not. The School Problems Commission took the position that did... that we do have that responsibility and for that reason, that I urge your support of this override motion of a total veto which will take 107 votes. Thank you for your time and attention."

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

Schlickman: "Would the Sponsor yield?"

Speaker Bradley: "He indicates that he will."

Schlickman: "If under the present law an emotionally unadjusted child is excluded from a special education program, would the district then be required to send this child to a private educational institution that has an appropriate special ed. program?"

Hoffman: "In response to the question from Representative Schlickman, let me say that in the judgement of the School Problems Commission this is an absolute responsibility under the Constitution of the State of Illinois as well as the United States Consitution. And therefore, regardless there is no right for exclusion and if they don't provide the program then they have a responsibility to move them into an institution, public or private, that has it. The answer to your question is, yes."

Schlickman: "I'm not quiet sure I understood your answer. Let me ask you another question. In line 15 on page 1 of the Bill, reference is made to Special Education Program. Now,



is that a program within an in-house program or can that be construed to mean..... a program at a private school."

Hoffman: "It can mean, program at a private school.....either."

Schlickman: "Thank you."

Hoffman: "That's why my answer was yes."

Schlickman: "I wish you would have said that in the first place."

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

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to ask that we support the Governor's veto of Senate Bill 392. A decision to exclude any child from education program is a serious matter. The Illinois Office of Education has for that reason developed a very fair and elaborate procedures to protect those children. While we're concerned with the individual children at the same time there are children whose handicaps are so severe that their inclusion in a program might harm the educational potential of other children in that program. And I agree that this question is such a serious and important matter that I believe before passing further legislation we should study the problem and make sure that the questions that have been raised about this Bill are answered. The Governor has pledged to work with the General Assembly in doing that and for that reason I would ask that we support the Governor's veto of Senate Bill 392."

Speaker Bradley: "The Gentleman from DuPage to close the debate....Mr. Hoffman, do you wish to close the debate, Mr. Hoffman?"

Hoffman: "Yes. Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Ladies and Gentlemen of the House...."

Speaker Bradley: "Give the Gentleman some attention, please."

Hoffman: "The School Problems Commission, which all of you know is a bipartisan Commission, appears not a Commission to jump lightly into these issues. The School Problems Commission puts Senate Bill 392 into the mainstream because



we felt that it would bring the state law into conformity with the Constitution and with previous landmark decisions: and in fact, brings the statutes into line with....what in fact is practice. Apparently, in the process of.... in the Executive Branch of analyzing this Bill, they took a different look at it than we did. The Senate gave serious consideration to this as has the various groups that are involved and I indicated to you before that are in support of this program. And as you can well imagine, I am not one to lightly request an override of my Governor. I would not do this unless I felt strongly that this was the right position and that it was something that ought to be done knowing the best interest of the children of the State of Illinois. But also in the best interest of all the people in the State of Illinois had in fact, in the long run in the best interest of my Governor. And for that reason I ask your support of Senate Bill 392."

Speaker Bradley: "The question is, shall House Bill 392 pass notwithstanding the veto of the Governor? All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? The Gentleman from DuPage, Mr. Schneider, to explain his vote."

Schneider: "Thank you, Mr. Speaker and Members of the House. I do just want to remind the Members that dealing just simply with 392 is the beginning of trying to cope with the regulations from the Federal Government 94142, this one is as the Sponsor has suggested a guarantee of the relationship that we feel education has to those children who are handicapped. I believe that it is an important beginning step, the cost is not extravagant, it is well within, I think, the bounties of our budget and I see no reason why we should not override this proposal. So I solicit ten more votes so we can do that."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? Have all voted who wished? The Gentleman from



Cook, Mr. Conti, to explain his vote."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House. I have a problem here voting with my Governor or voting with my conscience. In my particular district in this year it was pointed out to me that two of our children were not educable in our local high school and that they would have to go to Main Township, the only school that had any provisions for the type of education that these two children needed. When I intervened and tried to get them into Main township, they found that they didn't have any room for them. I've got two handicapped children at home in my district that cannot attend school because they could not be accepted in our local high school and there wasn't room for them in another school. I think that we could get a couple more votes up there, this would take care of all of them."

Speaker Bradley: "Have all voted who wished? The Gentleman from DuPage, Mr. Hoffman, do you wish to explain your vote, Sir? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 114 'ayes' and 41 'nays'. The Gentleman from Kankakee, Mr. Ryan."

Ryan: "I reluctantly rise to ask for a verification."

Speaker Bradley: "The Gentleman requests a verification. Mr. Hoffman, do you wish to poll the absentees, Sir? The Lady from Lake, Miss Geo-Karis, what purpose do you rise?"

Geo-Karis: "I would like to change my vote to 'present', I just read the synopsis."

Speaker Bradley: "Well, how is the Lady recorded? She is recorded as 'aye', she will be recorded as voting 'present'. Mr. Hoffman, did you request a poll of the absentees? He certainly did, we'll poll the absentees."

Clerk O'Brien: "Antonovych, Jack Davis, Ebbesen..."

Speaker Bradley: "Mr. Dawson, what purpose do you arise?"

Dawson: "I request to be verified, please."

Speaker Bradley: "Mr. Ryan, Mr. Dawson requests to be verified



now, is that all right with you, sir?"

Ryan: "Yes, that's all right."

Speaker Bradley: "Fine."

Clerk O'Brien: "Friedrich, Griesheimer, Madison, Miller, Stearney, Winchester and Wolf."

Speaker Bradley: "Proceed with the affirmative. All Members please be in their seats, those not entitled to the floor please retire to the gallery."

Clerk O'Brien: "Anderson, E.M. Barnes, Beatty, Birchler, Boucek, Bowman, Bradley, Brady, Brandt, Breslin, Rich Brummer, Don Brummet, Byers, Caldwell, Capparelli, Chapman, Christensen, Conti, Daniels, Darrow, Corneal Davis, Dawson, DiPrima, Domico, Doyle, John Dunn, Dyer, Edgar, Ewell, Ewing, Farley, Flinn, Friedland, Gaines, Garmisa, Getty, Giglio, Giorgi, Greiman, Hanahan, Hoffman, Holewinski, Dan Houlihan, Jim Houlihan, Hoxsey, Hudson, Huff, Jacobs, Jaffe, Johnson, Emil Jones, Kane, Kelly, Kornowicz, Kosinski, Kozubowski, Laurino, Lechowicz, Leverenz, Levin, Lucco, Luft, Madigan, Mann, Marovitz, Lynn Martin, Peggy Smith Martin, Matejek, Matijevich, Mautino, McClain, McCourt, McGrew, McLendon, McPike, Meyer, Mudd, Mugalian, Mulcahey, Murphy, Nardulli, O'Brien, Walsh, R.V., Pechous, Pierce, Polk, Porter, Pouncey, Pullen, Richmond, Rigney, Robinson, Satterthwaite, Schisler, Schneider, Schuneman, Sharp..."

Speaker Bradley: "Mr. Ryan, Mr. Madigan requests that he be verified. Michael Madigan, is that all right with you, Sir? Proceed."

Clerk O'Brien: "Shumpert, Skinner, Steczo, Stuffle, Taylor, Terzich, Tipsword, Tuerk, Van Duyne, Vitek, Von Boeckman, Willer, Williams, Younge, Yourell, Mr. Speaker."

Speaker Bradley: "The questions of the affirmative votes. Will all Members be in their seats and what purpose does the Lady from Cook, Miss Pullen rise?"

Pullen: "Mr. Speaker, on one of the most confusing Roll Calls of the Session I would like to change my vote from 'aye'

to 'no'."

Speaker Bradley: "The Lady wishes to be.... change her vote from 'aye' to 'no'. What purpose does the Gentleman from Hardin, Mr. Harris, arise?"

Harris: "Thank you, Mr. Speaker. I wish to change my vote from 'no' to 'aye'."

Speaker Bradley: "The Gentleman wishes to be recorded as voting 'aye'. Any other changes? All right now, questions of the Affirmative Roll."

Ryan: "Mr. Speaker, could you give me the count?"

Speaker Bradley: "Just a minute. 113 'ayes'. The Gentleman from Cook, Mr. Katz, wishes to be recorded from 'present' to 'aye'. So, we'll have 114 'ayes'. Questions of the affirmative, Mr. Ryan."

Ryan: "Yes, are you ready for me, Mr. Speaker?"

Speaker Bradley: "Yes, Sir, we're waiting on you."

Ryan: "How about Representative Brady, is he here?"

Speaker Bradley: "Representative Brady is in the aisle, he's here."

Ryan: "Representative Brandt."

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

Ryan: "Is Representative Capparelli still here, Mr. Speaker?"

Speaker Bradley: "Capparelli is in his seat."

Ryan: "Representative Chapman."

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

Ryan: "Representative Darrow, is he here?"

Speaker Bradley: "In his seat."

Ryan: "Representative Dawson."

Speaker Bradley: "I think Mr. Dawson asked you, Sir, if he could be verified and you agreed that he could."

Ryan: "This one or the last one?"

Speaker Bradley: "There were two, Dawson and Mike Madigan and Mr. Schneider would like to be verified at this time."

Ryan: "Is he going home? It is all right. Representative DiPrima."



Speaker Bradley: "Representative DiPrima, he's in the middle aisle."

Ryan: "Domico."

Speaker Bradley: "Domico.... is the Gentleman in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Ewing."

Speaker Bradley: "Representative Ewing... I can't see through the Gentleman standing there but.... is he back there, Mr. Hoffman? Is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Is Representative Garmisa down there, Mr. Speaker? I can't see."

Speaker Bradley: "Right, he's in his seat and he is recorded as voting 'aye'."

Ryan: "Representative Getty."

Speaker Bradley: "Representative Getty is in his seat. What purpose does the Gentleman from Franklin, Mr. Hart, arise?"

Hart: "At the request of my former seatmate, I want to change my vote from 'no' to 'aye'."

Speaker Bradley: "Change Mr. Hart from 'no' to 'aye'."

Ryan: "Representative Griesheimer."

Speaker Bradley: "Representative Griesheimer."

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

Ryan: "Representative Hanahan."

Speaker Bradley: "Representative Hanahan, how is the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Friedland."

Speaker Bradley: "Representative Friedland... it doesn't appear that he is back there in his seat. Is he in the chambers? How is the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative J.M. Houlihan."

Speaker Bradley: "J.M. Houlihan... is in the chambers."

Ryan: "Where?"

Speaker Bradley: "Over with the Speaker."

Ryan: "Oh, yeah, setting a deal. Representative Huff."

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

Ryan: "Representative Emil Jones."

Speaker Bradley: "Emil Jones.... is not in his seat, is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Lechowicz."

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

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Levin."

Speaker Bradley: "Representative Levin, is in the chambers."

Ryan: "Representative McGrew."

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

Ryan: "Representative Mudd."

Speaker Bradley: "Representative Mudd... is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll. Mr. Domico.... Mr. Domico has returned to the chambers, put him back on the Roll."

Ryan: "Representative Stuffle."

Speaker Bradley: "Stuffle.... is Representative Stuffle in the chambers? He's in the door.... he's here, Sir. Now, the Gentleman from Peoria, Mr. Mudd, has returned to the chambers and wishes to be returned to the Roll. Further questions, Sir?"



Ryan: "Representative Terzich."

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

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Tuerk."

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

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative McCourt."

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

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Willer."

Speaker Bradley: "Representative Willer is in her seat."

Ryan: "Representative O'Brien."

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

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

Speaker Bradley: "Take him off the Roll."

Ryan: "I have no further questions."

Speaker Bradley: "All right."

Ryan: "One more, Mr. Speaker. Representative Robinson."

Speaker Bradley: "Representative Robinson, Dave Robinson?"

Ryan: "Right."

Speaker Bradley: "He is not in his seat. How is he recorded?"

Is he in the chambers back there? Representative Robinson is in the rear of the chambers. Anymore, Sir? Is that it? Any further...."

Ryan: "Representative Nardulli."

Speaker Bradley: "Nardulli.... is in a chair."

Ryan: "Okay, I have no more, Mr. Speaker."



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

Clerk O'Brien: "106 'ayes'."

Speaker Bradley: "The Lady from Cook, Mrs. Macdonald."

Macdonald: "Change my vote to 'aye', please."

Speaker Bradley: "The Lady wishes to be recorded as voting 'aye'.

On this question we have 107 'ayes'. Miss Geo-Karis, for what purpose do you arise?"

Geo-Karis: "Change my vote to 'aye', please."

Speaker Bradley: "On this question we have.... well, Miss Geo-Karis

wishes to be recorded as voting 'aye'. The Lady from Winnebago, Mrs. Martin, for what purpose do you arise?"

Martin: "Please change my vote to 'no'."

Speaker Bradley: "Please change her to voting 'no'. The Gentleman from Lake, Mr. Matijevich, for what purpose do you arise?"

Matijevich: "Well, I don't mind all these changes but they are against the rule. Once you announce, which I thought I heard you say, 107 votes then you cannot change a verified Roll Call. If that's what has happened, I object to it. I don't care who I hurt in the process. If we're going to follow our rules, let's do it on a verified Roll Call at least."

Speaker Bradley: "You are absolutely right, Sir. I had no idea when I recognized them for what purpose they were arising, so we'll leave the Roll Call at 107 'ayes'.... 108 'ayes', 41 'nays' and this motion received..... what purpose does the Gentleman from Kankakee, Mr. Ryan, rise?"

Ryan: "Well, Mr. Speaker, if we're going to be that technical you announced 106."

Speaker Bradley: "I....107 verified."

Ryan: "You announced 106 before you recognized Representative Macdonald."

Speaker Bradley: "I don't believe that's correct, Sir. This question we have 108 'ayes', 41 'nays' and this motion having received the Constitutional three-fifths Majority



prevails and Senate Bill 392 is declared passed notwithstanding the veto of the Governor. On the Calendar under Total Veto Motions appears Senate Bill 622. The Gentleman from Will, Mr. Davis, is he on the floor? On Senate Bill 622....take it out of the record then. On Senate Bill 856, Mr. Getty. Do you wish to go with.... on the Calendar under vetoes appears a motion to override the Governor's veto with respect to Senate Bill 856. On that question the Gentleman from Cook, Mr. Getty."

Getty: "Mr. Speaker and Members of the House, Senate Bill 856 very simply is a Bill that would help protect consumers in this state. If you go and borrow money as the law is now and a security interest is recorded against you, the person recording that security interest is not required under the law to release that security interest. Our former colleague in the House, now Senator Maragos, founded three different cases that the clause, there is no requirement that it be released. That people who suffered severe hardship, in one case for example, one of his clients had to put up a thousand-dollar bond because the manufacturing company which had loaned him money and put in the security interest had merged with another company. As a result of that, the merged company did not have proper records, refused to release a cost of a thousand dollars. A widow whose husband had died had a situation where she tried to sell her house but found that a previously recorded security interest had never been released. Because it had never been released she was required to put up a three hundred-dollar bond so that she could transfer title. What this Bill will do very simply is require that a creditor after you have paid him off for the debt, be required simply to release his lien. You have to keep in mind that the average citizen, the average individual does not know that the lien is not released against them. In fact, one of our colleagues suggested to me earlier today that



if you had a search done under your own name, if you ever borrowed money on a car you might find that they have not released that. I suggest to you that this is a very good Consumer Bill and I would respectfully move that the House pass this notwithstanding the veto of the Governor."

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

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

Speaker Bradley: "He indicates that he will."

Leinenweber: "Representative Getty, what is wrong with the present law which provides that the secured party must give a termination statement at the time there is no outstanding indebtedness.... pursuant to Section 404. Why does that not adequately cover the situation."

Getty: "Because people do not realize that they have to record it. That's the problem, so that the widow.... even sophisticated people such as the case that I cited to you that cost Sam Maragos' client a thousand dollars. Even sophisticated businessmen don't realize you have to go and record that, because of this failure people many years down the line.... your constituents and mine find themselves with liens against their property."

Leinenweber: "Representative Getty, Section 404, specifically provides that on demand the secured party must file with the appropriate filing office with a termination statement."

Getty: "Exactly, however, it's on demand and your constituents don't know that they have formatively have to do that."

Leinenweber: "All right, what about my constituents and your constituents who may have an agreement for future advances on collateral. This mandates, it appears to me, that once the obligation is satisfied that the release must be issued and I'm not sure that it says, that it must be filed but at least it must be prepared. What about the instance where the borrower doesn't want a release. It then has to go through the entire lending process which may



include a requirement for a new loan fee and so forth."

Getty: "Well, I think that.... you know, is quite obviously not the case. Obviously, if both parties agree that it should not be done, all they have to do is simply state that agreement. That would be a part of the agreement and it would be left open. Similarly you know that there are now many instances where in commercial transactions there are open lines of credit. This would be in the nature of a line of credit and would not be affected."

Leinenweber: "Well, Mr. Speaker, this is one of the things that is wrong with Senate Bill 856, it provides no exceptions. If the parties cannot agree once ninety days go by, the secured party must issue a release and I'm not sure the Bill goes on to say that he must file it but at least he must issue a raise. It seems to me that Section 404 termination statement would specifically provide for those instances where there is no complication of future borrowing that upon demand the borrower will receive filed in the office.... in the appropriate offices a filing statement and this does not necessarily have to be immediately if they find later that it hasn't been released, they are subject to a demand at that time and must be... if it is consumer goods within ten days, it must be immediate otherwise. It seems to me, Mr. Speaker, that we have a uniform commercial code which means exactly that. It's supposed to be uniform in Illinois and any other state a uniform commercial code and we should have very good reasons, Mr. Speaker and Members of the House, if we're going to vary our code so it's no longer going to be uniform with that of New York and the other states which have adopted this uniform code. It is unneeded, there is a Bill... the Act currently provides that in those cases where the parties want to have the collateral released and specifically where borrower wants it released and he's paid up and there is no complication of future borrowing that the collateral be released



This Bill, 856, thwarts many good intentions Mr. Speaker and Members of the House. The Governor is absolutely right in this case and I urge a 'no' vote on the motion to override."

Speaker Bradley: "The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Bradley: "He indicates that he will."

Brummer: "Mr. Getty, is there a fee for filing the release?"

That is up to the.... that would be charged by the county, but there is a fee charge in order to file the release, is that correct?"

Getty: "Yes, that would be true regardless of who would file it."

Brummer: "Okay, in the... in your proposed Bill, who specifically pays the cost of that filing fee? Does the creditor or does the debtor?"

Getty: "Well, as it is presently the practice with most deals such as a mortgage for example, when you mortgage your home that is one of the things that is built into the closing cost. And if this were adopted, quite obviously it would be built in."

Brummer: "Well, now most items that are recorded, and correct me if I'm wrong, if you delivered to me a deed, for example, it is my duty and responsibility to see that it is recorded. It could work a hardship on me if I would not record that deed and it did not appear on a record of title. But it is not your obligation to record it, it is my obligation and my obligation to pay the filing fee is it not?"

Getty: "Under this proposal it would obligate the individual who knows very well that unless it is recorded that you're going to continue to have a lien against your property. It would require that that person who knows business transaction.... cause it to be recorded."

Brummer: "In other words, the creditor would pay the cost of the recording fee?"

Getty: "No, not necessarily. I would suggest to you, as I indicated



in response to your very first question, that that cost would probably be passed to the consumer like most costs are. But it won't cost the consumer ultimately anymore because he should record it in order to protect himself."

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

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

Speaker Bradley: "The Gentleman moves the previous question. All those in favor of the Gentleman's motion say 'aye', opposed 'no'. The 'ayes' have it and the Gentleman from Cook, Mr. Getty, to close the debate."

Getty: "Mr. Speaker and Members of the House, this is a very simple issue. If you're in favor of protecting the little guy, the consumer.... a person who doesn't know any better, your constituents who may be a widow or otherwise not sophisticated enough to know that every time they go out and they sign away on paper in order to borrow money, or finance a car, or get something of value, that a security interest can be recorded against them and it is going to stay there. It can attach their property, it can attach their goods and unless.... unless you require the creditor who is sophisticated with the affirmative obligation.... not just to issue it or on request to do something.... but to do it, you're not protecting your constituents. You talk about uniformity, uniformity is a good concept and I believe in uniform state laws. But I don't believe that we should oppress little people. So, if you want to make a big vote for the big money lenders, you vote against this override. That is what you should do, if you're for the big money interest then you vote against override. If you're for the little people, if you're for your constituents, if you're for the man on the street and the man down the block and you want to know that he is going to be protected the next time he goes out and borrows some money, so he's not going to end up having a lien against his house, so



he's not going to end up when he goes to sell something some years later having a big expense, then you vote to override this. You be your own judge, make up your own conscience."

Speaker Bradley: "The question is, shall Senate Bill 856 pass notwithstanding the veto of the Governor. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Gentleman from Rock Island, Mr. Darrow, to explain his vote."

Darrow: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would just like to echo what Representative Getty said and point out that a number of Representatives who have worked in the Attorney General's Consumer Fraud Division, who are aware of this problem. For instance, Representative Gaines is voting 'aye' on this. Again I....change that I guess Gaines is voting 'no', I was mistaken. But I would point out that the consumers would be well helped by this Bill. If you want some good consumer legislation, here is the chance to vote for the little guy. If you're for big business and for the people who don't always consider your consumers and constituents, you vote 'no'. This is a good piece of legislation and deserves your consideration."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. The Gentleman from Cook, Mr. Getty, for what purpose do you arise?"

Getty: "Mr. Speaker, I request that this be put on the Order of Postponed Consideration."



Speaker Bradley: "The Gentleman requests that it be put on Postponed Consideration and it shall appear on the Calendar under the Order of Postponed Consideration. On the Calendar under the Order of Constitutional Amendments, Third Reading appears HJRCA 22, the Gentleman from Cook, Mr. Totten."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #22, this Resolution has been read a third time previously."

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

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to present a proposal tonight which affects people in every walk of life. I know that I have heard from the farmer, the secretary, ironworker and the businessman and the doctor and that the proposal... and that the proposal we are about to consider is in interest to all of them equally. Without exception these people are in favor of some kind of control of government spending and taxation. And if this outcry is as great as I perceive it to be with your constituents as it is with mine, we should consider very carefully what I am about to present. Let me put into prospective why I believe so many are in favor of such a proposal. The share of personal income absorbed by government by every level has risen steadily in recent decades from 15% in 1930 to 43% today with a projected pay of 54%....."

Speaker Bradley: "Mr. Totten, may I interrupt you for a minute. A message to our guests in the gallery that it is against the rules of the House to..... for you people to be taking pictures unless the camera light is on... behind me which is red. So if you would refrain from taking pictures we would appreciate it. And let's give Mr. Totten a little bit of order on this meaningful Constitutional Amendment. Proceed, Sir."

Totten: "Thank you, Mr. Speaker. As we as Representatives have heard for years about the increase in cost of housing and



food, those voices now echo in unison that we must do something about the rate of increase of taxes. And that is easy to understand when we find out that the average worker must work one hour and forty-one minutes of each eight hour day to pay his federal taxes and fifty-eight minutes of an eight hour day to pay his state and local taxes. That is a total of two hours and thirty-nine minutes to pay for the cost of government. On the other hand, food takes only one hour and five minutes and housing one hour and thirty-two minutes. It is no wonder when we find out Illinois ranks third in the nation in total state and local tax collections and fourteenth in taxes levied per person in fiscal '76 that we hear this outcry. And it is no wonder, Mr. Speaker, that when we find out that state government is spending five hundred and fourteen percent more than it was spending in 1960 and that is twice the rate of growth of the people's personal income of the state during this period of time that we hear this outcry. Let me put it in another prospective. In 1966, the State of Illinois spent one million dollars every five hours, seven minutes and eleven seconds. In 1976, just ten years later it took only one hour, five minutes and twenty-one seconds for the state to spend that same one million dollars. And as that trend continues in 1986, the state will spend one million dollars every fourteen minutes. It is no wonder then, Mr. Speaker, that we hear this outcry. The state has tried for years to control total spending by controlling the overall level of appropriations as each individual Appropriation Bill comes to the floor. These efforts, commendable though they may be and successful though some may have been on occasion, simply has not worked efficiently. The reason being that the intentions which underlay them are not directed at the one point where more effective control could be exercised and that is at the level of revenue."



Speaker Bradley: "Mr. Totten, the T.V. light is not on, Sir, if you want it on we'll turn it on but we should request that.... proceed, Mr. Totten."

Totten: "Let me put it this way, Mr. Speaker. We've tried for too long to control spending only where the money flows from. In other words, we are trying to plug holes in the dike or to heighten that dike. When instead we should be trying to control the level of water behind it. Mr. Speaker, I submit that it is always easier to control a problem at its source, the source is the level of revenue raised by the government from which programs are then funded. To deal with the question of expenditures alone is to work only with the results of our problem spending instead of its cost. Therefore, Mr. Speaker and Ladies and Gentlemen of the House, I ask you and my colleagues to join with those voices from the ironworker, the teacher, the farmer, the businessman, the doctor, the secretary to support the proposal that they are asking for, House Joint Resolution Constitutional Amendment #32...#22, the Taxpayers' Rights Amendment. With this Amendment government could not impose taxes that along with all other sources of revenues of the state add up to more than 7% of the personal income of Illinois citizens for that fiscal year. In recent years the ratio of state revenues, personal income has stayed between 6 and 7%. That 7% limit would keep taxes in approximately the same proportion to income as they have been over the past several years."

Speaker Bradley: "Pardon me, Mr. Totten, the Gentleman from Cook, Mr. Wolf, for what purpose do you arise, Sir?"

Wolf: "Mr. Speaker, I think it is a very important piece of legislation here and we have a lot of confusion on the floor and I noticed a lot of people who don't belong on this floor, including a few lobbyists, and I wish you would have them removed."

Speaker Bradley: "I think your point is well taken, Sir, and



would those people not entitled to the floor, please, remove themselves to the gallery and would the doorkeeper see that that is done? And could the Gentleman have some order for this Constitutional Amendment? Proceed, Sir."

Totten: "Thank you, Mr. Speaker. When the Taxpayers' Rights Amendment becomes a part of the Illinois Constitution, the power to raise taxes will be where it should have been all along, with the taxpayers and not the tax spenders. Only a referendum approved by the state voters would open the door for raising taxes where increasing the 7% limit. Only after the voters have unlocked that door to the Legislature and the Governor, raise state taxes. The Amendment then would give taxpayers a key they should have had in their hand a long time ago. Mr. Speaker, recognizing that absolute inflexibility may be the result of such a limit, The Amendment provides many sufficient release valves. The Amendment would establish an emergency fund which would be equal to two-tenths of 1% of the personal income of Illinois citizens in each fiscal year. Initially, the fund would have about a hundred sixty-eight million dollars in it. This emergency fund could be tapped only when the Governor declared a fiscal emergency and three-fifths of the Members of each House of the Legislature agrees. The 7% limit could be suspended only when the emergency fund was unable to cover an emergency situation. Even if emergency taxation was enacted it would automatically be void the following year and the 7% tax limitation would again be in force. If the revenue collected for the emergency fund should happen to provide a surplus, that excess money would be used to reduce unfunded liability of the state..... pension system. If there is no unfunded liability for the funds, the money could be used to retire general obligation bonds sold by the state. This Amendment also provides safeguards for local units of government. It says that the proportion of state expenditures paid to



them should not be reduced below that proportion in effect in fiscal year '76 and it limits the General Assembly from mandating programs on local government unless we provide the cost of that mandate. The Taxpayers' Rights Amendment would give the voter a way to tell government he or she wants a limit.... forcing us to decide how much....not how much to spend but where to spend what we have. It simply seeks restoration of proper prospective in the relations between government and its institution. Taxation constituting the basis of spending creates an all inclusive but largely inarticulated interest among the tax... who remain at a disadvantage through the lack of organization of an effective political expression. The Taxpayers Rights Amendment seeks to restore equilibrium between spending and taxing interest. I ask you to join those people in every walk of life who seek to have some kind of control over spending by this proposal. Mr. Speaker, I close with this quote from Thomas Jefferson which I think is as appropriate today as it was when he said it, 'A wise and futile government is a wise and futile government which will restrain men from inquiring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement and shall not take from the mouth of labor the bread it has earned. This is the sum of good government!'"

Speaker Bradley: "The Gentleman from Sangamon, Mr. Kane."

Kane: "Would the Sponsor yield for a couple of questions?"

Speaker Bradley: "He indicates that he will."

Kane: "I was intrigued, Representative Totten, by your statistics in which you said that Illinois was third in total taxes and fourteen in total taxes per person. The most accurate measure of tax burden is taxes per one thousand of income and I'm wondering if you would give us that statistic."

Totten: "I don't have that."

Kane: "Would it be that you didn't get them because Illinois



ranks about 35th?"

Totten: "Haven't seen it or I would have used it."

Kane: "Thank you, Mr. Totten. A couple... going to a couple of other subjects, there are a number of rather important programs that the... that are run in Illinois as public programs - public aid, education, highways, health, the court systems. All of these programs are run jointly by the state and local governments and all of them are funded at different levels and different proportions by the state and local governments. Take, for example, education. Education, elementary and secondary education is now funded approximately half by the state and half by local governments. In other words, it's about half by the state income tax and the sales tax and about half by the property tax. If the Legislature decided that the income tax was fairer than the property tax and decided to fund education, say seventy-five percent by the state and twenty-five percent by local government, wouldn't your Amendment make that impossible?"

Speaker Bradley: "Turn Mr. Totten on."

Totten: "Mr. Speaker, no. No, the Amendment would not.

It only provides that you cannot decrease the proportions going to local taxing districts. You can increase it in any way that you want to as long as the total revenues collected do not go above the seven percent limit."

Kane: "But only if that money is available. In order to change the funding by the state of education, say, from fifty percent to seventy-five percent, we would have to raise increased state appropriations by approximately one billion dollars and replace about one billion dollars worth of property taxes. Your Amendment would effectively put a limit on that and make it impossible for us to make those kinds of choices would it not?"

Totten: "No, not necessarily, Representative Kane, because



that the... it would force the Legislature to say, if we are going to change funding by increasing it to education or a local unit of government, then if we're going to stay within the seven percent limit, then we have to reduce in another way or we have to go to the voters and ask for a tax increase."

Kane: "In other words, we would be limited we wouldn't have that flexibility."

Totten: "We would not have the flexibility to go above the seven percent limit unless an emergency was declared by the Governor and approved by three-fifths of the Legislature. Then we could lift that limit."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to address the proposal. What this proposal does under the guise of protecting the taxpayer is to put the taxpayer into the kind of straightjacket that he's in now and it puts the state in a kind of a straight-jacket that we do not have the flexibility to decide how we are going to fund particular programs and how we're going to divide up that funding between the state and units of local government. We all know that the state is basically funded with the income tax and the sales tax. Local government is funded primarily with the property tax. I think all of us agree that the income tax and the sales tax is... are fairer taxes than the property tax, cause they're easier to administer, that there are fewer loopholes and there is less abuse. Most of our major programs that I mentioned, public aid for one, is funded about ninety percent by the state, ten percent by units of local government. Education, the elementary and secondary education program is funded about half by the state and half by local government. The junior colleges are funded about sixty percent by local government, about forty percent by the state. Highways are again funded by property taxes and also gasoline taxes. Our health systems, our courts are



funded jointly by local governments and by the state. And what we are saying, if we adopt this Amendment is that we are going to put a lid on what the state can do and what... in the inevitable effect of that is to put an ever-increasing burden on the property tax. And there's going to be no way of getting away from that. We've seen what's happened with the junior college system over the last couple of years. Where the junior college system has not been fully funded in any one year, the property taxes to support the junior college systems have inevitably gone up. We've been able to say and Governors have said at the state level, 'I have not increased taxes'. And it's true. State taxes have not been increased during that administration, but all of the other taxes that go to support these same programs at the local level have gone up. And we're only conning the public when we say that we're going to put a lid on state taxes because it's not what goes to the state in income taxes and sales taxes that's important, it's the total tax bite that comes out of the taxpayers pocket that he feels, what he pays for total state and local programs, what he pays in total state and local taxes. And if we put a lid on one tax, if we close up one pocket, then inevitably there's going to be increased pressure on the other. And the only effect of this Amendment if it's passed is to put an ever-increasing burden on the property taxpayer and close off whatever hope we have of reforming our tax structure. One other mention I might take is that the total tax burden now on the... Illinois measured by income and this is the fairest way of measuring and this is the amount of taxes that Illinois citizens pay for one thousand dollars of income, puts Illinois in the middle of the spectrum among all of the states. We are not high, we are not low and I think our present system has worked well.



Thank you."

Speaker Matijevich: "The Gentleman from Kankakee, the Minority Leader, Mr. Ryan."

Ryan: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to oppose passage of House Joint Resolution Constitutional Amendment #22. Let me say first of all that the Sponsor's aim of fiscal responsibility is refreshing and certainly commendable. I believe that every Member of this Body wants to keep government expenses and taxes low, but this proposal is entirely too restrictive. It assumes that we as a legislative Body don't have confidence in ourselves to state... to set state spending limits. This Session we proved that we can do that. Working together with Governor Thompson, we approved appropriation measures very close to his budget recommendations. Despite tremendous pressures from all sorts of interests, we, through our actions on appropriation measures, held the line on spending so no increases in taxes was necessary. And I believe that that proves this Constitutional Amendment is not necessary. As the Gentleman from Sangamon stated, the Amendment ties our hands. We would not be able to respond to a specific situation. Decisions on new state programs should not be ruled out in advance. This is an abdication of our legislative responsibility to meet and reason together and do what is best for people of Illinois. The idea of holding the line on state taxes is fine, but this Bill also may be a guarantee that local governments are forced to increase the property tax to pay increased local government costs since the state would not be able to come to their aid. If this proposal had been in effect before fiscal 1975, it's very unlikely that we could have made changes in financing of our local schools. Finally, the legislation according to my staff and the Bureau of the Budget, it



has several severe technical problems. First, the seven percent limitation has already been exceeded. Revenues are approximately eight percent of personal income. Second, the definition of revenues is not precise. What is revenue? Is tuition students pay out of universities revenue? Or how about the tolls motorists pay on the toll roads? How is the seven percent limitation measured and what fiscal year be used to calculate this most important figure. In conclusion, let me say that these technical considerations aside, I cannot support this Bill because it is a sweeping limitation of our legislative prerogatives. It's a shocking statement of lack of confidence in ourselves to be reasonable Representatives of our people and I would certainly urge the defeat of H.J.R. 22."

Speaker Matijevich: "The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, would the Sponsor yield to some questions?"

Speaker Matijevich: "He indicates he will."

Stuffle: "Representative Totten, I have spoken to you earlier about this. Does your Amendment provide and if it does, what sort of floor does it provide on the future state funding of local governmental programs and educational programs that are currently funded in whole or in part by state dollars?"

Totten: "Okay, if I understand your question correctly, when it deals... the Amendment dealing... when it deals with local units of government, says two things. One, that the proportion of revenue going to local units of government shall not be below that which it was in the last fiscal year. It could be increased, but the proportion cannot be below what it was in the last fiscal year. That way, it says that if we mandate any programs on local units of government, we must pay the cost and this is that break against property tax increases



that happen so often when we mandate costs."

Stuffle: "Does that then... does that include the school district and the unit of local government by the definition in the Resolution?"

Totten: "Yes, it does."

Stuffle: "Then if, as I asked you before, we're in a situation in the coming fiscal year where the school aid formula's cost will be some twenty-five million dollars less than it is in this fiscal year for full funding. Would we have to, if we fell below that portion of revenue now going to common school funding through the categorical programs and the school aid formula, if we fell below that proportion next year, would we have to appropriate more money into the categorical aid programs if we make no change in the school aid formula to bring that proportion of revenue that went to those school districts up to that old percentage level or would we have to add money to other units of local government?"

Totten: "The only thing that's explicit in the Amendment is that the proportion remain the same. We could give the money to other units of local government. We could give it to schools, we could give it in any fashion so that that proportions stays the same. Where we give it would be up to us."

Stuffle: "Then, is the term... are the educational units included within the local government units as a whole? In other words, the whole proportion of all money that goes to local governments or separate programs have to be maintained at a certain percentage?"

Totten: "The total percent... total money, not separate programs. We would decide that."

Stuffle: "Referring to the statement made by Representative Kane and Representative Ryan, the term 'revenue' as I understand it is not defined in the Amendment, and if that's the case, would revenue include locally generated



revenue that may be in turn appropriated by us such as from university income fund and the tuitions that were mentioned?"

Totten: "Well, as with any Constitutional Amendment, there are several areas that must be addressed by the Legislature and we would have to define revenues by legislative action."

Stuffle: "What is your intention in that regard?"

Totten: "Well, if we pass the Amendment and it's on the ballot and it's passed there, where we have measured the sources of income as from sources of revenue of course is from the budget book. And when Representative Ryan talks about the figures aren't accurate, I'm only using that prepared by the Governor's own agency, the Bureau of the Budget and the total source figure is sixty-nine percent right now. That's the sources of revenue that we would attempt to define by legislation."

Stuffle: "Thank you. Mr. Speaker, may I address the Amendment?"

Speaker Matijevich: "Proceed."

Stuffle: "Well, reluctantly having looked at the Amendment and having heard the answers to the questions by the Sponsor who I know is honorable in this regard in seeking a limitation on taxes...I fear that the problem may arise that's been recognized and addressed by the two previous opponents of the Amendment that we may indeed be shifting a burden back to local taxpayers, even more so since we already are in school financing which as I noted will be next year less from the state and more from the local government and in the past years, we'll be moving away from the constitutional mandate next year in that regard and I don't think we should hamstring ourselves or necessarily the local taxpayer with the potential of coming up with more and more money to the most inequitable form of taxation which is local property



taxes. The Amendment looks very good on its face. It has a noteworthy end, but it does not necessarily come up to the full conclusion and with the great ideas that are behind it. I think it ought to be defeated because there are too many nebulous problems, too many possibilities that the burden of taxation would be even shifted greater to the local governments as currently is the case."

Speaker Matijevich: "Before I call on Representative Keats from Cook, Representative Dick Kelly asked the Chair if the E.R.A. Resolution was going to be called. And I just talked to the House Sponsor and in fairness to those people out in the gallery that are waiting, he tells me that it will not be called today. So, Dick Kelly, you've just had your answer. It will not be called today, so those who are waiting patiently can go home. The Gentleman from Cook, Representative Roger Keats."

Keats: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What an interesting position here. We have an Amendment that means a great deal to the overwhelming majority of the states, but there are certain groups called our special interests groups, so I unalterably oppose this Bill. If we are going to be only responsive to the special interest groups of this state, we probably ought to vote against the Bill because they are the ones who are down here constantly bleeding the taxpayers..."

Speaker Matijevich: "Just one moment. The Gentleman from Cook, Representative Jim Houlihan, for what purpose do you rise? At whose desk is that? Richmond's."

J. Houlihan: "Mr. Speaker, you indicate that it will not be called. Now, you're the temporary Speaker. It is my understanding then that another Speaker could come to the podium and call it, is that correct?"

Speaker Matijevich: "Well, I just talked to the House Sponsor



of the Resolution. He's the one that would have the, you know, prerogative of calling it. I'll take his word for it. Representative Kelly, for what purpose do you rise?"

Kelly: "Mr. Speaker, I wonder if the Sponsor if he isn't going to call it today, is he going to call it tomorrow or is he going to wait..."

Speaker Matijevich: "Well, I don't think that's in order right now. Representative Keats, proceed."

Keats: "Thank you, Mr. Speaker. I return, Ladies and Gentlemen of the House. What we're saying is we've got a Bill here that all the special interest groups are against. The only people in favor of this particular Amendment happen to be the taxpayers of this state who are being bled to death by every bleeding heart spender we've ever had. Every special interest group talks about the unmet needs in this state. What they fail to realize is the greatest unmet need in Illinois and in America today is that the average taxpayers to get to keep more of his or her own income. We're at a point today... we are at a point today where the government takes just short of half of every dollar we earn. I don't know about you, but I think I'm better at spending my money than the government and I wish I had a little more freedom to spend my own money. So what we have to deal with, who are we supporting? Who are we going to support? The special interest groups or the taxpayers? People have been talking about property taxes, local tax issues..."

Speaker Matijevich: "Just a minute. Those in the gallery, please refrain from displaying any emotion. That is contrary to the rules. It's very difficult with this Gentleman speaking, I know, but please refrain."

Keats: "Please, Mr. Speaker, I don't want you to interrupt either. Another point, everyone gripes about their property tax, all these local taxes. Well, let's



start talking about what the real problem is. The real problem is that government's promising too much. The government promises everything and basically delivers nothing and the little bit it does deliver, it usually delivers backwards, wrong and for costing too much if... than as if we had it ourselves. So what I say to you, keep in mind that the special interest groups are opposed, but taxpayers, the people who are footing the bills of this state and this country, favor this Bill. A wise man said, 'Nothing is certain but death and taxes. But an even wiser man said that at least death doesn't get worse every year. Thank you. Please support this Amendment.'

Speaker Matijevich: "The Gentleman from Rock Island, Representative Darrow."

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

Speaker Matijevich: "Representative Totten, walking down the aisle, says he will yield. He's trying to get some votes. He indicates he will yield. Proceed, Representative."

Darrow: "Under this legislation, would the replacement for the personal property tax be included?"

Totten: "No, that would be handled separately."

Darrow: "Well, wouldn't this amount to more than the seven percent? What if we immediately start out with the replacement for the personal property tax and thus use up the entire seven percent?"

Totten: "Not necessarily."

Darrow: "Do you have any calculations on how much we would use up with that?"

Totten: "It would depend on how the Legislature replaces the personal property tax or whether it repeals the Section. We have nowhere near acted on that."

Darrow: "Thank you."

Speaker Matijevich: "The Lady from Lake, Representative Geo-Karis."



Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, perhaps this Resolution or Constitutional Amendment may be a little farfetched in some minds, but when we stop to think that it does put a ceiling on our expenditures so that our taxes will not exceed our income, I think there's a lot of merit to it. The people of Illinois like many other states in the Middle West have had an awful lot of taxation. I see that this Amendment is supported by the Taxpayers Federation of Illinois because they feel, too, that it's high time something was done so that we can curb ourselves and, therefore, we cannot give any more and we cannot make any false promises to the taxpayers. Under this Bill, I think that we will find some measure of restriction upon our own incentive to try and outspend each other. And since this has a lot of common sense behind it, I think the taxpayers of Illinois are entitled to consider this Amendment to limit our expenditures at least to the amount of our income and I speak in favor of the Amendment."

Speaker Matijevich: "The Gentleman from Cook, Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I'm a Cosponsor of this Bill, but the more I hear of the opponents of the Bill I'm a little concerned whether I put my name on the right Bill or not. Don, can you tell me have you made any provisions at all for inflation?"

Totten: "Yes."

Conti: "What percentage do you have in for inflation on this?"

Totten: "Well, the limit is geared to the total personal income, total personal income always goes up with inflation so it's automatically in there. Would in no way inhibit the limit."

Speaker Matijevich: "The Gentleman from Cook, Representative



Taylor."

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

Speaker Matijevich: "The Gentleman from Cook, Representative Taylor, moves the previous question. All those in favor signify by voting 'aye', opposed voting 'no'. The previous question prevails. Representative Totten to close."

Totten: "Mr. Speaker and Ladies and Gentlemen of the House, there's a fundamental bias in our present Democratic structure. That bias is that special interest groups are the stronger weight in determining legislation than the interest in general. On the other hand, the cost of that legislation is spread over all the people. With this Amendment, we would have the vested interests fighting not against the taxpayers in general, but against one another. Let's not have each one of them trying to get their appropriations increased at the expense of the poor taxpayer who has never had anything to say about the matter. My colleagues, with this Amendment, it would be our posture to say to those who propose new programs thusly, I understand your human goal and I do see that your proposed new program may do some real good, but it would take the budget beyond the limits imposed under the formula written into the Constitution and my hands are tied. If you, however, will show me where we could cut the budget in some other program, I'll be happy to take the entire package to the floor and present it to my colleagues. Let's coalesce our voices with those of the ironworker, the teacher, the secretary, the doctor, the policeman, the fireman and the businessman and provide them and us with a forum for debate by taking the first step to having this proposal on the ballot. And I move for the adoption of House Joint Constitutional Amendment #22."

Speaker Matijevich: "Before we go to that question, I've



been told that there are people on the floor that don't belong on the floor. Now, either everybody in the gallery can come on the floor or else nobody can come down here. The floor belongs to the Members of the House and that's it. Now, let's clear the aisles and clear the floor of those people who do not belong here. Now, the question is, shall House Joint Resolution Constitutional Amendment 22 be adopted and shall the Amendment to Section 11 of Article IX of the Constitution be approved? Those in favor vote 'aye', opposed vote 'no'. The Gentleman from Cook, Representative Porter."

Porter: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think you should be very careful in considering this legislation. It is obvious that it is aimed not at absolute growth of government, but the growth of government relative to the private sector. Government grows in this state as the economy grows. As we have greater sales taxes and income taxes, government would continue to grow if the Amendment were adopted. This is aimed at growth relative to the private sector. and everyone of us knows that if government grows relative to the private sector, freedom withers. The taxes at the local level are as every one of us knows more responsive to the taxpayer. They can be controlled by the City Councils or by referenda, but we get away from ourselves in state government just like they do in Federal Government. I've been down here for five years and I've watched government grow. In the last eight years, we had a two billion dollar budget in this state in 1969. Today, we have a ten billion dollar budget, five times as great. The only way we are going to discipline government is to put a speed limit on it and enforce that speed limit. And if we have that speed limit as a result of this Amendment, we can then work the priorities out with the money that's available. Flexibility is a way to deny human freedom. And



as government has grown, we are going to see freedom increasingly denied by the argument for flexibility. I think the Members should also realize that they are not voting this into law. The question is whether this should be submitted to the people of the State of Illinois for their decision. It seems to me it's fair to do that. Seems to me that we have to put some kind of a limit on our government and its growth relative to the private sector and that this is a very fair and rational way to do it. And I urge an 'aye' vote."

Speaker Matijevich: "The Gentleman from Cook, the Assistant Majority Leader, Representative Lechowicz, to explain his vote."

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I know probably some of you did not have the opportunity of reading the mail that you received today in your office. But let me point out to you that I received a letter from Maurice W. Scott, the Executive Vice-President of the Taxpayers Federation of Illinois and he strongly encourages and recommends an 'aye' vote on this House Joint Resolution 22. This Amendment proposes a positive... may I just quote you from the letter. 'This Amendment proposes a positive step toward helping what has become an oppressive tax burden. Even though our limits are all combined state tax to no more than seven percent of the personal incomes of Illinois for fiscal year, it contains numerous safeguards for both state government and the taxpayer.' He also concludes the letter by saying this, 'The proposal establishes an emergency fund that can be used in an event of an emergency.' There, too, the Amendment prohibits the state from reducing the proportions of state grants going to school districts and other local government units below the level of the fiscal year 1975. Probably the real break in the proposal for local governments is the language that



prohibits new mandatory spending programs being forced on them unless the state pays for such programs. May I also remind the Members of the General Assembly that the Governor in his opening statement made that proposal to this General Assembly that if this state proposes any program, it should be financed by this state. I think this is an excellent proposal. We should keep the Governor at his word. I think it should pass."

Speaker Matijevich: "The Gentleman from McHenry, Representative Skinner, two minutes to explain your vote, for one minute."

Skinner: "Mr. Speaker, I can't believe that I heard some of the opponents of this measure correctly. I wonder if this is the day that those who intend to support the next increase in the state income tax give their first clue of that intention. The question here is pretty basic. Are you for more government or less government? If you're in favor of bigger government, you certainly should vote 'no'. If you want to cut state government down to size in the future, you ought to vote 'yes'. Government spending is limited only by government income. We all know that. In fact, that is not even the limit. Sometimes we spend more than we get, we bring in. I think this Roll Call more than any other you may ever vote on will tell what role you see state government playing in the future. It can be a George Orwellian 1984 or more of a Jeffersonian concept. I intend to vote for Jefferson and the taxpayers and I'm extremely sorry that so many of you feel you have to vote with the 'taxeaters' instead of the taxpayers."

Speaker Matijevich: "The Gentleman from Bureau, Representative Mautino, to explain his vote."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I really wasn't sure whether the time for this legislation has appeared or not. In fact, I



didn't now that I would ever be up in favor of what has been commonly referred to as the Reagan Amendment. But during the Revenue Committee Hearing a year ago, Milton Friedman had noticed the noted economist and Pulitzer Price winner had some pretty valid arguments on runaway government and the fact that the taxpayers of the State of Illinois really don't have any input into the structure of which they are financing at this point other than in the area of education and that's because of the localthe local input and taxing resources there. It would seem to me that if nothing else, we are giving the people of the State of Illinois an opportunity, other than in the educational arena, to state their preferences on how and by how much they will be taxed and exactly where the large industrial State of Illinois is moving and in what direction they are going to appropriate dollars and for what programs. As I said, I didn't now know I would ever be speaking for an Amendment like this but I think this Amendment and the way it has been given and presented before us is one.....which time has finally appeared..... and I do support Constitutional Amendment 22."

Speaker Matijevich: "The Gentleman from Vermilion, Representative Campbell, to explain his vote. Two minutes."

Campbell: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think this is the most important issue that has come before this General Assembly. We play these Mickey Mouse games down here with many of these minor issues, but we must all realize that this, our basic government, is all for and by the people and that we are here at the consent of the governed and are not their masters....and all we're doing on this Amendment is letting the people determine the guidelines under which we will work and to establish those guidelines beyond which we cannot go and that is their prerogative. And I certainly support this and I would urge everyone on this floor to support it because



of the fact... if you don't think taxes are an important issue in your district, you go back and talk to your local taxpayers and they will damn quickly tell you how they feel about it."

Speaker Matijevich: "The Gentleman from Lawrence, Representative Cunningham, to explain his vote."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, on a racetrack when they have the horses running around the track and a horse has a tendency of running wide and not following the path, they put blinders on them. And the argument and the analogy is that they have Representatives that do not understand the art of keeping down expenditures, they put shackles on them, but the difference between horses and men and women that are Representatives is the difference between dumb animals and reasoning animals and you must recognize that difference. You must recognize that your constituents are smart enough to know the difference. It is a fraud and deception for you to stand up here and say that somehow you're saving the taxpayers millions of dollars by putting shackles on the Legislators to keep them from spending money that they don't have. The solution is a great deal simpler.... you're interrupting me, Skinner. The solution is a great deal simpler and that is....."

Speaker Matijevich: "Your time is up, too."

Cunningham: "Representatives who have fiscal responsibilities do not publicly plead incompetence... do not publicly plead incompetence for yourself or the Legislators that follow you in future years. Your constituents know that the Legislature alone has the....."

Speaker Matijevich: "Time is up, Roscoe."

Cunningham: "Vote 'no', show that you arise to your responsibility."

Speaker Matijevich: "Cunningham pleads insanity. The Gentleman from Livingston, Representative Ewing, to explain his vote."



Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, I support this Amendment for several reasons. First of all, in the two terms that I have been down here I have become most concerned about the growth of the debt of the State of Illinois. I believe that misguided judgment in our Constitutional Convention led to the elimination of the restriction on bonded indebtedness in this state. In fact, that has turned out to be so because we have turned into the fastest growing bonded indebtedness state in the union with our new Constitution. All of us know that have been here that skillful Legislators can guide almost any spending or bonding program through this General Assembly which they wish. They do so by putting something in it for everyone. I don't think we want to turn Illinois into another New York or another England, let's put some restrictions back into the spending authority in the General Assembly. This is a good Amendment, I think its time has come and I proudly vote 'yes' for it."

Speaker Matijevich: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I don't think we're giving the general public the credit they deserve for their inventiveness. The fact that in the State of Illinois we have many more types of taxing bodies than anywhere else in the nation.... proves to us that limiting taxation by one mechanism does not prevent us from raising taxes when there is a need. I heard a report early this week on the radio saying that local government in the State of Illinois has increased taxes by 10½% this year. Why have they done that? They have done it because state government has not fulfilled its promise for funding that should have gone to them. When they are forced to raise money, they will raise it. If we are going to deceive ourselves into thinking that this will limit how much taxes that will be raised, we are really showing our failings."



The human mind will be inventive enough to find a way of raising the money for the services that has to be provided. I happen to think that our state taxes provided by income and perhaps even those provided by the sales tax are far more equitable than those that we have raised by real estate tax at the local level. I don't know who chose to force us into more inventive systems of raising money at the local level. I, therefore, cannot support this issue and think that we are foolish if we think we are doing the taxpayers a favor by supporting it."

Speaker Matijevich: "The Gentleman from Marion, Representative Friedrich, to explain his vote."

Friedrich: "Mr. Speaker and Members of the House, if I'm reading that scoreboard right up there, there are forty-five people in this room who don't think the people have enough sense to govern themselves and are not willing to let the people put the power of government right down to the grass roots where it belongs. Now, all we're doing here is giving them an opportunity to vote on this issue, we're not passing an issue, we're not changing the Constitution, we're merely submitting to the people to let them decide. The people in my district complain about their grocery bill and other things that are going up, but at least it is going up in proportion to their income. But government is going up twice as fast as their income and this is merely going to let the people decide whether they want to limit growth of government or not. Now, are you willing to let the people decide or do you think you're so much more superior than they are? At least they were smart enough... you ought to think to send you here. Wouldn't you think they were smart enough to decide on an issue of this kind? Let them have the opportunity, that is all we're trying to do."

Speaker Matijevich: "The Gentleman from Cook, Representative Bowman, to explain his vote."



Bowman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. One of the proponents described this as a fair and equitable procedure, it is neither fair or equitable. Let me simply ask you the question, what is the most equitable kind of tax? It is a progressive tax and the key feature of progressive tax is that the proportion of taxes as collected as income rise goes up. In other words, if this thing is to ever become law of the land, we would once and for all do away with the progressive taxes of the State of Illinois and I don't think anyone of us wants to go on record as being against progressive taxation. And so, that is why I am voting against Constitutional Amendment #22. Thank you."

Speaker Matijevich: All right, the last explanation of vote, Representative Steele from Madison."

Steele: "Thank you, Mr. Speaker. I rise to explain my vote and to urge more green lights to this good Resolution. Back in 1902, taxes took only 3% of the total income of the people of state and nation. In 1950, taxes took 27% of the total income and this year in 1977, taxes are up 44% of the total income of the people. Now, the people and the working people are asking for some help against these raising taxes and I think this is an excellent way to do it and I urge that you support this good measure."

Speaker Matijevich: "Have all voted who wished? Have all voted who wished? Take the record. On this issue there are 117 voting 'aye', 45 voting 'no', 5 voting 'present' and this Resolution... the Gentleman from Kankakee, Representative Ryan, for what purpose do you arise?"

Ryan: "Verification, Mr. Speaker."

Speaker Matijevich: "The Gentleman from Kankakee requests a verification and the Gentleman from Totten requests a poll of the absentees. The Clerk will call the absentees. Before I go I'll entertain a motion to adjourn until March



1st. That's when the Governor has to give his message."

Clerk Hall: "Antonovych, E.M. Barnes, Brandt, Ebbesen, Farley, Garmisa, Laurino, Madison, McAuliffe, Peters...."

Speaker Matijevich: "Proceed with the verification."

Clerk Hall: "Adams, Anderson, Jane Barnes, Bartulis, Beatty, Bennett, Birchler, Bluthardt, Boucek, Bradley, Breslin, Rich Brummer, Don Brummet, Byers, Campbell, Capparelli, Catania, Christensen, Collins, Conti, Daniels, Darrow, Jack Davis, Dawson, Deuster, DiPrima, Domico, Doyle, Ralph Dunn, Dyer, Ewing, Flinn, Friedland, Friedrich, Geo-Karis, Getty, Giglio, Giorgi, Griesheimer, Hanahan, Harris, Hart, Hoffman, Hoxsey, Hudson, Huff, Huskey, Jacobs, Johnson, Dave Jones, Emil Jones, Keats, Kelly, Kempiners, Kent, Klosak, Kornowicz, Kosinski, Kozubowski, Kucharski, Lauer, Lechowicz, Leinenweber, Lucco, Luft, Macdonald, Marovitz, Martin, Matejek, Matijevich, Mautino, McClain, McCourt, McGrew, McLendon, McMaster, Molloy, Mudd, Mulcahey, Murphy, Nardulli, Neff, R.V. Walsh, Pechous, Polk, Porter, Pouncey, Pullen, Reilly, Richmond, Rigney, Schisler, Schlickman, Schoeberlein, Schuneman, Sharp, Shumpert, Simms, Skinner, Stanley, E.G. Steele, Sumner, Taylor, Terzich, Tipsword, Totten, Tuerk, Van Duyne, Vitek, Von Boeckman, Walsh, Wikoff, Williams, Winchester, Wolf, Yourell."

Speaker Bradley: "Questions of the Affirmative Vote? Questions, Sir?"

Ryan: "What's the count?"

Speaker Bradley: "We're starting with 117... what purpose does the Gentleman from Cook, Mr. Laurino, arise?"

Laurino: "I would like to be recorded as voting 'aye'."

Speaker Bradley: "Record the Gentleman as voting 'aye'. So, we're starting with 118."

Ryan: "Representative Bartulis."

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

Ryan: "Representative Darrow."

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



Ryan: "Representative Dawson."

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

Ryan: "Representative Deuster."

Speaker Bradley: "Deuster is not in his seat, is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Giglio."

Speaker Bradley: "Representative Giglio... is in the chambers."

Ryan: "Representative Hanahan."

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

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

Speaker Bradley: "Take him off the Roll. Here he is."

Ryan: "Representative Jacobs."

Speaker Bradley: "Representative Jacobs... he's in the chambers."

Ryan: "Representative Emil Jones."

Speaker Bradley: "Representative Emil Jones...how is the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Marovitz."

Speaker Bradley: "Representative Marovitz... is not in his.... yes, he is in the chambers... sitting next to Mr. Mann."

Ryan: "Representative Harris."

Speaker Bradley: "Representative Harris, he is not in his seat. Is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative McGrew."

Speaker Bradley: "McGrew, is sitting over on your side of the aisle."

Ryan: "Representative Madison."

Speaker Bradley: "Madison... he is not in his seat. Is he in the chambers? How is he recorded?"



Clerk Hall: "The Gentleman is recorded as not voting."

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative McLendon."

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

Ryan: "Representative Richmond."

Speaker Bradley: "Representative Richmond. How is the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Conti."

Speaker Bradley: "Representative Conti, is not in his chair. How... is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Collins."

Speaker Bradley: "Representative Collins, is in the chambers... high above us."

Ryan: "I see. Representative Schlickman."

Speaker Bradley: "Right here in front. Now, we have Mr. Harris... has returned to the chamber and will be put back on the Roll. And Mr. Richmond has returned to the chambers and will be returned to the Roll."

Ryan: "Representative Schisler."

Speaker Bradley: "Representative Schisler is in his chair."

Ryan: "Representative Sharp."

Speaker Bradley: "Representative Sharp is in his chair."

Ryan: "Representative Stanley."

Speaker Bradley: "Representative Stanley... is he in the chambers? How is the Gentleman recorded?"

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

Speaker Bradley: "Take his name off the Roll and Mr. Deuster has returned and wishes to be returned to the Roll."

Ryan: "Representative Winchester."

Speaker Bradley: "Representative Winchester... is not in his chair, is he in the chambers? How is he recorded?"



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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Yourell."

Speaker Bradley: "Yourell... is not in his chair.... he's in the chambers though over there at the door."

Ryan: "Representative Kempiners."

Speaker Bradley: "Kempiners, is not in his chair.... is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Polk."

Speaker Bradley: "Representative Polk is in the chambers."

Ryan: "Representative Porter."

Speaker Bradley: "Representative Porter.... is in the rear of the chambers."

Ryan: "Representative Skinner."

Speaker Bradley: "Representative Skinner.... is not in his chair, is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Anderson."

Speaker Bradley: "He's in the front of the chambers, middle aisle."

Mr. Skinner has returned, put him back on the Roll."

Ryan: "I have no further questions, Mr. Speaker."

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

Farley: "How am I recorded?"

Speaker Bradley: "How is the Gentleman recorded?"

Clerk Hall: "The Gentleman is recorded as not voting."

Farley: "Vote me 'aye'."

Speaker Bradley: "Record the Gentleman as voting 'aye'. McAuliffe wishes to be recorded as 'aye'. On this question we have 115 'ayes', 45 'nays' and 5 voting 'present', this motion having received the three-fifths Constitutional Majority is hereby declared passed. On The Supplemental...under



Motions appears Senate Bill 187. The Gentleman from Cook, Mr. Walsh, on the motion."

Walsh: "Mr. Speaker and Members of the House, having voted on the prevailing side, I move to reconsider the vote by which the motion to override the veto of the Governor on Senate Bill 187 be reconsidered. My reason for this frankly, Mr. Speaker, is that I erred when we considered this last week. The Bill I have found is a very worthy one and one that is indeed...one that should be passed. What it does is, that it provides that the state where a day-care center receives more than 3% of this regular population in a one-year period, that the state pay the entire cost for those persons that they put into that day-care center. This is reasonable, Mr. Speaker, because and I didn't realize this, there is some day-care centers that are funded at different levels than others. And where the state picks out a good one and one that has much local participation and puts in a great many people and that they are required... the local people are required to fund it and this certainly just plain isn't fair. So, the 3% limitation it seems to me is reasonable, the state need not spend any additional dollars if the Department of Mental Health does not, in effect, flood the day-care centers. This motion was handled, Mr. Speaker, by Representative Brady in the House, I would suspect that he would have a little bit more to say on this subject. I understand from reliable sources that the Governor has removed his objections and if the Bill was presented to him now, in effect he would not veto it. I hope my sources are reliable: but this is what I'm told. So I would therefore ask, Mr. Speaker, that you vote 'aye' on this motion in order that we can reconsider Representative Brady's motion."

Speaker Bradley: "The question is on the Gentleman's motion... I see no discussion, that he has moved to reconsider the



vote by which the motion to override the Governor's veto of Senate Bill 187 failed. The question is on the Gentleman's motion to reconsider. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. The Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, I was told previously that this took 89 votes to reconsider. I would like to be reassured by the Parliamentarian that is the case... unless someone else would like to vote for it."

Speaker Bradley: "Well, he's nodding his head...we cut it off when it got over 89, if you would like to ..."

Walsh: "Well, Mr. Speaker, my reason for raising this point is that it seems to me that a motion to reconsider takes the number of votes that it would take to pass the original motion. That being 107, I wonder if this might take 107?"

Speaker Bradley: "Have all voted who wished? The Clerk will take the record. On this question there are 112 'ayes', 20 'nays' and the Gentleman's motion prevails. Now, we will read the motion."

Clerk O'Brien: "Motion, I move that the House concur with the Senate in the passage of Senate Bill 187, the veto of the Governor notwithstanding."

Speaker Bradley: "The Gentleman from Cook, Mr. Brady, on that motion."

Brady: "Yes, Mr. Speaker and fellow Members. I'm happy here today that we are reconsidering Senate Bill 187. because I think it is an important Bill that we should be dealing with at this time. There were 95 positive votes when we ran this Bill last week, but 28 people are shown as absent. When we originally voted, we voted 136 to nothing to pass this Bill. I think because of some confusion, some people held back on the votes on that issue. I hope that confusion is cleared up. This is a Bill to help put the



deinstitutionalization of people from the Department of Mental Health. This is a Bill that will give people in Community Agencies outreach services, to help them in their processing back into society. If we are to deinstitutionalize the people in mental health, we have to go and pay the nonprofit agencies a good share to help with these services. If we overburden them without paying them and mandate that they give services, we'll take the nonprofit agencies doing this now at the present time. We need this Bill, we need this legislation and I urge your support of it now."

Speaker Bradley: "Discussion? The question is, shall Senate Bill 187 pass notwithstanding the veto of the Governor? All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 146 'ayes', 10 'nays', 2 voting 'present' and the motion having received the Constitutional three-fifths Majority prevails and Senate Bill 187 is declared passed notwithstanding the veto of the Governor. On Supplemental Calendar #1 on Motions appears Senate Bill 1261. Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. I filed a motion pursuant to Rule 31(b) in regard to Senate Bill 1261 to bypass Committee without reference to Committee. The Second Reading, Second Legislative Day. It is an emergency measure and was heard in Rules Committee today and was brought out. I would like to point out that it was.... the reason that it was brought out was to correct a misspelling of a specific drug under the Controlled Substance Act. The Bill as it came over from the Senate had other provisions in it. It was the agreement of the Sponsor, myself, that if it came out of Rules Committee and goes to Second Reading, an Amendment would be offered which stripped the Bill of every provision other than the one where it



changes.... or corrects the spelling of the drug 'etachlorvymel' and the correct spelling is 'etachlorvynol'. Now, there has been a recent court decision which gives this matter some urgency whereby a doctor in a suburb of Chicago who had excellent counsel was acquitted of forty-two counts of selling a drug which was misspelled on the Controlled Substance Act. Lest such an event should happen again there may be some other good lawyers out there when they get a client who has been selling etachlorvynol, and find it is misspelled, will free these people. So, it is of some importance that this correction be made. So, that's the basis of the motion, it is an agreement of myself as the House Sponsor of Senate Bill 1261 if this motion is adopted to offer immediately an Amendment stripping Senate Bill 1261 of each and every provision except for this one provision correcting a misspelling. So therefore, Mr. Speaker and Members of the House, I urge an affirmative vote on my motion in reference to Senate Bill 1261."

Speaker Bradley: "The Gentleman moves pursuant to Rule 31 (b) to bypass without reference to Committee and to move the Bill to Second Reading, Second Legislative Day. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 153 'ayes', no 'nays' and none voting 'present' and the Gentleman's motion prevails and the Bill is placed on the Second Order of the Calendar, Second Reading. The Clerk will read the Bill a second time."

Clerk O'Brien: "Senate Bill 1261, a Bill for an Act to amend Section of the Controlled Substance Act. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Leinenweber. Amends Senate Bill



1261 in the House on page 1 and so forth."

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

Leinenweber: "Mr. Speaker, I move the adoption of Amendment #1, which says precisely what I said it would do and, that is, it strips off each and every provision except for the correcting of a misspelling of the word etachlorvynol."

Speaker Bradley: "All in favor of the Gentleman's motion on adoption of Amendment #1 say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Third Reading. On the Calendar appears Senate Bill 1383. Under Motions on the Supplemental Calendar, the Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1383 is actually Representative Ebbesen's legislation and since he was not able to be here he contacted me and asked me to appear for him in the Rules Committee. What this Bill does is affect only one county in the State of Illinois, that being DeKalb County, where the Clerk inadvertently did not extend for the county working cash fund. And what this legislation does is basically that those counties under one thousand can extend for one more year the working cash fund. I will revert if there are any other questions to Representative Schuneman, who has also been asked to help Joe out with this particular piece of legislation. I would move that this legislation be advanced to Second Reading, Second Legislative Day."

Speaker Bradley: "Mr. Mautino, could you inform the Chair as to the status of the Bill.... just exactly where is it right now?"

Mautino: "The Bill was sent out of the Rules Committee this morning and assigned to the County Townships Committee and motion carries the County Township Committee asking

for Second Legislative Day."

Speaker Bradley: "Okay, it is a motion to discharge the Committee.

All in favor of the Gentleman's motion will signify by voting 'aye', opposed..... the Gentleman from Cook, Mr. Epton."

Epton: "Mr. Speaker, will the Gentleman yield?"

Speaker Bradley: "He indicates that he will."

Epton: "Not that I question Representative Mautino's integrity but I was apprehensive about this. So, I check with Representative Ebbesen and he told me... I wonder if you would respond, he told me he never heard of Representative Mautino, would you care to respond to that?"

Mautino: "Yes, I care not to respond."

Epton: "Oh, well I guess he was ill and I'll forget his answer."

Mautino: "Thank you."

Speaker Bradley: "Further questions of the Sponsor. The question is on the adoption of the Gentleman's motion to discharge a Committee. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 145 'ayes', no 'nays' and the Gentleman's motion is adopted and the Bill is advanced to Second Reading, Second Legislative Day. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1383, a Bill for an Act to amend Sections of the Downstate County Workers Cash Fund Act. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Bradley: "Third Reading. Under the Calendar appears Senate Bill 1387, discharge Labor and Commerce, advanced to Second Reading, Second Legislative Day. The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you again, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1387 was voted out of the



Rules Committee this morning and placed in the Labor and Commerce Committee. My motion is to discharge the Labor and Commerce Committee and advance to Second Reading, Second Legislative Day. This legislation, 1387, was a result of drafting errors in Senate Bill 1019 when we passed it during the summer and it was signed by the Governor. In that legislation, it was the intent that the state's average weekly wage be used in lieu of the manufacturing wage. It was changed in a few places, it remained unchanged in a few other places. So, this legislation corrects and puts it into conformity that the state average weekly wage will be used for the basis of workmen's compensation."

Speaker Bradley: "The Gentleman moves the discharge of Labor and Commerce. The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Mr. Speaker, I rise in support of this motion. I recall the day the Governor signed Senate Bill 1019 that there was discovered and Representative Mautino was making good on a promise, which was made at that time to correct this legislation. So, I urge support of the motion."

Speaker Bradley: "All in favor of the Gentleman's motion will signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? The Clerk will take the record.

On this question there are 156 'ayes', 1 'nay' and the Gentleman's motion is adopted and the Labor and Commerce Committee is discharged from Senate Bill 1387 and it is placed on Second Reading, Second Legislative Day and the Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1387, a Bill for an Act to amend the Workmen's Compensation Act. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. On the House Calendar Supplemental



I under Motions appears Senate Bill 1388. The Gentleman from Franklin, Mr. Hart, what purpose do you rise?"

Hart: "To introduce a former colleague and a great Democrat. My candidate for Lieutenant Governor, Chuck Keller from Effingham."

Speaker Bradley: "Senate Bill 1388, the Gentleman from Fayette Mr. Brummet."

Brummet: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill was voted out of the Rules Committee and it is for an easement for a school district down at Maryville, in Madison County. They have an EPA sewer project going for three hundred and nine thousand dollars and all they need is an easement through the CDP. And this is okay with CDP to give them this easement. It would save the school the cost of about a thousand feet of sewage and also a lift station in the former operation of a lift station. It is very important that we get this through because we've got a time element that enters into this and I move that pursuant to Rule 31(b) we advance it to Second Reading, Second Legislative Day. We have approval from both sides of the aisle."

Speaker Bradley: "Discussion on the.... the Gentleman moves to advance Senate Bill 1388 to Second Reading, Second Legislative Day. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 152 'ayes', no 'nays' and none voting 'present' and the Senate Bill 1388 is advanced to Second Reading, Second Legislative Day. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1388, a Bill for an Act authorizing the Capital Development Board to grant a sewage easement to certain real property in Madison County. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor?"



Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Under Motions appears Senate Bill 82, the Gentleman from Rock Island, Mr. Polk. Is Mr. Polk here? We want it duly noted that we called it. Mr. Katz, for what purpose do you arise, Sir?"

Katz: "With leave of the House, Mr. Speaker, I'll present it for Mr. Polk. He appears to be...."

Speaker Bradley: "Proceed, Sir."

Katz: "Yes. Senate Bill 82, is a Bill that....."

Speaker Bradley: "Mr. Katz, just a minute. Are there objections to Mr. Katz presenting Senate Bill 82 for Mr. Polk? Hearing no objections... it was a written motion that was brought to the Clerk's desk. It is on the Order of Motions. It is a written motion brought to the Clerk's desk."

Unknown: "Is it on the Calendar?"

Speaker Bradley: "It is not on the Calendar."

Unknown: "I object."

Speaker Bradley: "There are objections....fine. It's alternative that Mr. Katz, to suspend the rule if you wish to desire it to be on the Calendar."

Katz: "No, just wait until tomorrow, Mr. Polk will be here then, Mr. Speaker."

Speaker Bradley: "I think that would be a.... at that time you will be eliminated on the ability to pass the Bill."

Katz: "Yes, I'm aware of that, Mr. Speaker, but it could be put into position when it could be passed when we return in January."

Speaker Bradley: "All right, on the Calendar.....Total Veto Motions, Mr. Hart on 281. Did you wish to call Senate Bill 281....out of the record. Senate Bill 413, Mr. Richmond. Senate Bill 1012, Mr. Mautino, do you wish that called? 1012... it's on Postponed Consideration, Total Veto Motion. It is out of the record. Mr. DiPrima, on..... out of the record. Before we leave the Regular Session, is there anything that anybody would like to have



called that they have on the Calendar on the Regular Session? All right then.... what purpose does the Lady From St. Clair, Mrs. Younge, arise?"

Younge: "I rise to move that the posting rules for six and a half days be suspended to permit the hearing of Resolution... House Resolution 539 tomorrow morning at the Executive Committee... Subcommittee on Resolutions."

Speaker Bradley: "You need unanimous consent to suspend that particular rule....she is making the motion to suspend the rule and Mr. Ryan... you object? The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker. Yes, this comes as a total suprise to me and I do object."

Speaker Bradley: "The Gentleman objects, Mrs. Younge, and we do not have unanimous consent to suspend the rules. Next order of business.... before we leave....now, there is nothing else that anybody wants to call on Regular Session? We'll come back to....we will recess the Regular Session into the Call of the Chair....we will stand in recess.... the Regular... Mr. Giorgi moves that the Regular Session recess until the Call of the Chair. Mr. Kempiners, is yours in the First Special Session? Well, we recess the Regular Session and we will call the....we recess the Regular Session and we will convene the First Special Session. Mr. Giorgi moves that the Attendance Roll Call for the Regular Session be used for the Attendance Roll Call of the First Special Session. All in favor of the Gentleman's motion say 'aye', opposed 'no'. The 'ayes' have it. Approval of the Journals, Representative from Cook, Mr. Madigan."

Clerk O'Brien: "Journals for Thursday, November 8, 1977. The House met pursuant to adjournment."

Speaker Bradley: "The Gentleman from Winnebago, Mr. Giorgi, do you have the Journal Motion, Sir?"

Giorgi: "Yes, Sir. I move that we dispense of the reading of the



Journal and the Journal number 7 of November 8, 1977.
Journal #8, November 9, 1977 and Journal #9 of November
16, 1977, be approved as read."

Speaker Bradley: "All in favor of the Gentleman's motion signify
by saying 'aye', opposed 'no'. The 'ayes' have it and
the Gentleman's motion is adopted. On the Calendar under
Supplemental, the First Special Session appears Senate Bill
12. Supplemental Calendar, Senate Bill, Second Reading,
Senate Bill 12."

Clerk O'Brien: "Senate Bill 12, a Bill for an Act in relation
to provision of certain services for States Attorney.
Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Bradley: "Third Reading. On the Calendar in the First
Special Session....that's all the business that I see
that we have to attend to. Are there anybody on the floor
that wants to move anything in the First Special Session?
Then the First Special Session...the Gentleman from
Will, Mr. Davis."

Davis: "Thank you, Mr. Speaker. I would like to move under
the motion, First Special Session House Bill 7."

Speaker Bradley: "Under motions, First Special Session appears
House Bill 7, Mr. Davis moves to discharge Judiciary II
and advance to the Order of Second Reading, Second Legislative
Day. On that motion the Gentleman from Kankakee, Mr.
Ryan."

Ryan: "Will....could we have a little explanation of what that
is, Mr. Speaker?"

Speaker Bradley: "Mr. Davis."

Davis: "Yes, I would be delighted to do that. I've got a little
something prepared for you. I'm a firm believer, Re-
presentative Ryan, in the Committee System and support the
motion of strengthening that system to deal with our ever
increasing flood of legislation in Committee rather than



a Committee as a whole. However, there are times when the composit makeup of a Committee either philosophically, professionally can prohibit the release from Committee of a Bill that would seem to have widespread support beyond the scope of that Committee's decision to pass or to do not pass. The simple circumstance of numbers and our extraordinary majority rules in Committee often precludes legislation from being reported from Committee due to the lack of attendance in Committee hearings because of the press of other legislative business, particularly in the closing days of the Session. I believe House Bill 7 is a measure that may have been caught up in facets of all the above. House Bill 7 is a simple Bill, it will allow the state the right to a jury trial in a criminal action by requiring the state to affirmatively consent to a defendant jury waiver in writing. This procedure has been operating in Federal Courts for a great number of years and it has been codified in the U.S. Supreme Court Rule 23 (a). Although our sister states have adopted by statute and by Constitutional authority the same provision in House Bill 7 seeks. I'm making my first discharge request on the grounds that while the hearings and testimony on the Bill were extensive and the vote affirmative, 8 to 7 on both occasions in which the Roll Call was taken, that this measure truly deserves the attention of this entire Body due to its intent widespread support. A lot violate or abuse the rule limiting debate.... debate for the motion by debating the Bill. I would just plead with you to support the discharge motion so that the debate on the question can convince you of the necessity and of the wisdom of passing House Bill 7 through this House. And demonstrating once again that the collective decision of the Illinois House by reason... proper and wise. I would urge your 'aye' vote on the discharge of the motion."



Ryan: "Well, thank you, Representative Davis and I certainly concur in everything that you said and support you in House Bill 7."

Davis: "Thank you, Sir."

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

Katz: "Mr. Speaker, I rise in opposition to the Gentleman's motion. It is perfectly apparent that we will just be wasting time, first of all the matter has been heard in Committee. Did not pass out of Committee. We will be going out of Session tomorrow, I don't know why the Gentleman thinks that spending lots of time tomorrow to keep the House in Session makes any sense. Because even if the Gentleman prevailed, it would die with the Special Session. We would simply be wasting time unnecessarily and I would very strongly urge that the timing of this Bill is not appropriate to discharge the Committee at this point. It has had a fair hearing and I would urge a negative vote."

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

Schlickman: "Well, Mr. Speaker and Members of the House, I join with the Chairman of the Judiciary Committee in opposing this motion. This is a Bill that was fairly considered by the Committee, it simply fell short of the votes needed for reporting out. I think in bringing up the motion at this time the Sponsor of the Bill...the movement... whom I very much respect, is unduly imposing this House at a critical time. And I urge a 'no' vote on this motion to discharge the Committee."

Speaker Bradley: "The Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to speak in favor of the motion because it relates... the opportunity of the states after a jury trial as well as the defendant. I think that people in Illinois are entitled to protection and I think it is a good motion and relates to a good Bill. I think we should give him the votes."



Speaker Bradley: "The Gentleman from DuPage, Mr. Daniels."

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

I am a Member of the Judiciary Committee and was present when this Bill was heard. Unfortunately, I don't think we had enough Members in that Committee to give it a fair hearing in the sense of attendance only. I'm not frightened or scared about the fact that we might be kept in Session a few hours longer on this most important piece of legislation. Any of us who have been connected with prosecution in the past know about the need and the importance of having the right of the state to also insist upon a jury trial. I think it is a good Bill, I think that we ought to support the motion and I happily will join in an 'aye' vote."

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

Leinenweber: "Mr. Speaker, the last Gentleman really said it all. This Bill was called late in the game and there were only thirteen Members present.... it would have taken that many to get it out. Everybody knows the makeup of the Judiciary Committee. If you want to get a Bill out, two of you have to have every single Member there. So, I think this motion is well founded and we should support it."

Speaker Bradley: "Mr. Davis, do you wish to close the debate, Sir?"

Davis: "Only by urging you to vote 'aye' on the motion to discharge. I realize the untimeliness; but I think if we do discharge this and hear it on Third Reading, debate the Bill, we can send a message to the Senate and the people of Illinois....that we are wisely and properly and reasonably considering this important piece of legislation. Please vote 'aye'."

Speaker Bradley: "The question is, shall the House discharge House Bill 7 from the Judiciary II Committee and advance to



the Order of Second Reading, Second Legislative Day. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Mr. Skinner, did you wish to be called upon, Sir?"

Skinner: "Going straight. There is a reason for voting 'yes' whether this is going to be considered in the Senate or not, it is another way in giving a message to Judge Frank Wilkins that some of us are willing to take him off the hook by allowing the District Attorney to ask for a jury. So, that a Judge can't make a measurable decision like he did and let a reputed syndicate killer lose."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? Mr. Davis, the Gentleman from Will."

Davis: "Thank you, Mr. Speaker. To explain my vote and request another five...six 'aye' votes up there to discharge this Committee. We'll not take a lot of time with this Bill, we're not going to keep you on Thanksgiving. The Bill has been debated extensively and I know there is going to be some sufficient opposition to it from some Members of the Judiciary II Committee but I can only convince you that I won't take up a lot of your time. I know that some of my supporters will speak to it that are on that same Committee but, for God's sakes, let's hear this Bill. This is important, folks."

Speaker Bradley: "Have all voted who wished? All voted who wished? The Clerk will take the record. On this question there are 87 'ayes', 44 'nays' and the motion having failed to re.... the Gentleman from Will, Mr. Davis."

Davis: "Is it in order to poll the absentees, Mr. Speaker?"

Speaker Bradley: "The Gentleman requests a poll of the absentees. What purpose does the Gentleman from Cook, Mr. Katz, arise?"

Katz: "Just so Mr. Davis understands there will be a verification if there are 89 votes."

Speaker Bradley: "Poll the absentees."



Clerk O'Brien: "Antonovych, Beatty, Bradley, Brady, Don Brummett, Byers, Caldwell, Chapman, Dawson, Domico, John Dunn, Ebbesen, Farley, Flinn, Getty, Hanahan, Jacobs, Jaffe, Emil Jones, Kane, Kornowicz, Kosinski, Kozubowski, Laurino, Lechowicz, Lucco, Madison, Peggy Smith Martin, Matijevich, McGrew, Murphy, Pierce, Schisler...."

Speaker Bradley: "Mr. Davis, for what purpose do you arise, Sir?"

Davis: "Well, Mr. Speaker, it is pretty obvious that people are leaving the chamber. I don't think a verification would abstain, and frankly, I'm not going to tie up this House for the further polling of the absentee. This Bill will come back, I would like at this point unanimous leave of the House to put the Bill in Interim Study in Judiciary II."

Speaker Bradley: "Just a minute, Mrs. Dyer, for what purpose do you rise?"

Dyer: "Mr. Speaker, before that is done I would really like... I'm recorded as being 'present' and I would like to be recorded as voting 'yes'."

Speaker Bradley: "Record the Lady as voting 'aye'. Now, Mr. Davis has requested this Bill be placed in Interim Study... is that correct? Mr. Davis...."

Davis: "I've been corrected. It is a First Special Session Bill and that's not possible obviously to do that."

Speaker Bradley: "That's probably true. You can reintroduce it next spring."

Davis: "Oh, it will be."

Speaker Bradley: "On this question then we have 88 'ayes' and 44 'nays' and the motion fails. Further....anything else on that First Special Session, if not the First Special Session, will stand in recess until the Call of the Chair. We will go to....call to order the Second Special Session and Mr. Madigan moves that the Roll Call vote for attendance for the Regular Session will be used for the



Roll Call vote in the First Special Session, Second Special Session. All in favor of the motion signify by saying 'aye', opposed 'nay'. The 'ayes' have it and the motion is adopted. Approval of the Journal, Representative Giorgi."

Giorgi: "I move that we dispense with the reading of the Journal. Journal #7 of November 8, 1977. Journal #8 of November 9, 1977 and Journal #9, November 16, 1977, be approved as read."

Speaker Bradley: "The Gentleman moves the adoption or the approval of the Journals....all in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Gentleman's motion is adopted. On the Calendar in the Second Special Session appears the..... House Bill 14, the Gentleman from Macon, Mr. Dunn."

Clerk O'Brien: "House Bill 14, a Bill for an Act relating to counties and municipal jails. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Bradley: "Any motions regarding Amendment #1?"

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

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

Schlickman: "Did you say that we're in the Second Special?"

Speaker Bradley: "We're in the Second Special Session, House Bills, Second Reading on page 2."

Schlickman: "House Bill 14?"

Speaker Bradley: "House Bill 14. It's a wrong description, there is an 'a' in front of it but that's House Bill 14."

Schlickman: "I'm sorry, we don't have a synopsis and I don't have the Bill here. What does this Bill do?"

Speaker Bradley: "Mr. Dunn and Mr. Tipsword, who would like to...."

Dunn: "Thank you, Mr. Speaker. This is a Bill that was considered last week in the House Executive Committee and it is a Bill which would authorize each of those counties who are mandated by the Illinois Department of Corrections to make improvements in their county jails...either in the



juvenile or adult facilities to apply to the Department of Corrections and the Capital Development Board jointly for a grant. And there is a Companion Appropriation Bill which would appropriate bonds for the purpose of these grants. This Bill, as I say, was considered and heard in Executive Committee last week and brought to the floor and I would like to see it advanced to Third Reading."

Speaker Bradley: "The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, the description that appears in the Calendar is an erroneous description describing a Bill from another Session."

Speaker Bradley: "The Gentleman from Kane, Mr. Waddell, do you seek recognition?"

Waddell: "Yes, would the Sponsor yield? He gave a description of the Bill, now what does the Amendment do?"

Speaker Bradley: "Mr. Dunn."

Dunn: "The Amendment was technical in nature and the purpose of the Amendment which was adopted by the House Executive Committee was to clarify the Bill to make certain that it was very clear that the grant could only be made for capital improvements. As I think everyone can understand the Department of Corrections may mandate changing the sheets on the beds, you know, every so often which is obviously an non capital item and you cannot provide bonding authorization for that. So, the purpose of the Amendment was to clear up any ambiguity with regard to that in the Bill and make certain that any bonding authorization would be only for capital items."

Speaker Bradley: "The Amendment was adopted, were there further Amendments from the Committee? The Gentleman from Cook, Mr. Schlickman."

Schlickman: "I rise on a point of order, Mr. Speaker."

Speaker Bradley: "State your point."

Schlickman: "I think that it is inappropriate to read this Bill inasmuch as it does not appear on the Calendar."



Speaker Bradley: "Does not appear where, Sir?"

Schlickman: "Does not appear on the Calendar."

Speaker Bradley: "It is described incorrectly by A-14, that was an error. It is supposed to be House Bill 14 on page 2, Second Special Session."

Schlickman: "Well, that's not the Bill that is being read for a second time. And I would suggest, Mr. Speaker....."

Speaker Bradley: "When the description is wrong....the description is wrong on the Calendar, House Bill 14 is the proper Bill number for the Bill that is being introduced. The description is wrong on the Calendar."

Schlickman: "Well, Mr. Speaker, I respectfully suggest that we have rights and one of the rights is to be informed and also have the opportunity to respond to proposed legislation. Now, the Bill that you want to read for the second time would appropriate fifty million dollars in Capital Development Bond Funds to the Capital Development Board for grants to local units of government. Now, I would like a fiscal note...now, how would I be able to ask for a fiscal note when there is an incorrect description of the Bill..... in fact, Mr. Speaker, a description of a Bill that was not in the Regular Session."

Speaker Bradley: "Just a minute...the Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker. I would like to point out that the Bill which contains the appropriation for the bonding and authorization is, in fact, House Bill 15 in the Second Special Session and that Bill too was approved by the House Executive Committee last week and was rereferred to the House Appropriation Committee. So that Bill will follow the normal course of events and will be sent to the House Appropriations Committee. This Bill, House Bill 14, is the substantive enabling legislation. Mr. Speaker, to avoid any confusion, if I may I'll take this out of the record for the time being."



Speaker Bradley: "The Gentleman takes it out of the record. Anything else on the Second Special Session that wants it to be called? If not, the Second Special Session will stand in recess until the call of the Chair....we will reconvene the Regular Session. The House..... Resolutions."

Clerk O'Brien: "House Resolution 542, Kelly, 543, Beatty, 544, Jack Davis, 545, Kornowicz, 546, Lynn Martin, 547, Waddell, 548, Waddell, 549, Waddell, 550, Waddell, 551, Waddell, 552, Emil Jones, 553, Don Brummet, 554, Byers, 555, Brummer and 556, McGrew, 557, Lauer, 558, Geo-Karis, 559, DiPrima, 560, Geo-Karis, 562, Peters."

Speaker Bradley: "Representative Giorgi."

Giorgi: "542 by Representative Kelly celebrates Mr. & Mrs. Huizenga's 50th wedding anniversary. 543 by Beatty notes that Brother Murphy has served the congregation of Christian Brothers for 50 years. 544 by Davis Harold, the 90th birthday of William Biesterfeld. 545 by Kornowicz notes that the Argo Public Library reached its 60th birthday. 546 by Lynn Martin, Simms and Giorgi, records that Margie Sturgis Excalibur Award. 547, Waddell, recognizes that John Sullivan who made a total of 202 tackles for the University of Illinois this year."

Speaker Bradley: "Is that all of the Agreed Resolutions...you've got some more?"

Giorgi: "Representative Kenny Meyers...."

Speaker Bradley: "Can the Gentleman have some attention please."

Giorgi: "548 by Waddell marks the Elks Lodge 75th anniversary. 549 by Waddell informs the House that Mike Danahey is the finalist in the writing competition. 550 by Waddell honors the Future Farmers of America. 551 by Waddell signals the four members of the faculty of 156 years of veterinary practice. 552 by Emil Jones says that Frances Lauward of the Chicago Transit Authority worked there for 35 years. 553 by Brummet eulogizes Loogootee Church. 554



by Byers, the 50th wedding anniversary of Adolph Henry Seger. 555 by Brummer tells of Ada Favreau 100th birthday. 556 by McGrew puts on the record that Mrs. Nancy Beatty earned the title of Miss Illinois of '77. 557 by Lauer measures the 37 years of public service by Virgil Forden of Petersburg. 558 by Geo-Karis, Dr. Vern L. Zech for 15 years dedicated service. 559 by DiPrima talks about Mr. & Mrs. Hector Calovincenzo on their 50th wedding anniversary. 560 by Geo-Karis finds that the Lake County Chapter of Military Purple Heart has served Luckow from 1952; and 562, Peters, bestows on Michael Rydzinski an Eagle Scout award and Lechowicz honors John Madigan '78. I move the adoption of the Agreed Resolutions."

Speaker Bradley: "The Gentleman moves the adoption of the Agreed Resolutions. All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The Lady from Cook, Mrs. Catania, on the Gentleman's motion on the Agreed Resolutions."

Catania: "Well, thank you, Mr. Speaker. Somewhere about the middle of that I thought I heard something about Adolph Hitler.... It is very difficult to hear what the Agreed Resolutions are about over here and we've had some slide though lately that had no business being...."

Speaker Bradley: "No, I was already...."

Catania: "While others being sent to the Committee on Assignment of Bills."

Giorgi: "Everyone of these Resolutions are noncontroversal and I have already been alerted by the girl that came back from Houston to watch.....fingers."

Catania: "Well, I don't know if you signed any girls from your district but I would love to check your judgement Representative Giorgi. You're assuring me that everything in this is totally noncontroversal and there is nothing about Adolph Hilter, right?"

Giorgi: "On my word of honor."



Catania: "Thank you so much, Representative Giorgi. Thank you Mr. Speaker."

Speaker Bradley: "I don't think Mr. Giorgi would do anything with the Agreed Resolutions without clearing with the Leadership on your side of the aisle. All in favor of the Gentleman's motion say 'aye', opposed 'no'. The Agreed Resolutions are adopted. Now, the Gentleman from Cook, Mr. Katz."

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

Speaker Bradley: "Wait a minute, Mr. Katz. Pardon me, Mr. Katz. Further Resolution."

Clerk O'Brien: "House Resolution 541, Dyer."

Speaker Bradley: "Committee on Assignments. All right, now we're back in the out Calendar Regular Session. We took care of everything in the Regular Session..... The intention of the Chair is to....we have a Supplemental Calendar coming out, Mr. Katz has an announcement and we'll try and move..... Introduction, First Reading."

Clerk O'Brien: "House Bill 2544, Cunningham, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill."

Speaker Bradley: "I would suggest that the Members don't move too far away."

Clerk O'Brien: "House Bill 2545, Johnson, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2546, Johnson, Kosinski, a Bill for an Act to amend Juvenile Court Act. First Reading of the Bill. House Bill 2547, Johnson, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2548, John Dunn, Skinner. A Bill for an Act to require all railroad companies operating in this state to furnish informational guides to locomotive engineers and train crews the identity of hazardous material. First Reading of the Bill. House Bill 2549, DiPrima, a Bill for an Act to amend the School Code. First Reading of the Bill."



Speaker Bradley: "The House will stand at ease for one minute. For what purpose does the Gentleman from Cook, Mr. Keats, arise?"

Keats: "Thank you, Mr. Speaker, I wanted to say the most common sensible thing of the evening....I move that we adjourn."

Speaker Bradley: "We can't recognize him for that. The Gentleman from Cook, Mr. Katz."

Katz: "Mr. Speaker, when the House comes in, in the morning it will be considering an extensive Amendment that is on your desk to House Bill 1500 as the Speaker is anxious that those Members who would like to hear some testimony with regards to the Bill have the opportunity to do so without obligating anyone else to remain. What I would propose, Mr. Speaker, is to suspend the appropriate rule and permit the House to go into a Committee of the Whole to consider the general subject that is embraced within House Bill 1500. There will be no action taken other than the hearing of testimony and the answering of any questions. No Member need be here unless that Member would like to be more fully advised concerning the contents of House Bill 1500, since it is anticipated that the Bill will be back from the Senate later tonight and will be heard in the House in the morning. Accordingly, Mr. Speaker, I would move the suspension of the appropriate rule so that House Resolution 561 might be heard at this time."

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

Walsh: "Mr. Speaker, I object vehemently to the Gentleman's motion. There is nothing before this House at this time, there can be nothing before a Committee of this House at this time and I suggest that what the Gentleman is proposing to do is to use this chamber as a form for whatever purpose he has in mind. That is a rule that should not be suspended ever and could lead to very, very serious consequences. If the Gentleman wants to have a meeting with a group of friends, I suggest that the Speaker assign

him a room downstairs for that purpose."

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

Schlickman: "Well, I join the Gentleman from Cook in objecting to this extraordinary motion. And not only do I do it for the reason that the previous spoker gave....the previous speaker gave, but I also call to the attention, Mr. Speaker and Members of the House, that this motion does not appear on the Calendar."

Speaker Bradley: "The Gentleman from Cook, Mr. Peters. Your light is flashing, Sir, we don't want to overlook anybody. The Lady from Lake, Mrs. Geo-Karis, on a point of order. State your point."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, that we're throwing numbers around but I don't what 561 relates to. Can someone tell us?"

Speaker Bradley: "561?"

Geo-Karis: "Yes, Sir."

Speaker Bradley: "The Gentleman has filed House Resolution 561, be it resolved by the state of the House of Representatives of the 80th General Assembly of the State of Illinois that the House do now resolve itself into the Committee of the Whole in order to consider testimony and discuss pending legislation as subject of House Bill 1500 and all Amendments offered thereto. Now, the Gentleman from Cook, Mr. Katz."

Geo-Karis: "Mr. Speaker, I'm not finished."

Speaker Bradley: "I'm sorry."

Geo-Karis: "561, is that Resolution, is that correct? I saw a copy of Amended Bill 1500, House Bill 1500 and I thought it was on an concurrence situation. Is that right or not?"

Speaker Bradley: "State that question....you thought what?"

Geo-Karis: "Wait just a minute, Mr. Speaker....I have here a Senate Amendment to House Bill 1500 and whether it is Class X or not is fine but what I'm trying to find out.... is 1500 going to be heard by this General Assembly on a concurrence situation or is the Gentleman on the other



side wanting to sponsor a motion....."

Speaker Bradley: "This is not the.... intent of concurring because we don't have it over here. We would simply be... from discussion.....if the Chair is wrong, Mr. Katz can ret....."

Geo-Karis: "House Bill 1500 was already....gone through this House and into the Senate and I understand was amended. Therefore, the Amendment should be coming back here for concurrence, isn't that so?"

Speaker Bradley: "That is correct. And presumably it will come back here.... that's why, I assume that's why he is asking for adherence because of the importance of the Bill. The Gentleman from DuPage, Mr. Daniels."

Daniels: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I commend the Chairman of the Judiciary Committee for bringing this motion before the House. In view of the fact that many Members of the Judiciary Committee requested a hearing an opportunity to listen to the contents of House Bill 1500 as amended in the Senate. I think it is a very important piece of legislation, had the previous speaker had been in Committee today she would have heard the reasons and necessity of this motion."

Speaker Bradley: "The Gentleman from Lake, Mr. Matijeovich."

Matijeovich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I'll go along with this because I think this extraordinary type of action is necessary because the rule is completely amended, it is a new Bill and will not have a Committee hearing. The purpose of this motion is so that any Member who so desires....who so desires can learn about the Bill as amended. I have a feeling that they can propably hold it in a telephone booth because there won't be that many Mem- bers who stick around. But at least this motion allows those who do wish to know the contents of the Bill as amended, can stick around and learn whatever they can from this Bill. And therefore, I think, although it is extra-



ordinary. It is because of the controversy that has been generated because of the publicity on this measure....that I commend the Sponsor of the motion, I commend the Judiciary Committee and therefore, I think we ought to support Representative Katz and this extraordinary measure."

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

Schlickman: "Well, Mr. Speaker, we have raised a point of order previously...."

Speaker Bradley: "What's your point?"

Schlickman: "Number one, House Bill 1500 is not within the control of the House. Consequently you cannot have a Committee hearing of any sort on this Bill. Number two, this motion of Resolution does not appear on the Calendar and I object."

Speaker Bradley: "I don't know to which rule you are referring to that....the Gentleman cannot move to suspend the rule without having it on the Calendar. It's a Resolution and he can make that motion and he has made that motion in writing."

Schlickman: "But, Mr. Speaker, no Committee can hear any Bill of which it has no control."

Speaker Bradley: "I don't think they are hearing the Bill at all. I think the Gentleman....well, Mr. Katz, straighten me out if I'm wrong, but it is a discussion of the subject matter in Senate Bill 1500. Mr. Katz, is that correct?"

Schlickman: "Well, Mr. Speaker...."

Speaker Bradley: "I believe that we have precedent, I think we did this with unemployment comp...."

Schlickman: "Well, Mr. Speaker, I would suggest that we can get ourselves out of this bind simply by following a suggestion made earlier. For the Speaker to assign one of the hearing rooms for Mr. Katz and others to describe to which ever Members that are interested what they want."

Speaker Bradley: "I think we can resolve the issue by putting it to a vote and we're going to have to have a vote on it



anyway. Now, the Chair would like to say, if the vote... yes and if the vote does prevail that we will have a few minutes, Mr. Katz, to move through the First and Second Special Session to take care of some business then come back and we will not.....move and to resolve by sending it to Committee of a Whole. If this does in fact prevail, so the question is on the adoption of House.....I'm sorry, it is to suspend the rules. The question is on the suspension of the rules for the immediate consideration of House Resolution 561. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? The Gentleman from Cook, Mr. Katz....if somebody would please vote my switch back there to green I would appreciate it."

Katz: "Mr. Speaker, I didn't have a chance to close.....may I do so?"

Speaker Bradley: "I'm sorry, Sir, you certainly may."

Katz: "Mr. Speaker, House Bill 1500 is a complicated Bill, it will be over in the morning. We were affording an opportunity for all Members who were interested to hear tonight about what the Senate Amendments are. They have a chance to question people which they wouldn't have a chance to do tomorrow. If this House prefers not to have an opportunity then this House may do so, no one would be inconvenienced. Mr. Schlickman himself was given a chance this afternoon to question persons and to hear more about the Bill. I think that ought to be open to every Member of this House. This is one of the most serious Bills that this General Assembly will have considered in the last dozen years. I think it is worth at least for those people who want to hear it, an opportunity to question witnesses and an opportunity to hear what the Bill is about because tomorrow there will be one quick vote on concurrence. And the Members before they cast that vote might like to know the details of the Bill as it will be if they vote for or against



concurrence. Accordingly, I would urge the Members of the House to support this Resolution to suspend the rules so that others might have the opportunity to hear if they want to, but if they don't, the matter will be coming up tomorrow and it will be considered in a normal course."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question we have 71 'ayes', 18 'nays' and the Gentleman's motion fails. Now, it is the intent of the Chair....announce the intention of the Chair that....so, we can receive messages from the Senate we're going to probably recess the House to the call of the Chair so we will be in the position to receive messages from the Senate with the intention coming in tomorrow morning, at approximately 9:30, we'll announce that for sure but....we will stay in recess. We have one other piece of legislation that we would like to deal with. One that Mr. Dunn has on Supplemental in the First Special Session. So, we will now recess the Regular Session to the call of the Chair and we will reconvene the Second Special Session and on the Calendar Supplemental #2, on the Second Special Session appears House Bill 14. Read the Bill a second time."

Clerk O'Brien: "House Bill 14, a Bill for an Act relating to county and municipal jails. Second Reading of the Bill, Amendment #1, was adopted in Committee."

Speaker Bradley: "Any motions or Floor Amendments?"

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

Speaker Bradley: "There is a fiscal note filed. Amendments from the floor?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "The Gentleman from Macon, Mr. Dunn for a purpose of a motion."

Dunn: "Well, Mr. Speaker and Ladies and Gentlemen of the House. As I explained earlier, this is a two Bill package. We



have before us only the substantive legislation, there is a companion Appropriation Bill and it has been the custom and practice in this House that were there is such a package, where a substantive legislation is in one Bill and the appropriation is in another and the appropriation is proceeding in a normal course of events as this one is, House Bill 15 is proceeding having come out of House Executive Committee and being reassigned to House Appropriation Committee where it will be considered. There is really no need for a fiscal note on House Bill 14 and I would request that the Sponsor withdraw his request for a fiscal note, or that the House determine that no fiscal note is required on House Bill 14 in the Second Special Session because there is a companion Appropriation Bill which is alive and pending and before the House Appropriation I, Appropriation Committee."

Speaker Bradley: "The Gentleman from Peoria, Mr. Mudd, for what purpose do you arise, Sir?"

Mudd: "Mr. Speaker, I would like to have a ruling on this Bill and especially on the fiscal note request. The Bill itself spells out what the legislation calls for in the way of dollars and I feel that the fiscal note contains in the legislation itself and request a ruling from the Chair."

Speaker Bradley: "The Chair has ruled prior to this with a substantive Bill and a fiscal....Appropriation Bill coming later that it was not necessary that a fiscal note apply in this particular case. And so, the Chair would so rule so that we might be constant. The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Respectfully suggest, Mr. Speaker, that you don't have the authority to determine whether or not a fiscal note is appropriate. That lies with the House and the Membership and the rule."

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



Mudd: "To further state that I know that Mr. Schlickman wouldn't be involved in anything dilatory here just to hold the Bill for fiscal note...."

Schlickman: "Yes, I would."

Mudd: "Well, then....by his own admission his tactic was dilatory, so I would ask you to move on that."

Speaker Bradley: "Mr. Dunn, you've made a....what was your motion, Sir?"

Dunn: "Mr. Speaker, I request that the House determine that no fiscal note is required at this time on House Bill 14 because there is a Companion Appropriation Bill....alive and well."

Speaker Bradley: "I think I have already ruled on that motion that a fiscal note is not required."

Dunn: "Then I request that this Bill be moved to Third Reading."

Speaker Bradley: "Third Reading. Mr. Ryan."

Ryan: "Well, Mr. Speaker, I would suggest that the Committee on the Assignment of Bills do their duty according to Rule 31(e), and that is, to refer this Bill to the Revenue Committee where it belongs."

Speaker Bradley: "The House Bill was already on Second Reading on the Supplemental Calendar #2 and we moved it to Third Reading and that is where it is now, it's on Third Reading. It's not in the jurisdiction of assignments...."

Ryan: "Well, it is apparently under the rules, Mr. Speaker, in Rule 31(e). The Bill....any Bill that affects directly or indirectly the revenues of the state are to be referred to the Committee on Revenue and this Bill has never been there."

Speaker Bradley: "I think the Chair, in order to be consistent, will have to stand by its ruling. I think we ruled and did the same thing with your Bill...correction Bill to build correctional facilities in the State of Illinois. Exactly the same tact was taken at that time and the assignment sent it to Executive....reported favorably and



it was never really referred to revenue and we moved it wrong and we made that decision that....ruling, Mr. Ryan, last spring on a number of occasions. And so that's the position that we're in with this piece of legislation. So, we moved it to Third, so the Bill is on Third Reading now. We will recess the Second Special Session to the call of the Chair and we will recess to a Perfunctory Session and the Regular Session....we recess....we didn't adjourn any of them, we recessed the Second Special Session at the call of the Chair. Now, we're going to stand in..... So, the position we're in, all three Sessions are recessed to the call of the Chair. The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker, I'm a little worried about the manner in which you stated your reason. Although I think you were absolutely correct in the last Special Session, because I think that gets into the record, it would indicate that any Bill that appropriates money would necessarily go to the Revenue Committee. If you're ruling that they are anything other than....that the Bill have no direct or indirect effect upon the revenue. And it does not have an effect upon revenue, direct or indirect."

Speaker Bradley: "I don't think they indicated that, did I, Sir?"

Tipsword: "Well, you didn't go on that basis. You went all the way around Robin Hood Barn, it kind of indicates that maybe there might have been some effect even of the Prison Bill on revenue and there was no effect upon revenue, direct or indirect. If the building of prisons or building of anything else in the State of Illinois or the issuance of bonds can be determined to have an effect upon revenue.... my gosh, that would put all those Bills into Revenue Committee."

Speaker Bradley: "I think the Chair has been consistent in ruling that the legislation for general obligation bonds does not have to go to the Revenue Committee...correct..."



and that's where we are, I think right now."

Tipsword: "Thank you."

Speaker Bradley: "That all three Sessions are....stand in recess until the call of the Chair and we're coming back in tomorrow morning at 9:30 and we will....9:30 tomorrow morning and we....9:30 for the Regular, 9:40 for the First Special and 9:40 for the Second Special Session. Rules Committee at 9:00 and we will be here this evening to receive messages from the Senate."

Clerk O'Brien: "Regular Session will be back in Session. Messages from the Senate. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of Bill of the following title to wit: House Bill 1500, 2467, 2469, 2471, 2472, 2473, 2474, 2476, 2480, 2482 and 2497. Together with Amendments passed by the Senate as amended by three-fifths vote. November 22, 1977. Kenneth Wright, Secretary. No further business in the Regular Session, the Regular Session now stands adjourned until 9:30 A.M., November 23. First Special Session is now in Session. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of the Bill of the following title to wit: House Bill 21, together with Amendments. Passed by the Senate as amended by three-fifths vote. November 22, 1977, at the First Special Session. Kenneth Wright, Secretary. No further business, the First Special Session now stands adjourned until 9:40 o'clock A.M., November 23, 1977. Second Special Session is now in Session. Messages from the Senate. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representative that the Senate has concurred with the House in the passage of



Bills with the following titles to wit: House Bills 3, 4 together with Amendments passed by the Senate as amended by three-fifths vote. November 22, 1977, at the Second Special Session. Kenneth Wright, Secretary. No further business in the Second Special Session, the Second Special Session now stands adjourned until 9:50 o'clock A.M., November 23, 1977.



Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, I support this Amendment for several reasons. First of all, in the two terms that I have been down here I have become most concerned about the growth of the debt of the State of Illinois. I believe that misguided judgment in our Constitutional Convention led to the elimination of the restriction on bonded indebtedness in this state. In fact, that has turned out to be so because we have turned into the fastest growing bonded indebtedness state in the union with our new Constitution. All of us know that have been here that skillful Legislators can guide almost any spending or bonding program through this General Assembly which they wish. They do so by putting something in it for everyone. I don't think we want to turn Illinois into another New York or another England, let's put some restrictions back into the spending authority in the General Assembly. This is a good Amendment, I think its time has come and I proudly vote 'yes' for it."

Speaker Matijevich: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I don't think we're giving the general public the credit they deserve for their inventiveness. The fact that in the State of Illinois we have many more types of taxing bodies than anywhere else in the nation.... proves to us that limiting taxation by one mechanism does not prevent us from raising taxes when there is a need. I heard a report early this week on the radio saying that local government in the State of Illinois has increased taxes by 10½% this year. Why have they done that? They have done it because state government has not fulfilled its promise for funding that should have gone to them. When they are forced to raise money, they will raise it. If we are going to deceive ourselves into thinking that this will limit how much taxes that will be raised, we are really showing our failings."



The human mind will be inventive enough to find a way of raising the money for the services that has to be provided. I happen to think that our state taxes provided by income and perhaps even those provided by the sales tax are far more equitable than those that we have raised by real estate tax at the local level. I don't know who chose to force us into more inventive systems of raising money at the local level. I, therefore, cannot support this issue and think that we are foolish if we think we are doing the taxpayers a favor by supporting it."

Speaker Matijevich: "The Gentleman from Marion, Representative Friedrich, to explain his vote."

Friedrich: "Mr. Speaker and Members of the House, if I'm reading that scoreboard right up there, there are forty-five people in this room who don't think the people have enough sense to govern themselves and are not willing to let the people put the power of government right down to the grass roots where it belongs. Now, all we're doing here is giving them an opportunity to vote on this issue, we're not passing an issue, we're not changing the Constitution, we're merely submitting to the people to let them decide. The people in my district complain about their grocery bill and other things that are going up, but at least it is going up in proportion to their income. But government is going up twice as fast as their income and this is merely going to let the people decide whether they want to limit growth of government or not. Now, are you willing to let the people decide or do you think you're so much more superior than they are? At least they were smart enough... you ought to think to send you here. Wouldn't you think they were smart enough to decide on an issue of this kind? Let them have the opportunity, that is all we're trying to do."

Speaker Matijevich: "The Gentleman from Cook, Representative Bowman, to explain his vote."



Bowman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. One of the proponents described this as a fair and equitable procedure, it is neither fair or equitable. Let me simply ask you the question, what is the most equitable kind of tax? It is a progressive tax and the key feature of progressive tax is that the proportion of taxes as collected as income rise goes up." In other words, if this thing is to ever become law of the land, we would once and for all do away with the progressive taxes of the State of Illinois and I don't think anyone of us wants to go on record as being against progressive taxation. And so, that is why I am voting against Constitutional Amendment #22. Thank you."

Speaker Matijevich: All right, the last explanation of vote, Representative Steele from Madison."

Steele: "Thank you, Mr. Speaker. I rise to explain my vote and to urge more green lights to this good Resolution. Back in 1902, taxes took only 3% of the total income of the people of state and nation. In 1950, taxes took 27% of the total income and this year in 1977, taxes are up 44% of the total income of the people. Now, the people and the working people are asking for some help against these raising taxes and I think this is an excellent way to do it and I urge that you support this good measure."

Speaker Matijevich: "Have all voted who wished? Have all voted who wished? Take the record. On this issue there are 117 voting 'aye', 45 voting 'no', 5 voting 'present' and this Resolution... the Gentleman from Kankakee, Representative Ryan, for what purpose do you arise?"

Ryan: "Verification, Mr. Speaker."

Speaker Matijevich: "The Gentleman from Kankakee requests a verification and the Gentleman from Totten requests a poll of the absentees. The Clerk will call the absentees. Before I go I'll entertain a motion to adjourn until March



1st. That's when the Governor has to give his message."

Clerk Hall: "Antonovych, E.M. Barnes, Brandt, Ebbesen, Farley, Garmisa, Laurino, Madison, McAuliffe, Peters...."

Speaker Matijevich: "Proceed with the verification."

Clerk Hall: "Adams, Anderson, Jane Barnes, Bartulis, Beatty, Bennett, Birchler, Bluthardt, Boucek, Bradley, Breslin, Rich Brummer, Don Brummet, Byers, Campbell, Capparelli, Catania, Christensen, Collins, Conti, Daniels, Darrow, Jack Davis, Dawson, Deuster, DiPrima, Domico, Doyle, Ralph Dunn, Dyer, Ewing, Flinn, Friedland, Friedrich, Geo-Karis, Getty, Giglio, Giorgi, Griesheimer, Hanahan, Harris, Hart, Hoffman, Hoxsey, Hudson, Huff, Huskey, Jacobs, Johnson, Dave Jones, Emil Jones, Keats, Kelly, Kempiners, Kent, Klosak, Kornowicz, Kosinski, Kozubowski, Kucharski, Lauer, Lechowicz, Leinenweber, Lucco, Luft, Macdonald, Marovitz, Martin, Matejek, Matijevich, Mautino, McClain, McCourt, McGrew, McLendon, McMaster, Molloy, Mudd, Mulcahey, Murphy, Nardulli, Neff, R.V. Walsh, Pechous, Polk, Porter, Pouncey, Pullen, Reilly, Richmond, Rigney, Schisler, Schlickman, Schoeberlein, Schuneman, Sharp, Shumpert, Simms, Skinner, Stanley, E.G. Steele, Sumner, Taylor, Terzich, Tipsword, Totten, Tuerk, Van Duyne, Vitek, Von Boeckman, Walsh, Wikoff, Williams, Winchester, Wolf, Yourell."

Speaker Bradley: "Questions of the Affirmative Vote? Questions, Sir?"

Ryan: "What's the count?"

Speaker Bradley: "We're starting with 117... what purpose does the Gentleman from Cook, Mr. Laurino, arise?"

Laurino: "I would like to be recorded as voting 'aye'."

Speaker Bradley: "Record the Gentleman as voting 'aye'. So, we're starting with 118."

Ryan: "Representative Bartulis."

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

Ryan: "Representative Darrow."

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



Ryan: "Representative Dawson."

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

Ryan: "Representative Deuster."

Speaker Bradley: "Deuster is not in his seat, is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Giglio."

Speaker Bradley: "Representative Giglio... is in the chambers."

Ryan: "Representative Hanahan."

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

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

Speaker Bradley: "Take him off the Roll. Here he is."

Ryan: "Representative Jacobs."

Speaker Bradley: "Representative Jacobs... he's in the chambers."

Ryan: "Representative Emil Jones."

Speaker Bradley: "Representative Emil Jones...how is the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Marovitz."

Speaker Bradley: "Representative Marovitz... is not in his.... yes, he is in the chambers... sitting next to Mr. Mann."

Ryan: "Representative Harris."

Speaker Bradley: "Representative Harris, he is not in his seat. Is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative McGrew."

Speaker Bradley: "McGrew, is sitting over on your side of the aisle."

Ryan: "Representative Madison."

Speaker Bradley: "Madison... he is not in his seat. Is he in the chambers? How is he recorded?"



Clerk Hall: "The Gentleman is recorded as not voting."

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative McLendon."

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

Ryan: "Representative Richmond."

Speaker Bradley: "Representative Richmond. How is the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Conti."

Speaker Bradley: "Representative Conti, is not in his chair. How.... is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Collins."

Speaker Bradley: "Representative Collins, is in the chambers... high above us."

Ryan: "I see. Representative Schlickman."

Speaker Bradley: "Right here in front. Now, we have Mr. Harris... has returned to the chamber and will be put back on the Roll. And Mr. Richmond has returned to the chambers and will be returned to the Roll."

Ryan: "Representative Schisler."

Speaker Bradley: "Representative Schisler is in his chair."

Ryan: "Representative Sharp."

Speaker Bradley: "Representative Sharp is in his chair."

Ryan: "Representative Stanley."

Speaker Bradley: "Representative Stanley... is he in the chambers? How is the Gentleman recorded?"

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

Speaker Bradley: "Take his name off the Roll and Mr. Deuster has returned and wishes to be returned to the Roll."

Ryan: "Representative Winchester."

Speaker Bradley: "Representative Winchester... is not in his chair, is he in the chambers? How is he recorded?"



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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Yourell."

Speaker Bradley: "Yourell... is not in his chair.... he's in the chambers though over there at the door."

Ryan: "Representative Kempiners."

Speaker Bradley: "Kempiners, is not in his chair.... is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Polk."

Speaker Bradley: "Representative Polk is in the chambers."

Ryan: "Representative Porter."

Speaker Bradley: "Representative Porter.... is in the rear of the chambers."

Ryan: "Representative Skinner."

Speaker Bradley: "Representative Skinner.... is not in his chair, is he in the chambers? How is he recorded?"

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

Speaker Bradley: "Take him off the Roll."

Ryan: "Representative Anderson."

Speaker Bradley: "He's in the front of the chambers, middle aisle."

Mr. Skinner has returned, put him back on the Roll."

Ryan: "I have no further questions, Mr. Speaker."

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

Farley: "How am I recorded?"

Speaker Bradley: "How is the Gentleman recorded?"

Clerk Hall: "The Gentleman is recorded as not voting."

Farley: "Vote me 'aye'."

Speaker Bradley: "Record the Gentleman as voting 'aye'. McAuliffe wishes to be recorded as 'aye'. On this question we have 115 'ayes', 45 'nays' and 5 voting 'present', this motion having received the three-fifths Constitutional Majority is hereby declared passed. On the Supplemental...under



Motions appears Senate Bill 187. The Gentleman from Cook, Mr. Walsh, on the motion."

Walsh: "Mr. Speaker and Members of the House, having voted on the prevailing side, I move to reconsider the vote by which the motion to override the veto of the Governor on Senate Bill 187 be reconsidered. My reason for this frankly, Mr. Speaker, is that I erored when we considered this last week. The Bill I have found is a very worthy one and one that is indeed...one that should be passed. What it does is, that it provides that the state where a day-care center receives more than 3% of this regular population in a one-year period, that the state pay the entire cost for those persons that they put into that day-care center. This is reasonable, Mr. Speaker, because and I didn't realize this, there is some day-care centers that are funded at different levels than others. And where the state picks out a good one and one that has much local participation and puts in a great many people and that they are required... the local people are required to fund it and this certainly just plain isn't fair. So, the 3% limitation it seems to me is reasonable, the state need not ppend any additional dollars if the Department of Mental Health does not, in effect, flood the day-care centers. This motion was handled, Mr. Speaker, by Representative Brady in the House, I would suspect that he would have a little bit more to say on this subject. I understand from reliable sources that the Governor has removed his objections and if the Bill was presented to him now, in effect he would not veto it. I hope my sources are reliable but this is what I'm told. So I would therefore ask, Mr. Speaker, that you vote 'aye' on this motion in order that we can reconsider Representative Brady's motion."

Speaker Bradley: "The question is on the Gentleman's motion.... I see no discussion, that he has moved to reconsider the



vote by which the motion to override the Governor's veto of Senate Bill 187 failed. The question is on the Gentleman's motion to reconsider. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. The Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, I was told previously that this took 89 votes to reconsider. I would like to be reassured by the Parliamentarian that is the case... unless someone else would like to vote for it."

Speaker Bradley: "Well, he's nodding his head...we cut it off when it got over 89, if you would like to ..."

Walsh: "Well, Mr. Speaker, my reason for raising this point is that it seems to me that a motion to reconsider takes the number of votes that it would take to pass the original motion. That being 107, I wonder if this might take 107?"

Speaker Bradley: "Have all voted who wished? The Clerk will take the record. On this question there are 112 'ayes', 20 'nays' and the Gentleman's motion prevails. Now, we will read the motion."

Clerk O'Brien: "Motion, I move that the House concur with the Senate in the passage of Senate Bill 187, the veto of the Governor notwithstanding."

Speaker Bradley: "The Gentleman from Cook, Mr. Brady, on that motion."

Brady: "Yes, Mr. Speaker and fellow Members. I'm happy here today that we are reconsidering Senate Bill 187. because I think it is an important Bill that we should be dealing with at this time. There were 95 positive votes when we ran this Bill last week, but 28 people are shown as absent. When we originally voted, we voted 136 to nothing to pass this Bill. I think because of some confusion, some people held back on the votes on that issue. I hope that confusion is cleared up. This is a Bill to help put the



deinstitutionalization of people from the Department of Mental Health. This is a Bill that will give people in Community Agencies outreach services, to help them in their processing back into society. If we are to deinstitutionalize the people in mental health, we have to go and pay the nonprofit agencies a good share to help with these services. If we overburden them without paying them and mandate that they give services, we'll take the nonprofit agencies doing this now at the present time. We need this Bill, we need this legislation and I urge your support of it now."

Speaker Bradley: "Discussion? The question is, shall Senate Bill 187 pass notwithstanding the veto of the Governor? All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 146 'ayes', 10 'nays', 2 voting 'present' and the motion having received the Constitutional three-fifths Majority prevails and Senate Bill 187 is declared passed notwithstanding the veto of the Governor. On Supplemental Calendar #1 on Motions appears Senate Bill 1261. Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. I filed a motion pursuant to Rule 31(b) in regard to Senate Bill 1261 to bypass Committee without reference to Committee. The Second Reading, Second Legislative Day. It is an emergency measure and was heard in Rules Committee today and was brought out. I would like to point out that it was.... the reason that it was brought out was to correct a misspelling of a specific drug under the Controlled Substance Act. The Bill as it came over from the Senate had other provisions in it. It was the agreement of the Sponsor, myself, that if it came out of Rules Committee and goes to Second Reading, an Amendment would be offered which stripped the Bill of every provision other than the one where it



changes.... or corrects the spelling of the drug 'etachlorvymel' and the correct spelling is 'etachlorvynol'. Now, there has been a recent court decision which gives this matter some urgency whereby a doctor in a suburb of Chicago who had excellent counsel was acquitted of forty-two counts of selling a drug which was misspelled on the Controlled Substance Act. Lest such an event should happen again there may be some other good lawyers out there when they get a client who has been selling etachlorvynolⁿ and find it is misspelled, will free these people. So, it is of some importance that this correction be made. So, that's the basis of the motion, it is an agreement of myself as the House Sponsor of Senate Bill 1261 if this motion is adopted to offer immediately an Amendment stripping Senate Bill 1261 of each and every provision except for this one provision correcting a misspelling. So therefore, Mr. Speaker and Members of the House, I urge an affirmative vote on my motion in reference to Senate Bill 1261."

Speaker Bradley: "The Gentleman moves pursuant to Rule 31 (b) to bypass without reference to Committee and to move the Bill to Second Reading, Second Legislative Day. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 153 'ayes', no 'nays' and none voting 'present' and the Gentleman's motion prevails and the Bill is placed on the Second Order of the Calendar, Second Reading. The Clerk will read the Bill a second time."

Clerk O'Brien: "Senate Bill 1261, a Bill for an Act to amend Section of the Controlled Substance Act. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Leinenweber. Amends Senate Bill



1261 in the House on page 1 and so forth."

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

Leinenweber: "Mr. Speaker, I move the adoption of Amendment #1, which says precisely what I said it would do and, that is, it strips off each and every provision except for the correcting of a misspelling of the word etachlorvynol."

Speaker Bradley: "All in favor of the Gentleman's motion on adoption of Amendment #1 say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Third Reading. On the Calendar appears Senate Bill 1383. Under Motions on the Supplemental Calendar, the Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1383 is actually Representative Ebbesen's legislation and since he was not able to be here he contacted me and asked me to appear for him in the Rules Committee. What this Bill does is affect only one county in the State of Illinois, that being DeKalb County, where the Clerk inadvertently did not extend for the county working cash fund. And what this legislation does is basically that those counties under one thousand can extend for one more year the working cash fund. I will revert if there are any other questions to Representative Schuneman, who has also been asked to help Joe out with this particular piece of legislation. I would move that this legislation be advanced to Second Reading, Second Legislative Day."

Speaker Bradley: "Mr. Mautino, could you inform the Chair as to the status of the Bill.... just exactly where is it right now?"

Mautino: "The Bill was sent out of the Rules Committee this morning and assigned to the County Townships Committee and motion carries the County Township Committee asking



for Second Legislative Day."

Speaker Bradley: "Okay, it is a motion to discharge the Committee.

All in favor of the Gentleman's motion will signify by voting 'aye', opposed..... the Gentleman from Cook, Mr. Epton."

Epton: "Mr. Speaker, will the Gentleman yield?"

Speaker Bradley: "He indicates that he will."

Epton: "Not that I question Representative Mautino's integrity but I was apprehensive about this. So, I check with Representative Ebbesen and he told me... I wonder if you would respond, he told me he never heard of Representative Mautino, would you care to respond to that?"

Mautino: "Yes, I care not to respond."

Epton: "Oh, well I guess he was ill and I'll forget his answer."

Mautino: "Thank you."

Speaker Bradley: "Further questions of the Sponsor. The question is on the adoption of the Gentleman's motion to discharge a Committee. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 145 'ayes', no 'nays' and the Gentleman's motion is adopted and the Bill is advanced to Second Reading, Second Legislative Day. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1383, a Bill for an Act to amend Sections of the Downstate County Workers Cash Fund Act. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Bradley: "Third Reading. Under the Calendar appears Senate Bill 1387, discharge Labor and Commerce, advanced to Second Reading, Second Legislative Day. The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you again, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1387 was voted out of the



Rules Committee this morning and placed in the Labor and Commerce Committee. My motion is to discharge the Labor and Commerce Committee and advance to Second Reading, Second Legislative Day. This legislation, 1387, was a result of drafting errors in Senate Bill 1019 when we passed it during the summer and it was signed by the Governor. In that legislation, it was the intent that the state's average weekly wage be used in lieu of the manufacturing wage. It was changed in a few places, it remained unchanged in a few other places. So, this legislation corrects and puts it into conformity that the state average weekly wage will be used for the basis of workmen's compensation."

Speaker Bradley: "The Gentleman moves the discharge of Labor and Commerce. The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Mr. Speaker, I rise in support of this motion. I recall the day the Governor signed Senate Bill 1019 that there was discovered and Representative Mautino was making good on a promise, which was made at that time to correct this legislation. So, I urge support of the motion."

Speaker Bradley: "All in favor of the Gentleman's motion will signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? The Clerk will take the record.

On this question there are 156 'ayes', 1 'nay' and the Gentleman's motion is adopted and the Labor and Commerce Committee is discharged from Senate Bill 1387 and it is placed on Second Reading, Second Legislative Day and the Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1387, a Bill for an Act to amend the Workmen's Compensation Act. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. On the House Calendar Supplemental



I under Motions appears Senate Bill 1388. The Gentleman from Franklin, Mr. Hart, what purpose do you rise?"

Hart: "To introduce a former colleague and a great Democrat. My candidate for Lieutenant Governor, Chuck Keller from Effingham."

Speaker Bradley: "Senate Bill 1388, the Gentleman from Fayette Mr. Brummet."

Brummet: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill was voted out of the Rules Committee and it is for an easement for a school district down at Maryville, in Madison County. They have an EPA sewer project going for three hundred and nine thousand dollars and all they need is an easement through the CDP. And this is okay with CDP to give them this easement. It would save the school the cost of about a thousand feet of sewage and also a lift station in the former operation of a lift station. It is very important that we get this through because we've got a time element that enters into this and I move that pursuant to Rule 31(b) we advance it to Second Reading, Second Legislative Day. We have approval from both sides of the aisle."

Speaker Bradley: "Discussion on the.... the Gentleman moves to advance Senate Bill 1388 to Second Reading, Second Legislative Day. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 152 'ayes', no 'nays' and none voting 'present' and the Senate Bill 1388 is advanced to Second Reading, Second Legislative Day. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1388, a Bill for an Act authorizing the Capital Development Board to grant a sewage easement to certain real property in Madison County. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor?"



Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Under Motions appears Senate Bill 82, the Gentleman from Rock Island, Mr. Polk. Is Mr. Polk here? We want it duly noted that we called it. Mr. Katz, for what purpose do you arise, Sir?"

Katz: "With leave of the House, Mr. Speaker, I'll present it for Mr. Polk. He appears to be...."

Speaker Bradley: "Proceed, Sir."

Katz: "Yes. Senate Bill 82, is a Bill that....."

Speaker Bradley: "Mr. Katz, just a minute. Are there objections to Mr. Katz presenting Senate Bill 82 for Mr. Polk? Hearing no objections... it was a written motion that was brought to the Clerk's desk. It is on the Order of Motions. It is a written motion brought to the Clerk's desk."

Unknown: "Is it on the Calendar?"

Speaker Bradley: "It is not on the Calendar."

Unknown: "I object."

Speaker Bradley: "There are objections....fine. It's alternative that Mr. Katz, to suspend the rule if you wish to desire it to be on the Calendar."

Katz: "No, just wait until tomorrow, Mr. Polk will be here then, Mr. Speaker."

Speaker Bradley: "I think that would be a.... at that time you will be eliminated on the ability to pass the Bill."

Katz: "Yes, I'm aware of that, Mr. Speaker, but it could be put into position when it could be passed when we return in January."

Speaker Bradley: "All right, on the Calendar.....Total Veto Motions, Mr. Hart on 281. Did you wish to call Senate Bill 281....out of the record. Senate Bill 413, Mr. Richmond. Senate Bill 1012, Mr. Mautino, do you wish that called? 1012... it's on Postponed Consideration, Total Veto Motion. It is out of the record. Mr. DiPrima, on..... out of the record. Before we leave the Regular Session, is there anything that anybody would like to have



called that they have on the Calendar on the Regular Session? All right then.... what purpose does the Lady From St. Clair, Mrs. Younge, arise?"

Younge: "I rise to move that the posting rules for six and a half days be suspended to permit the hearing of Resolution... House Resolution 539 tomorrow morning at the Executive Committee... Subcommittee on Resolutions."

Speaker Bradley: "You need unanimous consent to suspend that particular rule....she is making the motion to suspend the rule and Mr. Ryan... you object? The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker. Yes, this comes as a total surprise to me and I do object."

Speaker Bradley: "The Gentleman objects, Mrs. Younge, and we do not have unanimous consent to suspend the rules. Next order of business.... before we leave....now, there is nothing else that anybody wants to call on Regular Session? We'll come back to....we will recess the Regular Session into the Call of the Chair....we will stand in recess.... the Regular... Mr. Giorgi moves that the Regular Session recess until the Call of the Chair. Mr. Kempiners, is yours in the First Special Session? Well, we recess the Regular Session and we will call the....we recess the Regular Session and we will convene the First Special Session. Mr. Giorgi moves that the Attendance Roll Call for the Regular Session be used for the Attendance Roll Call of the First Special Session. All in favor of the Gentleman's motion say 'aye', opposed 'no'. The 'ayes' have it. Approval of the Journals, Representative from Cook, Mr. Madigan."

Clerk O'Brien: "Journals for Thursday, November 8, 1977: The House met pursuant to adjournment."

Speaker Bradley: "The Gentleman from Winnebago, Mr. Giorgi, do you have the Journal Motion, Sir?"

Giorgi: "Yes, Sir. I move that we dispense of the reading of the



Journal and the Journal number 7 of November 8, 1977. Journal #8, November 9, 1977 and Journal #9 of November 16, 1977, be approved as read."

Speaker Bradley: "All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Gentleman's motion is adopted. On the Calendar under Supplemental, the First Special Session appears Senate Bill 12. Supplemental Calendar, Senate Bill, Second Reading, Senate Bill 12."

Clerk O'Brien: "Senate Bill 12, a Bill for an Act in relation to provision of certain services for States Attorney. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Bradley: "Third Reading. On the Calendar in the First Special Session....that's all the business that I see that we have to attend to. Are there anybody on the floor that wants to move anything in the First Special Session? Then the First Special Session....the Gentleman from Will, Mr. Davis."

Davis: "Thank you, Mr. Speaker. I would like to move under the motion, First Special Session House Bill 7."

Speaker Bradley: "Under motions, First Special Session appears House Bill 7, Mr. Davis moves to discharge Judiciary II and advance to the Order of Second Reading, Second Legislative Day. On that motion the Gentleman from Kankakee, Mr. Ryan."

Ryan: "Will....could we have a little explanation of what that is, Mr. Speaker?"

Speaker Bradley: "Mr. Davis."

Davis: "Yes, I would be delighted to do that. I've got a little something prepared for you. I'm a firm believer, Representative Ryan, in the Committee System and support the motion of strengthening that system to deal with our ever increasing flood of legislation in Committee rather than



a Committee as a whole. However, there are times when the composit makeup of a Committee either philosophically, professionally can prohibit the release from Committee of a Bill that would seem to have widespread support beyond the scope of that Committee's decision to pass or to do not pass. The simple circumstance of numbers and our extraordinary majority rules in Committee often precludes legislation from being reported from Committee due to the lack of attendance in Committee hearings because of the press of other legislative business, particularly in the closing days of the Session. I believe House Bill 7 is a measure that may have been caught up in facets of all the above. House Bill 7 is a simple Bill, it will allow the state the right to a jury trial in a criminal action by requiring the state to affirmatively consent to a defendant jury waiver in writing. This procedure has been operating in Federal Courts for a great number of years and it has been codified in the U.S. Supreme Court Rule 23 (a). although our sister states have adopted by statute and by Constitutional authority the same provision in House Bill 7 seeks. I'm making my first discharge request on the grounds that while the hearings and testimony on the Bill were extensive and the vote affirmative, 8 to 7 on both occasions in which the Roll Call was taken, that this measure truly deserves the attention of this entire Body due to its intent widespread support. A lot violate or abuse the rule limiting debate.... debate for the motion by debating the Bill. I would just plead with you to support the discharge motion so that the debate on the question can convince you of the necessity and of the wisdom of passing House Bill 7 through this House. And demonstrating once again that the collective decision of the Illinois House by reason... proper and wise. I would urge your 'aye' vote on the discharge of the motion."



Ryan: "Well, thank you, Representative Davis and I certainly concur in everything that you said and support you in House Bill 7."

Davis: "Thank you, Sir."

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

Katz: "Mr. Speaker, I rise in opposition to the Gentleman's motion. It is perfectly apparent that we will just be wasting time, first of all the matter has been heard in Committee. Did not pass out of Committee. We will be going out of Session tomorrow, I don't know why the Gentleman thinks that spending lots of time tomorrow to keep the House in Session makes any sense. Because even if the Gentleman prevailed, it would die with the Special Session. We would simply be wasting time unnecessarily and I would very strongly urge that the timing of this Bill is not appropriate to discharge the Committee at this point. It has had a fair hearing and I would urge a negative vote."

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

Schlickman: "Well, Mr. Speaker and Members of the House, I join with the Chairman of the Judiciary Committee in opposing this motion. This is a Bill that was fairly considered by the Committee, it simply fell short of the votes needed for reporting out. I think in bringing up the motion at this time the Sponsor of the Bill....the movement.... whom I very much respect, is unduly imposing this House at a critical time. And I urge a 'no' vote on this motion to discharge the Committee."

Speaker Bradley: "The Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to speak in favor of the motion because it relates.... the opportunity of the states after a jury trial as well as the defendant. I think that people in Illinois are entitled to protection and I think it is a good motion and relates to a good Bill. I think we should give him the votes."



Speaker Bradley: "The Gentleman from DuPage, Mr. Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I am a Member of the Judiciary Committee and was present when this Bill was heard. Unfortunately, I don't think we had enough Members in that Committee to give it a fair hearing in the sense of attendance only. I'm not frightened or scared about the fact that we might be kept in Session a few hours longer on this most important piece of legislation. Any of us who have been connected with prosecution in the past know about the need and the importance of having the right of the state to also insist upon a jury trial. I think it is a good Bill, I think that we ought to support the motion and I happily will join in an 'aye' vote."

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

Leinenweber: "Mr. Speaker, the last Gentleman really said it all. This Bill was called late in the game and there were only thirteen Members present.... it would have taken that many to get it out. Everybody knows the makeup of the Judiciary Committee. If you want to get a Bill out, two of you have to have every single Member there. So, I think this motion is well founded and we should support it."

Speaker Bradley: "Mr. Davis, do you wish to close the debate, Sir?"

Davis: "Only by urging you to vote 'aye' on the motion to discharge. I realize the untimeliness; but I think if we do discharge this and hear it on Third Reading, debate the Bill, we can send a message to the Senate and the people of Illinois....that we are wisely and properly and reasonably considering this important piece of legislation. Please vote 'aye'."

Speaker Bradley: "The question is, shall the House discharge House Bill 7 from the Judiciary II Committee and advance to



the Order of Second Reading, Second Legislative Day. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Mr. Skinner, did you wish to be called upon, Sir?"

Skinner: "Going straight. There is a reason for voting 'yes' whether this is going to be considered in the Senate or not, it is another way in giving a message to Judge Frank Wilkins that some of us are willing to take him off the hook by allowing the District Attorney to ask for a jury. So, that a Judge can't make a measurable decision like he did and let a reputed syndicate killer lose."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? Mr. Davis, the Gentleman from Will."

Davis: "Thank you, Mr. Speaker. To explain my vote and request another five...six 'aye' votes up there to discharge this Committee. We'll not take a lot of time with this Bill, we're not going to keep you on Thanksgiving. The Bill has been debated extensively and I know there is going to be some sufficient opposition to it from some Members of the Judiciary II Committee but I can only convince you that I won't take up a lot of your time. I know that some of my supporters will speak to it that are on that same Committee but, for God's sakes, let's hear this Bill. This is important, folks."

Speaker Bradley: "Have all voted who wished? All voted who wished? The Clerk will take the record. On this question there are 87 'ayes', 44 'nays' and the motion having failed to re.... the Gentleman from Will, Mr. Davis."

Davis: "Is it in order to poll the absentees, Mr. Speaker?"

Speaker Bradley: "The Gentleman requests a poll of the absentees. What purpose does the Gentleman from Cook, Mr. Katz, arise?"

Katz: "Just so. Mr. Davis understands there will be a verification if there are 89 votes."

Speaker Bradley: "Poll the absentees."



Clerk O'Brien: "Antonovych, Beatty, Bradley, Brady, Don Brummett, Byers, Caldwell, Chapman, Dawson, Domico, John Dunn, Ebbesen, Farley, Flinn, Getty, Hanahan, Jacobs, Jaffe, Emil Jones, Kane, Kornowicz, Kosinski, Kozubowski, Laurino, Lechowicz, Lucco, Madison, Peggy Smith Martin, Matijevich, McGrew, Murphy, Pierce, Schisler...."

Speaker Bradley: "Mr. Davis, for what purpose do you arise, Sir?"

Davis: "Well, Mr. Speaker, it is pretty obvious that people are leaving the chamber. I don't think a verification would abstain, and frankly, I'm not going to tie up this House for the further polling of the absentee. This Bill will come back, I would like at this point unanimous leave of the House to put the Bill in Interim Study in Judiciary II."

Speaker Bradley: "Just a minute, Mrs. Dyer, for what purpose do you rise?"

Dyer: "Mr. Speaker, before that is done I would really like... I'm recorded as being 'present' and I would like to be recorded as voting 'yes'."

Speaker Bradley: "Record the Lady as voting 'aye'. Now, Mr. Davis has requested this Bill be placed in Interim Study... is that correct? Mr. Davis...."

Davis: "I've been corrected. It is a First Special Session Bill and that's not possible obviously to do that."

Speaker Bradley: "That's probably true. You can reintroduce it next spring."

Davis: "Oh, it will be."

Speaker Bradley: "On this question then we have 88 'ayes' and 44 'nays' and the motion fails. Further....anything else on that First Special Session, if not the First Special Session, will stand in recess until the Call of the Chair. We will go to....call to order the Second Special Session and Mr. Madigan moves that the Roll Call vote for attendance for the Regular Session will be used for the



Roll Call vote in the First Special Session, Second Special Session. All in favor of the motion signify by saying 'aye', opposed 'nay'. The 'ayes' have it and the motion is adopted. Approval of the Journal, Representative Giorgi."

Giorgi: "I move that we dispense with the reading of the Journal. Journal #7 of November 8, 1977. Journal #8 of November 9, 1977 and Journal #9, November 16, 1977, be approved as read."

Speaker Bradley: "The Gentleman moves the adoption or the approval of the Journals....all in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Gentleman's motion is adopted. On the Calendar in the Second Special Session appears the..... House Bill 14, the Gentleman from Macon, Mr. Dunn."

Clerk O'Brien: "House Bill 14, a Bill for an Act relating to counties and municipal jails. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Bradley: "Any motions regarding Amendment #1?"

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

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

Schlickman: "Did you say that we're in the Second Special?"

Speaker Bradley: "We're in the Second Special Session, House Bills, Second Reading on page 2."

Schlickman: "House Bill 14?"

Speaker Bradley: "House Bill 14. It's a wrong description, there is an 'a' in front of it but that's House Bill 14."

Schlickman: "I'm sorry, we don't have a synopsis and I don't have the Bill here. What does this Bill do?"

Speaker Bradley: "Mr. Dunn and Mr. Tipsword, who would like to...."

Dunn: "Thank you, Mr. Speaker. This is a Bill that was considered last week in the House Executive Committee and it is a Bill which would authorize each of those counties who are mandated by the Illinois Department of Corrections to make improvements in their county jails...either in the



juvenile or adult facilities to apply to the Department of Corrections and the Capital Development Board jointly for a grant. And there is a Companion Appropriation Bill which would appropriate bonds for the purpose of these grants. This Bill, as I say, was considered and heard in Executive Committee last week and brought to the floor and I would like to see it advanced to Third Reading."

Speaker Bradley: "The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, the description that appears in the Calendar is an erroneous description describing a Bill from another Session."

Speaker Bradley: "The Gentleman from Kane, Mr. Waddell, do you seek recognition?"

Waddell: "Yes, would the Sponsor yield?" He gave a description of the Bill, now what does the Amendment do?"

Speaker Bradley: "Mr. Dunn."

Dunn: "The Amendment was technical in nature and the purpose of the Amendment which was adopted by the House Executive Committee was to clarify the Bill to make certain that it was very clear that the grant could only be made for capital improvements. As I think everyone can understand the Department of Corrections may mandate changing the sheets on the beds, you know, every so often which is obviously a non capital item and you cannot provide bonding authorization for that. So, the purpose of the Amendment was to clear up any ambiguity with regard to that in the Bill and make certain that any bonding authorization would be only for capital items."

Speaker Bradley: "The Amendment was adopted, were there further Amendments from the Committee? The Gentleman from Cook, Mr. Schlickman."

Schlickman: "I rise on a point of order, Mr. Speaker."

Speaker Bradley: "State your point."

Schlickman: "I think that it is inappropriate to read this Bill inasmuch as it does not appear on the Calendar."



Speaker Bradley: "Does not appear where, Sir?"

Schlickman: "Does not appear on the Calendar."

Speaker Bradley: "It is described incorrectly by A-14, that was an error. It is supposed to be House Bill 14 on page 2, Second Special Session."

Schlickman: "Well, that's not the Bill that is being read for a second time. And I would suggest, Mr. Speaker....."

Speaker Bradley: "When the description is wrong....the description is wrong on the Calendar, House Bill 14 is the proper Bill number for the Bill that is being introduced. The description is wrong on the Calendar."

Schlickman: "Well, Mr. Speaker, I respectfully suggest that we have rights and one of the rights is to be informed and also have the opportunity to respond to proposed legislation. Now, the Bill that you want to read for the second time would appropriate fifty million dollars in Capital Development Bond Funds to the Capital Development Board for grants to local units of government. Now, I would like a fiscal note...now, how would I be able to ask for a fiscal note when there is an incorrect description of the Bill..... in fact, Mr. Speaker, a description of a Bill that was not in the Regular Session."

Speaker Bradley: "Just a minute...the Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker. I would like to point out that the Bill which contains the appropriation for the bonding and authorization is, in fact, House Bill 15 in the Second Special Session and that Bill too was approved by the House Executive Committee last week and was rereferred to the House Appropriation Committee. So that Bill will follow the normal course of events and will be sent to the House Appropriations Committee. This Bill, House Bill 14, is the substantive enabling legislation. Mr. Speaker, to avoid any confusion, if I may I'll take this out of the record for the time being."



Speaker Bradley: "The Gentleman takes it out of the record. Anything else on the Second Special Session that wants it to be called? If not, the Second Special Session will stand in recess until the call of the Chair....we will reconvene the Regular Session. The House..... Resolutions."

Clerk O'Brien: "House Resolution 542, Kelly, 543, Beatty, 544, Jack Davis, 545, Kornowicz, 546, Lynn Martin, 547, Waddell, 548, Waddell, 549, Waddell, 550, Waddell, 551, Waddell, 552, Emil Jones, 553, Don Brummet, 554, Byers, 555, Brummer and 556, McGrew, 557, Lauer, 558, Geo-Karis, 559, DiPrima, 560, Geo-Karis, 562, Peters."

Speaker Bradley: "Representative Giorgi."

Giorgi: "542 by Representative Kelly celebrates Mr. & Mrs. Huizenga's 50th wedding anniversary. 543 by Beatty notes that Brother Murphy has served the congregation of Christian Brothers for 50 years. 544 by Davis Harold, the 90th birthday of William Biesterfeld. 545 by Kornowicz notes that the Argo Public Library reached its 60th birthday. 546 by Lynn Martin, Simms and Giorgi, records that Margie Sturgis Excalibur Award. 547, Waddell, recognizes that John Sullivan who made a total of 202 tackles for the University of Illinois this year."

Speaker Bradley: "Is that all of the Agreed Resolutions...you've got some more?"

Giorgi: "Representative Kenny Meyers...."

Speaker Bradley: "Can the Gentleman have some attention please."

Giorgi: "548 by Waddell marks the Elks Lodge 75th anniversary. 549 by Waddell informs the House that Mike Danahey is the finalist in the writing competition. 550 by Waddell honors the Future Farmers of America. 551 by Waddell signals the four members of the faculty of 156 years of veterinary practice. 552 by Emil Jones says that Frances Lauward of the Chicago Transit Authority worked there for 35 years. 553 by Brummet eulogizes Loogootee Church. 554



by Byers, the 50th wedding anniversary of Adolph Henry Seger. 555 by Brummer tells of Ada Favreau 100th birthday. 556 by McGrew puts on the record that Ms. Nancy Beatty earned the title of Miss Illinois of '77. 557 by Lauer measures the 37 years of public service by Virgil Forden of Petersburg. 558 by Geo-Karis, Dr. Vern L. Zech for 15 years dedicated service. 559 by DiPrima talks about Mr. & Mrs. Hector Calovincenzo on their 50th wedding anniversary. 560 by Geo-Karis finds that the Lake County Chapter of Military Purple Heart has served Luckow from 1952; and 562, Peters, bestows on Michael Rydzinski an Eagle Scout award and Lechowicz honors John Madigan '78. I move the adoption of the Agreed Resolutions."

Speaker Bradley: "The Gentleman moves the adoption of the Agreed Resolutions. All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The Lady from Cook, Mrs. Catania, on the Gentleman's motion on the Agreed Resolutions."

Catania: "Well, thank you, Mr. Speaker. Somewhere about the middle of that I thought I heard something about Adolph Hitler.... It is very difficult to hear what the Agreed Resolutions are about over here and we've had some slide though lately that had no business being...."

Speaker Bradley: "No, I was already...."

Catania: "While others being sent to the Committee on Assignment of Bills."

Giorgi: "Everyone of these Resolutions are noncontroversial and I have already been alerted by the girl that came back from Houston to watch.....fingers."

Catania: "Well, I don't know if you signed any girls from your district but I would love to check your judgement Representative Giorgi. You're assuring me that everything in this is totally noncontroversial and there is nothing about Adolph Hilter, right?"

Giorgi: "On my word of honor."



Catania: "Thank you so much, Representative Giorgi. Thank you Mr. Speaker."

Speaker Bradley: "I don't think Mr. Giorgi would do anything with the Agreed Resolutions without clearing with the Leadership on your side of the aisle. All in favor of the Gentleman's motion say 'aye', opposed 'no'. The Agreed Resolutions are adopted. Now, the Gentleman from Cook, Mr. Katz."

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

Speaker Bradley: "Wait a minute, Mr. Katz. Pardon me, Mr. Katz. Further Resolution."

Clerk O'Brien: "House Resolution 541, Dyer."

Speaker Bradley: "Committee on Assignments. All right, now we're back in the out Calendar Regular Session. We took care of everything in the Regular Session..... The intention of the Chair is to....we have a Supplemental Calendar coming out, Mr. Katz has an announcement and we'll try and move..... Introduction, First Reading."

Clerk O'Brien: "House Bill 2544, Cunningham, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill."

Speaker Bradley: "I would suggest that the Members don't move too far away."

Clerk O'Brien: "House Bill 2545, Johnson, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2546, Johnson, Kosinski, a Bill for an Act to amend Juvenile Court Act. First Reading of the Bill. House Bill 2547, Johnson, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2548, John Dunn, Skinner. A Bill for an Act to require all railroad companies operating in this state to furnish informational guides to locomotive engineers and train crews the identity of hazardous material. First Reading of the Bill. House Bill 2549, DiPrima, a Bill for an Act to amend the School Code. First Reading of the Bill."



Speaker Bradley: "The House will stand at ease for one minute. For what purpose does the Gentleman from Cook, Mr. Keats, arise?"

Keats: "Thank you, Mr. Speaker, I wanted to say the most common sensible thing of the evening....I move that we adjourn."

Speaker Bradley: "We can't recognize him for that. The Gentleman from Cook, Mr. Katz."

Katz: "Mr. Speaker, when the House comes in, in the morning it will be considering an extensive Amendment that is on your desk to House Bill 1500 as the Speaker is anxious that those Members who would like to hear some testimony with regards to the Bill have the opportunity to do so without obligating anyone else to remain. What I would propose, Mr. Speaker, is to suspend the appropriate rule and permit the House to go into a Committee of the Whole to consider the general subject that is embraced within House Bill 1500. There will be no action taken other than the hearing of testimony and the answering of any questions. No Member need be here unless that Member would like to be more fully advised concerning the contents of House Bill 1500, since it is anticipated that the Bill will be back from the Senate later tonight and will be heard in the House in the morning. Accordingly, Mr. Speaker, I would move the suspension of the appropriate rule so that House Resolution 561 might be heard at this time."

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

Walsh: "Mr. Speaker, I object vehemently to the Gentleman's motion. There is nothing before this House at this time, there can be nothing before a Committee of this House at this time and I suggest that what the Gentleman is proposing to do is to use this chamber as a form for whatever purpose he has in mind. That is a rule that should not be suspended ever and could lead to very, very serious consequences. If the Gentleman wants to have a meeting with a group of friends, I suggest that the Speaker assign



him a room downstairs for that purpose."

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

Schlickman: "Well, I join the Gentleman from Cook in objecting to this extraordinary motion. And not only do I do it for the reason that the previous speaker gave....the previous speaker gave, but I also call to the attention, Mr. Speaker and Members of the House, that this motion does not appear on the Calendar."

Speaker Bradley: "The Gentleman from Cook, Mr. Peters. Your light is flashing, Sir, we don't want to overlook anybody. The Lady from Lake, Mrs. Geo-Karis, on a point of order. State your point."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, that we're throwing numbers around but I don't what 561 relates to. Can someone tell us?"

Speaker Bradley: "561?"

Geo-Karis: "Yes, Sir."

Speaker Bradley: "The Gentleman has filed House Resolution 561, be it resolved by the state of the House of Representatives of the 80th General Assembly of the State of Illinois that the House do now resolve itself into the Committee of the Whole in order to consider testimony and discuss pending legislation as subject of House Bill 1500 and all Amendments offered thereto. Now, the Gentleman from Cook, Mr. Katz."

Geo-Karis: "Mr. Speaker, I'm not finished."

Speaker Bradley: "I'm sorry."

Geo-Karis: "561, is that Resolution, is that correct? I saw a copy of Amended Bill 1500, House Bill 1500 and I thought it was on an concurrence situation. Is that right or not?"

Speaker Bradley: "State that question....you thought what?"

Geo-Karis: "Wait just a minute, Mr. Speaker....I have here a Senate Amendment to House Bill 1500 and whether it is Class X or not is fine but what I'm trying to find out.... is 1500 going to be heard by this General Assembly on a concurrence situation or is the Gentleman on the other



side wanting to sponsor a motion....."

Speaker Bradley: "This is not the.... intent of concurring because we don't have it over here. We would simply be.... from discussion.....if the Chair is wrong, Mr. Katz can ret....."

Geo-Karis: "House Bill 1500 was already....gone through this House and into the Senate and I understand was amended. Therefore, the Amendment should be coming back here for concurrence, isn't that so?"

Speaker Bradley: "That is correct. And presumably it will come back here.... that's why, I assume that's why he is asking for adherence because of the importance of the Bill. The Gentleman from DuPage, Mr. Daniels."

Daniels: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I commend the Chairman of the Judiciary Committee for bringing this motion before the House. In view of the fact that many Members of the Judiciary Committee requested a hearing an opportunity to listen to the contents of House Bill 1500 as amended in the Senate. I think it is a very important piece of legislation, had the previous speaker had been in Committee today she would have heard the reasons and necessity of this motion."

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

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I'll go along with this because I think this extraordinary type of action is necessary because the rule is completely amended, it is a new Bill and will not have a Committee hearing. The purpose of this motion is so that any Member who so desires....who so desires can learn about the Bill as amended. I have a feeling that they can propably hold it in a telephone booth because there won't be that many Mem- bers who stick around. But at least this motion allows those who do wish to know the contents of the Bill as amended, can stick around and learn whatever they can from this Bill. And therefore, I think, although it is extra-



ordinary. It is because of the controversy that has been generated because of the publicity on this measure....that I commend the Sponsor of the motion, I commend the Judiciary Committee and therefore, I think we ought to support Representative Katz and this extraordinary measure."

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

Schlickman: "Well, Mr. Speaker, we have raised a point of order previously...."

Speaker Bradley: "What's your point?"

Schlickman: "Number one, House Bill 1500 is not within the control of the House. Consequently you cannot have a Committee hearing of any sort on this Bill. Number two, this motion of Resolution does not appear on the Calendar and I object."

Speaker Bradley: "I don't know to which rule you are referring to that....the Gentleman cannot move to suspend the rule without having it on the Calendar. It's a Resolution and he can make that motion and he has made that motion in writing."

Schlickman: "But, Mr. Speaker, no Committee can hear any Bill of which it has no control."

Speaker Bradley: "I don't think they are hearing the Bill at all. I think the Gentleman....well, Mr. Katz, straighten me out if I'm wrong, but it is a discussion of the subject matter in Senate Bill 1500. Mr. Katz, is that correct?"

Schlickman: "Well, Mr. Speaker...."

Speaker Bradley: "I believe that we have precedent, I think we did this with unemployment comp...."

Schlickman: "Well, Mr. Speaker, I would suggest that we can get ourselves out of this bind simply by following a suggestion made earlier. For the Speaker to assign one of the hearing rooms for Mr. Katz and others to describe to which ever Members that are interested what they want."

Speaker Bradley: "I think we can resolve the issue by putting it to a vote and we're going to have to have a vote on it



anyway. Now, the Chair would like to say, if the vote... yes and if the vote does prevail that we will have a few minutes, Mr. Katz, to move through the First and Second Special Session to take care of some business then come back and we will not....move and to resolve by sending it to Committee of a Whole. If this does in fact prevail, so the question is on the adoption of House.....I'm sorry, it is to suspend the rules. The question is on the suspension of the rules for the immediate consideration of House Resolution 561. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? The Gentleman from Cook, Mr. Katz....if somebody would please vote my switch back there to green I would appreciate it."

Katz: "Mr. Speaker, I didn't have a chance to close.....may I do so?"

Speaker Bradley: "I'm sorry, Sir, you certainly may."

Katz: "Mr. Speaker, House Bill 1500 is a complicated Bill, it will be over in the morning. We were affording an opportunity for all Members who were interested to hear tonight about what the Senate Amendments are. They have a chance to question people which they wouldn't have a chance to do tomorrow. If this House prefers not to have an opportunity then this House may do so, no one would be inconvenienced. Mr. Schlickman himself was given a chance this afternoon to question persons and to hear more about the Bill. I think that ought to be open to every Member of this House. This is one of the most serious Bills that this General Assembly will have considered in the last dozen years. I think it is worth at least for those people who want to hear it, an opportunity to question witnesses and an opportunity to hear what the Bill is about because tomorrow there will be one quick vote on concurrence. And the Members before they cast that vote might like to know the details of the Bill as it will be if they vote for or against



concurrence. Accordingly, I would urge the Members of the House to support this Resolution to suspend the rules so that others might have the opportunity to hear if they want to, but if they don't, the matter will be coming up tomorrow and it will be considered in a normal course."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question we have 71 'ayes', 18 'nays' and the Gentleman's motion fails. Now, it is the intent of the Chair....announce the intention of the Chair that....so, we can receive messages from the Senate we're going to probably recess the House to the call of the Chair so we will be in the position to receive messages from the Senate with the intention coming in tomorrow morning, at approximately 9:30, we'll announce that for sure but....we will stay in recess. We have one other piece of legislation that we would like to deal with. One that Mr. Dunn has on Supplemental in the First Special Session. So, we will now recess the Regular Session to the call of the Chair and we will reconvene the Second Special Session and on the Calendar Supplemental #2, on the Second Special Session appears House Bill 14. Read the Bill a second time."

Clerk O'Brien: "House Bill 14, a Bill for an Act relating to county and municipal jails. Second Reading of the Bill, Amendment #1, was adopted in Committee."

Speaker Bradley: "Any motions or Floor Amendments?"

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

Speaker Bradley: "There is a fiscal note filed. Amendments from the floor?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "The Gentleman from Macon, Mr. Dunn for a purpose of a motion."

Dunn: "Well, Mr. Speaker and Ladies and Gentlemen of the House. As I explained earlier, this is a two Bill package. We



have before us only the substantive legislation, there is a companion Appropriation Bill and it has been the custom and practice in this House that were there is such a package, where a substantive legislation is in one Bill and the appropriation is in another and the appropriation is proceeding in a normal course of events as this one is, House Bill 15 is proceeding having come out of House Executive Committee and being reassigned to House Appropriation Committee where it will be considered. There is really no need for a fiscal note on House Bill 14 and I would request that the Sponsor withdraw his request for a fiscal note, or that the House determine that no fiscal note is required on House Bill 14 in the Second Special Session because there is a companion Appropriation Bill which is alive and pending and before the House Appropriation I, Appropriation Committee."

Speaker Bradley: "The Gentleman from Peoria, Mr. Mudd, for what purpose do you arise, Sir?"

Mudd: "Mr. Speaker, I would like to have a ruling on this Bill and especially on the fiscal note request. The Bill itself spells out what the legislation calls for in the way of dollars and I feel that the fiscal note contains in the legislation itself and request a ruling from the Chair."

Speaker Bradley: "The Chair has ruled prior to this with a substantive Bill and a fiscal....Appropriation Bill coming later that it was not necessary that a fiscal note apply in this particular case. And so, the Chair would so rule so that we might be constant. The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Respectfully suggest, Mr. Speaker, that you don't have the authority to determine whether or not a fiscal note is appropriate. That lies with the House and the Membership and the rule."

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



Mudd: "To further state that I know that Mr. Schlickman wouldn't be involved in anything dilatory here just to hold the Bill for fiscal note...."

Schlickman: "Yes, I would."

Mudd: "Well, then....by his own admission his tactic was dilatory, so I would ask you to move on that."

Speaker Bradley: "Mr. Dunn, you've made a....what was your motion, Sir?"

Dunn: "Mr. Speaker, I request that the House determine that no fiscal note is required at this time on House Bill 14 because there is a Companion Appropriation Bill....alive and well."

Speaker Bradley: "I think I have already ruled on that motion that a fiscal note is not required."

Dunn: "Then I request that this Bill be moved to Third Reading."

Speaker Bradley: "Third Reading. Mr. Ryan."

Ryan: "Well, Mr. Speaker, I would suggest that the Committee on the Assignment of Bills do their duty according to Rule 31(e), and that is, to refer this Bill to the Revenue Committee where it belongs."

Speaker Bradley: "The House Bill was already on Second Reading on the Supplemental Calendar #2 and we moved it to Third Reading and that is where it is now, it's on Third Reading. It's not in the jurisdiction of assignments...."

Ryan: "Well, it is apparently under the rules, Mr. Speaker, in Rule 31(e). The Bill....any Bill that affects directly or indirectly the revenues of the state are to be referred to the Committee on Revenue and this Bill has never been there."

Speaker Bradley: "I think the Chair, in order to be consistent, will have to stand by its ruling. I think we ruled and did the same thing with your Bill...correction Bill to build correctional facilities in the State of Illinois. Exactly the same tact was taken at that time and the assignment sent it to Executive....reported favorably and



it was never really referred to revenue and we moved it wrong and we made that decision that....ruling, Mr. Ryan, last spring on a number of occasions. And so that's the position that we're in with this piece of legislation. So, we moved it to Third, so the Bill is on Third Reading now. We will recess the Second Special Session to the call of the Chair and we will recess to a Perfunctory Session and the Regular Session....we recess....we didn't adjourn any of them, we recessed the Second Special Session at the call of the Chair. Now, we're going to stand in..... So, the position we're in, all three Sessions are recessed to the call of the Chair. The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker, I'm a little worried about the manner in which you stated your reason. Although I think you were absolutely correct in the last Special Session, because I think that gets into the record, it would indicate that any Bill that appropriates money would necessarily go to the Revenue Committee. If you're ruling that they are anything other than....that the Bill have no direct or indirect effect upon the revenue. And it does not have an effect upon revenue, direct or indirect."

Speaker Bradley: "I don't think they indicated that, did I, Sir?"

Tipsword: "Well, you didn't go on that basis. You went all the way around Robin Hood Barn, it kind of indicates that maybe there might have been some effect even of the Prison Bill on revenue and there was no effect upon revenue, direct or indirect. If the building of prisons or building of anything else in the State of Illinois or the issuance of bonds can be determined to have an effect upon revenue.... my gosh, that would put all those Bills into Revenue Committee."

Speaker Bradley: "I think the Chair has been consistent in ruling that the legislation for general obligation bonds does not have to go to the Revenue Committee...correct..."



and that's where we are, I think right now."

Tipsword: "Thank you."

Speaker Bradley: "That all three Sessions are....stand in recess until the call of the Chair and we're coming back in tomorrow morning at 9:30 and we will....9:30 tomorrow morning and we....9:30 for the Regular, 9:40 for the First Special and 9:40 for the Second Special Session. Rules Committee at 9:00 and we will be here this evening to receive messages from the Senate."

Clerk O'Brien: "Regular Session will be back in Session. Messages from the Senate. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of Bill of the following title to wit: House Bill 1500, 2467, 2469, 2471, 2472, 2473, 2474, 2476, 2480, 2482 and 2497. Together with Amendments passed by the Senate as amended by three-fifths vote. November 22, 1977. Kenneth Wright, Secretary. No further business in the Regular Session, the Regular Session now stands adjourned until 9:30 A.M., November 23. First Special Session is now in Session. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of the Bill of the following title to wit: House Bill 21, together with Amendments. Passed by the Senate as amended by three-fifths vote. November 22, 1977, at the First Special Session. Kenneth Wright, Secretary. No further business, the First Special Session now stands adjourned until 9:40 o'clock A.M., November 23, 1977. Second Special Session is now in Session. Messages from the Senate. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representative that the Senate has concurred with the House in the passage of



Bills with the following titles to wit: House Bills 3, 4, together with Amendments passed by the Senate as amended by three-fifths vote. November 22, 1977, at the Second Special Session. Kenneth Wright, Secretary. No further business in the Second Special Session, the Second Special Session now stands adjourned until 9:50 o'clock A.M., November 23, 1977.



1.	<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
	1		Perfunct Session	
	1	1:00	Speaker Redmond	House to order
	1		Clerk O'Brien	Prayer
	1		Speaker Redmond	
	2		Clerk O'Brien	HJRCA #12-2nd Reading
	2		Clerk Hall	HJRCA #15-2nd Reading HJRCA #24-2nd Reading HJRCA #33-2nd Reading
	4			
	4		Clerk O'Brien	Regular Session-Recess till 4 am
	5			1st Special Session to order Recess to the call of chair
	5		"	2nd Special Session to order Recess to cal of the chair
RECESS				
	4		Speaker Redmond	House to order
	4		Reverend Krueger	Prayer
	4		Speaker Redmond	Roll Call. HB 2nd Reading
	6		Clerk O'Brien	HB 2506
	6		Speaker Redmond	3rd Reading
	6		Clerk O'Brien	HB 2507
	6		Speaker Redmond	3rd Reading
	6		Clerk O'Brien	HB 2517
	6		Speaker Redmond	3rd Reading
	6	4:03	Clerk O'Brien	HJRCA #12-Read 2nd time prev.
	6		Speaker Redmond	3rd Reading
	6		Clerk O'Brien	HJRCA #15-Read 2nd time prev.
	6		Speaker Redmond	3rd Reading
	7		Clerk O'Brien	HJRCA #24
	7		Speaker Redmond	



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Page	Time	Speaker	Information
2.			
7		Clerk O'Brien	Amendment #1
7		Speaker Redmond	
7		Beatty	Pass it
7		Speaker Redmond	Out of record
7		Clerk O'Brien	HJRCA #33-read 2nd time prev.
7		Speaker Redmond	3rd Reading
8		Giorgi	1322-motion
8		Speaker Redmond	
8		Ryan	Oppose motion
8		Speaker Redmond	
9		Jaffe	
9		Speaker Redmond	
9		Waddell)	
)	
9		Giorgi)	
10		Speaker Redmond	
10		Tipsword)	
)	
10		Giorgi)	
10		Speaker Redmond	
11		Mulcahey)	
)	
11		Giorgi)	
11	4:14	Speaker Redmond	
11		Matijevich	Votes for out of record
11		Speaker Redmond	
12		Skinner	Oppose motion
12		Speaker Redmond	
12		Giorgi	To close
12		Speaker Redmond	



3.	<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
	12		Schlickman	Point of privilege
	12		Speaker Redmond	
	13		Giorgi	
	13		Speaker Redmond	HB 1322 lost
	13		Giorgi	Postponed Consideration
	14		Skinner	
	14		Speaker Redmond	
	14		Matejek	SB 1359 motion
	14		Speaker Redmond	
	15		Simms)	
	16		Matejek)	
	16		Speaker Redmond	
	16		Yourell	
	16		Speaker Redmond	
	17		Matejek	To close
	17		Speaker Redmond	
	17	4:27	J. Houlihan	Opposes
	17		Speaker Redmond	SB 1359 motion lost
	17		"	Reduction Vetoes
	17		G. Barnes	Filed SB 362 motion
	17		Speaker Redmond	
	18,19		G. Barnes	Explains SB 362 motion
	19	4:30	Speaker Redmond	
	20		Jaffe	Explains 'aye' vote
	20		Speaker Redmond	
	20	4:32	Bradley	Explains 'aye' vote
	20		Speaker Redmond	



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<u>4.</u> <u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
21		Edgar	Explains 'no' vote
21		Speaker Redmond	
21		Mudd	Explains vote
21		Speaker Redmond	
22		Cunningham	Wants to dump Roll Call
22		Speaker Redmond	
22		Schlickman	
22		Speaker Redmond	Verification Requested
23		Clerk O'Brien	Polls absentees
23		Speaker Redmond	
24		Clerk O'Brien	Affirmative Roll.
24		Speaker Redmond	
24		Collins	'aye'
24		Speaker Redmond	
24		Hanahan	'aye'
24		Speaker Redmond	
24		Clerk O'Brien	Continues
24		Speaker Redmond	
24		Dyer	'no'
24		Speaker Redmond	
24		Clerk O'Brien	continues
24		Speaker Redmond	
24		Ryan	
24		Speaker Redmond	
24		Barnes, G.	Inquiry
24		Speaker Redmond)	
25,26		Ryan)	Questions of affirmative



<u>5.</u>	<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
	26		Speaker Redmond	Motion on SB 362 prevails
	27	4:55	Speaker Redmond	Amendatory Vetoes
	27		Getty	Out of record
	27		Speaker Redmond	
	27		Getty	Explains SB 1310
	27	4:57	Speaker Redmond	SB 1310 motion prevails
	27		Clerk O'Brien	Approval of Journals
	27		Speaker Redmond	
	27		Bradley	Motion on Journals
	28		Speaker Redmond	Motion carries
	28		Clerk O'Brien	Introduction, 1st Reading
	28		Speaker Redmond	Constitutional Amendment
	28		Clerk O'Brien	Reads HJRCA #24
	28		Speaker Redmond	
	28		Clerk O'Brien	Reads Amendment #1
	28		Speaker Redmond	
	28		Hart	Explains Amendment #1
	28		Speaker Redmond	Amendment #1 is adopted
	28			3rd Reading
				House Bills 3rd Reading
				HB 2507 returned to 2nd
	29		Clerk O'Brien	Reads Amendment #1
	29		Speaker Redmond	
	29		Jaffe	Explains Amendment #1
	29		Speaker Redmond	Speaks on the Amendment
	29		Schlickman)	
)	
	30	5:02	Jaffe)	
	30		Speaker Redmond	



6.

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
31		Kosinski	Explains Am #1-HB 2507
31		Speaker Redmond	
32	5:07	G. Barnes	Explains 'aye' vote
32		Speaker Redmond	
32		Kosinski	
32		Speaker Redmond	
32		Jaffe	To close
33		Speaker Redmond	Motion prevails. Am #1 adopted 3rd Reading
33		Ryan	Absentees
33		Speaker Redmond	Total Veto Motions
34,35		Hoffman, G. L.	Explains SB 392
35		Speaker Redmond	
35		Schlickman)	
36		G. L. Hoffman)	
36	5:17	Speaker Bradley	
36		Ryan	Supports Veto
36		Speaker Bradley	
37		Hoffman	To close
37	5:22	Schneider	Explains vote
37		Speaker Bradley	
38		Conti	Explains vote
38		Speaker Bradley	
38		Ryan	Verification
38		Speaker Bradley	
38		Geo-Karis	'Present'
38	5:26	Speaker Bradley	



7.	<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
	38		Clerk O'Brien	Polls absentees
	38		Speaker Bradley	
	38		Dawson	Verified?
	38		Speaker Bradley	
	39		Ryan	
	39		Clerk O'Brien	Continues absentees
	39		Speaker Bradley	
	39		Clerk O'Brien	Reads Affirmative
	39		Speaker Bradley	Madigan verified
	39	5:34	Clerk O'Brien	Continues
	39		Speaker Redmond	
	40		Pullen	'No'
	40		Speaker Redmond	
	40		Harris	'Aye'
	40		Speaker Redmond	
	40		Ryan	Count?
	40		Speaker Redmond	114 'ayes'
	40		Ryan)	
	40)	
	41		Speaker Bradley)	Questions of Affirmative
	41		Hart	'Aye'
	42		Speaker Bradley	
	43		Ryan)	
	43)	
	44	5:40	Speaker Bradley)	Continues questions
	44		Macdonald	'Aye'
	44		Speaker Bradley	
	44		Geo-Karis	'Aye'



8.	<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
	44	5:45	Speaker Redmond	
	44		Martin, L.	'No'
	44		Speaker Redmond	
	44		Matijevich	Objections to changing votes
	44		Speaker Bradley	
	44		Ryan	Motion for SB 392 prevails
	45		Speaker Bradley	SB 622. Out of record.
	46		Getty	Explains SB 856
	46	5:50	Speaker Bradley	
	47		Leinenweber)	
	48		Getty)	
	48		Speaker Bradley	
	48		Brummer)	
	49		Getty)	
	49	5:55	Speaker Bradley	
	49		Skinner	Moves previous question SB 856
	49		Speaker Bradley	
	50		Getty	To close
	50	5:59	Speaker Bradley	
	50		Darrow	Explains vote
	50		Speaker Bradley	
	50		Getty	Postponed Consideration
	51		Speaker Bradley	
	51		Clerk O'Brien	Reads HJRCA #22
	51		Speaker Bradley	
	51		Totten	Explains HJRCA #22
	51		Speaker Bradley	No pictures allowed



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9.	<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
	52		Totten	Continues
	53		Speaker Bradley	
	53	6:07	Wolf	People on the floor
	54		Speaker Bradley	
	55		Totten	Continues
	55		Speaker Bradley	
	56		Kane)	
)	
	58		Totten)	
	59		Speaker Matijevich	
	59	6:20	Ryan	Opposes
	60		Speaker Matijevich	
	60	6:22	Stuffle)	
)	
	61		Totten)	
	62		Speaker Matijevich	ERA will not be called
	62		Keats	
	62		Speaker Matijevich	
	62		Houlihan, J.)	Inquiry
)	
	62		Speaker Matijevich)	
	63		Kelly	Inquiry
	63		Speaker Matijevich	
	63	6:30	Keats	Continues
	64		Speaker Matijevich	
	64		Darrow)	
)	
	64		Totten)	
	64		Speaker Matijevich	
	65		Geo-Karis	Favors
	65		Speaker Matijevich	



<u>10.</u>	<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
	66		Taylor	Moves previous question
	66		Speaker Matijevich	
	66		Totten	To close
	66		Speaker Matijevich	
	67	6:37	Porter	Favors
	68		Speaker Matijevich	
	69		Lechowicz	Explains vote
	69		Speaker Matijevich	
	69	6:42	Skinner	Explains vote
	69		Speaker Matijevich	
	70		Mautino	Explains vote
	70		Speaker Matijevich	
	71		Campbell	Explains vote
	71		Speaker Matijevich	
	71	6:45	Cunningham	Explains vote
	71		Speaker Matijevich	
	72		Ewing	Explains vote
	72		Speaker Matijevich	
	73	6:47	Satterthwaite	Explains vote
	73		Speaker Matijevich	
	73		Friedrich	Explains vote
	73		Speaker Matijevich	
	74		Bowman	Explains vote
	74		Speaker Matijevich	
	74		Steele	Explains vote
	74		Speaker Matijevich	
	74		Ryan	Verification



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11. Page	Time	Speaker	Information
74		Speaker Matijevich	
75	6:52	Clerk Hall	Polls absentees
75		Speaker Bradley	
75		Clerk Hall	Reads Affirmative
75		Speaker Bradley	
75		Ryan	
75		Speaker Bradley	
75		Laurino	'Aye'
75		Speaker Bradley	
76,77	7:00	Ryan)	Questions of Affirmative
78,79		Speaker Bradley)	
79	7:06	Farley	'Aye'
80		Speaker Bradley	HJRCA #22 passed. Motions.
80		Walsh, W. D.	Motion 187
81	7:10	Speaker Bradley	
81		Walsh, W. D.	Inquiry
81		Speaker Bradley	MOTION 187 prevails
81		Clerk O'Brien	Reads Motion 187
81		Speaker Bradley	
82		Brady	Speaks on SB 187
82		Speaker Bradley	SB 187 prevails
83		Leinenweber	Motion to SB 1261
83	7:14	Speaker Bradley	Motion to SB 1261 prevails
83		Clerk O'Brien	REads SB 1261, 2nd
83		Speaker Bradley	
84		Clerk O'Brien	Reads Amendment #1
84		Speaker Bradley	



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12.	<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
	84		Leinenweber	Explains Amendment #1
	84		Speaker Bradley	Amendment #1 adopted. 3rd Read.
	84		Mautino	Explains SB 1383
	84	7:19	Speaker Bradley	
	85		Mautino	Discharge Committee
	85		Speaker Bradley	
	85		Epton)	
)	
	85		Mautino)	
	85		Speaker Bradley	SB 1383 motion adopted
	85		Clerk O'Brien	Reads SB 1383. 2nd Reading
	85		Speaker Bradley	3rd Reading
	86		Mautino	Explains SB 1387. Motion on Discharge Committee
	86		Speaker Bradley	
	86		Schuneman	Supports
	86		Speaker Bradley	Motion prevails SB 1387
	86		Clerk O'Brien	Reads SB 1387-2nd
	87	7:23	Speaker Bradley	3rd Reading
	87		Hart	Introduction
	87		Brummet	Explains SB 1388. Motion
	88		Speaker Bradley	Motion to SB 1388 prevails
	88		Clerk O'Brien	Reads SB 1388. 2nd
	88		Speaker Bradley	3rd Reading
	88		Katz	Explains SB 882
	88		Speaker Bradley	Objections to Katz doing Polk's Bill. Out of record. SB 882
	89		"	Total Veto Motions
	89		Younge	Suspension of rules for HR 539



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<u>13.</u> <u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
89		Speaker Bradley	
89		Ryan	Objects to Younge's motion
89		Speaker Bradley	Recess Regular Session
89		Speaker Bradley	1st Special Session
89		Clerk O'Brien	Reads Journal
89		Speaker Bradley	
89		Giorgi	Dispense with reading of Journal
90	7:32	Speaker Bradley	Motion carries
90		Clerk O'Brien	Reads SB 12
90		Speaker Bradley	3rd Reading
90		Davis	Motion to HB 7
90		Speaker Bradley	
90		Ryan	Explanation?
90		Speaker Bradley	
91	7:35	Davis	Explains Motion on HB 7
92		Ryan	Concurs
92		Speaker Bradley	
92		Katz	Opposes
92		Speaker Bradley	
92		Schlickman	Opposes
92	7:38	Speaker Bradley	
92		Geo-Karis	Supports
93		Speaker Bradley	
93		Daniels	Supports
93		Speaker Bradley	
93		Leinenweber	Supports



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14. Page	Time	Speaker	Information
93		Speaker Bradley	
93		Davis	To close
94		Speaker Bradley	
94		Skinner	Explains vote
94		Speaker Bradley	
94		Davis	Explains vote
94		Speaker Bradley	
94		Davis	Poll the absentees
94		Speaker Bradley	
94		Katz	Verification
94		Speaker Bradley	
95	7:42	Clerk O'Brien	Polls absentees
95		Speaker Bradley	
95		Davis	Interim Study request
95		Speaker Bradley	
95		Dyer	'Aye'
95		Speaker Bradley	Motion on HB 7 fails 1st Special Session recess
96		Speaker Bradley	2nd Special Session
96		Giorgi	Dispense reading of Journal
96		Speaker Bradley	Motion carries
96		Clerk O'Brien	Reads HB 14, 2nd
96		Speaker Bradley	
96		Schlickman	Inquiry?
96		Speaker Bradley	
97	7:45	Dunn	Explains HB 14
97		Speaker Bradley	



15. Page	Time	Speaker	Information
97		Tipsword	Also explains HB 14
97		Speaker Bradley	
97		Waddell)	
)	
97		Dunn)	
97	7:47	Speaker Bradley	
97		Schlickman)	Point of order-next on Calendar
)	
98		Speaker Bradley)	
98		Dunn	Out of record. HB 14
99		Speaker Bradley	2nd Special Session in recess
99		Speaker Bradley	Regular Session
99		Clerk O'Brien	Reads Agreed Resolutions
99		Speaker Bradley	
100		Giorgi	Explains resolutions
100		Speaker Bradley	
100		Giorgi	Continues
100	7:52	Speaker Bradley	
100		Catania)	Inquiry
)	
101		Giorgi)	
101		Speaker Bradley	Agreed Resolutions adopted
101		Katz	
101		Speaker Bradley	
101		Clerk O'Brien	Reads Resolutions
101		Speaker Bradley	
101		Clerk O'Brien	Introduction. 1st
102	7:58	Speaker Bradley	House at ease for 1 minute
102		Keats	Moves to adjourn



Page	Time	Speaker	Information
16.			
102		Speaker Bradley	Not recognized for that
102		Katz	SA to HB 1500 in morning HR 561 Suspension of rules
102		Speaker Bradley	
103		Walsh	Objects
103		Speaker Bradley	
103	8:06	Schlickman	Objects
103		Speaker Bradley	
104		Geo-Karis)	Point of order
)	
104		Speaker Bradley)	
104		Daniels	Supports Katz's motion
104		Speaker Bradley	
105		Matijevich	Supports Katz's motion
105	8:10	Speaker Bradley	
105		Schlickman	Point of order. Objects.
106		Speaker Bradley	Suspension of rules to consider HR 561
107		Katz	To close on HR 561
107		Speaker Bradley	Motion fails Regular Session recess
107		Speaker Bradley	2nd Special Session
107		Clerk O'Brien	HB 14, 2nd
107		Speaker Bradley	
108		Dunn	Motion on HB 14-no fiscal note
108		Speaker Bradley	
108	8:19	Mudd	Ruling on fiscal note requested
108		Speaker Bradley	Fiscal note doesn't apply



17. Page	Time	Speaker	Information
108		Schlickman	
108		Speaker Bradley	
109		Mudd	Schlickman is dilatory
109		Speaker Bradley	
109		Dunn	Reuest 3rd Reading
109		Speaker Bradley	3rd Reading
109		Ryan	
110		Speaker Bradley	Recess 2nd Special Session to call
110		Tipsword	
111	8:27	Speaker Bradley	Perfunctory Session
111		Clerk O'Brien	Reads Messages from Senate Regular Session adjourned till 9:30 a.m.
111		Clerk O'Brien	1st Special Session. Messages 1st Special Session adjourned
112		Clerk O'Brien	2nd Special Session. Messages 2nd Special Session adjourned

