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1	12:00	Speaker Redmond	House to order	
		Clerk O'Brien	Prayer	
		Speaker Redmond	Recess	
	1:25	Speaker Redmond	House to order	
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		Speaker Redmond		
2		Skinner	Point of order	
		Speaker Redmond		
		Pierce		
		Speaker Redmond		
		Simms	HB 2428, record as 'yes'	
3		Speaker Redmond		
		Martin, Peggy	HB 2839	
		Speaker Redmond	Roll call for attendance	
.4		Clerk O'Brien	Committee reports	
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		Mudd		
		Speaker Redmond		
		Matejek	Introduction	
		Speaker Redmond	Roll call for attendance	
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	1:45	Anderson	Introduction	
		Speaker Redmond		
		Madigan	Excused absence	
		Speaker Redmond		
5		Martin, Peggy	Renews motion HB 2839	



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		DiPrima	
		Speaker Redmond	
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6		Speaker Redmond	Motion prevails
7-8		Cunningham	HB 32 move to OVR
		Speaker Redmond	
		Ewing	Yield?
9		Cunningham	
10		McMaster	
		Speaker Redmond	
		Skinner	
		Speaker Redmond	
		Rigney	Yield
11		Cunningham	
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		Speaker Redmond	PPC
13-14		Totten	PPP (Governor's comments)
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		Kosinski	
		Speaker Redmond	
15		Matijevich	PPP
		Speaker Redmond	
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16		Mann	PPP
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17-18-19		Griesheimer	HB 168, move to OVR
		Speaker Redmond	
20		Mann	Oppose OVR
		Speaker Redmond	
21		Matijevich	
		Speaker Redmond	
22		Johnson	
		Speaker Redmond	
23		Stuffle	
		Speaker Redmond	
		Bluthardt	
		Speaker Redmond	
	2:29	Mulcahey	MPQ
		Speaker Redmond	
24-25-26		Griesheimer	To close
		Speaker Redmond	
		Vincent	Urge no vote
		Speaker Redmond	
		Stiehl	Record me 'no'
		Speaker Redmond	HB 168
		Griesheimer	PPC
27		Speaker Redmond	
28		Bowman	HB 1270 move to OVR
		Speaker Redmond	
		Kempiners	
		Speaker Redmond	
29		Bowman	



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31		Jaffe	HB 2506, move to OVR
		Speaker Redmond	
32		Holewinski	
		Ewing	Urge OVR
		Speaker Redmond	
		Mautino	Yield?
33		Jaffe	
		Speaker Redmond	
35		Satterthwaite	Yield
	2:53	Jaffe	
		Speaker Redmond	
36		Johnson	
		Speaker Redmond	
		Jaffe	
		Speaker Redmond	HB 2506
37		Conti	Explain vote
		Speaker Redmond	
		Holewinski	
		Speaker Redmond	
38		Friedrich	
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39		Mann	
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		Speaker Redmond	
		Schuneman	
		Speaker Redmond	
42		Johnson	Possible verification
		Speaker Redmond	
		Pullen	
		Speaker Redmond	
43	3:12	Bluthardt	Supports OVR
		Speaker Redmond	
		Jacobs	Supports OVR
44		Speaker Redmond	
		Griesheimer	
		Speaker Redmond	
		Deavers	Verification
		Speaker Redmond	
		Clerk Hall	Polls absentees
		Speaker Redmond	
		Clerk Hall	Affirmative roll call
		Speaker Redmond	
		Kozubowski	Change to 'aye'
		Speaker Redmond	
		Capparelli	Vote me 'aye'
		Speaker Redmond	
		Deavers	Questions affirmative roll
		Speaker Redmond	
		Clerk Hall	
48		Speaker Redmond	HB 2506 OVR



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		Mulcahey	HB 2529 move to OVR	
		Speaker Redmond		
49	3:16	Winchester		
		Speaker Redmond		
		Cunningham		
		Speaker Madigan		
50		Ryan		
		Clerk O'Brien	HR 1162 (Speaker Redmond)	
		Speaker Redmond		
		Ryan		
		Speaker Redmond		
51		Ryan		
		Speaker Redmond		
		Geo-Karis		
		Speaker Redmond		
		Cunningham		
52		Speaker Redmond		
		Speaker Madigan		
		Ryan	Requests Republican conf.	
		Speaker Madigan		
		,i;caju	Asks about returning to HB 2529	
		Speaker Madigan		
		Speaker Redmond		
		Mulcahey	To close	
		Speaker Redmond		
53		Ryan		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	7.
		Speaker Redmond	HB 2529 lost	
		Ryan	30 minute recess	
	3:41	Speaker Redmond	4:15	
		Clerk O'Brien		
		Speaker Redmond		
		Clerk O'Brien	Resolution	
		Speaker Redmond		
54		Giorgi		
		Speaker Redmond	Resolutions adopted	
		Clerk O'Brien	Introduction & 1st Reading	
		Speaker Redmond		
		Madigan	Move to susp. rule 33-a	
		Speaker Redmond		
		Ryan		
		Clerk O'Brien	Reads bills	
		Ryan	No objections	
		Speaker Redmond	Attendance roll call used	
		Clerk O'Brien	HB 3419, 2nd, no CA	
		Speaker Redmond	3rd reading	
		Clerk O'Brien	HB 3420, 2nd, #1 adopted	
55		Speaker Redmond	3rd reading	
		Clerk O'Brien	HB 3422, 2nd, #1	
	4:45	Speaker Redmond		
		Ryan		
		Speaker Redmond	Adopted, 3rd reading	
		Clerk O'Brien	HB 3423, 2nd, no CA	



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		Speaker Redmond		
		Clerk O'Brien	#1 failed, #2	
		Speaker Redmond		
57	4:48	Ryan		
		Speaker Redmond	Adopted, 3rd reading	
		Clerk O'Brien	HB 3424, 2nd, #1 failed #2 adopted	
		Speaker Redmond	3rd	
		Clerk O'Brien	3425, 2nd, no CA	
		Speaker Redmond	3rd	
		Clerk O'Brien	HB 3426, 2nd, no CA	
58		Speaker Redmond	3rd reading	
		Clerk O'Brien	HB 3427, 2nd, no CA	
		Speaker Redmond		
		Clerk O'Brien	Floor amendment #1	
		Speaker Redmond		
59		McClain		
		Speaker Redmond		
		Keats	Yield	
		McClain		
		Speaker Redmond		
60-61		Catania		
		Speaker Redmond		
62	4:56	Madigan	Question	
		Catania		
		Speaker Redmond		
		Pullen		
63		McClain		



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		Speaker Redmond	
		Mann	Asks McClain to explain
64		McClain	
		Speaker Redmond	
65		Mann	Oppose amendment
		Speaker Redmond	
66		Brummer	
		Speaker Redmond	
		McClain	
		Speaker Redmond	
		Davis, C.	
		Speaker Redmond	
		Catania	
		Speaker Redmond	
67		Peters	
		Speaker Redmond	
68		Catania	
		Speaker Redmond	
	5:10	Deuster	
		Speaker Redmond	
79		Ewell	
		Speaker Redmond	
70		Mann	
		Speaker Redmond	
		Anderson	
		Speaker Redmond	Amendment fails, 3rd reading
		Clerk O'Brien	HB 3428, 2nd, no CA



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		Speaker Redmond	3rd reading	
		Clerk O'Brien	HB 3429, 2nd, no CA	
		Speaker Redmond	3rd reading	
71		Clerk O'Brien	HB 3430, 2nd, no CA	
		Speaker Redmond	3rd reading	
		Clerk O'Brien	HB 3432, 2nd, no CA	
		Speaker Lechowicz	3rd reading	
		Clerk O'Brien	HB 3433, 2nd, #1 adopted	
		Speaker Lechowicz	TOOR	
		Clerk O'Brien	HB 3433, 2nd, #1 adopted	
		Speaker Redmond		
		Clerk O'Brien	Floor Amendment #2	
		Speaker Lechowicz		
72		McClain		
		Speaker Lechowicz		
	5:19	Hoffman	Support	
		Speaker Lechowicz	#2 adopted	
		McClain	#3	
		Speaker Lechowicz		
73		Ewing		
		Speaker Lechowicz		
		Hoffman		
		Speaker Lechowicz		
74		Stuffle		
		Speaker Lechowicz		
75		Schneider		
		Speaker Lechowicz		



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		Brady	
		Speaker Lechowicz	
		Bradley	Support
		Speaker Lechowicz	
76		Ewing	To close
		Speaker Lechowicz	Amendment fails
		Clerk O'Brien	Floor Amendment #4
		Speaker Lechowicz	
		Polk	
		Speaker Lechowicz	
		Madison	
		Speaker Lechowicz	
		Folk	
77		Speaker Lechowicz	
		Stuffle	
		Speaker Lechowicz	
	5:27	Polk	Explains Amendment
		Speaker Lechowicz	
		Stuffle	
		Speaker Lechowicz	
		Polk	To close
78		Speaker Lechowicz	#4 adopted, 3rd
		Clerk O'Brien	HB 3434, 2nd, no CA
		Speaker Lechowicz	3rd reading
		Clerk O'Brien	3437, 2nd, no CA
		Speaker Lechowicz	3rd reading



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		Clerk O'Brein	HB 3438, 2nd, no CA	
		Speaker Lechowicz	3rd reading	
		Clerk O'Brien	HB 3439, 2nd, no CA	
		Speaker Lechowicz	3rd reading	
79		Clerk O'Brien	HB 3442, 2nd, no CA	
		Speaker Lechowicz	3rd reading	
		Clerk O'Brien	HB 3444, 2nd, #1 adopted	
		Speaker Lechowicz	3rd reading	
	5:30	Yourell	SB 1550 motion	
		Speaker Lechowicz		
		Levin	Question	
80		Yourell		
		Speaker Lechowicz		
		Deavers	HB 2506	
81		Speaker Lechowicz		
		Williams	HB 2597 move to OVR	
82		Speaker Lechowicz		
		Hoffman		
		Speaker Lechowicz	HB 2597 passed	
83		Tip sword	HB 2695, move to OVR	
		Speaker Lechowicz		
84-85		Totten	Support	
		Speaker Lechowicz		
		Hoffman	Oppose	
86		Speaker Lechowicz		
		Schlickman	Yield?	



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		Tipsword		
87		Speaker Lechowicz		
		Mautino	Support	
		Speaker Lechowicz		
88-89		Tipsword	To close	
	5:55	Speaker Lechowicz		
90		Mugalian	Explain vote	
		Speaker Lechowicz		
		Satterthwaite	Explain vote	
		Speaker Lechowicz		
91		Friedrich		
		Speaker Lechowicz		
		Birchler		
		Speaker Lechowicz		
92		Keats		
		Speaker Lechowicz		
93		Cunningham		
		Speaker Lechowicz		
		Hoffman		
		Speaker Lechowicz	HB 2695 lost	
94		Houlihan, J.	Parliamentary inquiry	
		Speaker Lechowicz		
		Kornowicz	HB 2707 move to OVR	
		Speaker Lechowicz		
95-95		Skinner		
		Speaker Lechowicz		
97		Barnes		



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		Speaker Lechowicz	
		Brady	
	6:16	Speaker Lechowicz	HB 2707 passed
99-100 101-102		Dunn, J.	HB 2539
		Speaker Lechowicz	
		Steele, E.G.	
103		Speaker Lechowicz	
104		Mudd	Urge 'aye' vote
		Speaker Lechowicz	
		Porter	MPQ
		Speaker Lechowicz	
		Dunn, J.	To close
		Speaker Lechowicz	HB 2539
105		Tipsword	
		Speaker Lechowicz	
		Geo-Karis	
		Speaker Lechowicz	
106		Satterthwaite	
		Speaker Lechowicz	HB 2539 fails
		Pierce	
		Speaker Lechowicz	
		Madigan	
107		Speaker Lechowicz	SB 1395 to 2nd
	6:40	Jones, J.D.	#1
		Speaker Lechowicz	Adopted, 3rd reading
		Daniels	



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		Speaker Lechowicz	
108		Ryan	Question
		Speaker Lechowicz	
		Madigan	
		Speaker Lechowicz	
		Martin, P.	Announcement
		Speaker Lechowicz	
109		Clerk O'Brien	HR 1150
		Speaker Lechowicz	Adopted
		Madigan	Adjourn till 12:00 noon
		Speaker Lechowicz	House adjourn



Doorkeeper: "Attention Members of the House of Representatives, the House will convene in fifteen minutes."

Doorkeeper: "Persons not entitled to the House floor, please...."

Speaker Redmond: "The House will come to order. Will led in prayer by Jack O'Brien, the Clerk."

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

Speaker Redmond: "Any additions or corrections? Representative Matijevich."

Matijevich: "One addition, hmmmmmm."

Speaker Redmond: "Due to the overcrowded conditions here where everybody is sitting in everybody else's seat, I think the House better be at ease to the call of the Chair. My guess would be three quarters of an hour. At ease."

Speaker Redmond: "The House will come to order, Members please be in their seats. Committee reports."

Clerk O'Brien: "Representative Schneider, Chairman from the Committee on Elementary and Secondary Education, to which the following Bills were referred. Action taken November 28, 1978, reported the same back with the following recommendation. Do pass as amended House Bill 3433. Representative E.M. Barnes, Chairman from the Committee on Appropriations II to which the following Bills were referred. Action taken November 28, 1978, reported the same back with the following recommendations. Do pass House Bills 3426, 3427, 3430, 3434, 3437 and 3438. Do pass as amended House Bill 3420 and 3444."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, I rise on a point of order. Apparently on contradiction to the House rules there is a memo that has been passed out to...at least my desk and perhaps the other Republicans. Which says, cost of Democrat veto override motions. This memo is unsigned, I understand, however, it comes from the Budget Bureau. I'm particularly interested of course in House Bill 2707 for which the





price has doubled since the fiscal note that was filed this spring. And I object strenuously to the distribution of material that is not signed, number one. And number two, I object even more strenuously to material that is put out that is absolutely false. And this is absolutely false."

Speaker Redmond: "Representative Pierce."

Pierce: "Mr. Speaker, I agree heartily and a 100% with the Gentleman from McHenry. The next U.S. Senator from the State of Illinois. That the Bureau of the Budget....the Bureau of the Budget is operating like a flack, a second rate publicist for the Executive....Chief Executive of this state and propagandizing this Legislature with its phony figures in a very unprofessional manner. Not only bullying the Republicans there by putting material on their desk without Representative Ryan's approval or the Speaker's approval, but in general by shifting their figures where they find it convenient, by flying around the state, going to editorial boards at state expense to oppose Bills passed by this General Assembly. And I think the Gentleman from McHenry is 100% correct...let the Bureau of the Budget be the Governor's campaign manager for President if they want to be but have them keep out of here with all their changing of figures and the cheap unprofessional conduct."

Speaker Redmond: "Representative Simms...."

Pierce: "God bless Mayor Bilandic."

Simms: "Mr. Speaker and Ladies and Gentlemen of the House, I would like unanimous consent to be recorded as voting 'yes' on House Bill 2428, which was taken yesterday. I assumed I had pressed my green button but evidently I did not register it. I would ask consent that I be recorded as voting 'yes'. It will not change the outcome of the vote."

Speaker Redmond: "Is there any objection? No objection, leave



is granted. ....didn't ask me. Representative Peggy Smith Martin, you rise with respect to a motion on House Bill 2839. Is that correct? Please give the Lady order."

Martin: "Thank you very much, Mr. Speaker. Having voted on the prevailing side, I move to reconsider the vote by which the motion to pass House Bill 2839 over the veto of the Governor was lost on yesterday. That's regarding the Pioneer Plaza...memorial plaza."

Speaker Redmond: "Is there any discussion?"

Martin: "For further information I would like to yield to Representative Lewis DiPrima."

Speaker Redmond: "This is a Bill that Representative DiPrima moved to put on Postponed Consideration but it had been declared lost, so this is a parliamentary procedure in order that Representative DiPrima can put his Bill in the posture that he desires it. Now is there any further discussion? The question is on the Lady's motion that the House reconsider the vote by which House Bill 2839 was declared lost. Those in favor say 'aye'....may we use the Attendance Roll Call? We're having some problems with the buttons. Hearing no objection, we will use the Attendance Roll Call. Roll Call for attendance. They tell me the buttons aren't working...oh, they are working now. ....do this. Well, I guess we'll just have to call the roll. Would it be possible to have all the lights up there, determine the result of this vote? Purpose of per diem, only those that appear on the board will be paid. Is that correct? Committee Reports."

Clerk O'Brien: "Representative Matijevich, Chairman of the Committee on Appropriations I which the following Bills were referred. Action taken November 28, 1978, reported the same back with the following recommendations. Do pass House Bills 3419, 3422, 3423, 3425, 3428, 3429, 3432, 3439 and 3442. Do pass as amended House Bill 3424. Do not pass House Bill 3435. Tabled by the Sponsor, House



Bill 3417 and 3431."

Speaker Redmond: "Representative Mudd, seeking recognition?"

Mudd: "We have leave for the last unanimous?"

Speaker Redmond: "Representative Matejek. Representative Matejek."

Matejek: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to take this opportunity to introduce to you a fine group of young people from my district. The South Holland Law Enforcement Explorers Post 416. They are accompanied with their advisor, officer Tommy Collier of the South Holland Police Department. In the rear gallery."

Speaker Redmond: "Representative Luft...there is an impostor coming down the middle aisle there, will you please put him out. The fellow with the moustache. Roll Call for attendance. Representative Ryan are there any Republicans absent who's...."

Ryan: "You mean physically?"

Speaker Redmond: "Well...excused absence...."

Ryan: "I don't have any excused absences, no, Mr. Speaker."

Speaker Redmond: "How about Representative Anderson, is his absence excused? Representative Anderson."

Anderson: "Yes, Mr. Speaker, I would like to introduce a group of future leaders from Morton High School from the 45th District in the rear balcony. They are represented by Representative Von Boeckman, Representative Luft and myself. Would you stand up please."

Speaker Redmond: "Representative Madigan are there any Democrats absence excused? Now we will revert to Representative Peggy Smith Martin. A motion to reconsider the vote by which House Bill 283....Representative Madigan."

Madigan: "Would the records show that Representative Schisler is excused."

Speaker Redmond: "Who?"

Madigan: "Schisler."

Speaker Redmond: "Representative Schisler. Any objection to showing his..hearing none his absence will be excused. Representative



Peggy Smith Martin."

Martin: "Thank you very much, Mr. Speaker. Having voted on the prevailing side I move to reconsider the vote by which the motion to pass House Bill 2839, over the veto of the Governor was lost. This Bill is Representative Lewis DiPrima's Pioneer Plaza Bill."

Speaker Redmond: "Any discussion? The question is on the Lady's motion. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Representative DiPrima, explain your vote."

DiPrima: "How many do I need?"

Speaker Redmond: "89."

DiPrima: "Well, Jesus, this is only a little Bill to resurrect a Commission that is making a study for Pioneer Plaza. For Christ sake, this city needs some kind of monuments around here to let the people know what Springfield is all about. But that's all this does, it just resurrects this Commission for the study of the Pioneer Plaza."

Speaker Redmond: "Representative William Walsh."

Walsh: "Mr. Speaker, I question the 89 votes. It seems to me that this needs 107, since it is an override."

Speaker Redmond: "This is a motion to reconsider a vote by which it was declared law."

Walsh: "That motion requires the number of votes that it would take if the original motion were to prevail. Therefore, this needs 107 votes."

Speaker Redmond: "That section and verse....so that David Epstein can check with you. 62 (a), Representative Walsh. 89 votes. 62 (a)....alternately it will take 107 votes to pass it but to reconsider...62 (a). Representative Walsh concedes error. Representative Walsh, do you have a statement to make? 89 votes it takes. Do you desire to vote, Representative Walsh."

Walsh: "I voted."

Speaker Redmond: "Have all voted who wished? The Clerk will take



the record. On this question there are 91 'ayes' and 35 'no' and the motion prevails. Representative DiPrima do you move that House Bill 2829 be put on Postponed Consideration?"

DiPrima: "Yes, Mr. Speaker."

Speaker Redmond: "That's all, it is on Postponed Consideration."

DiPrima: "Thank you."

Speaker Redmond: "On the Order of Veto Motions appearing on page 4. Appears House Bill 32. Representative Cunningham. Representative Cunningham."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, this is simply a good idea that will not go away regardless of how long and how hard you try to ignore it. It is rather interesting to note that some years ago Governor Walker wrote in his veto message that it was a good idea and should be the law in Illinois and perhaps one day it could be phased in. And it was the height of a compliment that the present Governor in his veto message copied that veto message of his predecessor, almost verbatim and I want to say to you that unless you rise and do your duty in regard to this Bill I confidently and sadly predict that five years from now, when Governor Alan Dixon is on the second floor, he will write a veto message just like his two predecessors did. Let me tell you for a moment what 32 does. 32 is not a judicial pay raise, I cannot emphasize that too strongly. 32 merely permits the salary of a constitutional officer to be paid from the State Treasury. The Constitution of 1970 says that Judges throughout the state are state officers and there is no question about it, there is no other precedent anywhere in the law that I'm aware of...of a local unit of government being required to pay a supplement to the salary of a state official. Now there is a five hundred dollar overlap that was necessary because the people of Cook County, the Judges there have some kind of insurance



policy and they needed to have the five hundred dollars token consideration paid from the County Treasury so that they could go ahead. Let me point out....Mr. Speaker would you ring the gavel, nobody is listening they have checked the election results. Let me point out that there are four counties...four counties in the state that are not paying their share at the present time. Those counties are, Lake County which owes three hundred and fifty-one thousand dollars back to the State of Illinois, Adams County which will owe a hundred and thirty-six thousand dollars at the end of the December, Woodford County which will owe thirty-eight thousand and Jefferson County which will owe thirty-eight thousand. It is time for each of you to recognize that these counties are not scoff laws. They are not refusing to pay because they have the money, they are refusing to pay because they don't have the money. We've had entirely too much talk in recent days poor mouthing the financial resources of the State of Illinois. You need to recognize that this state has a gigantic vacuum sweeper that has two principle nozzles. And those nozzles are called sales tax and income tax and they each extract annually, almost painlessly from the victims throughout this state in excess of almost two million dollars for each of them year after year after year. Now when you think about the many other sources of income that the state has you must conclude that the state resources in comparison with that with lowly counties is very large margin indeed. You must compare the awesome power of the state to extract money from the citizens of this state with the puny machinery that is available to the counties. These counties can collect about twelve cents for every hundred dollars of real property from rebellious citizens to light the court house, to pay for the police and to do many many things and then you ask them to also supplement the salaries of the Judges at the



rate of seventy-five hundred dollars for the Circuit Judges and four thousand five hundred for the Associate Justices. Now I say to you that there is no justice whatever in this kind of arithmetic. I tell you that the counties throughout the state are entitled to your consideration. I ask you to believe that there isn't a County Board in the State of Illinois that doesn't enthusiastically endorse 32, not in the sense of greed but in a sense of need. They recognize that they haven't the resources. The Christmas season will soon be upon you, I want to say to you that you will never have a better opportunity to toss a sock, a small bone to your constituents, the county government. I ask you to examine in your conscience what your position should be and lay a small offering on the alter of fair play and justice. And that offering in this instance is an 'aye' vote. And let me....those on this side of the aisle that have troubles that they might be somehow transgressing against his Excellency, the Governor. Let me strongly urge you to believe that none is more an admirer of the Governor than I, nor depended upon his good will. I think that one day he may well be the President of the United States but he couldn't be wronger in this instance. In this instance your loyalty....your party loyalty must yield to your obligation to help your constituents at home. I beg you to vote 'aye' on this Bill."

Speaker Redmond: "Representative Ewing."

Ewing: "Yes, Mr. Speaker. I wonder if the Sponsor would yield for a couple of questions?"

Speaker Redmond: "He indicates that he will."

Ewing: "Mr. Sponsor, could you tell us what percentage of the Judges salary now paid by the County Board."

Cunningham: "At the present time the judicial salary throughout the state for the regular Judges is forty-two thousand five hundred. And the counties of each county contributes



seventy-five hundred so the State of Illinois is paying the thirty-five thousand."

Ewing: "So the majority is being paid by the state now...."

Cunningham: "More than 80%."

Ewing: "Yes, I suppose that your Bill also will transfer to the state coffers a percentage of the fines and the income from the courts. Is that correct?"

Cunningham: "No, I don't think it is possible to put it in that same Bill but if you have such a Bill I'll be glad to vote...."

Ewing: "No, I asked you, did...."

Cunningham: "I'll be glad to vote for it but it couldn't be put in this Bill, it's a law and we both know that."

Ewing: "So there is no transfer of the income from the court from fines and court cost to the state for picking up the Judges salaries. Is that correct?"

Cunningham: "No, at the present time there are many instances in which the judicial salary....the fines are being used for the benefit of the state."

Ewing: "Mr. Speaker, I would like to just point out those two facts that the able Sponsor of this motion has agreed with me on. First of all, the state is picking up the line share of the salary of the Judges. And I would assume that any salary increase which would be approved by this Body would also be picked up by the state. Second, the Bill does not provide to transfer any of the income of the court and we all know that there is considerable income from the county back to the state. I know that all the County Boards in my district wants this. Who wouldn't want a free ride. I'm not sure it is a good Bill."

Speaker Redmond: "Any further discussion? Representative Cunningham, do you desire to close? Representative McMaster, pardon me. McMaster. Will you please sit down."

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

Speaker Redmond: "Will you break up the Republican caucus there





please."

McMaster: "If I can give the previous speaker just a little bit of information. He says that the counties should transfer some of the fines to the state in the event that this override passes. Let me point out that the court house is provided by the county, by county taxes by county cost. All of the court services are provided by the county with the exception of the judges salaries. And I certainly feel that whatever the results of this Bill might be that the counties are contributing a great deal to the court<sup>s</sup> in each county."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker and Members of the House, there is absolutely nothing one can add to the eloquence of Roscoe's plea for your 'yes' vote. And so I merely reiterate it."

Speaker Redmond: "Representative Rigney."

Rigney: "Will the Sponsor yield? Representative Cunningham, can you tell me what percentage of the Judges salary is now paid from the Road Fund."

Cunningham: "From the Road Fund, none."

Rigney: "I think, Mr. Sponsor, you are incorrect in that. I think it is something like 25% of Judges fees...Judges salaries in this state are paid out of our Road Fund."

Cunningham: "We're not going to argue with you, there is a transfer into the Secretary of States Office in regard to road functions and you could argue that somehow that benefited the court system but there is nothing in the books now that says that the Road Fund is the source of the pay of judicial salary. You find me the chapter and verse before you decide I'm in error."

Rigney: "Well, I think if I recall about a year ago that figure was in the range of about twelve million dollars. And it seems to me that we're perpetrate in a system here that is going to continue to drain the Road Fund of the State of Illinois to the advantage of the counties that are



actually enjoying the revenues from the fine system in this state. And for that reason I think I would have a little trouble supporting your attempt here on an override."

Speaker Redmond: "Anything further? Desire to close, Representative Cunningham?"

Cunningham: "Certainly, we must close in this matter. In view of the last remark that Representative Rigney made. If there was ever a non sequitur without any support whatever in fact or reason with that. It is no diminishment whatever of the Road Fund and I can't believe that he doesn't know differently than what he has said in this matter. I want you to remember this, that the counties throughout the state are destitute. Their power and ability to levy a tax is very limited. I quoted to you their limits a minute ago. They haven't the resources of the State of Illinois, it is unthinkable that the state organization with its unlimited capacity to touch the voters and taxpayers throughout the state, shouldn't pay entirely the salary of state officials. Why this thing, if it were continue this nickle and dime approach that originated back in 1974, we would have each of the counties kicking in a little for your salaries....for the Governor's salary and all the elected state officials. This is unique, it's the wrong that needs to be righted. This is not a tax upon the administration, you didn't take an oath though when you....on this side of the aisle when you were sworn in, you didn't take an oath to support the Governor right or wrong and particularly when he was wrong. Your responsibility is to the voters in your district and you mustn't act as though your switches were wired to his nod in this matter. I beg you...I beg you to listen to your County Boards back in your homes and give us a green vote on this. The man that attacked it a moment ago, he said, 'it is too good of an issue to pass now, we can



pass it next year'. But now is the time, this is the place and the opportunity for a green light is here. Please."

Speaker Redmond: "The question is, shall House Bill 32 pass notwithstanding the veto of the Governor? All in favor indicate by voting 'aye', opposed by voting 'no'. Have all voted who wished? Representative Mahar. Have all voted who wished? Have all voted who wished? Representative Hart."

Hart: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I understand that if this Bill passes, that Roscoe has promised that he will never say anything more on the floor of the House. And I think that is a sufficient reason to support this Bill."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there is 94 'ayes' and 58 'no'. Representative Cunningham."

Cunningham: "Please."

Speaker Redmond: "Request Postponed Consideration. Representative Totten, for what purpose do you arise?"

Totten: "On a point of personal privilege, Mr. Speaker."

Speaker Redmond: "The Gentleman standing in front of Mr. Totten, please sit down."

Totten: "Mr. Speaker, I rise on a point of personal privilege. One, I think after I'm through most Members of this House would join me. And that is in regard to a AP wire story out of Williamsburg, regarding the relationships between the executives in this state and this Legislature. And I would like to read from the article that appeared in today's, I understand, Chicago Tribune and Lindsay-Schaub. Illinois Governor James Thompson said Monday, the way to get along with the General Assembly was to flatter the Members, provide them with political patronage and socialize with them over drinks. At a talk at the Republican Governors Conference, Thompson listed these



three rules as being important in getting along with State Legislators. He also said Governors should have good legislative liaison staff and consult lawmakers about important state decisions. But, Thompson repeatedly turned in his talk to fourteen fellow Republican Governors to the question of patronage. He said...he said 'there were many minor posts on State Boards and Commissions to which a lawmaker would like to be able to appoint members. He will remember you forever for letting him have that one post,' Thompson said. 'It may mean all the difference in the world to that Member of the General Assembly,' Thompson said, 'providing such jobs to lawmakers should not be done through regular channels. Run it through your legislative liaison staff, not through regular patronage staff,' he said. Thompson said it was also important to know when to call them, referring to Legislators, to the Governors Office. 'It is flattering to them,' Thompson said, he said, 'such a move would help to get votes on Bills. I'm not going to be....it's not going to be on the merits or you would have had it already.' Thompson said. The Governor said 'lawmakers would like to be able to say that they have been invited to the Governors Office. Even a better Legislator likes to say that to his peers,' Thompson said. He said socializing with Legislators also is an important component of the process. 'Have them to the Governors Mansion for a drink,' Thompson said. 'have them down in your office for their drink...go to their office and have a drink.' Governor added that, he did not mean to stress the importance of alcohol....or have a coke,' he said. 'There are practical rules for good legislative relations,' Thompson said. 'If I follow those rules faithfully and you follow these rules faithfully, we will have better relations with our Legislators.' Thompson's subject was how to get along with the Legislature. Among other things he said,



legislative liaison should have respect and ability. He also said House and Senate Leaders should not be pressured to do the impossible...just ask our Minority Leader about that. Thompson said state lawmakers...get this one, this is the one that particularly got to me. Thompson said state lawmakers often have good ideas...Thompson said state lawmakers often have good ideas and the Governor should not steal their thunder. And for that I call him thief. One way to get along with state lawmakers, Thompson said is to attend their political fund raising affairs. Go to their fund raisers even if it means a hellish schedule during an election campaign when you should be attending to your own affairs. It may mean the selling of fifty tickets. But make sure, 'your picture is on the tickets, not theirs' he said. 'Your name is the big name on the ticket and not theirs', he told fellow GOP Governors. They're selling my friend, the Governor. They're selling you. Thompson gave the advice for what to tell those who attend such fund raisers..tell them, 'my friend the Legislator is the greatest thing since sliced bread and I want him back in Springfield' and then go. End of article. To me that is one of the most demeaning depiction of a General Assembly that I have ever heard from a Chief Executive Officer. My only hope was that he may have said it with tongue in cheek but the article does not indicate that. And on that point of privilege, Mr. Speaker, I finish."

Speaker Redmond: "Representative Roman Kosinski."

Kosinski: "Mr. Speaker, may I respectfully point out to Representative Totten that this was a recommendation of the Governors of the other states and does not necessarily apply to Illinois."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Personal privilege, Mr. Speaker. If Representative Totten had been listening to us during the regular Session



he would have known all this all the while. You know, I guess all it says is that many of us six hundred thousand plurality of people in the State of Illinois didn't realize that we elected a phony. We told you that Don, you weren't listening that's all. And now maybe later on during the Session you'll give us a little talk about Phil Crane...right?'

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, on a point of personal privilege. I don't know what the Governor said at the conference but I think we should all remind ourselves that we should have a sense of humor and where the shoe fits let's wear it. And number two, it is fine for our opponents on the other side to attack this Governor but remember brother, you had plenty to attack in yours. You were sitting back and letting him do a lot of things that we shouldn't have had done and personally, I think that if a Governor makes a misstatement....I don't know what they are but I'm not going to believe the press until I see the whole text. And I still support the present Governor."

Speaker Redmond: "Representative Mann. Representative Mann."

Mann: "Mr. Speaker, a point of personal privilege."

Speaker Redmond: "Proceed."

Mann: "Mr. Speaker, I hope that the Members of the House would not only give the....their attention for the moment <sup>but</sup> extend to me as much latitude in terms of this point of personal privilege as they did to our previous speaker, Representative Totten. Yesterday, Mr. Speaker, I sought to get a waiver for House Bill 3443. We talked to ban the sale of manufacture handguns in the State of Illinois. Yesterday the Mayor of the City of San Francisco and a Commissioner were assassinated by the use of a handgun. Mr. Speaker and Members of the House, according to the FBI publication....crime in the United States, a yearly



compilation of crime statistic, of the nineteen thousand one hundred and twenty murders committed in the United States in 1977, nine thousand one hundred and seventy-eight, or 48% were committed with a handgun. Murder by a handgun was two and one half times more likely to occur than cutting or stabbing which was the next leading cause. Mr. Speaker and Members of the House, I ask you... when are we going to end this insanity which has turned the cities of our country into urban jungles because of the existence of fifty million handguns in the United States of America. We are the only, 'developed nation in the world that does not have a ban on the sale of handguns and on the manufacture of handguns'. I hate to pick up the newspaper, Mr. Speaker and Members of the House and read that the Mayor of the City of Chicago or the Governor of the State of Illinois or some other prominent official...or any other additional citizen in this state was murdered by the use of a handgun. When are we going to come to our senses and ban handguns in the State of Illinois. Thank you, Mr. Speaker."

Speaker Redmond: "On the Order of Total Veto Motions appears House Bill 168. Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. I come before you today with a motion to reject the Governor's veto of House Bill 168, the Clean Air Act. I had previously prepared a rather lengthy presentation on this but maybe that won't be necessary because of Representative Totten's speech. I would take it that the Governor never suggest getting together for a smoke with any of us and that must indicate that he really doesn't think too much of smoking notwithstanding his veto. House Bill 168 provides for Illinois a law which has been adopted in numerous other states. This is the second term it has been introduced, the second time it has been vetoed by a Governor of the State of Illinois....of a different party in this particular case."



And I would like to review with you today the Governor's veto as maybe I might suggest to you what he didn't tell the other Governors on the east coast...is not to allow someone else in your staff to write a veto, as there must be some logic and hopefully a little bit of truth to it. In the Governor's veto message he indicated that he was vetoing House Bill 168 for three reasons. First of all he indicated that he was vetoing the Bill because he felt that there were already laws on the books throughout the State of Illinois to handle this particular problem. As all of you know as this was presented to the House this last spring and argued in Committees in both House, there are not such laws in all parts of the State of Illinois to handle this problem. I understand clearly that House Bill 168 is not an Anti-Smoking Bill, it is merely a Bill to give the right to non-smokers in the same manner as smokers do today. So that in certain designated public facilities, which I would add, does not include restaurants, there would be areas set aside for non-smokers. The Governor goes on in his veto message and states that one of his second reasons for vetoing the Bill was that it unreasonable subjects administrators and hospital personnel to the threat of civil or possible criminal prosecution. I would suggest that good Governor Thompson should have consulted with the hospital industry because they endorsed this Bill. I have yet to find a hospital administrator anywhere that quarrels with this Bill. I might even suggest that the Governor might have talked to his father who is a physician specializing in the treatment, I understand, of cardiac diseases which relate to smoking and I think he would explain the facts of life to him. Lastly the Governor suggests that there is no way of enforcing this Bill. And in fact one of his liaison is cruising through the audience here today suggesting that if we pass this Bill we will have to have state troopers





going into a restaurant arresting people for violating the law. First of all I would point out to the Governor's liaison that this Bill does not apply to restaurants, second of all the Bill specifically provides for enforcement through public health agencies, not the state patrol. Thus the whole concept of being unenforceable is ridiculous. We could parallel this to the speed laws in the State of Illinois. If we are to suggest that it would be impossible to enforce totally...this Smoking Bill, this Clean Air Act, we would similarly have to take the position that there is no way to totally enforce our speed laws, therefore, we should abandon them. The Governor's logic fails on every stand. I don't believe the Governor completely understood the Bill when the veto message was signed, though one of the rather strange circumstances that arose in this particular Bill is that while I was anxiously awaiting, and I believe a good many people in the State of Illinois were anxiously awaiting the Governor's action on this Bill. The Governor accommodated a constituent letter from a gentleman in Chicago by the name of Robert 'Flexbig'. In that particular letter, in response to a complaint by Mr. Flexbig that there was too much smoke in train stations in the City of Chicago, the Governor wrote him and highly commended House Bill 168. Indicating that he felt it was a step in the right direction, although did not completely cure the problem. Yet three weeks later, without any prior notice to any of the organizations that had contacted him, certainly nor myself, he turned around and veto the Bill in fact this was one of the last vetos which were prepared by the Governor. Now when action was taken on this Bill in the House and in the Senate during the regular legislature Session, this House overwhelmingly approved this Bill. On the Conference Committee Report which was the last vote by this House on this matter...one hundred



thirty-nine Members of this House voted in favor of it. In the Senate there was similar overwhelming vote in favor of this Bill, I believe the public is in favor of this concept. It's not, I would underline, it is not anti-smoking. It is a Bill to provide rights to the non-smokers. Some very heavy smokers, even in our own House, Larry DiPrima, a four pack a dayer, has stated to me that he endorses this Bill. Not because he feels that he will be prejudice but rather because the failure to pass this Bill will prejudice the rights of non-smokers when using public facilities. I would further point out to you that the Democratic analysis, which I have had the opportunity to read, endorses the override of the veto. Similarly the Republican Staff analysis hits the nut right where it should be hit when we say, supporters of the legislation had reason to believe that it would be signed into law....that is the Bill because the Illinois Department of Public Health has not opposed it. Nor had any testimony been presented to the General Assembly in any way by proprietaries personnel or administrators in opposition to this particular piece of legislation. Moreover it can be stated that in the Republican Staff analysis it goes on to say that while it is acknowledged that this particular Bill is not a cure-all it's definitely a step in the right direction as it is something that is leading us to a law which will be affective to protect the rights of all the non-smokers in the State of Illinois. I believe this is a Bill that has a right to become a law in the State of Illinois and that one person should not stand in its way. The Legislature has spoken, I hope it will speak again and I hope that you will all vote to override the Governor's veto."

Speaker Redmond: "Any discussion? Representative Mann."

Mann: "Mr. Speaker, perhaps I will be characterized as a person with a special interest...if so I confess. I am a cigar



smoker, but I am also a civil libertarian and if I think I want to smoke cigars and get cancer I think that's my business. I think if we are serious about cleaning up pollution....air pollution in the cities of the State of Illinois we've got plenty of work to do and we've got plenty of ways to do it. This is not a conservative liberal issue, this is an issue of individual conscience and individual freedom and I am going to vote to sustain the Governor's veto of House Bill 168."

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

Matijevich: "Mr. Speaker to show that I don't always criticize the Governor. I'm a Cosponsor of this Bill and then I read the gubernatorial veto on it. My first gut feeling was right, when House Bill, I believe it was 342 came up the original Bill I was opposed to it. Because I felt that it really does nothing. In all the designated areas we're talking about there is really no problem. Go in the elevator out here, do you ever see anybody smoke? Go into the library, do you ever see anybody smoke? And if you do....if you do have you ever seen anybody arrested for it? Have you seen anybody say anything about it? Hell no, you never will and won't if this Bill becomes law. There won't be a person fined in the State of Illinois ten dollars let alone one hundred dollars if this Bill becomes law. I hear conservatives on this floor every day of the Session say, let's quit regulating. You know they had this issue in California and a lot of people were surprised that it was defeated and when it was defeated they all said, oh, the tobacco industry defeated it. That wasn't what defeated it, it was what Bob Mann talked about that the people in the State of Illinois and all over this country are saying....leave us to hell alone. Quite regulating us. This is only a Bill that is symbolic, that's all. It won't do a thing



and I for one think that the Governor was right. Now one other thing about it, remember we passed a Bill statewide mandatory....lowering the drinking age. What happened after that, you had home rule units of government now are changing that law. You have the similar type of thing now with a mandatory statewide law that really does nothing. So I too as Bob Mann, stand here to sustain the Governor on his action."

Speaker Redmond: "Representative Johnson. Please give the Gentleman order."

Johnson: "Mr. Speaker and Members of the House, I think what Representative Matijevich said, twisted slightly, is true. But the people of Illinois who are non-smokers are saying is leave us to hell alone. All this Bill does is to set aside in areas like hospital rooms, elevators, indoor theaters and other areas for non-smokers who don't want to smoke who are now being forced to smoke because of the intrusion in their lungs of smokers smoke....to leave us alone and give us the opportunity to have areas set aside for non-smoking. Federal Trade Commission and Congress have said now for ten years, that smoking is is hazardous to your health....that all advertising and newspapers and in magazines and otherwise have to contain warnings with respect to the danger of smoking. And yet we're going to allow it to continue to go on in areas that are sensitive as hospital rooms, elevators and otherwise. To me that is inconsistent. In the argument of the Governor and others that this ought to be in local ordinances and municipal action....I guess you could use the same logic to apply to any laws of the State of Illinois. Say, we ought to have a separate speed limit for Cairo as opposed to Chicago. Say we ought to have different laws regulating robbery or theft from one area to the other. The air is the same, people's lungs are the same, the incursion on their health is the same and to me the



veto of this Bill, any people who vote to sustain the Governor's veto are ones who are saying, let's have a dirty environment, let's go on and cause cancer in others even though they don't want to smoke themselves and let's go on cause incursions on their lungs and their health when it is absolutely unjustified. So I would join with Representative Griesheimer and other people who believe in civil liberties of a true sort to say, let's override the Governor's veto and vote green on this motion."

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

Stuffle: "Yes, Mr. Speaker and Members. I like others...I believe supported this Bill originally without taking a close enough.....supported this Bill originally probably without taking a close enough look at what it does or what it would cost. I don't often rise to support the Governor either and I don't rise to support the tobacco industry and I've never received a dime from them. I don't think the other people who are going to vote to sustain the Governor have either. I'm a smoker and I go into places where they already have designated areas. It may mean no more than a sign, like I see over there and the person sitting right next to them separated by possibly only a booth and certainly by no physical barrier is in the smoking area, as opposed to the non-smoking. And I don't see how this Bill would change that. I do see the cost factor mentioned by the Governor. Even as I read the definition of smoking in this Bill and smoking becomes an illegal act under the Bill, it says, one who inhales the smoke from a smoking device...be it a pipe or cigarette or anything is breaking the law. Not only the person who smokes but the person who inhales the smoke. That seems to me utterly ridiculous, that the Bill is worded that way and I have to agree with the argument submitted by Representative Matijevich and others that this Bill would



be costly. This Bill doesn't serve any purpose and this Bill is merely a brief for those who would like to argue for the lung association. They have done a great deal of work in this state but I don't see how doing this has anything except compound problems of bureaucracy and the cost to the state. And for those reasons and the reasons submitted by others this particular Bill, the override of the Governor should be sustained."

Speaker Redmond: "Representative Bluthardt."

Bluthardt: "Thank you, Mr. Speaker and Members of the House.

I also concur in the Governor's veto of this Bill, I think there is a point where government should not interfere and intervene for the activities of the citizen. And I think that point has been reached and I think that to conceive of the idea of arresting a person for smoking in a no smoking area is ridiculous. I also believe that this matter can be better controlled by private industry, by the hospitals, by the other places that can put limitations on the smoking privileges in those institutions. I think it would be ridiculous to have a big law enforcement force going around arresting people for blowing smoke or inhaling a cigarette or smoking on a pipe or a cigar. I think this Bill goes much too far, interferes with the rights and liberties of the people and should be defeated. I urge you to sustain the Governor's veto."

Speaker Redmond: "Representative Mulcahey."

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

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

The question is, shall the question be put? Those in favor say 'aye', opposed 'no'. The 'ayes' have it and the motion carries. Representative Griesheimer to close."

Griesheimer: "Thank you, Mr. Speaker. It seems to me to those of you that have stood up opposing this Bill that you have forgotten some of the basic freedoms that's granted in this country. There is no freedom that grants you the



right to pollute your neighbor. This was decided some time ago when we starting cleaning up our environment. To each one of you who may be a smoker in your own small way, you're a polluter. You have the right to pollute yourself even to give yourself lung cancer or to aggravate a heart condition. Just as you may have a right to go into a room and pick up one of those handguns that Representative Mann was just talking about and blow your own brains out. But you don't have a right to take that gun and blow somebody else's brains out and similarly you don't have a right to take one of Representative Bluthardt's cigars and choke your neighbor to death. I would suggest to you that in this day and age that the rights of the non-smoker are just as paramount as the rights of the smoker. Now it has been suggested that this Bill won't work, well I would suggest to any of you that feel that, you check the State of Nebraska because that is where this law originated. This very identical law, and matter of fact it not only is working it has worked for four years and they have increased its coverage. It's working well. Now is it working by a gestapo network out of the State of Nebraska arresting people? No, it is working because of citizen compliance with the law. Representative Matijevich would suggest that people ignore the law, well maybe they do in his area but they don't in mine. And sometimes I feel like we're from separate areas. People in fact will comply with this law, they are doing it in Nebraska, Minnesota, Arizona and many other states. Over thirty states have adopted some form of legislation to protect non-smokers. Thus there are rights that can be protected and we have an obligation to assist those people who need the protection. Representative Matijevich goes further and suggests that this will not have statewide effect because of home rule. Suggest to him that he look at the Conference Committee



Report because that is what the entire argument was about in the Conference Committee. This Bill was passed with sufficient votes to have statewide effect and notwithstanding home rule unit. Matter of fact the City of Chicago was only concerned of making this a much stricter law on its own local basis. They wanted to have a stronger law not a weaker law. And I would also suggest that Representative Matijevich, who feels that this has not been enforced, that the City of Chicago has had smokers courts and has been arresting people for violating their own local ordinance which reads almost identical to this Bill for some time and prosecuting them. The very fact that he doesn't know about this is shown by the fact that the City of North Chicago, his hometown, does not have such a law and it is not being enforced at the present time. Now we have a right to the many hundreds of thousands, we have an obligation to the many hundreds of thousands of people who have lung problems, who have heart problems, who physically cannot go to public facilities because of the lateral smoke drift created by other people who carelessly or negligently or in a 'I don't give a damn attitude', go ahead and light up. And we have that obligation to fulfill by passing a law that protects these people. This is not unenforcable....for your information, not only Illinois Lungs, Chicago Lungs, American Cancer, Illinois Heart and Chicago Heart all endorse this Bill but so does Illinois State Medical Society. So it is the Illinois Department of Public Health, I've yet to find any organization that is opposed to this other than the tobacco industry. If you want to vote for Leggitt and Meyers then go ahead and vote 'no' on this. If you want to vote for some clean air and the possibility of helping someone who needs help because of a lung disease or of a heart condition or maybe either, more than that then I think you owe your





constituents a 'yes' vote on this. In fact I think if some of you would go back to your district and actually talk to the residents of your district you would find out that the overwhelming number of people, smokers and non-smokers alike favor this Bill not as a cure-all but as a small start. And that's what this Bill is....a small start to try and do something to help the people in the area of public health. I would appreciate your affirmative vote."

Speaker Redmond: "The question is, shall House Bill 168 pass notwithstanding the veto of the Governor. Those in favor vote 'aye', opposed vote 'no'. Representative McAuliffe, do you still desire recognition? Have all voted who wished? Representative Vinson are you seeking recognition? Representative Vinson."

Vinson: "Mr. Speaker and Members of the House, a great American that said, 'that any government big enough to give you everything you want can take away everything you have'. And a quarrel area of that is that this Legislature can vote this way today, override the Governor's veto, next week in a different public mood it can vote to require everybody to smoke in public places. I urge a 'no' vote."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there is 80 'aye' and 46 'no' the motion having failed. Representative Jeanie Chapman. Representative Chapman desires to be recorded as 'aye'. Representative Stiehl."

Stiehl: "Mr. Speaker would you record me 'no' please."

Speaker Redmond: "Record Representative Stiehl as 'no'. The motion having failed to receive a Constitutional three-fifths majority is hereby declared lost. Representative Griesheimer."

Griesheimer: "Mr. Speaker, I would like to have that placed on Postponed Consideration."

Speaker Redmond: "Postponed Consideration. House Bill 1270,



Representative Bowman."

Bowman: "Mr. Speaker and Ladies and Gentlemen of the House, the three years I have been in the Assembly I've heard a number of Members rise to the floor and...and urge that we get state government off the backs of local government....to urge that we do away with or curtail or adequately finance mandated programs. And here we have an opportunity in House Bill 1270 to get the state government off the backs of the local governments and let them spend their own tax dollars the way they see fit. Let me briefly describe 1270, it is very simple. It's a general assistance Bill that would permit the state to continue to provide state assistance to local governments that need a qualifying one mill levy. But it would prohibit the state from imposing a penalty on local governments if they chose to increase their local tax above what is necessary to meet the state mandate for their local purposes. I think the....whoever analyzed the Bill for the Governor's Office and prepared the veto message misunderstood what the Bill did. There are two principal defects according to the veto message, I don't regard them as defects at all but the message cites two things....as objections. One, loss of administrative control of state funds. Well that's just, on the face of its ludicrous, on the very first page of the Bill the new language starting on line 14 says, the Illinois Department shall set standards to one, insure and provide for the appropriate disbursement of state funds by local government units. Perform quality control audits to the case loads of local government units and establish uniform budget standards for the use of state funds. It seems to me that it directly contradicts the objection raised by the veto message. The second objection was about the... it alleged that it would create inequality in payment levels. But we already have inequality in payment levels



as it is. Anyone below the one mill rate doesn't...isn't obliged to be on the state program and above that rate we have a number of districts right now that do chose to go it their own way. If you are among the Members of the Assembly that have to be concerned about the potential impact let me just simply say that I think you misread the mood of the people with respect to the proposition 13 sentiments. The real sentiment now is for cutting back on property taxes in particular, it is the most onerous tax we have and I suspect that a number of local governments now that are going to the loan that are using property taxes to finance general assistance a 100% will suddenly just throw in the towel and say, okay, we'll do it the states way.....and we show up on our door steps and expect the state to reimburse for their program. And I think that we're going to have an increase support level whether we like it or not....whether this passes are not. So I think the financial impact of this is problematic at best and I think it is quite likely negligible. So finally in conclusion I would simply say, that the main thrust of this legislation is to give local governments control over local funds. It will not take state control away over state funds nor will it take state control away over the funds that were....had to be raised to qualify as a state assistance. Thank you very much."

Speaker Redmond: "Representative Kempiners."

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

Bowman: "Do it."

Kempiners: "I think I appreciate the sufficiency of what you're trying to do but one question comes to my mind....."

Speaker Redmond: "TV lights are on."

Kempiners: "And that question is, what impact might this have on federal participation or federal reimbursements for general assistance funds spent"



Bowman: "None whatsoever because Federal Government does not participate in general assistance programs. This is wholly a matter between the state and local governments."

Kempiners: "Thank you."

Speaker Redmond: "Is there anything further? Representative Bowman."

Bowman: "I ask for a favorable Roll Call."

Speaker Redmond: "The question is, shall House Bill 1270 pass notwithstanding the veto of the Governor? All in favor indicate by voting 'aye', opposed vote 'no'. Have all voted who wished? Representative Woods Bowman."

Bowman: "Well, Mr. Speaker, I'm just a little shocked at the number of Republican votes up there. I can really appreciate...you know, wanting to support a Governor of ones own party but really this is a local control matter if there ever was one. And I can see a number of people who are on the board right now who either aren't voting or voting 'no' for this who I know have been champions... leaders in this area and so I must say, I'm a little perplexed as why a local control Bill such as this....that would give the local units of government the right to send their local money....locally raised money in ways that they may see fit. I can't imagine why someone who felt that local control would oppose that. The only tax that I can think of....the only tax funds that is 100% con....raised 100% at the local level and control 100% at the state level. I mean, if anyone here can think of another one where the local governments are expected to ante up 100% for state program....I would like to know about it. This is a state program that the local governments are financing and trying to get the state off their backs. Thank you."

Speaker Redmond: "Have all voted who wished? Will take the record. Representative Bowman. Representative Bowman desires to have it put on Postponed Consideration. 506



Representative Jaffe. Tomorrow is the last day to consider any action with respect to any veto actions of the Governor so anything that we don't get taken care of by tomorrow the veto stands. We only have today and tomorrow. Representative Jaffe."

Jaffe: "Okay. Mr. Speaker and Members of the House, 2506 is the Limited License Physician Bill which we have debated on this floor and on many many occasions. Let me first start off by telling you that the Governor's message is completely and totally wrong. Evidently the Governor did not understand what was in the Bill. The Bill does not reinstate limited license physicians. Actually what 2608 does is require applications for renewal of limited license physicians by a certain date and also sets up the structure by which these limited license physicians would be tested. I want you to note that the limited license physicians would be tested by fully licensed doctors. Now lets get to the heart of the thing, I think we really got caught in the switches on this particular situation and we're not thinking about the people in mental health institution. Let me state to you categorically that the Department of Mental Health Plan has not worked. It has absolutely failed. Not only has it failed and it has cost the people of this state a great deal of money. Now lets start worrying about the patient in the mental health institution and lets start worrying about the taxpayer. Let me give you an illustration on that. On March 1, 1978, we lost a hundred and six limited licensed physicians that we have now replaced with only fifty-eight full time equivalent, so to put it very bluntly we have lost literally half the physician staff that we have had. We have lost forty-eight equivalent of full time physicians and yet this program has increased by at least one million dollars. Let me give you some other examples. We closed Chicago Reed Mental Health Facility,



we've said that we were going to send these individuals to private facilities yet what has happened, private facilities are not now taking this particular patient and these patients are floating all over because of the fact that we have closed that one particular medical facility. I could go on and on, I could show you papers and I can show you exposes, I show you a copy of a paper of the Chicago Defender where they talk about bearing new debts of mental health patients here and they have ran a series about the deaths that have happened in mental health institutions. They had five reported early by the Chicago Defender, in this latest copy of the Defender they go on to point out some more. And why do these things occur? They occur because we are not fully staffed at those particular institutions. So let me say to you that if you want to do something decent and something good, I think that we should pass this Bill, we should override the Governor's veto. We should think about the patients in the mental health institutions and at the same time you'll be doing the taxpayers a favor because you're going to be saving over a million dollars."

Speaker Redmond: "Are there any discussion? Representative Holewinski."

Holewinski: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think in reviewing this piece of legislation and whether you are going to vote to override the Governor's veto as I would hope you would. You want to take a look at what the situation is now in our state mental hospitals and what it was a year ago or even earlier this year. When we heard testimony a year ago on mental staffing in our state mental institutions we were told by the department and by experts that the desirable ratio of doctor to patients...full time doctors to patients was about one doctor for every thirty patients. At the time we were staffed at about a one to thirty-one ratio



which at least put us in the ball park. Since that time and since the elimination of the limited license physician what we find now is that we have a rate of one doctor for approximately every forty-one patients. We have.... don't know exactly how to quantify the additional contractual service money that was put into the Bill for mental health earlier in the year because mental health does not provide us with those statistics. But let's talk further about House Bill 2506, the Bill itself does not restore the limited license physician in Illinois. What it does is set up a procedure by which we can employ these people should a department chose to do so, by setting up a fair method of clinical and oral testing. All it does is replace the written examination that many have found difficult to pass by a test of ability and a test of clinical knowledge. That certainly seems like a reasonable approach, I think any of you who are licensed professionals can think back to the exam that you may have taken to qualify for your profession twenty years ago...ten years ago. Think of taking....of being required to take it again today and I think you will find that thought somewhat frightening. But yet that is what we did ask these people to do and that is why we eliminated their classification. There is two sides to this story and two sides to this legislation I think ought to be considered. One is the practical side that I spoke about and that is of the proper level of staffing in state mental institutions and the other is the human side. Human side not only in terms of what is happening to our patients and the kind of health care they are getting but the human side in terms of the individuals who we have taken advantage of....used and now discarded now that we feel we need them no longer. Ladies and Gentlemen of the House I think that this is an important piece of legislation in terms of the maintenances...proper



maintenance of people in our institutions. I would urge you to vote to override the Governor's veto."

Speaker Redmond: "Representative Mautino. Representative Mautino."

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

Speaker Redmond: "Representative Jaffe will yield."

Mautino: "Representative Jaffe, since this change was made do you have any approximate idea of what the cost is now since we have gotten away from the limited license physicians to the general practitioners in those areas where they are needed for state institutions?"

Jaffe: "Yeah....the price now is three point five million dollars. I might tell you that prior to this time it was two point two million dollars. So...and really that was just from year so the saving would be more than a million dollars."

Mautino: "One other question, Sir. I am amazed at the difference in money because I happen to have Dixon Development Mental Center in my legislative district. What I am interested in knowing is, if in fact your legislation was overridden where....first of all, where did the money come to pay the extra general practitioners and secondly, what would the saving be at the time it is overridden?"

Jaffe: "Well, I'm advised that they are only appropriated this year on the departments budget but I don't quiet understand the rest of the question, Dick."

Mautino: "Well my question basically is, where do we get the extra money to pay the general practitioners when we didn't have it to pay the limited license physicians at the time?"

Jaffe: "Oh, there was new funds actually put in. As a matter of fact they said they were going to go out and they were going to hire new doctors, the truth of the matter is they haven't been able to hire new doctors for the institutions. What we have done is we have turned our backs on these





people who have worked in these institutions for years and years and years and years. We have essentially thrown them out and really haven't been able to replace them."

Mautino: "Thank you."

Speaker Redmond: "Anything further? Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield?"

Speaker Redmond: "He indicates that he will."

Satterthwaite: "Representative Jaffe, according to our staff analysis it indicates that all but twenty of the limited license physicians have already left the State of Illinois and that those twenty still remain in the state are employed by the Department of Mental Health in capacities other than limited license physicians. If that is an accurate assessment of the limited license physicians potentially benefiting by this Bill could we not say then that this is really legislation designed to benefit a very limited small number of individuals within the state and might indeed be classed as special legislation which is unconstitutional."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Helen, let me say to you that I have on staff sitting on my right over here and your statement is wrong. Basically what was on the report was that out of all the limited license physicians that were gotten rid of, the hundred and six that were gotten rid of....what we had was thirty who went back into the facilities but they went in a non medical capacity. I mean they are hanging on to some sort of job but they are certainly not acting as limited license physicians. They are doing different types of work that is really more menial really in its nature. So you have thirty, we don't know where the other seventy-six would be."

Satterthwaite: "Well again according to the staff analysis in front of me, it says twenty of those people are still in the employ of the department in other positions and that



the others either pass the flex exam and are now fully licensed or they have left the state or retired from practice. And if that is true it seems to me that we are indeed designing legislation to be a specific value to twenty potential people who might benefit from this. And in addition their licenses, even the limited license that they had have expired on October 1, of 1978. As a member of the Commission on mental health I have had not one complaint from anywhere in the state that people in institutional care are receiving less adequate medical attention than they did previous to March 1, of this year. I do not see that there is any need for this legislation at this time, the transition has been made, we have ungraded the medical advice and assistance available to us in our mental health institutions. And I feel that it would be a disservice to the people of the state to take a step backwards at this point. I urge you to uphold the Governor's veto on this measure."

Speaker Redmond: "Representative Johnson."

Johnson: "Well, Mr. Speaker, I stand in support of the position of my colleague from the 52nd District, Representative Satterthwaite. This Bill is a classic example of the erosion of professionalism. We license certain professions, the medical profession, the dental profession, the legal profession and others for the protection of the public. The people have to meet certain standards in order to practice medicine or practice dentistry. Yet we make this kind of exception when our whole purpose of enacting licensing regulation to begin with is to protect the public. I opposed the one year extension when it came up early in 1977, and to approve this House Bill, 2506 would be totally abrogate our responsibility to the people of Illinois and the standards of health that they expect us to protect or to erect in their support. And I think that the Governor's veto stated reasons are accurate, they



could be stated even more strongly and I would certainly urge every Member of this General Assembly to vote 'no' on this motion to override."

Speaker Redmond: "Representative Jaffe to close."

Jaffe: "To close let me just respond to the Representative from Champaign. And let me say to her that when she was reading the veto analysis she was not reading the comments of our staff people, she was reading the Governor's statement. And I think I said right off the top that I thought the Governor's statement was totally and completely off the wall and was really...didn't understand what this Bill was really all about. To re-iterate, let me tell you that since March 1, 1978, we have lost forty-eight full time physicians in this particular state. And yet the program has increased by over a million dollars and I'm now told that it might be increased by close to three point five million dollars. We have closed mental health facilities that we really need, we are not taking care of our mentally ill the way we actually should. The only way we are going to rectify this particular thing is by overriding the Governor on House Bill 2506. If you want to do the right thing, if you want to do the humane thing and if you want to help the patients in our mental institutions I think you should vote 'yes' for an override on House Bill 2506."

Speaker Redmond: "The question is, shall House Bill 2526... 506 pass notwithstanding the veto of the Governor. All in favor signify by voting 'aye', opposed vote 'no'. Representative Conti."

Conti: "Mr. Speaker in explaining my vote please."

Speaker Redmond: "Proceed."

Conti: "Mr. Speaker I remember back fifteen, sixteen years ago when we asked these doctors...limited license doctors to take these jobs and now all of a sudden we come in 1977 because of one incident out in Elgin and use a broad



brush to try and get rid of some of these limited license people. I don't care if it is one person, five people or ten people or twenty people that are left, I don't think that is the sufficient thing here. The thing is that we're dealing with their lives...that spent eighteen years of their life there and they got two and three and four years left to go for service in the State of Illinois and now we're shutin' the door right behind them. I think that we should give 107 votes on this and keep them as limited license physicans and nobody is going to suffer any consequences at all on this Bill."

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

Holewinski: "Thank you, Mr. Speaker. To explain my vote, I think it should be stressed that this does not....this Bill will not have the effect of restoring all the limited license physicans to their statis of mental hospitals. There are a lot of things that would have to proceed that, but first of all what it does is require testing. It requires that they prove their confidence that they are able to...before a panel of fully licensed physicans to demonstrate that they have the clinical and academic ability to deal with patients on a day to day basis. That is a fair thing to do, that is a thing I think that most professionals would prefer if they were required to be re-licensed and had to come before some sort of re-licensing panel every certain number of years. I think that it is a reasonable approach to the problem, it has the proper screening mechanism built into this. And it is a fair approach and I would urge those of you who are still considering this legislation to vote in favor of the override."

Speaker Redmond: "Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I'm quite familiar with the care of patients at Murray Center and



since we have eliminated these limited license physicans, we now have two pediatricians and an internist and a full staff of board people there. And I have been told by all of those out there who are familiar with it, they have never had better care and it is much superior to what they had with the limited license physicans. I think that we ought to be concerned more about the care of those mental patients than we are about these limited license physicans."

Speaker Redmond: "Representative Mann."

Mann: "Mr. Speaker and Members of the House, I want to explain my 'aye' vote here. This is a very serious question, mental illness is one of the most serious problems in the State of Illinois. We are dealing with men who have compassion and experience in the treatment of mental illness. The people that they are being replaced with are people who have been largely educated in Asia where the status and sophistication of treatment of mental illness is not nearly what it is here in the states. So we're dealing with people who have demonstrated the ability for a long time to treat the mentally ill, we excepted that ability....we accepted that experience and now we are turning our backs not so much on them but on the people in the mental institutions. And with all due respect to my esteemed colleague from Champaign County, if he's talking about professionalism he ought to be talking about the people who have had the experience of dealing with the mentally ill. He ought to visit some of our mental institutions where we have serious problems of our under-staffing. He ought to visit some of our institutions where people do not receive adequate care. At least these limited license physicans have had the experience and the know how and the compassion. And I think we ought to put 107 votes on there not so much for them but the large population of mentally ill



people in the State of Illinois who cannot speak for themselves. We must speak for them. Let's get 107 votes on that board, Ladies and Gentlemen. This is a very sufficient Bill."

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

Jaffe: "You know, Ladies and Gentlemen, I really think that some of you are missing the issue completely over here. I think the prime motivation of anybody here should be the care of our patients in the mental hospital. And it seems to me that I don't see how anybody can get on this floor and say when the medical staff has been cut in half that your service is better than ever. You know what the Department of Mental Health has tried to do is they have tried to come in with certain services that they can transport. Now those contractual services are really fast services because when someone comes in there they never see the same doctor two days in a row. They may come in there for a day or two days or three days or whatever you have. There is no continuity of service, there is no service that I think anybody in this room will want to be subjected to. You have to understand that the limited license physicians are individuals, you know who were in our institutions when they were called snake pits and they were the people who actually brought the institutions up and they worked very hard and very diligently for these institutions and for the State of Illinois. And I might tell you that they worked at wages that physicians....that fully license physicians would not be working at the present time. You know, let's go to the record of veto, what does the veto say about these limited license physicians. He appeared before the Senate Committee and he said, I think that these fully...that these limited license physicians are really qualified...they are really qualified. The only thing



is that they haven't passed this one test and I really don't think that it is too important but this is our policy so that is our policy. Well that's all right before the election but now the election is over and I think it is time for us to forget about that election and to start worrying about the poor people in our mental institutions and also if you're worried about the taxpayers then you also have to go for this Bill. So I would urge an 'aye' vote and urge you to override the Governor's veto on House Bill 2506."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, the 'aye' vote that I'm casting I view as a practical vote. If you know anything about the number of doctors we have in Illinois you will know that generally we have a shortage of doctors. There are many towns where they can't persuade a doctor to come there because either it is a small town in a rural area...the doctors can make big money in the big city. They will make big money in other states, we have a hard time keeping doctors here in Illinois. So the practical matter, we have trouble getting doctors in our communities out in the free enterprise area where they can get attractive and good wages and fees. Now how are we going to get them to serve at these low...lower salaries in the mental institutions. They are just not going to be there; they are just not going to go there. And so the practical matter, if you're voting 'yes' you're voting 'yes' to allow these doctors who have been serving these people so compassionately to continue their services. And if you're voting 'no' you're really...you're not voting to help the poor people in the institutions the way you might think. Your 'no' vote is not really to raise the care but to really knock out any medical care at all. And so I hope that you will view this in a practical



sense and put an 'aye' vote on there so that we can continue to have these doctors for conscientious and devoted and you know many of them have called on you, you've met them personally. Let's put some more 'aye' votes on there so we can pass this Bill and allow these people to continue to have the service they've got now. They are not going to get it under the present circumstance of this doctor shortage which we suffer from in Illinois."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Thank...thank you, Mr. Speaker. By way of explaining my vote, Mr. Speaker. I want to reiterate what the previous speaker has said, I think he has gotten right to the heart of this matter. The State of Illinois simply could not afford to hire fully licensed doctors to care for people in mental institutions. That was a fact that was demonstrated by the fact that institutions throughout the state attempted for many years to recruit fully licensed doctors and they were unable to do so. Under the limited license method every limited license physican was practicing under the direction and supervision of a fully licensed physican. So that these people were acting more in what I would consider to be.....as medics where they were operating directly under the control of a fully licensed physican. Now since we have eliminated those temporary licenses we find that for example, facilities like Dixon where they had a full staff of limited license physicans.... now those people are being served by a limited partnership of physicans who practice nearby and come out to the Dixon Developmental Center only on a part-time basis and I believe that approval of this Bill and the override of the Governor's veto will result in better health care for the people in those institutions."

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





Johnson: "Only to ask for a verification if this unfortunately receives the required number of votes."

Speaker Redmond: "Representative Pullen. Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, Illinois has made a great deal of progress in mental health care in our state hospitals over the last ten...fifteen years. This progress happened while the limited license physicians were on board. During the years since they left we have seen the quality of care slip, I'm wondering how long you want to wait. What crisis do you want to see participated before you will help the state admit that it was wrong. I voted for the Bill originally that threw the limited license physicians out two years ago and I later learned more information about the situation and I have supported Representative Jaffe's Bill since the time that he put it in. These doctors are fully qualified they...unfortunately for them and us were not trained in such a way as to know how to take American licensing tests and that is their sin. But they do practice medicine and they do it well and they have been doing it well for years in our mental hospitals. It is not the kind of assignment that a fully licensed physician has always dreamed about being able to fulfill. It is impossible to recruit fully licensed physicians to work full time. The ones who are working are working on a consultant basis. They are not providing the kind of full time care that our patients need and I urge you to please vote 'yes' to override this veto so that we can go back to an improvement in mental health care in Illinois and avert the crisis which will come. Thank you."

Speaker Redmond: "Representative Bluthardt."

Bluthardt: "Thank you, Mr. Speaker and Members of the House. You know, I'm not a bleeding heart but my heart does bleed for these doctors who have been brought over here from other countries, kept here for about twenty years..



provided their services to the mentally ill with their limited licenses and now a year ago they were thrown out. No thanks, no nothing just out....you're out. I don't know of anything more crude, more crass, more rude than the treatment that these limited physicians have received here in Illinois. We ought to be thankful to them for the work they've done. We found out that we have not been able to replace them with fully licensed doctors and it is costing us money to bring in fully licensed doctors but the main point is that we haven't been able to provide those doctors. Thank God, we ought to give these people an opportunity to continue to earn a living and continue to provide the care that the mentally ill need in this state. Why don't you give them that extra vote they need and put them back to work where they belong."

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

Jacobs: "Thank you, Mr. Speaker. You know, I just can't understand why we can't get enough votes up there...I think we have now so that's..... Years ago when East Moline State Hospital, we had twenty-two hundred patients. Today we have three hundred and eighty and the way they do away with your mental hospitals today is to cut down on the medical care and then in turn they put them in nursing homes with a pocket full of tranquilizers. I think that our mental hospitals....if we want to do away with them then do away with the medical care and I think this is one of the reasons that we're going to lose East Moline State Hospital, the one probably at Alton and many others in the state....and this is the way to get rid of them. We're following the pattern of what happened in California ten years ago. Today they are building new ones and I ask for some more 'aye' votes up there. Let's put it over big."



Speaker Redmond: "Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. I'm sorry that we're beyond the point of asking questions on this but I would just ask the membership to open up their Digest to page 111 and read the Digest on this particular Bill. By the Senate Amendment it appears that our actions here are totally fruitless. It provides a time period for renewal from March 1, 1978 to October 1, 1978, or a month and a half after that. It doesn't appear that the passage of this Bill, even over a veto, would have any effect whatsoever and thus I think we're spinning our wheels. I think that if the Sponsor wants to accomplish this end the best he could do is reintroduce the Bill. But this Bill just doesn't do what he says it does."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 112 'aye' and 54 'no'. Representative Deavers, for what purpose do you rise?"

Deavers: "Mr. Speaker, I'd like to request a verification, please."

Speaker Redmond: "The Gentleman has requested a verification of the Affirmative Roll Call. Representative Jaffe has requested a poll of the absentees. Mr. Clerk, will you poll the absentees."

Clerk O'Brien: "(tape failure). Schisler, Telcser and Van Duyne."

Speaker Redmond: "Poll the absentees, please, Mr. Clerk. Okay, now poll the Affirmative Roll Call."

Clerk Hall: "Abramson. Antonovych. E.M. Barnes. Jane Barnes. Bartulis. Beatty. Bianco. Birchler. Bluthardt. Boucek. Bowman. Bradley. Brady. Brandt. Breslin. Brummet. Byers. Caldwell. Catania. Chapman. Collins. Conti. Corneal Davis. Deuster. Domico. Doyle. John Dunn. Dyer. Edgar. Epton. Ewell.



Ewing. Farley. Flinn. Friedland. Gaines. Garmisa.  
 Geo-Karis. Getty. Giorgi. Greiman. Hanahan.  
 Hoffman. Holewinski. Dan Houlihan. J.M. Houlihan.  
 Hoxsey. Hudson. Huff. Huskey. Jacobs. Jaffe.  
 Emil Jones. Kane. Katz. Keats. Kelly. Klosak.  
 Kornowicz. Kosinski...."

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

Kozubowski: "Mr. Speaker, would you please change my vote from 'no' to 'aye'."

Speaker Redmond: "Change the Gentleman from 'no' to 'aye'."

Clerk Hall: "Levin. Lucco. Macdonald. Madigan. Madison. Mahar. Mann. Margalus. Marovitz. Peggy Smith Martin. Matejek. Matijevich. Matula. McClain. McCourt. McGrew. McLendon. McMaster. McPike. Meyer. Molloy. Murphy. Nardulli. Neff. Pierce. Pouncey. Pullen. Reed. Reilly. Richmond. Robinson. Sandquist. Schlickman. Schneider. Schuneman. Shumpert. Steczo. E.G. Steele. Taylor. Terzich. Totten. Tuerk. Vitek. VonBoeckman. R.V. Walsh. W.D. Walsh. Willer. Williams. Younge. Yourell. Mr. Speaker."

Speaker Redmond: "Representative Capparelli."

Capparelli: "For my Polish leader, Walter Kozubowski, would you vote me 'aye'?"

Speaker Redmond: "Representative Deavers, any challenges to the Affirmative Roll Call?"

Deavers: "Abramson."

Speaker Redmond: "Representative Abramson here? Abramson. How is he recorded?"

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

Speaker Redmond: "Take him off."

Deavers: "E.M. Barnes."

Speaker Redmond: "E.M. Barnes. He's here."

Deavers: "Bianco."

Speaker Redmond: "Take Abramson off. Who was that?"



Deavers: "Bianco."

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

Deavers: "Boucek."

Speaker Redmond: "Representative Boucek. Representative Boucek here? Remove him."

Deavers: "Bradley."

Speaker Redmond: "Representative Bradley here? How is he recorded?"

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

Speaker Redmond: "Remove him."

Deavers: "(tape failure)"

Speaker Redmond: "Who? Representative Caldwell, is he on the floor? How is Representative Caldwell recorded?"

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

Speaker Redmond: "Remove him."

Deavers: "Catania."

Speaker Redmond: "Representative Catania, is she on the floor? Is Representative Catania on the floor? Yeah, she's next to McBroom."

Deavers: "Representative Chapman."

Speaker Redmond: "She's here in the aisle."

Deavers: "Representative Edgar. Representative Edgar here? How is he recorded?"

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

Speaker Redmond: "Remove him."

Deavers: "Representative Garmisa."

Speaker Redmond: "Representative Garmisa here? How is he recorded?"

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

Speaker Redmond: "Remove him."

Deavers: "Hanahan."

Speaker Redmond: "Hanahan? I hear him, he's way in the back."

Deavers: "Madigan."

Speaker Redmond: "Madigan is here."



Deavers: "Mahar."

Speaker Redmond: "Representative Mahar. He's down in front."

Deavers: "Representative Huskey."

Speaker Redmond: "Is Representative Huskey on the floor? How is he recorded?"

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

Speaker Redmond: "Remove him."

Deavers: "Representative Neff, is he on the floor? How is he recorded?"

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

Speaker Redmond: "Remove him."

Deavers: "Representative Kane."

Speaker Redmond: "Representative Kane...he's the good tennis player there in the middle. Representative Neff has returned, put him back on the Roll Call."

Deavers: "Representative Lucco."

Speaker Redmond: "Who was that?"

Deavers: "Lucco."

Speaker Redmond: "He's here in his seat, he's the little fellow."

Deavers: "(tape failure)"

Speaker Redmond: "Representative Boucek is back, put him back on the Roll Call. Who was the last one you had?"

Deavers: "Madison."

Speaker Redmond: "Representative Madison...Your name is Keats, they didn't verify you one way or the other. Representative Madison on the floor? How is he recorded?"

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

Speaker Redmond: "Remove him."

Deavers: "Margalus."

Speaker Redmond: "Representative Margalus is back there."

Deavers: "Representative Friedrich."

Speaker Redmond: "Representative Friedrich is voting 'no'."

Deavers: "Could I have a number to see how much more I need? O'Brien."



Speaker Redmond: "He's right here. Oh, well the other one is back there. I think... Representative Christensen, did we take him off?"

Deavers: "No, we didn't bother him?"

Speaker Redmond: "Anything further, Representative Deavers? Anything further, Representative Deavers?"

Deavers: "I lost my glasses, Mr. Speaker, I can't see that far, that's one of the problems."

Speaker Redmond: "Maybe it's tears. Any further questions of the Affirmative Roll Call?"

Deavers: "No more questions."

Speaker Redmond: "Representative Madison has returned, put him back on the Roll Call. Mr. Clerk, what is the score? On this question there's 108 'aye' and 53 'no'. The House, having...the motion, having received the Constitutional three-fifths majority, prevails and the House Bill is declared passed, notwithstanding the veto of the Governor. 529. Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. House Bill 2529 is the appropriation Bill for twenty-six million seven hundred thousand dollars for the construction of the Freeport bypass. This Bill passed out of the House and out of the Senate overwhelmingly, overwhelmingly as far as I'm concerned and it even came back to the.... came back to the House for concurrence after it left the Senate. And I would move right now that we override the Governor's veto on House Bill 2529."

Speaker Redmond: "Did you find David? George Ryan wants him. Representative Winchester."

Winchester: "Well, Mr. Speaker, I hate to stand in opposition to the Representatives motion but I think it should be pointed out that there is just not five and a half million dollars in our road fund and that is what he's



asking for. And I think I should also point out to the Body that Secretary Kramer has been to his legislative district on at least two different occasions and each time he indicated to the Legislator that he would support this Freeport bypass as soon as they were able to obtain the funds. Where talking about Federal Funds not Road Funds and as we all know we could obtain 75...25% funding if we went the federal route instead of trying to take the money out of the Road Fund. Which would mean that we would only be using about a million or million and a half out of the Road Fund. And I would also like to point out to the Body that the plans for the Freeport bypass are not even on the design stage yet so, we're a long way away of having to do any construction or any need for the appropriation of the Freeport bypass. So I'm asking the Body....I'm saying to the Body that we just don't have the money in the Road Fund, this is something that I think the Legislators should wait until the next General Assembly....work with the Department of Transportation and perhaps find the Federal Funds at that time and go through the budgetary process and not try it through this route. Thank you."

Speaker Redmond: "Representative Cunningham."

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, before any of you are tempted by the charisma of the Sponsor to go over the cliff in the sea of fiscal irresponsibility, you ought to think just a little about the bond...the Series A bond fund. Many of you think of it as a fund that has no limit, you should recognize that the authorization for Series A bonds in the State of Illinois the total authorization is nine hundred and sixty-two million dollars. But unfortunately we have already....."

Speaker Madigan: "The Chair recognizes Representative Ryan.  
The Chair recognizes Representative Ryan."





Ryan: "Thank you, Mr. Speaker, I understand that there is a Resolution filed with the Clerk and I wish that the Clerk would read that Resolution." Mr. Speaker could we have a little order in the chamber please, it is a very important Resolution."

Speaker Madigan: "Mr. Clerk, proceed with the reading of the Resolution."

Clerk O'Brien: "House Resolution 1162, Madigan-Ryan. Whereas, our distinguished Speaker and good friend, William A. 'Wild Willy' Redmond, has worked long and hard in the service of this House and this state; and whereas, 'Wild Willy' has abandoned his former lucrative career as a child model, as a professional engineer, and as an attorney at law, to serve this institution full time, morning, noon and night; and whereas, in the process 'Wild Willy' has shed many pounds; and whereas, the Membership is concerned and jealous over our Speaker's continued loss of weight; and whereas, 'Wild Willy' has once again celebrated his 39th birthday, on Saturday, November 25, 1978; and whereas, this is a fitting and suitable occasion for 'Wild Willy' Redmond to regain the full substance of his former self; therefore be it resolved by the House of Representatives of the 80th General Assembly of the State of Illinois that in celebration of his birthday, we present our Speaker with a suitable rich and...birthday cake with our heartiest wishes for a happy and healthy birthday and be it further resolved, that the Members of this House of Representatives, having taken a cue from the example set forth by our Speaker, dedicates this cake to 'Wild Willy' and only to 'Wild Willy' and charges him with the full responsibility of disposing of this delicious token of our esteem and affection without assistance from his lovely family, devoted staff, or many friends in this General Assembly."

Speaker Madigan: "Mr. Ryan."



Ryan: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would first like to have leave to have all of the Members added as Sponsors of this Resolution then I would ask for the adoption of the Amendment or the Resolution in as much as this is the second time that Speaker Redmond has had his 39th birthday. We want to be all on this Resolution and congratulate him in behalf of his birthday. We are a little late, Mr. Speaker only because you didn't keep us here last Saturday and I'm sure had you known we were going to have a cake for you you would have kept us in. I would move for a unanimous Roll Call on the Resolution for the adoption."

Speaker Madigan: "Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, the old nose in the back....and just subside. It is not often that the Speaker gets seventy years and is still the Speaker and number two, we never have Session on his birthday and since I'm going to be leaving this beautiful....wonderful House with all the noses, let's sing happy birthday to Bill. Happy birthday to you, happy birthday to you, happy birthday dear Bill, happy birthday to you."

Speaker Madigan: "Mr. Cunningham."

Cunningham: "Mr. Speaker, I would call your attention to the fact that both of these Gentlemen have designs on your chair. Have someone else test the cake first."

Speaker Madigan: "Speaker Redmond."

Speaker Redmond: "Mr. Speaker and Minority Leader...long may he wave....friends of the House. You know to say that I'm touched is minimizing the feeling that I have, it has been a long time....I don't know if I ever celebrated a birthday here actually in Session but you know, to be with your friends and to have an expression of friendship like this is....well, I just can't explain how I feel about it. The only thing that I can say is, I don't



really believe that I could finish it myself so I'm going to ask Chalkie here to help me. Thank you...thank you very much."

Speaker Madigan: "All those in favor of the adoption of the Resolution signify by voting 'aye', all those opposed by voting 'no'. ....shall take the record. Mr. Ryan."

Ryan: "Could we put that on Postponed Consideration?"

Speaker Madigan: "We will run a new Roll Call."

Ryan: "A new Roll Call, all right. That's Lechowicz's job. Mr. Speaker now that we have 'Wild Willy' Speaker Redmond in a mellow mood I would request a Republican Conference in room 118, immediately."

Speaker Madigan: "Take the record on the motion for the adoption of the Resolution. There will be a Republican caucus immediately. Mr. Mulcahey....Mr. Mulcahey."

Mulcahey: "Well, Mr. Speaker I believe we're on House Bill 2529 prior to the Resolution, is it not in order to go back before we have this caucus?"

Speaker Madigan: "I'm not aware of what our posture was at the time I assumed the Chair. Was it your Bill? Do you wish to proceed? I think that if you wish to proceed then we ought to do that."

Mulcahey: "I think so, Mr. Speaker, we've had some debate on this already and so I...."

Speaker Madigan: "All right, the Clerk shall return to the order of business. Mr. Ryan, after the vote on this particular Bill we will recess for your caucus and who was speaking at the time of the interruption? Mr. Cunningham, do you wish to address the Body again...no. Is there any further debate on this issue?....."

Speaker Redmond: "Representative Mulcahey, isn't it....to close."

Mulcahey: "Mr. Speaker, I would settle for leave to use the last Roll Call if there is no objections."

Speaker Redmond: "Is there any objection to using the last unanimous Roll Call? Representative Ryan."



Ryan: "I object."

Speaker Redmond: "Okay. The question is, shall House Bill 2529 pass notwithstanding the veto of the Governor. All in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there is 81 'aye' and 67 'no' and the motion having failed to receive the Constitutional three-fifths majority is hereby declared lost. Do you want to recess, Representative Ryan?"

Ryan: "Thirty minutes, Mr. Speaker ought to be sufficient in room 118, I'll repeat that."

Speaker Redmond: "The Republicans will have a conference in room 118. We will be back on the floor at 4:15. Representative Yourell desires to be recorded as voting 'aye' on the last Bill. Any objections? Hearing none he will be so registered. Half an hour, 4:15."

Speaker Redmond: "Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate accepted the Governor's specific recommendations for change which are attached to the Bill of the following title. The acceptance to which I'm instructed to ask concurrence of the House to wit; Senate Bill 1790, action taken by the Senate, November 28, 1978 by a three-fifths vote. Kenneth Wright, Secretary."

Speaker Redmond: "Agreed Resolutions. Representative Giorgi."

Clerk O'Brien: "House Resolution 1144, McPike. 1145, Dave Jones. 1146, Kelly. 1147, Johnson. 1148, Johnson. 1149, Simms-Giorgi. 1150, Pullen. 1151, Catania. 1152, Chapman. 1153, Chapman. 1154, Chapman. 1155, Chapman. 1156, Waddell. 1157, McAuliffe. 1158, Emil Jones. 1159, Van Duyne. 1161, Chapman."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, McPikes 1144 compliments the Granite City



South High School Warriors on their soccer championship. 1145, J.D. Jones notes the Griffin High School golf team won the Class AA golf championship. Kelly's 1146 tells about a church one hundred and twenty years old. Johnson's 1147 congratulates the Arcola S & K Rigging of Arcola, Illinois. Johnson's 1148 denotes the Arcola Purple Riders. Simms 1149 bestows on David Stahl an Eagle Scout award. Pullen's 1150 measures the birth of a ten pound three ounce giant..... Catania's 1151 honors Jorie Lueloff of Channel 5 in Chicago. Chapman, 1152 tells of a defeat. Chapman, 1153 the girls archery champions. Chapman, 1154 finds somebody won an archery title....1155 is a Death Resolution. 1156 denotes a birthday. 1157 talks about a corner stone. 1158 brags about marriage. 1159 eulogizes Joliet Catholic High School. 1161 talks about a Vice President in the Labor Unions. I move for the adoption of the Agreed Resolutions."

Speaker Redmond: "Representative Giorgi moves the adoption of the Agreed Resolutions. Those in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it and the motion carries. The Agreed Resolutions are adopted. Introduction First Reading."

Clerk O'Brien: "House Bill 3446, Chapman. A Bill for an Act to amend Sections of the Ambulatory Surgical Treatment Center Act. First Reading of the Bill. House Bill 3447, Chapman. A Bill for an Act to amend Sections of the Illinois Public Aid Code. First Reading of the Bill. House Bill 3448, Chapman. A Bill for an Act to appropriate funds to the Department of Public Health. First Reading of the Bill."

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

Madigan: "Mr. Speaker, the Clerk has distributed a Supplemental Calendar and all of the Bills on that Calendar are on the Order of First Legislative Day. Therefore, I now move



to suspend Rule 33-A in order that we may consider these House Bills on Second Reading today. And I so move."

Speaker Redmond: "Is there any discussion? The question is on the Gentleman's motion....Representative Ryan."

Ryan: "Mr. Speaker is the motion on the Supplemental Calendar?"

Speaker Redmond: "It is on the Supplemental Calendar."

Ryan: "Supplemental #1 on all the Bills there."

Speaker Redmond: "Supplemental #1 started with 3419, 3420, 3422..."

Ryan: "Why don't we have....why don't the Clerk read those so we know for sure what we're talking about."

Speaker Redmond: "Would you read them, Mr. Clerk."

Clerk O'Brien: "House Bills, Second Reading, First Legislative Day. House Bills 3419, 3420, 3422, 3423, 3424, 3425, 3426, 3427, 3428, 3429, 3430, 3432, 3433, 3434, 3437, 3438, 3439, 3442 and 3444."

Ryan: "Thank you. I have no objections, Mr. Speaker."

Speaker Redmond: "I understand that Representative Ryan says it is okay. Do we have leave to use the Attendance Roll Call in support of the motion. Hearing no objection, leave is granted and the Attendance Roll Call be used. House Bills, Second Reading. 3419."

Clerk O'Brien: "House Bill 3419, a Bill for an Act to amend Sections of an Act making certain appropriations, re-appropriations and amending certain acts in relation thereto. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3420."

Clerk O'Brien: "House Bill 3420, a Bill for an Act making supplemental appropriations to the State Board of Education. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"



Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3422."

Clerk O'Brien: "House Bill 3422, a Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of various state agencies. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Ryan, amends House Bill 3422 by striking one line through four and inserting in lieu thereof; the following and so forth."

Ryan: "Thank you, Mr. Speaker. I move for the adoption of Amendment #1 to House Bill 3422."

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

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3424."

Clerk O'Brien: "House Bill 3424...."

Speaker Redmond: "3."

Clerk O'Brien: "House Bill 3423, a Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of various state agencies named therein. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1 failed in Committee. Floor Amendment #2 which I believe was printed and.....as ~~all~~ #1. Actually #1 failed in Committee so the Amendment printed should be #2. Amendment #2 amends House Bill 3423 on page 2 by striking line 2, 3 and 4 and inserting in lieu thereof; and so forth."

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

Clerk O'Brien: "Representative Ryan."

Speaker Redmond: "Representative Ryan."



Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move for the adoption of Amendment #2 to House Bill 3423."

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

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3424. Representative Ewing, would you please sit down. Representative Ewing."

Clerk O'Brien: "House Bill 3424, a Bill for an Act to amend Sections of an Act to provide for the fiscal year '79, ordinary and contingent expense. Supplemental expenses of the Department of Local Government Affairs. Second Reading of the Bill, Amendment #1 failed in Committee, Amendment #2 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment #2?"

Clerk O'Brien: "No motion filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 2425."

Clerk O'Brien: "House Bill 3425, a Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of the Department of Transportation. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3426."

Clerk O'Brien: "House Bill 3426, a Bill for an Act to amend an Act making appropriations to the ordinary and contingent expense of the Liquor Control Commission and the Dangerous Drugs Commission. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."





Speaker Redmond: "Third Reading. 3427."

Clerk O'Brien: "House Bill 3427, a Bill for an Act to amend Sections of an Act making appropriations to the ordinary and contingent expense of the Fair Employment Practice Commission and the Illinois Commission on Human Relations. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, McClain, amends House Bill 3427 on page 1, line 22 by deleting four hundred and seventy-seven thousand seven hundred and inserting in lieu thereof; and so forth."

Speaker Redmond: "Representative McClain."

McClain: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 to 3427 deletes a provision that I think is important for us setting a precedent in the Illinois General Assembly. What the Fair Employment Practice Commission did this morning in coming to Appropriation II is that they presented us with a budget which would include them hiring a staff attorney on board which would handle the claimant claims in front of their own Commission. The reason why I offer this Amendment is that I don't believe the Fair Employment Practice Commission ought to have on board a staff attorney who would be available for claimants to have free of charge for them to present their case in front of a hearing officer and ultimately in front of the Commission and the Commissioners. I think it a blatant conflict of interest. I have talked to the Fair Employment Practice Commission members, I think there are two major flaws in having this kind of procedure. One is, they have no criteria on what kind of person can indeed employ or have this staff attorney and secondly, the staff attorney would then again now may be paid for out of FEPC monies. It would also then be an adversary for a claimant in front of the Commission against for instance, like an employer. We don't do such a thing for



the unemployment compensation, we don't do such a thing in the Industrial Commission workmen's compensation and I don't think we ought to set the precedent for the Unfair Employment Practice Commission. So, therefore, I ask you to consider this Amendment....I hope you adopt it. Mr. Birchler, Mr. Van Duyne and I and others in this Appropriation II were disturbed with this kind of precedent and I move its adoption."

Speaker Redmond: "Representative Keats."

Keats: "Thank you, Mr. Speaker. Will Mr. McClain yield? Oh, well, Mike..."

McClain: "Yes."

Keats: "Is this a classic example where the government is going to pay for the attorney on both sides? Is that really what it is? We're going to pay for the attorney on both sides of the case?"

McClain: "Well, yes, Brain (sic) and more importantly I think it sets a bad precedent because the attorney that is employed by the FEPC to be an advocate for that claimant would also develop relationships within the hearing officers and the Fair Employment Practice Commission. And therefore, would be an unfair advantage I think to the claimant. I'm not so sure that the claimant that should not have fair representation but I think it ought to come from the Attorney Generals Office or maybe a Governor's action office. But certainly not within the Fair Employment Practice Commission."

Keats: "Okay, thank you. I'm with you."

McClain: "God, I just got defeated."

Speaker Redmond: "Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. I rise in opposition to this Amendment as was explained by the council for the Fair Employment Practice Commission this morning. This is a common practice in other states... just since this morning I have been able to determine that



in New York, Pennsylvania, New Jersey and Ohio the Fair Employment Practice Commissions have gone to this practice because it is a savings, not an expense. And let me explain why this is the case, when people come to the Fair Employment Practice Commission they are told, you may go to legal aid or you may go to a bar association to find an attorney to represent you. If they go to legal aid and they are making for instance ten or twelve thousand dollars a year legal aid will say, you cannot have a legal aid attorney you must go elsewhere. They go to the bar association, they get a referral, they go to the attorney the attorney says, yes, I will certainly represent you but I need five hundred dollars up front. All right, is this person is making ten thousand dollars a year is the sole support for one or two children and is in a situation where they are filing a complaint with the FEPC they say simply in many cases. I can't afford to pay my own attorney. They go back to the FEPC and the case proceeds whether they have the attorney or not. The hearing officer is then put in the situation of having to direct the complainant having to, in effect, shepherd them through the entire proceedings. And the hearing officer is spending a great deal of time that simply ought to be spent by an attorney instead. Representative McClain makes the excellent point that they did not have a criterion for deciding who would be able to have such an attorney represent them. They tell us that they will of course develop such criterion, they do not have them because they don't have the money yet, they are not in a position where they can go out and even hire the attorney who they need. Representative McClain also said to me, although I recall he said this in his opening remarks, that he is concerned about a conflict between the hearing officer and the attorney both being employed by the Fair Employment Practice Commission. Well, we all have



to deal with conflicts all the time, we would have to rely on their professional behavior and obviously other states feel that this is an acceptable practice. I have mentioned those states who have already gone to this practice to save the time and money of the taxpayers. This is also as I pointed out an acceptable practice that has been years...for some time in the National Labor Relation Board and I do ask for your overwhelming defeat of this Amendment."

Speaker Redmond: "Representative Madigan."

Madigan: "A question of Representative Catania."

Speaker Redmond: "Proceed."

Madigan: "Has anyone solicited the Illinois Bar Association or the Chicago Bar Association as to an opinion regarding the...how consistent this would be with legal canons of ethics."

Catania: "I don't believe that they have, but part of the problem appears to be that, when referrals are made, the lawyers the people are sent to are asking for fees that people simply cannot afford. And so people are forced to go ahead without an attorney so perhaps if the bar associations do wish to become involved they could try to set up some kind of system so people could be represented without great cost."

Madigan: "I understand the problem. It is a usual problem with people seeking legal advise if they have a difficulty paying the fee. However, it seems to me that any attorney who would be placed in this position would be required to obtain an opinion regarding the canon of ethics before they could proceed in this representation."

Catania: "Well, I'm sure that they would not proceed in this situation that the FEPC is asking to have funded if it would be a violations of ethics. We all know an attorney in the State of Illinois would allow himself or herself to be placed in that position and that the Bar Associations would guarantee that."



Madigan: "Well....very interesting comments. The attorney Members of this Body, I think, would have to be guided according to their interpretation of the canons of ethics on this vote."

Catania: "I'm sure they will be, Representative Madigan."

Speaker Redmond: "Representative Pullen. Representative George Ray Hudson, would you please sit down. Also Mr. Ewing."

Pullen: "I believe the Sponsor of the Amendment is Mr. McClain, is that correct, Mr. Speaker?"

Speaker Redmond: "That is correct."

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

Speaker Redmond: "He will."

Pullen: "Mr. Sponsor, this attorney that is supposed to be hired by the FEPC under this additional appropriation...to have cases heard before the Commission...I can't see him, is he at his mike?"

McClain: "I can't hear."

Pullen: "Okay."

Speaker Redmond: "The Gentleman cannot hear the question, will you please give the Lady order. Please."

Pullen: "Thank you, Mr. Speaker. This attorney that the FEPC is attempting to add to their staff with this Amendment, is this attorney to represent defendants and claimants or only claimants?"

McClain: "Only claimants and only those claimants that would petition and FEPC right now has no criterion on who those claimants could be. So therefore, seemingly it could be all claimants or it could be no claimants but right now they have no criterion. So right now it is only claimants, not the respondents."

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

Speaker Redmond: "Proceed."

Pullen: "I would like commend the Sponsor on an excellent Amendment and on his taking an issue when it arose and bring it to us here and giving us the opportunity to do



the right thing. I think that this is another instance of a regulatory bureaucratic agency attempting to stack the deck in its own proceedings and I think it should be condemned. A previous speaker cited the fact that New York, New Jersey, Pennsylvania and Ohio has done this before us. I think the day has ended when we pay attention to what New York, Pennsylvania and New Jersey and Ohio do. I certainly hope so. And I certainly hope that we do not follow their lead in this state. A previous speaker also mentioned that the National Labor Relation Board has this set up, there are a very few agencies in the United States that are more stacked and unfair than that agency no matter how you feel about their decision. Their procedures are awful and I hope we do not make that same mistake with the FEPC in Illinois. I commend Mr. McClain and I hope you will all support his worthy Amendment."

Speaker Redmond: "Is there anything further? Representative Mann."

Mann: "Mr. Speaker, I would like to apologize to the Sponsor, I was off the floor when he presented his rational for the Amendment and I wonder if he would briefly do it again."

Speaker Redmond: "Representative McClain. McClain."

McClain: "Thank you, Mr. Speaker. Yes, Mr. Mann, the Amendment reduces the sum total of federal dollars to the Fair Employment Practice Commission which was earmarked by the FEPC to employ a private attorney. I do not believe that the Federal Employ...The Fair Employment Practice Commission ought to have on board a staff attorney available to claimants, to represent them at the hearing stage in front of an employee of the Fair Employment Practice Commission which is that hearing officer. And also in front of the full Commission, I believe that it is a conflict of interest, it is not that I don't believe those



claimants ought not to receive a legal representation. I think it would be better put into a Governor's Action Office or the Attorney Generals Office like consumer affairs of some sort but I don't believe....I think it is just a conflict of interest. Secondly I think that it is a bad precedent, we don't do it for Unemployment Compensation we don't do it for the Industrial Commission, I don't think we ought to start it here at FEPC and thirdly, the Sponsor claims a lot of states do it although we found out now from region 5, Otis Nickolson, Assistant General Council of EEOC that is the Equal Employment Opportunity Commission, that they don't even do it. So for those three reasons I think that this money ought to be taken out of the budget."

Speaker Redmond: "Representative Brummer.....Representative Mann, pardon me."

Mann: "Mr. Speaker, I would like to address myself to the Amendment."

Speaker Redmond: "Proceed."

Mann: "Mr. Speaker, I think this is a bad Amendment. I think it is a very bad Amendment, I think the people who appear before the Fair Employment Practice Commission do so reluctantly...they do so under a lot of pressure because they may lose their job because they take the initiative. I remember when Corneal Davis first came up with a Bill giving the Commission the right to initiate complaints and everybody said that this is wrong. I don't see any conflict in helping enforce where there is a public policy of the State of Illinois namely that we have equal opportunity for everybody in this state. That's what we have and that's why we have an attorney there and we've got to assume that hearing officers have the integrity to make a judgment about whether or not a complaint is valid. Now we're going....going to use the same reasoning that Mr. McClain does, we might as well



eliminate the public defender, the public defender is committed to the rights of the defendant isn't he? Now either we have a public policy of fair employment practice in the State of Illinois or we don't. I think this is a bad Amendment and I think it ought to be soundly defeated, especially by people on this side on the aisle, if, in fact we really stand for what we say we do in our platform. I urge a 'no' vote."

Speaker Redmond: "Representative Brummer. Representative Brady will you please be seated."

Brummer: "Yes, I rise in support of this Amendment. I would like to point out as I think it has been pointed out previously that we have legal aid for the purpose of providing legal assistance to the indigent. We do not provide....there is some indication by the Sponsor of the Bill that there are some who would not qualify for legal aid but yet could not afford legal council. I do not think we provide those with regard to the court of claim, with regard to unemployment insurance with regard to public aid, with regard to Industrial Commission. I think standards and the criterion set up for public aid or for legal aid are such that those who cannot afford legal assistance can obtain legal assistance through the various legal aid agencies that are set up. In response to the contention that there are certain people who can obtain no assistance whatsoever, I would like to point out that the Federal Social Security system sets up a mechanism by which legal assistance can be provided from the proceeds with regard to social security claims that are filed. So that those who cannot obtain any assistance either from legal aid as a result of making too much money or having too much assists can nevertheless obtain council through social security. I think that provides the mechanism by which the attorney is independent....is not an 'on board employee' of the agency





before which it is appearing and present a much more fair mechanism. For these reasons I think the Amendment should be supported."

Speaker Redmond: "Representative McClain to close."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, so that I don't confuse the issue anymore, it is not that I disagree with legal representation for those claimants. What I do foresee is a blatant conflict of interest where you have on board attorney that represents a claimant in front of the hearing officer and the Commission which is employed by the FEPC. I see that as a blatant conflict of interest, the Equal Employment Opportunity Commission does not even do it...which is the Federal Agency above the FEPC. And for the three reasons that I've stated previously, I would ask for you to adopt this Amendment. Thank you."

Speaker Redmond: "Questions on the Gentleman's motion for the adoption of Amendment #1 to House Bill 3427. Those in favor vote 'aye', opposed vote 'no'. Representative Corneal Davis to explain his vote."

Davis: "Mr. Speaker, it will only take me a minute to explain my vote. If I vote for this Amendment I'll be voting against the public defender. And if we're going to abolish it for people who come for some aid...to the Fair Employment Practice Commission, then we should deny a Judge the right to appoint a public defender. And I vote 'no'."

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

Catania: "Representative Peters...."

Speaker Redmond: "Representative Catania."

Catania: "I think Representative Peters wanted to speak."

Speaker Redmond: "Representative Peters."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, I fully understand what Representative McClain is attempting



to do by this Amendment. And unfortunately I'm searching my desk here to see how it is written. I'm not sure, Representative McClain, that the purpose for which you offer this Amendment is going to end up being accomplished in that the total appropriation is two hundred and thirty-two thousand, three hundred dollars. And just by deducting the amount of money you have deducted does not prohibit the FEPC Commission here from still using the remainder of the funds for the purpose you want to prohibit them from using. I don't know how we could resolve the problem here....in a sense I'm a bit sympathetic with what you're trying to do but I'm not sure it is going to do what you want it to do. All we're going to end up doing is reducing the appropriation by twenty-five thousand without accomplishing the purpose."

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

Catania: "Well, thank you, Mr. Speaker. I did want to point out that while I'm just as much in favor of saving federal money...as state money this is all federal dollars that we're talking about. And it is money that has been given to us by the Federal Government. We were the only state that applied that received a hundred percent of the funding that we requested and we did that because we have so sufficiently improved our record on handling FEPC cases recently. Also I find it difficult to believe that Representative McClain is really sincere in wanting the Attorney General to acquire a battery of lawyers to handle these kinds of cases. I suspect that that is not really the motive that is behind all of this and perish the thought that we should not want more lawyers in the private sector so that....in the public sector so that lawyers in the private sector might get more of this kind of money. Let's face it Ladies and Gentlemen, there are simply people who cannot afford to hire private attorneys



and these are the indigent and I find it amazing that there were some Democrats over there, the people who say they are the Party of the people, the defenders of the poor and the oppressed who are saying, we are not willing to help pay for the legal cost to defend these people when they go and ask for equal pay for equal work. Please vote 'no' on this Amendment."

Speaker Redmond: "Representative Deuster."

Deuster: "Well, Mr. Speaker, I would like to just urge more 'yes' votes up there. If you put your shoe....yourself in the shoes of a person hauled before the Fair Employment Practice Commission accused of some form of discrimination and you find that the complainant over there has got a lawyer and then you find later that that lawyer is paid by the Commission that you're appearing before that is supposed to be neutral and dispensing justice, you would be outraged and shocked. I think that it is absolutely wrong as a matter of principle no matter how much money is involved....to have the court, the Commission that you're appearing for....paying that person who is complaining against you. Now they can go out if they are poor and get legal council some where else but it would be absolutely wrong to have a Commission to do that and I would urge more 'yes' votes for this important Amendment which makes sure that when somebody stands up and pledges allegiance to the flag and talks about justice, that when they appear before the Fair Employment Practices Commission they are really getting justice and they are not having that very Commission that is supposed to be neutral subsidizing the attorney. Because your small business person is going to have to pay for his own lawyer. So I vote....urge many more green votes in support of this good Amendment."

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



Ewell: "Mr. Speaker, Ladies and Gentlemen, you're talking about one position, twenty-six thousand federal dollars. Every year the Federal Government may waste money on various projects. They do it on the roads, bridges, the highways, what you're talking about is people...let's say minorities let's say the women. People who feel they have a justified complaint, unable to prosecute the particular case, unable to even basically bring it to the attention of the proper person who ought to be involved. I think if you stop and weigh this one job against the vast expenditure we're going to make in the Pontiac riot, I think it will indeed be just a drop in the bucket. The interest of justice in this country has always rode above everything else. And I think it is only fair in this instance that you allow this one simple office to help facilitate the work of the Fair Employment Commission. It is equitable, it's fair and costs the state not one dime."

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

Mann: "Mr. Speaker, I think this is a very very basic issue. The public policy of the State of Illinois for a very very long time has been that the people in this state regardless of sex, religion or national origin, have an equal opportunity for employment. And for anybody who represents anybody in this state with a minority constituency, who can stand up and vote for this Amendment, I think is doing a disservice to that constituency. And I want to lay it right on the line to the people on this side of the aisle. The Democratic Party has stood for Fair Employment Practices Commission ever since it has been an institution. And for us to turn our back on FEPC, as far as I'm concerned is a treacherous act. It's a retreat, it is something that the Democratic Party ought not to do, we ought to be ashamed of ourselves. Any



Democrat who votes that way is violating our position.  
I urge a 'no' vote."

Speaker Redmond: "Representative Anderson."

Anderson: "Yes, Mr. Speaker. I have a young lady in my district who has filed a suit with FEPC, who has....she is up against two hundred and fifty chain stores in the country. And she hasn't any money to fight this case but she does have a good case and I think she should have every chance possible to win. And not to be against a legal firm that has two hundred and fifty stores, she has three children and she doesn't have any money and I think she should be given every chance that we can give her."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there 73 'aye' 81 'no', the Gentleman's motion fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3428."

Clerk O'Brien: "House Bill 3428, a Bill for an Act to amend Sections of an Act making appropriations to the ordinary and contingent expense of the Department of Agriculture and emergency services in diaster agency. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3429."

Clerk O'Brien: "House Bill 3429, a Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of the Department of Transportation. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3430."

Clerk O'Brien: "House Bill 3430, a Bill for an Act to provide for the ordinary and contingent expense of the Commission on delinquency prevention in the Department of Children



and Family Services. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3432."

Clerk O'Brien: "House Bill 3432, a Bill for an Act making appropriations to the Speaker, House of Representative. Second Reading of the Bill, no Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Lechowicz: "Third Reading. 3433."

Clerk O'Brien: "House Bill 3433, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Out of the record. House Bill 3433."

Clerk O'Brien: "House Bill 3433, a Bill for Act to amend Sections of the School Code. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any Amendments from the floor? Any motions on Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #2, McClain. Amends House Bill 3433 as amended on page 1, line 1 and so forth."

Spekaer Lechowicz: "The Gentleman from Adams, Mr. McClain on Amendment #2."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Amendment I've talked to Mr. Ryan about, Mr. Kent, Representative Madigan and the Speaker of the House. It's an Amendment that clears up a conflict of interest or at least part of the qualification of a person serving on State Boards of Education. All this insert.....right now the language reads, 'no person shall be a member of State Board of Education who is gainfully employed or administratively connected with any school system or



institution of higher learning, public or private. Nor shall they be members of any School Board or Board of School Trustees of a public or non public school. All we do is, we further clarify this qualification so it puts it within the confines of Illinois and so now it would read, no person shall be employed or administratively connected with any school system or institution of higher learning public or private within Illinois. So it limits a person who might want to serve on a School Board or a higher learning facility outside of the State of Illinois as an honorarium or something like that. It permits that person to serve on the Board wherein, and so all we do with this Amendment, we say that part of qualification they cannot be a member of State Board of Education as long as they are part of a Board within Illinois. So it is a clarification of the qualification on conflict of interest and on the qualifications of a member of the State Board. Like I said, it has been approved....."

Speaker Lechowicz: "Any discussion on the Amendment? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Amendment. This Bill was a Bill that was sponsored by School Problems Commission in '73 and this clarifies the issue. There is no conflict here and I would urge the adoption of this Amendment."

Speaker Lechowicz: "The question is, shall Amendment #2 be adopted. All in favor signify by saying 'aye', opposed. Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Ewing. Amends House Bill 3433 as amended in paragraph...."

Speaker Lechowicz: "The Gentleman from Livingston, Mr. Ewing, Amendment #3."

Ewing: "Yes, Mr. Speaker, this Amendment would put the....this Bill for funding of the distribution of the thirty million



dollars in education into the posture of making thirteen hundred and five dollars per student instead of the thirteen ten. The other ten million that would be saved would be then distributed to fully fund the transportation cost under House Bill 3420 and I would ask for the adoption of this Amendment."

Speaker Lechowicz: The Gentleman from DuPage, Mr. Hoffman on the Amendment." Hoffman."

Hoffman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Contrary to the previous Amendment I rise in opposition to this Amendment. This will reduce the distribution of the general distributive fund by five dollars a student or approximately ten million dollars across the state. This thirty million dollars was originally appropriated by this General Assembly for this specific purpose last spring. It does not increase the appropriation level at all, it merely provides for the proper distribution of the money in the general distributive fund and for that reason, I oppose this Amendment and would ask a 'no' vote."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker and Members of the House. On this particular Amendment you're given an option in effect. You can either leave this Bill at the thirteen hundred and ten dollar per student level, it benefits everyone in the State of Illinois and roughly distributes the thirty million dollars to the school districts in the state on a similar basis percentage wise as the current school aid law that we hashed out in the spring. Or you can take Representative Ewing's option, which by the way, he and I sponsored a Bill that gives the option of using twenty for formula and ten for transportation. Or you can take the option...the other alternative which is thirteen ten which I put on this particular Bill today in Committee. It is merely a matter of your deciding





whether you believe the money should be distributed solely thirty million dollars through the formula or split with transportation. The other consideration without taking the position pro or con on the Amendment is this, if you wish to go to the thirteen hundred and five dollar level keep in mind that is the level you're going to be at in the future. If you wish to go to the thirteen hundred and ten dollar level that's the level...the bottom you're going to be at in the future. You're going to be better off in the future under the formula without the Amendment but if you want to put some into the formula and the rest into transportation then you should support the Amendment. If you think the whole bit should go into the formula money for current and future distribution, thirty million dollars now and the rest later then you should vote that way. You're only dealing with transportation for one year. In effect you're dealing with the formula on an on-going basis beyond the issue of this year, beyond the issue of thirty million dollars."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Schneider."

Schneider: "Thank you, Mr. Speaker and Members, I share the previous speaker's opposition to the Amendment. One reason in addition to those that they have not mentioned is that the School Problem Commission is currently in the process of taking a new look at the transportation formula. I'm chairing a Subcommittee which will be responsible for that, at least for that Commission and I think we're not only premature in beginning to reallocate formula dollars for transportation but that it is premature in a sense that we haven't really looked at transportation in many years. So I would advocate that we move to thirteen ten and we stay at that figure, we've decided as we did in the spring that the fair distribution of new dollars it's the money that we allocated in the spring. I think it ought to go into the formula therefore, I would ask



a 'no' vote on the motion to adopt Amendment #3."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Walsh. All right. The Gentleman from Livingston, Mr. Ewing to close. I'm sorry. The Gentleman from Cook, Mr. Brady."

Brady: "Mr. Speaker, I would also urge a 'no' vote on this Amendment."

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

Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Amendment. Those Members who have Strayer-Haig districts in their particular legislative districts can at least send some of this thirty million dollars back to those Strayer-Haig districts. Or otherwise they would receive no money at all under a proposal where you just raised the figure to thirteen five or thirteen ten or whatever it might be. Some districts of course again we're leaving them out completely and leaving them out in the cold.....we're not leaving the districts, I guess I should say, we're leaving school children out of receiving any additional funds in some particular areas in the State of Illinois. At least we can fund with this Amendment some transportation costs that we have shorted the school districts again again again. So I would urge the Members to take a good hard look at this Amendment and give an 'aye' vote."

Speaker Lechowicz: "The Gentleman from Livingston, Mr. Ewing to close."

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, we've had some good comments on this. I hope that everybody understands that by the adoption of this Amendment we will leave ten million dollars to fully fund transportation, regular transportation cost and special education transportation costs in the State of Illinois. This money will help every district in the state...this ten million. It is my understanding that it will even put more money into the Cook County schools than if you put it all in the



formula. We won't be leaving any school districts out and I would challenge all of you downstate school people.... Representatives, to remember that you have Strayer-Haig Districts in your school district and if you don't vote for this Amendment they won't get any of the money for the thirty million dollars that we're trying to redistribute. And for that reason I would ask for your favorable approval of this Amendment."

Speaker Lechowicz: "The question is, shall Amendment #3 be adopted. All in favor vote 'aye', all opposed vote 'nay'. Steve, 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 56 'ayes', 67 'nays' and the Amendment is not adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Polk-Stuffle. Amends House Bill 3433....."

Speaker Lechowicz: "Not adopted."

Clerk O'Brien: "On page 16, line 10, by deleting 'estate' and so forth."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle. One moment please. The Gentleman from Cook, Mr. Madison, what purpose do you seek recognition?"

Madison: "Mr. Speaker, we don't seem to have copies of Amendment #4 and I wonder if they have been distributed."

Speaker Lechowicz: "The Amendment according to the Clerk, just came in and has not been distributed. Has not been distributed, Mr. Madison. The Gentleman from Rock Island, Mr. Polk; what purpose do you seek recognition? Mr. Polk."

Polk: "Yes, just discussing Mr. Madison....I'll be glad to share it with him. Recon.....This is an agreed Amendment and it is a technical change. I'll be glad to explain it as it has been approved by both the Republicans and Democrats."

Spekaer Lechowicz: "Well, why don't we....let Mr. Stuffle proceed



to explain the Amendment."

Polk: "It's my Amendment."

Speaker Lechowicz: "Mr. Stuffle."

Stuffle: "Polk. It's his Amendment."

Speaker Lechowicz: "Oh, I'm sorry. Mr. Polk."

Polk: "And I'll read the first paragraph. This Amendment makes a technical change which provides specifics as to how the 90% hold harmless clause will be administered by the Illinois Office of Education. And that's the extent of it and we have been accepted by both staffs. Do you have some question about that, Schneider?"

Speaker Lechowicz: "Mr....Stuffle has a question."

Polk: "If there's questions we'll hold it till it's printed then, I don't..."

Speaker Lechowicz: "Mr. Stuffle, on the Amendment."

Stuffle: "The Amendment has been discussed by various Members of the Education Committee, I don't know if everyone has seen it. What it does is clean up the language of the hold harmless provision that we put in the school aid formula last spring. That said in effect, if you had a school district that received less than 90% of last years entitlement in this particular school year that you would be able to recompute your state aid to pick up the difference. That only affected the way it was written about four dozen districts, with the increase in the Bill to the thirteen hundred and ten dollars per student level. That number of districts would be sufficiently reduced still and it is merely a technical Amendment. It does not effect as written the distribution of state aid."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Schneider. The Gentleman from Rock Island, Mr. Polk to close."

Polk: "I believe it has been amply discussed, it is a technical clean up and would appreciate an 'aye' vote."

Speaker Lechowicz: "The question is, shall Amendment #4 be adopted."



All in favor signify by saying 'aye', all opposed. Amendment #4 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading. House Bill 3434, Representative McGrew."

Clerk O'Brien: "House Bill 3434, a Bill for an Act making appropriations for the reimbursement of school districts of uncompensated transportation expense. Second Reading of the Bill, no Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Lechowicz: "Third Reading. House Bill 3437, Representative Ryan."

Clerk O'Brien: "House Bill 3437, a Bill for an Act to provide for the ordinary and contingent expense of the Health Finance Authority. Second Reading of the Bill, no Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Lechowicz: "Third Reading. House Bill 3438, Representative Ryan."

Clerk O'Brien: "House Bill 3438, a Bill for an Act to transfer money between the General Revenue Fund and the Health Finance Authority Act. Second Reading of the Bill, no Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Lechowicz: "Third Reading. House Bill 3439."

Clerk O'Brien: "House Bill 3439, a Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of the Department of Transportation. Second Reading of the Bill, no Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Lechowicz: "Third Reading. House Bill 3442, Representative



Madigan."

Clerk O'Brien: "House Bill 3442, a Bill for an Act to amend Sections of an Act making appropriations to the State Treasure. Second Reading of the Bill, no Committee Amendments."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Lechowicz: "Third Reading. House Bill 3444, Representative Dave Jones."

Clerk O'Brien: "House Bill 3444, a Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of various state agencies named therein. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Lechowicz: "Any motions on the Amendment?"

Clerk O'Brien: "No motions filed."

Speaker Lechowicz: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Lechowicz: "Third Reading. The Gentleman from Cook, Mr. Yourell on Senate Bill 1550."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to discharge the Committee on Environment Energy and Natural Resources for further consideration of Senate Bill 1550 and have that Bill placed on the Order Second Reading, Second Legislative Day."

Speaker Lechowicz: "Any objections? Hearing none, the Bill will be placed on Second Reading, Second Legislative Day. The Gentleman from McLean, Mr. Deavers. What purpose do you seek recognition? Oh, excuse me. The Clerk has informs me that it takes 107 votes...and was leave granted to you to use the Attendance Roll Call? The Gentleman from Cook, Mr. Levin. What purpose do you seek recognition?"

Levin: ".....you know, right to object. I would just like to know what the Bill does and what the reason is for bringing it out in this manner at this point."

Speaker Lechowicz: "Mr. Yourell will explain it to you. Mr.



Yourell."

Yourell: "The Bill was heard in Rules today, it came out of Rules unanimously. And what it does is raise the deer permit to....hunting fees from five to fifteen dollars. It has the support of the Department of Conservation and all of the conservation and organizations in the State of Illinois."

Speaker Lechowicz: "Mr. Bowman, does that answer your question? The Gentleman asks leave to use the Attendance Roll Call. Hearing no objections the Attendance Roll Call will be used. The Gentleman from McLean, Mr. Deavers. What purpose do you seek recognition?"

Deavers: "Mr. Speaker, I would like to clear the record on House Bill 2506. Representative Edgar came to be to be verified and by accident I took him off the Roll Call and I would like to have that in the record and show that Representative Edgar...Edgar did vote for 2506."

Speaker Lechowicz: "It will be corrected, Mr. Deavers. On the Calendar on page 4, Total Veto Motions appears House Bill 2539, Representative John Dunn, do you want to have that Bill called? John Dunn. Is he there? Take it out of the record."



Speaker Lechowicz: "House Bill 2597, Representative Williams."

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

Speaker Lechowicz: "Let him read the Bill, Jack."

Williams: "Okay."

Speaker Lechowicz: "2597....okay. Please proceed. Williams, please proceed."

Williams: "All right. This was the Bill that provides the... that the school district....the high school district may transport public or non public school....students. The veto of the Governor indicated that he veto this Bill because he said that it was identical in its intent and in its language to 2671 which was Cosponsored by myself and Gene Schlickman. However, I would like to point out that 2597 and 2671 are not identical insofar as it did not accomplish what the intent of the Legislature was and that we could carry this out. The Amendment that we put on in the Senate which was concurred in...actually by this House is that it does clarify that it is all right to mix the high school and elementary school children on the same bus. And Amendment #2 also provides the means by which the schools can carry this out and it eliminates any retro-activity. I did discuss this...actually with the Governor's Office, I believe that everyone recognizes that the two Bills were not identical even though they thought that they were and I ask for everyone that did support us in all the moves that, you know, that the Bill had. It had some 145 votes here, 51 votes in the Senate. On a concurrence it was also concurred with the Senate Amendments...actually when the schools have tried to put into practice what had been in 2671 they found out they could not carry it out without two Senate Amendments that we had put on. I ask everyone to support me in the override motion on this Bill."

Speaker Lechowicz: "Any discussion? .....shall House Bill





2597 pass notwithstanding the veto of the Governor? All in favor signify by voting 'aye' all opposed by voting 'nay'. The Gentleman from DuPage, Mr. Hoffman, to explain his vote. The timer is on."

Hoffman: "Thank you, Mr. Speaker and Ladies of the House, I have nothing to add. I just got it straightened out."

Speaker Lechowicz: "It takes 107 votes. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there is 138 'ayes', 8 'nays' and 1 recorded as 'present'. This motion having received the Constitutional three-fifths majority prevails and House Bill 2597 is declared passed notwithstanding the veto of the Governor. House Bill 2695, Representative Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, House Bill 2695 is a Bill that provides two different measures in regard to the income tax in the State of Illinois. The Bill as it was first heard in the House and as it was passed to the Senate with an Amendment. The first provision provides that a federal job tax credit program for the year of '77 and '78, for the employers throughout the State of Illinois. As you will recall, the federal tax law had set up an incentive tax credit for new employees during those years for employees throughout the United States. Regrettably the way that you figured that you could not take the amount of that salary off before you arrived at the line upon which the Illinois tax is figured. Thereafter, then they figured in a credit which is allowed on the federal tax to the....to these employers throughout the various states. Consequently the State of Illinois wound up being on the short end, our employers did not compete with the employers in other states who were able to get that credit and also not have to then pay back a windfall to the state in which they lived. Such is true in the State of Illinois. Then



you will recall on this Bill also, in the Senate an Amendment was added to this Bill which provides a very important provision for taxpayers in the State of Illinois on the income tax. This provides the tax indexing provision. Whereby, taking the base of January.....of June 30, 1976, then on the bases of the percentage of inflation that is provided to June 30th of your tax year from that based date. It will increase your exemption for every taxpayer in the State of Illinois by the same rate as the rate of inflation during that period of time. So instead of your real rate of exemption decreasing with each inflated tax year this keeps your tax rate at at a level...a continuing level with the rate of inflation. So that you are not paying what is in effect, an inflated tax because we are now held at this one strict level of exemption in the State of Illinois at one thousand dollars a person. This will fluctuate with the percentage of inflation. So I would urge that each and every person in this House consider that this is an opportunity for us to provide that kind of tax incentive that people in this state has been asking for, the kind of relief that each and every individual. Now they will tell you.... somebody will tell you that in one year that's not very much but if this inflation rate continues as it has in the past it adds on each year that additional inflation rate. So that over a period of time it does become very important to the taxpayers throughout the State of Illinois. So this is our time now to say, yes, we heard you, we saw how you voted on the proposition so we're giving you the first part of our answer in providing you tax indexing for the taxpayers of the State of Illinois."

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

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It was just a few hours ago that I rose on a point of personal privilege and made reference to the fact that the



Governor has said that there were some Legislators who produced good ideas. I think.....that this is one of those good ideas that this Legislature has produced and that is, the idea of indexing the income tax exemption by the rate of inflation. For you and I know all too well from a just concluded campaign that inflation and taxes were the major issues that faced those people that we asked for their vote. There is little that we can do in this General Assembly to fight inflation but this is one of those things we can do that can be effective. For that inflation tax which so robs our constituents and the citizens of this state should have been adjusted almost ten years ago when we adopted the income tax. For let me point out that in 1969, when we adopted the Illinois income tax all taxpayers in this state were given a tax advantage of one thousand dollars. Because we have not indexed that exemption since then the real value....or tax advantage is now less than six hundred dollars. If we had indexed it by the rate of inflation from 1969 to today, that exemption would be worth a little over seventeen hundred dollars and that is just at a 7% inflation rate. More importantly, in effect what we are doing without indexing is that we are raising taxes every year without ever legislating because people are paying a higher percentage of their income to the state in the form of taxes. With a salary increase that just keeps pace with inflation...a person with four exemptions would pay 9.8% in taxes increased with a 7% inflation rate. That is a 2.8% increase because we do not index. Let me point out in addition....that although the individual tax relief is not a lot under this proposal, the proposal corrects an inequity and an injustice in the present system because the effective tax rate increases if you do not index. Under the present unadjusted system the state is receiving an ever increasing amount of revenues



because taxes rise automatically. That is immoral and it is unjust and it is inequitable. As Members of this House our most important function is to decide which measures demand immediate attention. I submit that correcting the injustice of inflation meets that criterion and the Representatives....and Representative Tipword motion to override should be supported."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this motion. It seems to me that the income tax program that we have in Illinois is one of the most equitable programs of taxation that is available. As peoples income goes down the state takes less, as the income goes up it takes more. The problem that we really face is the problem of the inflation of the value of real property. And if we want to address the issue of inflation we want to address the issue of taxation on the bases of priorities because we certainly can't do it all. Then we need to look at some reasonable and responsible way to deal with the inflated cost of property as it affects peoples taxes. It seems to me that in the short time that we have before us during a Session like this that we ought to take a moment and step back and ask ourselves if this is really the time and really the place to deal with this issue. Or in fact all the things that we have learned during the last campaign, all the things that we have learned out of experiences of other states and put together a comprehensive and responsible program that will give relief to those people who most need it and will not harm the services that we provide to people most needed that the time to do that is during the Spring Session. And for this reason as well as the previous mentioned reasons I rise in opposition to the motion that has been forced by the most honorable Sponsor of this Bill."



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

Schlickman: "Would the Sponsor yield?"

Speaker Lechowicz: "He indicates that he will."

Schlickman: "House Bill 2695 is in two parts. The first part would grant a deduction to employers and the other part provides for indexing, is that correct?"

Tipsword: "That is correct."

Schlickman: "Directing our attention to the first part, the part that provides a deduction to employers. Do you know of any other deduction that is allowable either to employ....corporation employers or individuals under the Illinois income tax?"

Tipsword: "No, Sir, I do not."

Schlickman: "May I address myself to the motion, Mr. Speaker."

Speaker Lechowicz: "Please proceed."

Schlickman: "Mr. Speaker and Members of the House, please take note that if we override the Governor's veto we are going to establish a precedent in the providing of a deduction to one special interest group. If we open the door for one special interest group in providing a deduction you can be as sure as you are sitting here today that other special interest groups will plead for and it will be hard to prevent their also receiving a deduction. Thereby, Mr. Speaker and Members of the House, providing for one: a more complicated tax and number two, further reductions in state income. This deduction alone would result in a loss of sixteen million dollars in General Revenue Fund money. I respectfully suggest, Mr. Speaker, Members of the House....only on account of deduction element itself the motion to override should be defeated. As I say, it will compound our income tax, it will open the door for other special interest groups and it will reduce state revenue at a time when all of us are joining with our constituents in an attempt to maintain fiscal responsibility of balance budget. I urge a 'nay' vote."



Speaker Lechowicz: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of House Bill 2695 in the override motion. I would like to point out for this General Assembly that much has been said over past two years concerning....."

Speaker Lechowicz: "Excuse me, Mr. Mautino. You will give the Gentleman some attention please. Please continue."

Mautino: "Much has been said over the past two years considering the business climate of the State of Illinois. The first portion of this legislation, if anyone is familiar with the job tax credit...occurs when an employer hires an unemployed person, gets them off the unemployment role puts him to work then the Federal Government allows that business person a tax offset. If the State of Illinois wants to be on the same basis as the other states in the union, every employer in the state should have the same opportunity. So when the other states allow the federal tax credit to work within their income system the State of Illinois by not adopting it....and by the way this is only a two year program. If you don't do it now it has not been extended past 1979. If you don't do it now the employers of the State of Illinois could never again take advantage of this federal program which allows the tax offset also to be put on the state income tax. It is a good program a good Bill and it should be adopted. This is probably the most important Bill for the employers of the State of Illinois that you will look at in this veto Session."

Speaker Lechowicz: "The Gentleman from Christian, Mr. Tipsword to close."

Tipsword: "Mr. Speaker, I hope that everyone heard the explanation in regard to the employment tax credit that was just given by Representative Mautino. It was absolutely excellent explanation of the reason for that. It is to



put the Illinois employers on even footings with those in other states. We added a complete disadvantage to them by the means whereby our present tax structure would not allow them the deduction that other employers throughout the United States had under the federal income tax. Because while they got the credit from federal income tax, Illinois came along and said, no, we figure ours at a different point in this process and so consequently we'll take it away from you. In regard to the tax indexing, the State of Illinois in its income depends on inflation, it looks to inflation year after year to increase its tax bit from the people of the State of Illinois. But at the same time the Illinois income tax system gives absolutely no credence, gives no understanding to the fact that the cost of living goes up at the same time that the income is inflated in this country. And in fact goes up at a higher rate because not everybody is not able to keep up with the inflated cost of living, their income just hasn't gone up that much. But you get absolutely no credit for that increase cost of living for your household under the Illinois income tax system. This would give you by this tax indexing a percentage change in accordance with the rate of inflation in the exemption that is allowed for each individual upon your income tax. It would therefore, at least tend to keep that one exemption in line with inflation and it would not be a burden upon the State of Illinois. Because it would cutting into only what the State of Illinois is looking to as ever increasing amounts of taxation under the income tax. One....by virtue of inflation. Now this does not look to it on the bases of economic growth and if there is increased taxation by virtue of economic growth inflation factor does not touch that on real economic growth. But on the bases of inflation it just puts the taxpayer on an even keel on this one exemption



the only one that we allow to him in the State of Illinois. It appears to me that if the proposition that was upon the ballot this last fall meant anything, then it meant that we should start providing some kind of tax relief to the people of the State of Illinois. I think that is what the Governor's program said and this is our opportunity to say, alright here is some of that relief, let's get started at it. Let's give it to people who are going to be filing their income taxes here in another month or so. This is where it belongs and it will be based upon only on inflation rates. A reasonable rate of increasing that one exemption that we allow for all taxpayers to let them at least try to catch up just a little bit. I urge you to override the veto of House Bill 2695."

Speaker Lechowicz: "The question is, shall House Bill 2695 pass notwithstanding the veto of the Governor. All in favor signify by voting 'aye' all opposed by voting 'nay'. The Gentleman from Cook, Mr. Mugalian to explain his vote."

Mugalian: "Thank you, Mr. Speaker. I think that the original Bill before the Amendment was a good Bill and I voted for it. But I am concerned about the states fiscal position and I like to think of myself as fiscally responsible as I think all of you do. We must remember that a balance budget depends on two factors, income and outgo. And at this stage of the Session and this stage of the fiscal year I don't think that we can afford this combination of Bills which has the indexing attached because, according to the research that I've seen, it's going to cost us about fifty-three million dollars. In less revenue for this year and I think we all should try to...to keep our promises to our constituents that we're not going to spend more money than we have. And I think at this stage by voting for this Bill we will create a





deficit position in the state so I'm reluctantly forced to vote 'no'."

Speaker Lechowicz: "The Lady from Champaign, Mrs. Satterthwaite to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House, I'm voting in favor of this Bill. In addition to the fact that the primary purpose of the Bill is a job incentive and will put more people to work, will help to develop the economy of the state so that more taxes can be collected on more incomes. We then balance that advantage to the employee an incentive to put people to work with a small benefit to taxpayers. This is not going to cost the State of Illinois anything. It is simply going to mean that the state is not taking quite as big a tax bit out of your pockets when you pay your income tax. If the State of Illinois were indeed being completely fair to taxpayer they would put this increment on the total of the tax bill, however, this is only an increment on the one thousand dollar deductible that you have. And so the state will still benefit from increases in your salary beyond that amount. This is only a small token of appreciation to our taxpayers for the fact that they are providing services for the state. I think they deserve a little bit of incentive to keep on working to keep our economy going. I urge a 'yes' vote."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich"

Friedrich: "Mr. Speaker, Members of the House some recent I saw show that now more than 38% of the personal income of this country is going for taxation. This means working clear up until May before you get a dime for yourself. It will finally reach the point where you destroy the incentive to work and when you destroy that, you destroy America. I think we are getting close to that point right now. England has reached that point and they are on the way as you know. So if



destroy incentive by through this increased taxation and it is an increase in taxes whether it is an increase in rate or not, people are finally beginning to wake up to inflation is raising their taxes whether we vote an increase or not. So if you want to leave some kind of incentive for the people who work and produce then I suggest you vote 'aye' on this motion."

Speaker Lechowicz: "The Gentleman from Randolph, Mr. Birchler."

Birchler: "Thank you, Mr. Speaker. The point of this Bill that is important has been mentioned here a few times. Small business people, anybody that hires those people we're speaking of on the federal return get a percent of this wages as a credit to pay federal tax with. But when you're doing that you must have also subtract those wages off of the wages that are used as a business deduction. As a result you're paying on more income on the federal income but you get that amount as a credit. When you go to your Illinois return you pick up the figure that is on the bottom of your schedule (c)...or business schedule to start with. So what we're doing here by not overriding the Governor's veto, we're penalizing every business man in the State of Illinois that is hiring people getting this credit. And I think it is very important that we get the 'yes' votes on there to give those people credit for employing people that were unemployed, put him on the payroll and not penalizing him for doing it."

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

Keats: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It probably is not always well received when a Republican gets up and questions his own party but I think we have to say, the Republican Party for years has campaigned as a champion of the taxpayer in holding down government etc. But when I look at that board I notice how many of those red lights are Republicans. Any Republican



voting against this Bill is a disgrace to his party. And I want to commend some of the Democrats who are showing wisdom that you rarely display but I want to say in a serious vein, the comment was made that we were taking money away from the state. That's the silliest economic comment that I've ever heard. We aren't taking a penny from the state, it is not the states money. It is the taxpayer's money. What we are doing is not taking tax money away from the state we are simply leaving earned income in the hands of those who caused production that brought in the income. If you truly have any compassion for taxpayers you should be voting green. If you want to vote the hypocritical political route and say, we've got to protect the state, what you're doing is selling out the people who fund you and fund the state. This is a productivity in the private sector that have built this state and built this country. A 'yes' vote on this is continuing to keep money in the private sector to develop capital investments for jobs for the future. The more money that comes to the state the less productivity, the less capital investments and less jobs in the future. So I say to you again, any Republican voting red is a disgrace."

Speaker Lechowicz: "The Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, it makes me nervous to be so...in such complete agreement with the Senator in his last remarks. But you've got to acknowledge that if we can't pass this good Bill it is time to fold our tents and steal silently away. Goodness gracious, all of these inflation fighters on this side of the aisle have turned over their proxy vote to the Governor for him to cast them into the wastebaskets or wherever else he wants to throw them. But I want to remind these people that they have to face the voters again two years before the Governor does. And that solemn



fact should have some persuasive effect on your ridiculous position at the present time. We must not let the party of the jackass seize from us this fine issue of tax reform and fighting inflation. Traditionally it is they who coined the phrase, tax tax, spend spend, collect collect. And we must recognize that the voters back home often are.... smarter than we realize, we cannot fool them on this issue. It is regrettable that so few on this aisle refuse to hear the word and heed the call of the taxpayers. I ask them to repent and get aboard here that disaster might be avoided. Vote green."

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

Conti: "As one of the Gentlemen that should be ashamed of myself because I am voting red...if there is anything that I have learned in thirty-two years of holding public office was fiscal responsibility. I wonder how the Gentlemen that are voting green voted on the budget here last year. Now that they want to deduct another sixteen million dollars. Where is this money going to come from?"

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House, I would just follow the previous Representatives comments by saying, that the House has gained is the Senate's loss."

Speaker Lechowicz: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 90 'ayes' 43 'nays', this motion having failed to receive the Constitution of three-fifths majority is declared lost. The Gentleman from Cook, Mr. Jim Houlihan, what purpose do you seek recognition?"

Houlihan: "Mr. Speaker, for a parliamentary inquiry."

Speaker Lechowicz: "What is your inquiry?"

Houlihan: "Mr. Speaker, recently we had election of a Polish Pope and he came not from the College of Cardinals and I wondered now with that precedent, what is the...our rules



say about the election of a Speaker, does it have to be from a Member of the House or can the Legislature select a Speaker that is not a Member of the Legislature?"

Speaker Lechowicz: "We will address that issue at the appropriate time. House Bill 2695. Representative Totten. Okay. House Bill 2707, Representative Kornowicz."

Kornowicz: "Mr. Speaker, Ladies and Gentlemen, I move that House Bill 2707 do pass to override the Governor's veto. Ladies and Gentlemen this is the most important Bill in this Session. This is a tax relief for our senior citizens for people that need help. I ask you to override the veto."

Speaker Lechowicz: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker for starters, I would like to apologize to the Gentleman of the Bureau of the Budget whom I incorrectly attributed an anonymous memo which is totally salacious indicating that House Bill 2707 will cost thirty-five million dollars. We've traced that back to some time this spring before we took any action on the Bill. It definitely will not cost that much. It did not come from the Budget Bureau and I hope if it came from a Republican staffer, that I never find out who it was. The cost of this Bill is a sufficient question as we can see from the vote on the last Bill. Let me run through with you what I believe it costs. House Bill 2707 in the Digest on page 137 of Volume I of the '78 Session, fall supplement #1 to 14. Indicates that the physical impact is seventeen to twenty million dollars for the part of the Bill that will rebate to senior citizens everything by which their property tax bill exceeds 4% of household income. Alright, now that's a big mouthful. What it means is, you multiply 4% times the household income and the state will rebate everything over that up to six hundred and fifty dollars. Now if you look at Senate Bill 1617 which is the Governor's offering on page



56 of the Digest you will see it as budgeted for five million dollars according to the fiscal note. Before the Governor upped the ante fifty dollars per household for those under nine....for those earning under ten thousand dollars. I contend that unless the Department of Revenue doesn't know up from down when they file fiscal notes, when one asks for a fiscal note on a Bill one gets a fiscal note that tells you the total cost of the Bill. For that reason I think the total cost of House Bill 2707, the part that I have described plus increasing the maximum income eligibility from ten to fifteen thousand dollars....it is seventeen to twenty million dollars. Now the Governor has budgeted five to six million dollars for that. We may subtract that from the total, in addition the Governor has obviously budgeted some money for Representative Pullen's Bill which deals a bit with retroactivity section of this Bill. Apparently the no smoking section is closing in. ....Senate Bill 1790 which was sponsored in the House by Representative Brady, I believe and Senator Hynes in the Senate, is going to increase the homestead exemption for seniors by fifteen hundred dollars. That will go into effect over a period of years, next year the impact will be felt in  $\frac{1}{4}$  of Cook County,  $\frac{1}{4}$  of Lake County and all the commission counties. They are reassessing this year. It will not take affect in the township counties until the year....a year later. When that is fully in effect it will save three million dollars...let's forget that because it doesn't all take effect at the same time. I conclude that we need additional money of somewhere between eight and eleven million dollars. This Bill was vetoed for one primary reason if you read the veto message dated in mid July and that reason was cost. I would point out this was about a week and a half before the Governor's cost control task force estimated there was four hundred to



five hundred million dollars worth of savings and additional revenue in the administration. In addition, it takes in..... it does not take into account and this is where I would find the money if a cost control task force delivers nothing. In the four hundred to five hundred million dollars of additional revenue that automatically comes in through inflation....through the sales tax and the income tax. During the campaign we were urged to keep those on fixed incomes from being taxed out of their homes. I would suggest that there are problems for people under sixty-five which this General Assembly or that is, the next General Assembly will address next Session. We can address the problem of senior citizens and those disabled according to social security this Session. Now I don't use the word solve with regard to problems in a legislative or governmental context often but I use it here. We are going to virtually solve the problems senior citizens have with property taxes if this veto is overridden. We were repeatedly faced during the campaign with the implications of Proposition 13, I contend that House Bill 2707 is Proposition 13 for senior citizens in Illinois. If it is passed, no senior citizen will end up being taxed out of his or her home because a senior citizen net tax bill will not increase unless..... his household, his or her household income increases. And then if the household income increases, only four cents out of a dollar must be reserved for property taxes. I think Representative Kornowicz has a superb Bill here which incidently was the concept of which was introduced by Governor Ogilvie in 1972, for any nervous Republicans who think it is a Democratic Bill just because it has a Democratic Sponsor. I would urge everyone to vote for this Bill with a clear conscience knowing that he or she will not bankrupt the state government and that he or she will be meeting a very real need that senior



citizens have. Thank you."

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

Barnes: "Thank you very much. Well, Mr. Speaker and Members of the House, I just would like to add one comment. When this Bill was up before there was some statements relative to the cost and to where there would be funds available for it. As I indicated at that time and since that time I've gotten some...have been in receipt of some updated information relative to where the additional funds could be in the budget currently to more than compensate for the cost of House Bill 2707. In the public aid budget in the AFDC lines based on the four month projections starting from July through October. The projection have ran consistantly over and beyond the actual case loads. Between eight thousand and...on the lower end in July to the current twelve thousand five hundred and two as of October at the end of October, 1978. What this translates into whether we use the figure of 50%...50% or the 25% expenditure of General Revenue, what this translates into is approximately thirty-six million dollars, which will not be spent in that area that is currently already in the current budget, which is more than compensates twice as much as the proposed expenditures which would be incurred by House Bill 2707. So for those reasons and in conjunction with the former speaker relative to the Governor's cost control report, there seems to be more than ample amount of money in the current budget to cover the cost of House Bill 2707 in all of these....all of these...various indications has developed since the Governor's veto message, so this is the current picture, not the picture that was presented at that veto message stage. There is enough money in the budget currently which will not be used, which will more than compensate for the amount of money projected to be expended for House Bill 2707. I would urge your support





of this good Bill."

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

✓ Brady: "Mr. Speaker, if I might, I would just like to echo Representative Skinner when he related Senate Bill 1790 to you which the Governor amendant <sup>was vetoed. It has been</sup> moved to accept in the Senate, we hope to move to accept that in the House tomorrow as a step forward in tax relief. But that step forward in tax relief does take part of the fiscal impact and sting out of this Bill. As a matter of fact it reduces it substantially. So that the cost as put forth in the veto statement does not relate to this and the other Bill in question. I think the cost is reasonable enough for the advantage that we gain for the senior citizens and those on fixed income and I urge your support of this Bill."

Speaker Lechowicz: "The question is, shall House Bill 2707 pass notwithstanding the veto of the Governor. All in favor signify by voting 'aye' all opposed by voting 'nay'. Have all voted who wished? Have all voted who wished? It takes 107 votes. Have all voted who wished? ....will take the record. On this question there are 148 'ayes' 14 'nays' and the motion having received the Constitution three-fifths majority prevails and House Bill 2707 is declared passed notwithstanding the veto of the Governor. House Bill 2539, Representative John Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just about a year ago this time a number of counties around the State of Illinois received notice from the Department of Corrections that they had deficiencies in their county jails and unless those deficiencies were corrected their jails would be closed. However, the State of Illinois provided no money, no funds whereby any of those affected counties could do anything about the problem. At that very time our Governor was proposing approximately fifty-eight million dollars in bonding to



build two new prisons in the State of Illinois. It occurred to me then that if we could float fifty-eight million dollars of taxpayers money to provided bond revenues to construct new prisons it would be altogether appropriate for the State of Illinois, which mandates one more program... mandates one more program to local government to do something about the funding and to set up a system whereby those counties, any county in the State of Illinois which is affected could apply for grant money and the source of that grant money would be bonds. Since that time the Bill was progressed to the ordinary course of legislative channels, it has been considered both by the House and the Senate, legislative approval has been granted by both the House and the Senate. The Bill has been laid on the Governor's desk, Governor Thompson vetoed it in total and the Governor said in his veto message, that he has withheld his approval of the Bill because he believes the construction and operation of jail facilities is and should remain a local responsibility. And he says that he's going to look into the impact of new jail standards on local units of government and review that matter. His goal is to insure that state standards are both minimal and reasonable. For Macon County, where I come from, I can insure... assure you that the standards that have been imposed by the State of Illinois are minimal. I can assure you that Macon County Illinois and every other county that is affected is only trying to do what is the minimum. And I can also assure you that every one of those counties that is affected is in a position where if this Bill does not pass they have no recourse but to go to their local taxpayers with a request for referendum approval to raise local property taxes to meet the mandate of state government. In other words, by vetoing this Bill the champion of ceiling on spending the champion of the proposition to put a limit on state



taxes has taxed local government. Governor Thompson has vetoed this Bill which would provide up to 40% of the cost of renovating state jails throughout the State of Illinois through the sale of bonds. Governor Thompson said he didn't have the money to do that, Governor Thompson said he couldn't afford it. Do you know the annual cost of this Bill? While all twenty million dollars that are proposed in bonds, when all twenty million dollars are sold, the annual cost will be about seven hundred thousand dollars per year. Seven hundred thousand dollars per year that Governor Thompson couldn't find in his budget.... that was in the summer. Then we went into a deadlock at Pontiac, then we went into other prison problems and all at once Governor Thompson could find twenty-one million dollars for prisons. He could find fifty-eight million dollars for prisons last year, he can find twenty-one million dollars for prisons this year but he can't find seven hundred thousand dollars a year for your local jail or mine right now. What I'm telling you is that Governor Thompson doesn't care....he doesn't care whether you have a problem back home and he doesn't care how it is solved. And he doesn't care if your people back home have to pay for the problem by raising their property taxes. He goes around the State of Illinois telling you he is the champion of keeping taxes down but what he is already doing is tax the people, he's taxed the people in each of these affected counties by requiring them to pay...to pay with property taxes for the cost of renovating their jails. You may be in one of those counties. At the present time the counties are Champaign, Madison, Macon, Peoria, Menard, Rock Island, Fulton, Jersey, Monroe and Brown, have all received notices that their jails are in violation of the state standards and unless those standards are corrected their jails are going to be closed. In addition, Edgar and Brown Counties have



also received letters from the State Department of Corrections telling them that while they are not under notice...six month notice that their jail will be closed they are about to be under notice. They have been put on warning. So each of these counties have been notified they have to do something. Furthermore, if you live in a district where there has been an improvement since October 1, 1975, to up grade your jail you are eligible for help with your death service. This is something for everyone who has had this problem. If you built a jail since October 1, 1975, you become eligible to apply for help. The Governor has said this is an open ended program;the companion appropriation is twenty million dollars in bonds,as I have said,in an annual cost of seven hundred thousand dollars. It's not open ended,it is only a measure to do something one more time for local government where there is a mandate coming down from the state. You heard this on the campaign trail, we're tired of mandated programs. You also heard that we're tired of our property taxes going up. This is your chance to do something about it. The Governor wouldn't do anything about it. You've carried your burden both here and as Legislators in the Senate....Senators across the hall, they have carried their burden. We sent this Bill to the Governor and he saw fit to veto the Bill in its entirety. We should send a message to the Governor back from us on behalf of the taxpayers who have the single family residents that are going to see their taxes go up. We should send a message back to him and tell him that we are for responsibility in government and if his agency in the Department of Corrections mandates standards to our local government then by golly they ought to come up with some money to help pay for those costly improvements that are needed. Governor Thompson also talked about sending misnomer prisons back to your local jails. Where



is he going to put them? Your local jail doesn't have room right now, how is he going to do that? He's not worried about that: all he wants to do is push aside the problem. Push the burden off on local government let them have referendum, let them raise property taxes. I ask you now....here and now to vote green and to vote against the Thompson tax on real property in the State of Illinois. I urge you to override the Governor on House Bill 2539. Thank you."

Speaker Lechowicz: "The Gentleman from Madison, Mr. Steele."

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

I rise in opposition to this motion even though I come from a county that would receive some of these funds. So in the short range perhaps the county that I represent would benefit. But in the long range it is not good for our county and it is not good for our state. What this is saying is, the people of my county are going to have to help build jails throughout every 102 counties of Illinois. Not only that, but I think it is only proper.... it is in the past that you keep local responsibility and local control on these things. In Madison County we are building a jail now, at first....the first jail proposal came in at eight million dollars actually it was a luxury jail, it was called a country club kind of jail. We went back to the drawing boards and reduced that cost from eight million to four million. This is what local control can do, they work for the taxpayer. If this were a state funded project our local jails committee and probably every county in the state would say, let's get the best and the most that we can for the available funds. Instead of cutting the cost from eight million back to four, it probably would have stayed at eight million. That why it is important that we do retain local control, the taxpayer is best served the balanced budget is best served by so doing and I urge a 'no' vote."



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

Mudd: "Mr. Speaker and Members of the House, I worked on this particular piece of legislation with Representative Dunn and I think some of the important things that came out in regards to this Bill was the fact that, the reason that was have some of the overcrowding in the prisons that we presently have is because we have no holding facilities in the local counties for misdemeanors. We're sending people to prison for misdemeanors because we don't have the facilities to hold them in our local communities. In areas where they committed the crimes and....so we're sending them to prison. The other things is that hasn't been mentioned is that these counties under this mandate are sending their prisoners out now to other counties with facilities and paying extra cost and filling those local jails up. Your.....we spend this particular amount of money, twenty million dollars, it's only going to be spent for actual cells, not for the jail facility and all the complimenting parts of those jails but only the actual jail facilities. We know that there are many people who belong in our county jails.... on work relief programs and whatever locally that do not belong in prison that we should have the facilities for them. Because these new county jails would be located strategically throughout the state, they would be able to take some of the other prisoners from the adjoining counties at a lesser speed because of the state help on this program. I think the Governor personally has changed his mind in regard to this Bill. Some of the statements that he made campaigning this year in regards to jails and county taxes, I think he has changed his mind on this Bill. I think that we should pass this appropriation, help the counties build jail, put the prisoners behind bars that belong there, keep the misdemeanors in the counties where they belong and out of



prisons and in the long run I think that if you take a look at it realistically we're going to save the state a lot money by putting it in the county who desperately need it. So I urge an 'aye' vote on this Bill."

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

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

Speaker Lechowicz: "The Gentleman has moved the previous question. All in favor signify by saying 'aye', all opposed. The previous question has been moved. The...."

Dunn: "I'll just be brief and remind you again that the following counties are under mandate, Champaign, Madison, Macon, Peoria, Menard, Rock Island, Fulton, Jersey, Monroe, Brown, Edgar and Morgan have received notices from the Department of Corrections and I would also advise you that counties in which there has been construction since 1975, which would appear to be eligible for help with their death service are Boone, Bureau, Carroll, Christian, Clay, Coles, Green and Grundy. If you live in any of those counties you have something to gain by passage of this Bill. Not only do you have something to gain by passage of this Bill, that you can strike a blow for a good government in the State of Illinois by sending notice to the second floor that when programs are mandated there must also be funds accompanying them to pay for those mandated programs. I would urge a green vote on this motion to override House Bill 2539. Thank you."

Speaker Lechowicz: "The question is, shall House Bill 2539 pass notwithstanding the veto of the Governor. All in favor signify by voting 'aye' all opposed by voting 'no'. The Gentleman from Christian, Mr. Tipsword to explain his vote. The timer is on."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, I don't know how many of you would have....had an opportunity in the last two weeks to watch the local television station here in Springfield, but if you had they have run a series



on jails throughout central Illinois. And the conditions they found were deplorable and in those conditions, in many of those jails they also reviewed the fact that those jails...many of them had notices from the Department of Corrections or they felt sure they would be getting notices very shortly. And after they had completed their investigation they received the fact there had been this Bill before the General Assembly which had passed but had been vetoed, it was their conclusion there was no other place that they were going to get the funds to correct what the Department of Corrections felt should be corrected in the local county jails throughout the central part of this state. And they stated in that program that they were sure that the same thing existed throughout the rest of the State of Illinois. If we're going to correct these jails and provide the facilities that the Department of Correction wants and the minimum standards which are really minimum standards that they require. There is really no other place that we can go for this money and I would urge you to support this override."

Speaker Lechowicz: "The Lady from Lake, Mrs. Geo-Karis to explain her vote. The timer is on."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen....Mr. Speaker and Ladies and Gentlemen of the House. The fact remains that these are local items and local problems and it would take twenty million dollars which would be escalated to thirty-five million with interest. It would involve general obligation bonds which would involve the credit of the state. And I think we're in bad enough financial situation as it is and I would like to vote 'no'."

Speaker Lechowicz: "Have all voted who wished? The Lady from Champaign, Mrs. Satterthwaite to explain her vote. The timer is on."

Satterthwaite: "Mr. Speaker and Members of the House, this is





far different than many other programs that we already fund within the state. I find it completely inconsistent on the part of the Governor and on the part of Members of this House who are voting against this motion to say that, local government ought to be responsible for building and financing their jail when we do in fact already subsidize many local governments in building civic centers. Are we saying that it is more important that our communities get state funds for entertainment and for other community purposes in those civic centers. But that we do not deserve to spend money on minimum standards for jails. I think that's a completely inconsistent situation, we ought to be able to subsidize the local communities who need help with these facilities and I urge a green vote."

Speaker Lechowicz: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there 88 'ayes', 78 'nays', none recorded as 'present'. The motion having failed to receive a Constitution of three-fifths majority is declared lost. House Bill 327....what? Alright. At the request of the Sponsor, House Bill 3279 is taken out of the record. Is that correct, Mr. Pierce? Mr. Pierce, please. Mr. Pierce."

Pierce: "As Representative Marovitz at a bilingual Commission would say, manana."

Speaker Lechowicz: "Does that mean food or what? You've got my vote. Out of the record. Let me just point out to the Membership, there has been a question as far as the length of this evening's Session. The Gentleman from Cook, Mr. Madigan. Hopefully we're going to go get that manana.....or food. The Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, we are prepared to adjourn at this time. Would you wish to ask for announcements?"

Speaker Lechowicz: "Yeah. The Gentleman from Sangamon, Mr. Jones asks leave of the House to return Senate Bill 1395



to Second Reading for the purpose of an Amendment. Alright hearing no objection, Senate Bill 1395 is back on Second Reading. The Gentleman from Sangamon, Mr. Jones on the Amendment."

Jones: "Mr. Speaker, Ladies and Gentlemen of the House, this is an easement between the City of Springfield and the State of Illinois for the transfer of the power station to a different location that was in the original Bill. There is no financial obligation of the State of Illinois and I move its adoption at this time."

Speaker Lechowicz: "Any discussion? The question is, shall Amendment #1...Amendment #1 be adopted. All in favor signify by saying 'aye', all opposed. Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Third Reading. On the Supplemental Calendar there are two other items that we did not cover, that's the item veto motion on House Bill 2970, Representative Daniels. Do you want that matter called? 2970, Jack. 2970, Mr. Daniels."

Daniels: "Take it out of the record."

Speaker Lechowicz: "Out of the record. On Amendatory Veto Motions, 2946, Mr. Pierce. Take it out of the record. Any announcements? The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Not an announcement, Mr. Speaker but a question of the Chair."

Speaker Lechowicz: "Yes, Sir."

Ryan: "There seems to be some confussion as to what the schedule is for December, are....we are going to be in on the 5th and 6th of December, is that correct?"

Speaker Lechowicz: "Pardon, your guess is as good as mine. I would strongly recommend that you get a hold of Mr. Speaker Redmond...."

Ryan: "Mr. Speaker, I just talked to the Speaker and that's



what he told me and I wanted to verify to the Members of the House. So why don't you get a hold of him since you're sitting in the big chair and get the answer to the question....."

Speaker Lechowicz: "I'll be more than happy to give you the answer tomorrow. The Gentleman from Cook, Mr. Madigan."

Madigan: "Without appearing to preempt anyone. I was present to the conversation between the Speaker and Mr. Ryan, where the Speaker did indicate to Mr. Ryan that he planned to be in Session two days next week. Do we have any further announcements?"

Speaker Lechowicz: "The Lady from Cook, Mrs. Martin."

Martin: "Thank you very much, Mr. Speaker. I would just like to announce that the Special Committee on Prison Reform, the meeting that was to be held this afternoon has been canceled until tomorrow morning, 8 A.M., room G-2 in the Stratton Building. That is 8 A.M. tomorrow morning, Special Committee on Prison Reform. Thank you."

Speaker Lechowicz: "The Gentleman from Sangamon, Mr. Robinson. Your light is on. The Gentleman from Cook, Mr. Bowman."

Bowman: "Yes, Mr. Speaker, I believe a Resolution was filed 1150 which I would like the Clerk to read before we adjourn."

Speaker Lechowicz: "Ladies and Gentlemen....what Resolution number was that?"

Bowman: "House Resolution 1150."

Speaker Lechowicz: "House Resolution 1150."

Clerk O'Brien: "House Resolution 1150. Whereas on Thanksgiving day of this, Douglas Goler Levin was born to our colleague, Ellis Levin, and his wife Kay and whereas, at ten pounds three ounces, Douglas Goler Levin can lick any kid in the nursery and whereas, Douglas Goler Levin's sister, Hallie, has a new playmate and a long-term baby sitting assignment. And whereas, this glad event was not properly commemorated by the majority...major public utilities and insurance



companies; and Whereas, Douglas Goler Levin has already shown an interest in politics by immediately declaring his candidacy for alderman of the 44th Ward in the year 1999; therefore, be it resolved, by the House of Representatives of the 80th General Assembly of the State of Illinois, that good wishes be extended to our colleague, Ellis Levin, his wife Kay and his daughter Hallie on this happy occasion; and be it further resolved that Douglas Goler Levin be duly welcomed to the world, the United States of America, the State of Illinois, and to the Twentieth Legislative District thereof; and be it further resolved that a copy of this Resolution and preamble, suitable for teething be presented to new citizen, Douglas Goler Levin."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Bowman moves the adoption of Resolution. All in favor signify by saying 'aye' all opposed. The Resolution is adopted. Congratuatiion Ellis Levin. Any further announcements? The Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, it is our intent to come in tomorrow at 12:00 noon. 12:00 noon, so therefore, I now move that we adjourn until 12:00 noon tomorrow."

Speaker Lechowicz: "Mr. Ryan, I spoke to the Speaker and told me that we will be in Session on December 5th and 6th.... Mr. Ryan, I spoke to the Speaker and he informed me that the House will be in Session on December the 5th and 6th."

Ryan: "Thank you very much, Mr. Speaker."

Speaker Lechowicz: "Thank you, Sir. The Gentleman has moved that the House stands adjourned until 12:00 noon tomorrow. All in favor signify by saying 'aye' all opposed. The House stands adjourned. Have a pleasant evening."

