

Doorkeeper: "Attention, Members of the House of Representatives. The House will convene in 15 minutes. Attention, Members of the House of Representatives, the House will convene in 5 minutes. All persons not entitled to the House floor, please retire to the gallery."

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

Reverend Krueger: "In the name of the Father, the Son and the Holy Ghost. Amen. Dean W.R. Inge said: Individuals are occasionally guided by reason, crowds never. Let us pray. Almighty God, our eternal Creator and Redeemer, we look to Thee this day for Thy sustaining power and direction to guide us into the proper direction as we ponder the legislation that we must consider as Members of this Illinois House of Representatives. Enlighten our minds; subdue our wills; bestow upon us the grace to always be temperate in the decisions we may make; that that which we here do may be in accord with Thy divine reasoning. Through Jesus Christ our Lord. Amen."

Speaker Redmond: "Roll Call for Attendance. 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 the Senate has passed Bills of the following title, passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bill #59, 74 and 110. Passed by the Senate March 21, 1979. Kenneth Wright, Secretary. A Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate concurred with the House in passage of a Bill of the following title, to wit: House Bill 242, together with Senate Amendment #1. Passed by the Senate as amended, March 21, 1979. Kenneth Wright, Secretary. A Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of The House of Representative, to wit: Senate Bills #111, 160 and 303. Passed by the Senate March 22, 1979. Kenneth Wright, Secretary."

Speaker Redmond: "Committee Reports."



Clerk O'Brien: "Representative McGrew, Chairman from the Committee on Higher Education to which the following Bill was referred, action taken March 22, 1979, reported the same back with the following recommendation. Do pass House Bill 638. Representative VonBoeckman, Chairman from the Committee on Motor Vehicles, to which the following Bills were referred, action taken March 22, 1979, reported the same back with the following recommendation. Do pass House Bills 129, 219 and 502. Do pass as amended House Bills 162 and 580. Representative Pierce, Chairman of the Committee on Revenue to which the following Bills were referred, action taken March 21, 1979, reported the same back with the following recommendation. Do pass House Bill 460, do pass as amended House Bill 462. Representative Chapman, Chairman from the Committee on Human Resources to which the following Bills were referred, action taken March 21, 1979, reported the same back with the following recommendations. Do pass House Bill 189, do pass as amended House Bills 182 and 493. Representative Jaffe, Chairman of the Committee on Judiciary I to which the following Bills were referred, action taken March 21, 1979, reported the same back with the following recommendation. Do pass Consent Calendar House Bills 687, 688 and 689. Representative Terzich, Chairman of the Committee on Personnel and Pensions to which the following Bills were referred, action taken March 21, 1979, reported the same back with the following recommendations. Do pass House Bills 587 and 589. Do not pass House Bill 588. Do pass Consent Calendar House Bills 591, 592, 593, 594, 595, 604, 804 and 704. Representative Yourell, Chairman of the Committee on Counties and Townships to which the following Bills were referred, action taken March 21, 1979, reported the same back with the following recommendations. Do pass House Bill 204 and 566. Do pass as amended House Bills 203, 607 and 617. Representative McClain, Chairman from the Committee on Environment Energy and Natural Resources, to which the following Bills were referred, action taken March 22, 1979, reported the same back with the following recommendations. Do adopt House Joint Resolution 16 and 17. Representative Kane and Mugalian, Co-chairmans from the Committee on



State Government Organization, to which the following Bills were referred, action taken March 22, 1979, reported the same back with the following recommendation. Do pass as amended House Bill 672. Representative Farley, Chairman of the Committee on Labor and Commerce, to which the following Bill was referred, action taken March 22, 1979, reported the same back with the following recommendation. Do not pass as amended House Bill 149. Representative Capparelli, Chairman of the Committee on Executive, to which the following Bills were referred, action taken March 22, 1979, reported the same back with the following recommendations. Do pass House Bills 495, 506, 565, 654, 707 and 942. Do pass as amended House Bill 308. Be adopted House Joint Resolution 6 and 21. Representatives Kane and Mugalian, Co-chairman of the Committee on State Government Organization, to which the following Bills were referred, action taken March 22, 1979, reported the same back with the following recommendation. Do pass as amended House Bill 672."

Speaker Redmond: "Representative Telcser." *Representative Telcser*

Telcser: "Mr. Speaker, could the Journal please show that Representative Kempiners is absent today because of a death in the family and that Representative Capuzi is absent because of illness. Also, Mr. Speaker, I wonder if we could have leave of the House to let the Election Subcommittee complete their work in counting the ballots in the one additional county for one of the election contests which they are now considering. I understand that might take about 15 minutes..."

Speaker Redmond: "20 minutes I'm advised, yeah."

Telcser: "20 minutes. So I wonder if they could have leave to continue their work while we're in Session?"

Speaker Redmond: "Is there any objection? Hearing none, leave is granted. Representative Madigan."

Madigan: "Mr. Speaker, will the record show that Representative Doyle is excused because of the illness of his wife?"

Speaker Redmond: "No objection, the record will so show. Doyle. Introduction and First Reading."



Clerk O'Brien: "House Bill 1054. Braun - Polk. A Bill for an Act creating the Capital Punishment Moratorium Commission. First Reading of the Bill. House Bill 1055. White - Mautino. A Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 1056. Bower. A Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. House Bill 1057. McAuliffe. A Bill for an Act to amend the Illinois Controlled Substance Act. First Reading of the Bill. House Bill 1058. Stearney. A Bill for an Act to amend Sections of an Act to require insurance companies to furnish to fire officials information relating to the investigation of certain types of property fire losses. First Reading of the Bill. House Bill 1059. McAuliffe. A Bill for an Act to amend the Illinois Controlled Substance Act. First Reading of the Bill. House Bill 1060. Macdonald. A Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. House Bill 1061. Winchester. A Bill for an Act to amend the Vehicle Code. First Reading of the Bill. House Bill 1062. Winchester. A Bill for an Act to amend the Illinois Highway Code. First Reading of the Bill. House Bill 1063. Woodyard. A Bill for an Act to amend Sections of an Act in relation to the construction, operation and maintenance of deep waterway and water power plants to the sanitary district of Chicago. First Reading of the Bill. House Bill 1064. Birkinbine. A Bill for an Act to amend Sections of an Act relating to the control, location, fencing and acquisition of junkyards and scrap processing facilities. First Reading of the Bill. House Bill 1065. Oblinger. A Bill for an Act to amend the Vehicle Code. First Reading of the Bill. House Bill 1066. Skinner. A Bill for an Act to amend the Vehicle Code. First Reading of the Bill. House Bill 1067. Hallstrom. A Bill for an Act to amend the Highway Advertising Control Act. First Reading of the Bill. House Bill 1068. Grossi. A Bill for an Act to amend the Illinois Highway Code. First Reading of the Bill. House Bill 1069. Watson. A Bill for an Act to amend the Highway Code. First Reading of the Bill. House Bill 1070. V.F. Frederick. A Bill for an Act to amend



the Illinois Vehicle Code. First Reading of the Bill. House Bill 1071. V.F. Frederick. A Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 1072. Winchester. A Bill for an Act to amend the Highway Code. First Reading of the Bill. House Bill 1073. Hallock - Skinner. A Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. House Bill 1074. Bianco. A Bill for an Act to amend the Vehicle Code. First Reading of the Bill. House Bill 1075. Piel. A Bill for an Act to amend the Vehicle Code. First Reading of the Bill. House Bill 1076. Ackerman. A Bill for an Act to amend the Highway Code. First Reading of the Bill. House Bill 1077. Robbins. A Bill for an Act to amend Sections of an Act to protect workmen and general public from injury or death doing construction or repair of bridges and highways. First Reading of the Bill. House Bill 1078. Bower. A Bill for an Act to amend the Highway Code. First Reading of the Bill. House Bill 1079. Swanstrom. A Bill for an Act to amend the Livestock Dealers Licensing Act. First Reading of the Bill. House Bill 1080. Bell. A Bill for an Act to amend the Feeder Swine Dealer Licensing Act. First Reading of the Bill. House Bill 1081. Kent. A Bill for an Act to amend an Act making an appropriation to the Department of Agriculture and Emergency Services and Disaster Agency. First Reading of the Bill. House Bill 1082. Woodyard. A Bill for an Act to amend Sections of an Act to regulate refrigerated warehouses and the handling and storage of certain articles of food. First Reading of the Bill. House Bill 1083. Robbins. A Bill for an Act to amend the Fertilizer Act. First Reading of the Bill. House Bill 1084. Robbins. A Bill for an Act to amend the Slaughter Livestock Buyers Act. First Reading of the Bill. House Bill 1085. Kent. A Bill for an Act to amend the Illinois Diseased Animal Act. First Reading of the Bill. House Bill 1086. Ropp. A Bill for an Act relating to the classification of commercial and private applicators use in application of pesticides and devices, regulation of certain pesticide dealers. First Reading of the Bill. House Bill 1087.



Rigney. A Bill for an Act to amend Sections of the Animal Welfare Act. First Reading of the Bill. House Bill 1088. Kempiners. A Bill for an Act to amend Sections of an Act to provide for representation and indemnification of certain civil law suits. First Reading of the Bill. House Bill 1089. Hoxsey. A Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. House Bill 1090. Davis - Leinenweber. A Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. House Bill 1091. J. J. Wolf. A Bill for an Act to amend Sections of an Act relating to the establishment of programs for trained persons in a safe handling of firearms. First Reading of the Bill. House Bill 1092. Watson. A Bill for an Act to amend the Boat Registration and Safety Act. First Reading of the Bill. House Bill 1093. Campbell. A Bill for an Act to amend the State Finance Act. First Reading of the Bill. House Bill 1094. Campbell. A Bill for an Act to amend the State Parks Act and Civil Administrative Code. First Reading of the Bill. House Bill 1095. Swanstrom. A Bill for an Act to repeal Sections of the Snowmobile Registration and Safety Act. First Reading of the Bill. House Bill 1096. Griesheimer. A Bill for an Act to amend Sections of an Act relating to planning, acquisition and development of outdoor recreation resources and facilities. First Reading of the Bill. House Bill 1097. Ralph Dunn. A Bill for an Act to release an easement from...for highway purposes held by the State of Illinois over and through certain lands located in St. Clair County. First Reading of the Bill. House Bill 1098. C.M. Stiehl. A Bill for an Act relating to an easement in St. Clair County. First Reading of the Bill. House Bill 1099. C.M...E.G. Steele, rather. A Bill for an Act relating to an easement in Madison County. First Reading of the Bill. House Bill 1100. Jane Barnes - Huskey. A Bill for an Act relating to an easement in Cook County and the Village of Oaklawn. First Reading of the Bill. House Bill 1101. Bower - Robbins. A Bill for an Act relating to an easement in Cumberland County. First Reading of the Bill. House Bill 1102. Bower - Robbins. A Bill for an Act relating to



an easement in Cumberland County. First Reading of the Bill. House Bill 1103. Bower - Robbins. A Bill for an Act relating to an easement in Cumberland County. First Reading of the Bill.

House Bill 1104. Robbins - Bower. A Bill for an Act relating to an easement in Cumberland County. First Reading of the Bill.

House Bill 1105. Robbins - Bower. A Bill for an Act relating to an easement in Cumberland County. First Reading of the Bill.

House Bill 1106. Robbins - Bower. A Bill for an Act relating to an easement in Cumberland County. First Reading of the Bill.

House Bill 1107. Bower - Robbins. A Bill for an Act relating to an easement in Effingham County. First Reading of the Bill. House Bill 1108. D.P. Friedrich - Watson. A Bill for an Act relating to an easement in Madison County. First Reading of the Bill.

House Bill 1109. D.P. Friedrich - Watson. A Bill for an Act relating to an easement in Fayette County. First Reading of the Bill.

House Bill 1110. Watson - D.P. Friedrich. A Bill for an Act relating to an easement in Madison County. First Reading of the Bill.

House Bill 1111. Watson - D.P. Friedrich. A Bill for an Act relating to an easement in Madison County. First Reading of the Bill.

House Bill 1112. Woodyard - Campbell. A Bill for an Act relating to an easement in Clark County. First Reading of the Bill.

House Bill 1113. Woodyard - Campbell. A Bill for an Act to relate to an easement in Clark County. First Reading of the Bill.

House Bill 1114. Woodyard - Campbell. A Bill for an Act relating to an easement in Clark County. First Reading of the Bill.

House Bill 1115. Woodyard - Campbell. A Bill for an Act relating to an easement in Coles County. First Reading of the Bill.

House Bill 1116. Woodyard - Campbell. A Bill for an Act relating to an easement in Coles County. First Reading of the Bill.

House Bill 1117. Campbell - Woodyard. A Bill for an Act relating to an easement in Clark County. First Reading of the Bill.

House Bill 1118. Campbell - Woodyard. A Bill for an Act relating to an easement in Clark County. First Reading of the Bill.

House Bill 1119. Campbell - Woodyard. A Bill for an Act relating to an easement in Clark County. First Reading of the Bill.



House Bill 1120. Campbell - Woodyard. A Bill for an Act relating to an easement in Clark County. First Reading of the Bill.

House Bill 1121. Campbell - Woodyard. A Bill for an Act relating to an easement in Clark County. First Reading of the Bill.

House Bill 1122. Polk - Bell. A Bill for an Act relating to an easement in Rock Island County. First Reading of the Bill.

House Bill 1123. Redmond - Daniels - Hoffman. A Bill for an Act relating to an easement in Bensenville. First Reading of the Bill.

House Bill 1124. Griesheimer. A Bill for an Act to abolish the capital stocks tax. First Reading of the Bill.

House Bill 1125. Griesheimer. A Bill for an Act relating to the decrease of fees of certian sheriff services. First Reading of the

Bill. House Bill 1126. Griesheimer. A Bill for an Act to amend Sections of the Workmen's Compensation Act. First Reading

of the Bill. House Bill 1127. Griesheimer. A Bill for an Act concerning the health and insurance of persons who have taken a drug or who has been exposed thereto. First Reading of the Bill.

House Bill 1128. Abramson. A Bill for an Act to amend Sections of the Illinois Banking Act. First Reading of the Bill.

House Bill 1129. Abramson. A Bill for an Act to amend Sections of the Illinois Savings Loan Act. First Reading of the Bill."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. I think that I'd like to raise a point of Parliamentary Inquiry, I believe."

Speaker Redmond: "Is the Parliamentarian within earshot? If he is, come up here. Representative Mahar is now the Parliamentarian."

Leinenweber: "Representative Mahar's going to rule in my favor so we can proceed, Sir."

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

Kelly: "Mr. Speaker...Mr. Speaker and Members of the House, I want to take this moment now to extend my best wishes, and I certainly hope those of each Member of this House to the DePaul University Blue Demon Basketball Team, who are in the finals of the NCAA Championship. They have a...what I consider the premier coach of basketball in





Ray Meyer and I had a...the great honor of being on that team for a few months in 1955 and I know that they're going to do the best they can to represent the State of Illinois. And I'd certainly like to have you join me in congratulating them and wishing our best wishes to the DePaul Blue Demons this coming weekend."

Speaker Redmond: "House Bills, Second Reading. I'll be back as soon as the Parliamentarian gets here. 13. House Bill 13."

Clerk O'Brien: "House Bill 13."

Speaker Redmond: "Out of the record. 21."

Clerk O'Brien: "House Bill 21. A Bill for an Act to amend Sections of an Act relating to alcoholic liquors. Second Reading of the Bill. This Bill has been read a second time previously. Amendment #1 lost, 2 and 3 were withdrawn and the fiscal note is filed."

Speaker Redmond: "Representative Madigan. Representative Madigan..."

Madigan: "Would you hold the Bill for a couple of minutes...would you hold the Bill on Second Reading for a couple of minutes?"

Speaker Redmond: "We'll hold the Bill on... 311."

Clerk O'Brien: "House Bill 311."

Speaker Redmond: "Representative Steczo on the floor? Out of the record. 316."

Clerk O'Brien: "House Bill 316. A Bill for an Act..."

Speaker Redmond: "The fiscal note been filed on this one?"

Clerk O'Brien: "Fiscal note has not been filed."

Speaker Redmond: "Out of the record. 383...has the appraisal...conveyance appraisal been filed? Out of the record. 413. Out of the record. 437. Proceed with 437."

Clerk O'Brien: " House Bill 437. A Bill for an Act to amend Sections of the Illinois Abortion Law. Second Reading of the Bill. Amendment...This Bill has been read a second time previously. Amendment #1 was adopted in Committee and the Bill was held on Second Reading."

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

Clerk O'Brien: "No motion filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "No Floor Amendment."



Speaker Redmond: "Third Reading. 438."

Clerk O'Brien: "House Bill 438."

Speaker Redmond: "Representative Darrow, for what purpose do you rise?  
438. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 438. A Bill for an Act to amend Sections of the ambulatory surgical treatment center Act. Second Reading of the Bill. Amendments #1, 2 and 3 were adopted in Committee."

Speaker Redmond: "Are there any motions with respect to Amendments 1, 2 or 3?"

Clerk O'Brien: "No motions filed."

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

Clerk O'Brien: "Floor Amendment #4, Pullen."

Speaker Redmond: "Representative Cullerton."

Cullerton: "Mr. Speaker, I'd like to keep that Bill on Second Reading."

Speaker Redmond: "Leave it on Second Reading? Okay, we'll take it out of the record. 439. I would have if I'd known who the Sponsor was but I didn't... 439."

Clerk O'Brien: "House Bill 439...439. A Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 675. Has the fiscal note been re..."

Clerk O'Brien: "The fiscal note has not been filed."

Speaker Redmond: "Okay, out of the record. Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. I rise on a point of parliamentary inquiry, When the Clerk read the Committee Reports from the Executive Committee this morning, I understood him to indicate that HJR 21, which was Sponsored by Representative McPike and yourself, among others, was favorably reported. I think the record will show that it received only 9 favorable votes in Executive Committee. And under Rule 24(b) that House Joint Resolution would require the votes of a majority of those appointed to the Committee or 10. So I believe the report should be that that Resolution stayed in Committee."



Speaker Redmond: "We'll check on it and if we are in error we will correct  
- it."

Leinenweber: "Thank you, Sir. Would you advise me when you've discovered  
whether you're in error or not?"

Speaker Redmond: "387."

Clerk O'Brien: "House Bill 387. A Bill for an Act to amend Sections  
of the National Guard Scholarship Act. Second Reading of the  
Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. House Bills, Third Reading. 14.  
Daniels here? Out of the record. 18, Huskey. 18."

Clerk O'Brien: "House Bill 18. A Bill for an Act to amend Sections of  
the parental responsibility Act. Third Reading of the Bill."

Speaker Redmond: "Representative Huskey."

Huskey: "Well, Mr...thank you, Mr. Speaker. Mr. Speaker and Ladies  
and Gentlemen of the House, this takes the Parental Responsibility  
Act and all it does is raise the figure from 500 to 2000 dollars.  
And then there was an Amendment added that took the age from 18  
back to 17 so it doesn't cover any adults. It's strictly on  
the juveniles for vandalism. Where the courts feel there's  
a neglect of parents the...the parents are not fulfilling their  
duty in taking care or overseeing their children and this vandalism  
is caused where there's...where it's proven beyond a reasonable  
doubt that the parents have neglected fulfilling their responsibilities  
and the Judge could assess these claims."

Speaker Redmond: "Proceed."

Huskey: "So, actually the...the cost of vandalism to the State of  
Illinois is tremendous. I...I will have the figures in just  
a minute, I don't have the figures right in front of me now  
but I have them coming. And I feel that this would be a deterrent  
in helping to stop vandalism. There isn't a police chief in the  
State of Illinois, there isn't a police department in the state,  
there isn't a park district in the state that hasn't endorsed this  
parental responsible Bill. Therefore, Mr. Speaker, I move for it's



passage."

Speaker Redmond: "Any discussion? Representative Waddell."

Huskey: "He doesn't hear you."

Speaker Redmond: "Representative Waddell. I don't get your signal."

Waddell: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Waddell: "Is Amendment #1 still on this Bill?"

Huskey: "Yes, Amendment #1 is still on, yes."

Waddell: "Would you explain to me what a Christian Science Nurse is then?"

Huskey: "Well, the Christian Science...they explained it to me, they asked that their...that this be attached to the Bill in case this vandalism damage is done to a Christian...to a member of the Christian Science Religion. And I think it's sort of common practice that this is probably put on all Bills of this type. Now, I...I questioned the Christian Science people and asked the same question that you asked and they said they have readers. They don't have...they don't call the minister or someone, they call ~~someone~~ readers to read whatever their...their articles are in their faith to help cure whatever ails them. And I guess they have to pay these readers. Now they call these readers... they're professional people just like you call a doctor or a lawyer to aid you, they call a reader. I'm almost...I shouldn't it's explained to me that way and that's about the best way I can explain it back to you, Representative Waddell."

Waddell: "Are they not in fact practitioners?"

Huskey: "The readers are...let's say maybe they would be. I don't know. I'm explaining it to you only as they explained it to me. That's their professional people. They consider those people professional the same as a lawyer...but this is common practice."

Waddell: "Okay. All right."

Speaker Redmond: "Representative Johnson."

Johnson: "Yeah, a couple questions of the Sponsor. Representative Huskey indicated in introducing this Bill that these damages can be assessed for the negligence or gross neglect of the parent. It



really isn't true as the Bill reads now, is it?"

Huskey: "Well the Bill...the Bill reads now, Representative Johnson, the same as the existing law. I am not... you and that Committee brought it back to the existing law. The things I asked for you refused to give me in Committee and moved it back to what the existing law is and has been, except your Amendment changed the existing law from bringing it from 18 back to 17."

Johnson: "My point is, that these damages are not assessed because of the negligence. They're assessed regardless of negligence or regardless of the parent do anything about the willful or malicious act. So they're really not based on negligence or neglect or anything like that at all. If you have a minor child between 11 and 18 that commits an act of vandalism, regardless if you knew about it, regardless if you neglected him, regardless if you told him not to do it, you're still liable for up to 2,000 dollars. Isn't that right?"

Huskey: "Yes, that's right."

Johnson: "And secondly, you indicated that you have to show beyond a reasonable doubt that this act occurred or... and you said that negligence occurred. Well in fact, this is a civil remedy and there isn't any requirement that you use the criminal standard of beyond a reasonable doubt, is there?"

Huskey: "Well in any court procedure. But as far as what you're saying in a civil..."

Speaker Redmond: "Representative Huskey's microphone on?..."

Huskey: "I would say, yes."

Johnson: "Well I think everybody in the House ought to recognize and certainly Representative Huskey didn't introduce this Bill originally to establish this concept. But I think everybody ought to realize what we're doing here. If you have a child between 11 and 18 who commits any sort of acts of vandalism, regardless of how good a parent



you are or how much supervision you exercise, you can't insure against that damages. The plaintiff, the persons who's entitled to recover can insure against the damages that they incur. And so what you're doing here is increasing by fourfold the amount of vicarious responsibility, regardless of negligence, regardless of anything else. I think it's likely that if we get up to the 2,000 dollar level somebody is going to litigate this and they're going to find out there's no due process involved and it's probably unconstitutional. With the level at 500 dollars nobody has bothered to litigate it because you can't afford the appeal costs. But when you get it up around 2,000 dollars and you're saying to any parent in this room or anywhere else in the State of Illinois that you have to pay out 2,000 dollars for an act of your child, regardless if you knew about it and regardless of whether you're negligent in your exercise of supervision, I think we've gone a long, long, long way and well beyond what the original born of this Act was. And I would certainly encourage... I realize it's probably going to pass, we're going to try to cut down on vandalism and all that. That isn't what this Bill is going to do at all and it is going to put a lot of people who can't afford it in the posture where they've got to pay 2,000 dollars, 25 percent of their income at least in the average American family, out for something they didn't have any control over. And they can't insure against it. And I think when you vote on it you ought to know what you're voting on and you ought to realize you're increasing it 400 percent in the course of two years, when the cost of living in that amount of time has gone up no more than 15 or 20 percent."

Speaker Matijevich: "The .the Gentleman from Cook, Representative Katz."

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, I think all of us are really <sup>are</sup> concerned about young people who are vandals who do damage to property. That's the reason, I'm sure, that motivated the Sponsor in introducing this Bill. But I think that we have got to consider some of the points that are being made here. Our law is based on the notion that we are responsible for



what we do. We're not responsible for what somebody else does. That's a fair thing, nobody can know what somebody else is going to do. Now we began by providing this secondary liability for a child based on some notion that the parent can control the child. Now all of us know that isn't so. All of us know that there are a lot of children that really are not within the control of the parent. The parent can be as conscientious as possible, it may be a broken home where there is no father in the home, there may be many circumstances. But to say to the parent whose child in fact has...is beyond the control of the parent that it's not enough that you have a child like this, this hell cat that you have, but that you also, regardless of what you do, are going to be responsible up to 2,000 dollars for the damage that child does offends my sense of fairness and does raise in my mind concern over the unfair treatment that this Bill would give to parents who may be as innocent as any of you are in the rearing of children. We are living in an age where we cannot necessarily control our children. It would be one thing to have a Bill, as this was first introduced, that made the liability of the parent contingent upon showing that the parent was guilty of neglect. That has been eliminated in this Bill. It is total responsibility, absolute liability on the part of the parent. I say to you that is unfair, it is unjust, it is contrary to our legal system, it is contrary to the principles upon which we operate under which an individual is responsible for what they do or what they've done based on their negligence but otherwise an individual is not responsible for what another human being must do. And so I would urge the Members of this House to, as the Gentleman from Urbana suggested, opposed this Bill because it will create mischief, it will solve no problem, it is designed to look like it is good and it is not good and it should have a 'no' vote."

Clerk O'Brien: "Representative Matijevec in the Chair."

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

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, I heard the eloquent speaker, the previous speaker speak about total responsibility."



Just recently as I...as this Bill was being introduced a brand new civic center in the Village of Elmwood Park was built and a 750 dollar urinal was torn right off the wall. What about the total responsibility to the taxpayers? Right next to the civic center there was an oil painting in the public library and somebody had some fun with a 10 cent can of spray paint and ruined at least an 1,800 dollar painting in the library. What about the total responsibility to the taxpayers who are paying for these fine things that they have in their community? I think this is a good Bill and it should pass?"

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

Yourell: "Thank you, Mr. Speaker, would the Gentleman yield for a question or two?"

Speaker Matijevich: "He indicates he will."

Yourell: "Representative Huskey, when you started your description of the Bill one of the statements you made was that every single police department and every single park district in the State of Illinois was in support of this Bill. Would you tell me if you have letters or any indication of that or is that just a feeling of yours?"

Huskey: "Well, Mr...Representative Yourell, I have letters, yes. Maybe I overexaggerated the statement but...to a degree, but there was many, many letters, many, many police departments did testify on this Bill and in Committee. And the Committee Members know this. And I have many, many letters from many, many people and...and supporting this Bill, yes. Maybe I overexaggerated every police department but nearly every police...every police department I have talked to supported this Bill."

Yourell: "Well there's over 10,000 police departments in this state and I wondered if you had those. I just was informed..."

Huskey: "I didn't have the exact count, Representative Yourell, or the exact number of police departments in the state."

Yourell: "Well I was told that two representatives of police departments in Illinois testified for the Bill and that's a long way from 10,000."





Speaker Redmond: "The Gentleman from McHenry, Representative Skinner."

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

Speaker Matijeich: "The Gentleman from McHenry has moved the previous question. All in favor...the Gentleman from Cook, Representative Walsh, for what purpose do you rise?"

Walsh: "Well, I know, Mr. Speaker, that this is not your fault and it's to some extent the fault of the person making the motion but as it happens the only people who were recognized were people who were in opposition. There are many of us who would like to talk who favor this measure."

Speaker Matijeich: "Well, you can vote against the motion on the previous question."

Walsh: "Maybe he'd withdraw it, Mr. Speaker..."

Speaker Matijeich: "Oh, does he withdraw it? All right, the Gentleman from Cook, Representative Walsh."

Walsh: "Oh, you wanted me to speak on the..."

Speaker Matijeich: "Yes."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I rise to support and indeed I'm a Co-sponsor of this measure. I'm amused at some of the comments of the opponents who are arguing not against the Bill but against the concept of parental responsibility in total. In the first place, we have in this state had a parental responsibility law far longer than two years, as one of the opponents pointed out. It's been at least double that and in my opinion more years than that. Now I suggest to you, Mr. Speaker, that if we raise this amount and certainly inflation dictates that we ought to, if we raise this amount perhaps we'll get the attention of some parents who might take a little bit of care in their...in the raising of their child and know where their children are going to be at night. Some of the opponents, I'm sure, who said that they would favor the Bill as it was first introduced, had a speech in their drawer that they put aside for the speech they made that would have been in opposition to the Bill as it was first introduced. Frankly, I preferred the Bill as it was introduced and brought in the new concept of parental neglect.



Failing that though and in the spirit of compromise the Sponsors agreed to raising the limit to 2,000 dollars. I think it's a good idea. I think we ought to pass this Bill, Mr. Speaker, and bring it to the attention of parents who might be a little less careful of where their children are than they are now."

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

And I don't know if he's for or against."

Mugalian: "I hope that Representative Walsh can guess my position on this. I'm a little surprised that the distinguished...that my distinguished colleague from DuPage, a dear friend of mine, should talk about parental responsibility as if it is something that this Legislature can mandate by a course of action. I think my good friend from DuPage recognizes that good upbringing, parental care and responsibility, good manners, civilization and graciousness are things that legislative action cannot mandate. I think he is a modelous parent and human being and that these things are established and encouraged by example and by ones deeds. The problem with this Bill though, Ladies and Gentlemen, Mr. Speaker, I think that it combines two...two principles that are both foreign and contrary to our own tradition. The State of Illinois and the common law very rarely imposes absolute liability. That is something we don't do, it's not part of our system. Secondly, our common law tradition in the State of Illinois does not impose liability on person for the negligent acts of another. With this Bill it combines both those...those principles to which we find repugnant in one Bill. It imposes absolute liability for the actions of a third person. Now will this Bill act as a deterrent? It can't possibly act as a deterrent. So possibly the only other motive for this is vengeance. The vengeance is extracted from the wrong party. It's extracted from a parent and not from the offender. It doesn't even hit that mark. I'd like to close with just one...one example of how this might affect the citizens of the State of Illinois. Consider a family of 6 children, hard working parents, they both may be working, and 5 of the children are exemplary but the odds are that perhaps if you have 5 out of



6 you own't get 6 out of 6. And for some reason, known only to psychologists perhaps or social workers, the 6th child is... becomes unmanageable and commits an act of vandalism. What happens? By extracting a 2,000 dollars penalty against the parents where there is no negligence shown, you are punishing the 5 children and the parents of the entire family. This is really a dreadful way to approach the problem of parental responsibility and I urge the defeat of this Bill."

Speaker Matijevich: "The Gentleman from Kankakee, Representative McBroom."

McBroom: "I move the previous question."

Speaker Matijevich: "The Gentleman from Kankakee has moved the previous question. All in favor say 'aye', opposed 'nay' and the previous question prevails. The Gentleman from Cook, Representative Huskey, to close."

Huskey: "Mr. Speaker and...and Ladies and Gentlemen of the House, we've listened to the bleeding hearts of the poor, innocent little kid that commits vandalism. We're forgetting one thing. We're forgetting the people and the damage...and...that this kid may take a baseball bat and beat somebody's brains out, or a gang of kids take a baseball bat and beat someone's brains out. What about those? What about the victim? I can plead with the poor little innocent little kid that does this vandalism and all the dangers and all the damages that they've done. Maybe poked an eye...maybe a group of them have poked an eye out of the neighbors kid, a lot of things...but what about the victim? It's great to bleed for the... for the innocent little kid that...that does all these vandalisms and creates millions and millions of dollars a year in vandalism. What about...what about them? What about the victim? Then when you come on and say someone is not responsible for someone else's acts. What about the bartender under the Dram Shop Act? Why is he responsible for someone that has an accident that had a drink in his bar and someone goes down the road 500 miles and kills somebody. That bartender is responsible under the Vandalism Act. What about Workmen's Compensation? The employer? Do you remember the case where the man died of a heart attack at White Sox



Park and the employer had to pay the damage? What about these cases when you say the poor, little, misguided individual that creates this vandalism, think about the victim. Think about the school buildings with all the windows busted out. Think about the example that Representative Conti explained to you. Mr. President... Mr. Speaker, I move for the adoption of House Bill 18."

Speaker Matijeich: "The Gentleman from Cook, Representative Huskey, has moved for the passage of House <sup>B</sup>ill 18. The issue is, shall House Bill 18 pass? Those in favor vote 'aye', those opposed vote 'nay'. The Gentleman from Cook, Representative Getty, to explain his vote."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House, I reluctantly arise to explain why I feel we must vote 'no' on this. I think as the Bill was originally introduced it had a very good concept in that it would tribute responsibility to a parent who was unreasonably neglegent in looking after the child. Unfortunately, what we did was make the responsibility 2,000 dollars without putting in that necessary finding. Now we would have improved greatly, a statute, had we had such provisions as the Bill contained originally. It needed some refinement but not a refinement by making this four times the original amount of 500 dollars. I would hope that this Bill would be defeated at this time and that the Sponsor would put it on Postponed Consideration. I think it could be improved by an Amendment and I would then be able to support it."

Speaker Matijeich: "The Gentleman from Lake, Representative Deuster, to explain his vote."

Deuster: "Well, Mr...Mr. Speaker, Ladies and Gentlemen of the House, in the last Session and in the Session prior to that I sponsored a similar Bill which sailed out of this House and went over to the Senate and we...and unfortunately failed over there because they thought we might be raising it a little...the dollar amount too much. I think we ought to give Representative Huskey a 'yes' vote and send it over to the Senate and this will be worked out. Since the 10 years that we've had the Parental Responsibility Act



there's been inflation and the cost of broken windows has gone up. I might say for the Members who represent black communities that we should remember that the father of this concept was Representative Lou Caldwell, who worked for...long and hard to get this concept in Illinois. Also, Jake Wolf on this side of the aisle, worked for the concept. We've had the idea of parents being responsible for the willful and malicious acts of their minor children for quite sometime and this concept is nothing new. All we are trying to do is raise the dollar amount. Now if you think it ought to be 750 or 1000, as my Bills were, or 1005 or whatever, that's fine tuning it, but let's send it over to the Senate, let's send the Message and I'm sure that the Members of the Senate will compromise with Representative Huskey and the Judiciary Committee and we'll have a Bill back on a Conference Committee Report that's in line with what everybody would like. But give him some more green lights. It's a good concept, it's a message to parents that we think they ought to be responsible and we ought to...as we cast our green votes think about our appreciation for Lou Caldwell and Jake Wolf, who helped out with this idea years ago."

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

Wolf: "Well, Mr. Speaker and Members of the House, I'm...I really am surprised for the number of red lights that I see. What the Parental Responsibility Act is all about is just what the name implies, it is trying to instill some responsibility into parents who are negligent in the raising of their children. Now we know that Parental Responsibility Laws are in derogation of common law, there's no question about that, it's been upheld in about 42 or 43 states, as I recall. And what we're saying here in this Bill, as I read the language, where it is shown that the parent has engaged in a pattern of unreasonable neglect. So I don't think there's any fear from people..."

Speaker Matijevich: "Are you concluded?"

Wolf: "I'm getting some flack from somebody...one of my colleagues on the



side...on the side here. And I noticed a few Amendments with his name on it, maybe he tried to strengthen the Bill to death. If that be the case I would recommend wholeheartedly the green lights to go on the board, send it to the Senate and we could work something out over there."

Speaker Matijeich: "The Gentleman from Macon, Representative Borchers, to explain his vote."

Borchers: "Mr. Speaker and fellow Members of the House, about 10 years ago I put in a similar Bill which was thoroughly defeated. However, times are changing. More people are becoming aware of what has happened in our school systems and other areas alike in our country. Now I do not remember exactly, but as I recollect, in 1974, before I was so rudely interrupted with what I was doing, as I recollect, in Chicago alone...and you people in Chicago should think about that, there was 17 million dollars in one year of broken windows. Now you're paying for that. What the red lights are doing is asking...is not being responsive to the needs of taxpayers, not only in Chicago, but the State of Illinois. So I want you to think about that, 17 million. I may be off a million or so but it's not very far."

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

Friedrich: "Mr. Speaker and Members of the House, the Reference Bureau has just informed me that they have requests for 6,600 Bills. Unless we find a way of moving along a little faster than we are today we'll still be here in August."

Speaker Matijeich: "Here, here. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this issue there are 99 voting 'aye', 46 voting 'no' and 6 voting 'present' and House Bill 18... The...the Gentleman from Champaign, Representative Johnson, for what purpose do you rise?"

Johnson: "Verification."

Speaker Matijeich: "99 'aye', 46 'no', 6 voting 'present' and Representative Johnson, from Champaign, is...asks for a verification. And Representative Huskey has asked for a poll of the absentees."



The Clerk will poll the absentees."

Clerk Hall: "Beatty. Capparelli. Capuzi. Dawson. Domico. Doyle.  
Dyer. Ewell. Farley. Garmisa. Giorgi. Griesheimer. Hoffman.  
Huff. Kempiners. Kornowicz. Madigan..."

Speaker Matijeich: "Madigan 'present'. Garmisa 'present'."

Clerk Hall: "McGrew. Nardulli. Schisler. Schlickman. Schoeberlein.  
Stearney. Terzich. Sam Wolf. Mr. Speaker."

Speaker Matijeich: "Representative Totten, for what purpose do you  
rise?"

Totten: "Thank you, Mr. Speaker. Would the Gentleman from Champaign  
consent to verifying me and Representative McMaster 'aye'."

Speaker Matijeich: "Leave to have Totten verified. Leave...and  
McMaster? Leave. The Clerk will proceed with the verification.  
Call the 'aye' votes. The Members will be in their seats. All  
unauthorized personnel off the floor."

Clerk Hall: "Ackerman. Jane Barnes. Bell. Bianco."

Speaker Matijeich: "Just a minute. The Gentleman from Cook,  
Representative Collins, for what purpose do you rise?"

Collins: "Mr. Speaker, record me as voting 'aye'."

Speaker Matijeich: "Change Collins from 'no' to 'aye'. Proceed."

Clerk Hall: "Bianco. Birchler. Birkinbine. Bluthardt."

Speaker Matijeich: "Clerk, Representative McClain wants to be changed  
from 'aye' to 'no'. Proceed."

Clerk Hall: "Borchers..."

Speaker Matijeich: "Well, hold on one more minute. Where you from,  
Mike? The Gentleman from Bond, Representative Slape."

Slape: "Mr. Speaker, will the Gentleman from Champaign verify me?"

Speaker Matijeich: "Leave to have Slape verified. Leave? He's got  
a meeting to attend."

Clerk Hall: "Boucek. <sup>Pover</sup>Braun. Breslin. Brummer. Campbell. Christensen.  
Collins. Conti. Daniels. Darrow. Davis. Deuster. DiPrima.  
Donovan. Ralph Dunn. Woodyard. Epton. Ewing. Flinn.  
V. Frederick. Friedland. D. Friedrich. Gaines. Hallstrom.  
Hannig. Harris. Hoxsey. Hudson. Huskey. Dave Jones. Emil  
Jones. Kane. Keane. Kelly. Kent. Klosak. Kosinski. Kozubowski."



Kucharski. Laurino. Lechowicz. Leon. Macdonald. Mahar.  
 Margalus. Matula. McAuliffe. McBroom. McCourt. McMaster.  
 Meyer. Molloy. Neff. Oblinger. O'Brien. Pechous. Peters  
 Piel. Polk. Pullen. Rea. Reed. Reilly. Richmond. Robbins.  
 Ronan. Ropp. Ryan. Skinner. Slape. Stanley. E.G. Steele.  
 C.M. Stiehl. Stuffle. Summer. Totten. Tuerk. Van Duyne.  
 Vinson. Vitek. VonBoeckman. Waddell. Walsh. Watson. White.  
 Wikoff. Winchester. J.J. Wolf. Younge and Yourell."

Speaker Matijeich: "The Gentleman from Kane, Representative Schoeberlein,  
 you are...how is Representative Schoeberlein recorded?"

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

Speaker Matijeich: "Vote him 'aye'. The Gentleman from Champaign,  
 Representative Wikoff, for what purpose do you rise?"

Wikoff: "Thank you, Mr. Speaker. I'm going to have to leave for a few  
 minutes. May I be verified?"

Speaker Matijeich: "Leave. On the Affirmative vote, the Gentleman from  
 Champaign, Representative Johnson."

Johnson: "Representative Hallstrom, is he here?"

Speaker Matijeich: "Representative Hallstrom was that? I don't know  
 where she sits at. She's way in the back."

Johnson: "Representative Klosak."

Speaker Matijeich: "Representative Klosak. Henry back there? No, I  
 don't see him. Is the Gentleman in the chamber? Evidently not.  
 Take him off the Roll Call."

Johnson: "VonBoeckman."

Speaker Matijeich: "VonBoeckman is way in the back."

Johnson: "Winchester."

Speaker Matijeich: "Winchester is right in front."

Johnson: "McClain."

Speaker Matijeich: "McClain is...he's a 'no' vote."

Johnson: "Oh, okay. Harris."

Speaker Matijeich: "Representative Harris is in...near his seat."

Johnson: "Kozubowski."

Speaker Matijeich: "Representative Kozubowski. Is the Gentleman in the  
 chamber? How is Kozubowski recorded?"





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

Speaker Matijevich: "Take him off the Roll Call."

Johnson: "Leon."

Speaker Matijevich: "Representative Leon... Leon is in the Republican aisle."

Johnson: "O'Brien."

Speaker Matijevich: "Dan O'Brien is in his seat."

Johnson: "Richmond."

Speaker Matijevich: "What was that?"

Johnson: "Richmond."

Speaker Matijevich: "Richmond. Representative Richmond is way in the back."

Johnson: "Stuffle...oh, he's here, okay."

Speaker Matijevich: "Stuffle is in his seat."

Johnson: "I guess that's it. That's it."

Speaker Matijevich: "Will the Clerk give us the count? There are 99 voting 'aye', 46 voting 'no', 8 voting 'present' and House Bill 18, having received the Constitutional Majority, is hereby declared passed. House Bill 33. Out of the record. 69, Terzich. Out of the record, I guess, I don't see Terzich here. 70, out. 71, out. 76, out. 51, out. 95, Deuster. Out. 95, Deuster, out. 108, out. 128, Catania. Out. 142, Davis. Out. 148, Deuster, out. 161, VonBoeckman, out. 163, out. 183, Greiman. The word's go."

Clerk Hall: "House Bill 183. A Bill for an Act to amend Sections of the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Greiman, on House Bill 183. Greiman."

Greiman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 183 addresses a problem that was caused by a decision of the Supreme Court of the United States last year. It deals with the limitation on search and seizure of the premises of third parties. Third parties who are not charged with any crime. In the case that was in point last year, 'Zercher' vs. Stanford, a search and seizure was authorized against a newspaper. No charges of no crimes were charged against the newspaper but another defendant.



The police came, searched through the files, a third party, not charged by crime but searched through the files nonetheless. This Bill, I might say that at that time there was no showing that they could not have asked...the State's Attorney could not have asked for and gotten a subpoena. He knew what he wanted, he knew the precise information that he wanted that was meaningful in the prosecution of the actual defendant. But nonetheless under the law he was allowed a search warrant and allowed to go on the premises without notice and rifle through the files of a third party not charged with any crime, not ever charged with any crime and not thought to have committed any crime. The Supreme Court passed this by just 5 to 4 and it said, essentially, that it was a matter for the State Legislature to develop in their own criminal code, limitations on this power. Accordingly...I might tell you...say, that at the time of the 'Zurcher' decision Governor Thompson issued a statement asking the Legislature to...to act on it and at that time Representative Ryan, then the Minority Leader, this was last year, did file a Bill similar to the one that I have introduced. It was late in the Session so we never quite got to it. This Bill is essentially the same Bill as Representative Ryan's good Bill then. In any event, what this Bill does is to say that...that a court cannot issue the search warrant except when the person has in fact committed <sup>the</sup> a crime or where the things to be seized will be destroyed or removed from the state unless the search warrant is issued. And it's limited, not to everyone, but only to those situations where there is a print or broadcast media involved. Essentially, there was a thought that both the first and...the 1st and 4th Amendments are involved. This is not search Bill...I mean a shield Bill, this is not a press shield Bill but is a Bill that limits, in a justifiable way, the right of search and seizure. And establishes the right of privacy for people who have committed no crime and who are not accused of any crime. I ask that this House pass House Bill 183."

Speaker Matijevich: "The Gentleman from Cook, Representative Ryan, has



moved for the passage of House Bill 183. On that issue, the Gentleman from Will, Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker, would the Sponsor yield for a question?"

Speaker Matijevich: "He indicates he will."

Leinenweber: "Representative Greiman, on how many occasions have search warrants been issued by courts directing the...the seizure of items in the possession of or control of a person known to be engaged in the gathering of decimation of news..."

Greiman: "I am told and we had evidence in our Committee that there have been 14 such incidents in the United States since the <sup>zercher</sup> 'Surcher' case was filed. There have been none in Illinois but there have been some threats, according to the President...Press Association, or the Executive Director...who says that there have been none in Illinois that he knew of but there had been some threatened ones. The question is, shall we wait until some dramatic case comes up or shall we act before that? But there has been 14 such cases in other states in the United States since last year."

Leinenweber: "How many of those led to the indictment or prosecution of someone? Do you know?"

Greiman: "I don't know the answer to that...I... You know, I assume... I assume that when they ask for a search and seizure they are narrowing...they're obtaining evidence at that point from the media in order to do just that, to seek an indictment. But there's not...this does not preclude them from getting information. They can clearly get it by a subpoena and get the same information by subpoena without having to rifle through the files, that's all. I mean no one wants to deny them the information, they're well entitled to that information."

Leinenweber: "Well there's a reason, is there not, why the law provides for a search warrant as opposed to a subpoena...but also will always be available and there are reasons, are there not, for a search warrant and searching instances?"

Greiman: "I don't think there are in this case, no. There's no showing,



for example, that the stuff will be destroyed. There's no showing that the defendant is...not the defendant; <sup>isn't</sup> the person in possession is likely not to give it. None of that is under the law presently. So what we have is the ability of a...of a prosecutor to go in and get this...essentially have a fishing expedition through the files of a...of media without any showing that a subpoena would be useless. Now if he can come in and show that the materials are going to be destroyed or lost or the person who's committing the crime has committed a crime and is there in the news room, that's different. But just to authorize that kind of expedition without the use of a subpoena makes no sense, frankly."

Leinenweber: "In Subparagraph B, which is essentially the Bill, it appears that you classify according to the occupation of the person as opposed to the inform... the type of material to be <sup>seized</sup> ceased. Is that correct?"

Greiman: "That's right. Simply because there is a 1st Amendment concern dealing with freedom of the press so that there will not be a chilling effect on the exercise of...of free press."

Leinenweber: "Well, it would appear that this would prohibit the seizure of items pursuant to a search warrant, say from the home, like a gun or something like that..."

Greiman: "Like a what...like a what, Harry?"

Leinenweber: "Like a gun. As I understand it, when one prepares the complaint under oath for the issuance of a search warrant he has to describe the place or person to be searched and things to be ceased. Now it would seem to me it would make more sense, if you're concerned about news files and...and notes and that sort of thing, to specify that no search warrant could be issued to grab or to <sup>seize</sup> cease this type of material rather than to classify that, say nothing...let's say a gun or a machine gun or something like that could not be <sup>seized</sup> ceased from the possession of a home of a newsmen. It would seem to make more sense to classify under Section B, according to the types of materials to be <sup>seized</sup> ceased, rather than the occupation of the person."

Greiman: "Well, I think just the contrary, frankly. The point of it is



that it is the premises that we are protecting because of the 1st Amendment concern. For myself, frankly, I would extend a prohibition on third party searches to everybody, to you and to me and to newspapers and t.v. as well. But I think the point is that this is a limited kind of...of protection that we are giving to insure that there is not the kind of fishing expedition that goes into a newspaper and has a chilling effect on 1st Amendment rights of freedom of press."

Leinenweber: "Mr. Speaker, very briefly if I could address the Bill.

I can understand what the Gentleman is trying to do here and I can't say that I necessarily disagree with the end that he's trying to achieve. But it seems to me it makes very little sense to classify people according to occupation when what you're trying to do is prevent the seizure of notes, <sup>e</sup>mōmoranda and things related to the gathering of news and the dissemination of news. It would make more sense to classify the types of materials which have to be described in the search warrant in any event, just to say that no search warrant for the seizure of photographs, notes and so forth from the person engaged in the dissemination of news may be ceased unless the provisions in 1 and 2 are found to be true, rather than just to take a particular occupation of people and say 'They're off limits unless this much greater degree of...of showing is made'."

Speaker Matijeich: "The Gentleman from Champaign, Representative Johnson."

Johnson: "Mr. Speaker and Members of the House, I stand in support of Representative Greiman's Bill. Some people may have some personal concern with the scope of the Bill of Rights and the 1st Amendment. But nonetheless it's been with us and served us very well for almost 200 years. The news media and generally the area that's attempted to be covered by this Bill ought to have special protection and there ought to be stiffer standards in order to promote the free flow of ideas that are essential to a free speech that we have inherent in our Constitution and our basic philosophy of criminal jurisprudence and otherwise here in this country. I think the Bill is...is sufficiently narrowed, that it's not going to



prevent good law enforcement techniques from occurring, it...it, I think, conforms itself very well to the...to the holding of <sup>Zurcher</sup> 'Zurcher' and I would simply say that both Governor Thompson, on the Republican side and through Representative Ryan in the Leadership and Representative Greiman and others on the Democratic side have both joined to see a real problem, a real potential threat to free speech and a free press in this country. And this Bill goes, I think, sufficiently well to be able to cover that and I certainly would urge your support."

Speaker Matijeich: "The Gentleman from Cook, Representative Greiman, to close."

Greiman: "Thank you, Mr. Speaker. With one slight comment on Representative Leinenweber's observation, it is not to...we're not concerned only with the things that the prosecutor wants to see, I think we're concerned with the myriad of things that maybe don't have anything to do with this case, don't have anything to do with the case that's at hand. But that gives an aggressive prosecutor an opportunity to see some things that have nothing to do with the case, things that are better left in the province of...of a news room and in the quiet of the news room. I think that there is a free speech matter that we are protecting here. I think this Bill, as Representative Johnson has suggested, is precisely the narrow limitation that the <sup>Zurcher</sup> Zurcher case suggests that the State Legislature adopt and I ask that 183 be adopted by this House."

Speaker Matijeich: "The Gentleman from Cook, Representative Greiman, has moved for the passage of House Bill 183. The issue is, shall House Bill 183 pass? Those in favor vote 'aye', those opposed vote 'no'. Have all...have all voted? Have all voted who wish? The Clerk will take the record. DiPrima 'aye'. On this issue there are 120 voting 'aye', 16 voting 'no', 3 voting 'present' and House Bill 183, having received the Constitutional Majority, is hereby declared passed. We'll return to the Order of Second Reading to pick up one Bill, House Bill 675. Read the Bill."



Clerk O'Brien: "House Bill 675. A Bill for an Act to amend Sections of an Act to regulate the practice of public accounting. Second Reading of the Bill."

Speaker Matijevich: "Has the fiscal note been filed?"

Clerk O'Brien: "The fiscal note is filed. No Committee Amendments."

Speaker Matijevich: "No Committee...any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. Record Wolf 'aye' on that last Bill, Mr. Clerk. Jake Wolf. And Piel...Piel. The Gentleman from McHenry, Representative Skinner, for what purpose do you rise?"

Skinner: "Well I hope to talk about House Bill 188, it's the next one on Third Reading."

Speaker Matijevich: "All right. Mr. Clerk, back to the Order of Third Reading. House Bill 188. Read the Bill."

Clerk O'Brien: "House Bill 188. A Bill for an Act to amend Sections of the Senior Citizens and Disabled Persons Property Tax Relief Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from McHenry, Representative Skinner, on House Bill 188."

Skinner: "It just occurred to me, Mr. Speaker, that perhaps we might do something today to justify our existence in Springfield, besides Committee work and this Bill might indeed be that justification. House Bill 188 will basically hold senior citizens harmless from the effects of inflation as far as their property tax bills go or the rental equivalent, which is 30 percent of the annual rent. This Bill is a culmination of a long series of Bills which started with Governor Ogilvie in 1972 and is now to the point where we can guarantee the senior citizen..."

Speaker Matijevich: "Correction from the Chair, that was started by Matijevich in 1971."

Skinner: "I'm...I've...Mr. Chairman, who happens to be Mr. Matijevich also, I...I appreciate that correction. Since I wasn't here I obviously would...couldn't know about it. All I remember is Governor Ogilvie's adds on t.v. and nobody understood them because nobody had gotten any grants. At any rate, House Bill 188 will



rebate that part of a senior citizen's or disabled persons property tax bill which exceeds 4% of household income from all sources as long as the household income is under 12,000 dollars. I believe that this...passage of this Bill and enactment of this Bill will solve the problem senior citizens have with property taxes. Now I don't use the word 'solve' very often, this may be the only time you'll ever hear me use the word with reference to any legislation I'm sponsoring or supporting. I think it will solve the problem because the Senior Citizen's Tax Bill, after taking into consideration the circuit breaker rebate check, will not increase unless his or her income increases and then if it does...if the income does increase it will only... the senior citizens will only have to reserve 4 cents out of every new dollar of income. What we have attempted to do in the past on circuit breaker Bills is make them fairly bipartisan and you will see this is fairly bipartisan, Representative Kornowicz, who was kind enough last year to allow me to amend his Bill with this basic concept, is a Joint Sponsor. We have attempted to allow every House Member who votes for the Bill to be a Co-sponsor and at this time, Representative Matijevich, or perhaps after... after the Bill passes, I would ask leave to ask anyone who votes for the Bill, who is not a Co-sponsor, to be added as a Co-sponsor. Would that be all right, Mr. Speaker? Or should I do it afterwards?"

Speaker Matijevich: "It's against the rules..."

Skinner: "No, it's not against the rules as long as it occurs before passage."

Speaker Matijevich: "All right, the Gentleman from McHenry has moved for the passage of House Bill 188. On that issue, the Co-Chief-Sponsor of House Bill 188, from Sangamon County, Representative Jones."

Jones: "Mr. Speaker and Ladies and Gentlemen of the House, with the background of being the Sponsor of the first Senior Citizen's Legislative Assistance Act passed by this House, the Homestead Act of 1969, I rise as a hyphenated Co-sponsor of this legislation. I salute Representative Skinner for all the technical and dedicated





he has done on this Bill. We worked together on the origin of this present...1974 Circuit Breaker Act, which simply says that senior citizen's property tax costs should not be more than 4% of their income, which is the same percentage that applies to the rest of the populous. You will recall that we made a modest increase in the benefits 2 years ago in House Bill 44, which was signed at the Senior Citizen's Day at the State Fair, with my now new seatmate, Jo~~x~~ Oblinger, present who was at that time the Director of the Department of the Aging. Governor Thompson said at that time he would try to do better next year because it was only a modest change and the trigger period was changed away from 4% because of the fiscal restraint~~s~~ at the time. This Bill, last year the Governor was sponsoring a Bill that was heard in the Senate and was refused to be called in this House by the person in the Chair, not the present one, in the Chair at that time in the closing days of <sup>the</sup> Session, which raised it to 12...the ceiling of income to 12 thousand dollars. This Bill, as you know, was not passed last year so today we're asking you to do a 2 year catch up with House Bill 188 and it deserves the support of everyone in this House. Thank you."

Speaker Matijeich: "There are no further questions, the Gentleman from McHenry, Representative Skinner, has moved for the passage of House Bill 188. The issue is, shall House Bill 188 pass? Those in favor vote 'aye', those opposed vote 'no'. I'm sorry, Representative Wolf was flashing. The Gentleman from Cook, Repre...sorry about that, Jake. It's one way of getting attention. The Gentleman from Cook, Representative Wolf."

Wolf: "I don't know, I never tried it."

Speaker Matijeich: "You can explain your vote. All those in favor shall vote 'aye', those opposed vote 'no' and the Gentleman from Cook, Representative Wolf, to explain his vote<sup>is</sup>"

Wolf: "No."

Speaker Matijeich: "All right, good. Have all voted...you got a lot of Co-sponsors. Have all voted who wish? The Clerk will take the



record. On this issue there are 155 voting 'aye', 0 voting 'no' and House Bill 188, having received...do we have leave? All those voting 'aye' be listed as Co-sponsors? Leave. All right, the Reference Bureau won't take them...strike that. All those... 155, 0, and House Bill 188, having received the Constitutional Majority, is hereby declared passed. I'm sorry, record Representative Satterthwaite voting 'aye'. No... The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, I am recorded but I noticed that you are not on the Roll Call and I wondered if you wanted the Clerk to add you to the Roll Call."

Speaker Matijevich: "I sure do. McClain, get back and do your job, will you? Record Matijevich voting 'aye'. I do it for you all the time. House Bill 199. Pullen. Out of the record. House Bill 206. Laurino. Out. House Bill 211, Sharp. Out. House Bill 229, Skinner. Skinner, out. House Bill 239, Jacob Wolf."

Clerk O'Brien: "House Bill 239. A Bill for an Act in relation to service fees in connection with hunting and fishing license. Third Reading of the Bill."

Speaker Matijevich: "No, it's 2...yeah, 239. I'm sorry. The Gentleman from Cook, Representative Wolf, on House Bill 239."

Wolf: "Mr. Speaker, Members of the House, last year we raised the price on the hunting and fishing license, I had mentioned to the Department of Conservation that if they were going to increase the fees probably we should also increase the fee for the 25 cents that is charged by the issuing clerk. I thought that would be taken care of in the Senate, it was not. What has happened, the Sporting Good store dealers, the Bait Shop dealers, who put up a bond, their bond has doubled, their fee is still only a quarter, plus we have created a combination hunting-fishing license now, which is 11 dollars and the fee for that is also still a quarter. This Bill would...would raise the quarter fee to 50 cents and on the combination license the fee would be 75 cents."

Speaker Matijevich: "The Gentleman from Cook, <sup>Representative</sup> Mr. Wolf, has moved for the



passage of House Bill 239. On that, the Gentleman from Macon, Representative Borchers."

Borchers: "The other day I asked permission, and Representative Wolf was not here, to have this Bill taken back to Second Reading so I could have an Amendment to change that to a dollar....you remember but I haven't had a chance to talk to him about it, so I still request it. We must remember that this 50 cents is very...is a very small amount and a dollar is not...not..."

Speaker Matijevich: "Representative Borchers, he declines... The Gentleman from Bureau, Representative Mautino."

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

If I remember correctly, at the time...over the past two years when the license fees went up it was an indication at that time that included in those license fees would be an increase from those fees to the people that were handling the application. I think we raised them high enough during the last Session of the House that those fees should have been increased under the amount of money that we increased, in most cases doubled and in two cases tripled. I don't understand why we come in now with an additional cost to hunting and fishing license fees when it was suppose to be covered on the previous increases. I would oppose this legislation."

Speaker Matijevich: "Representative Wolf, to close."

Wolf: "Well, Mr. Speaker, Members of the House, since the action has already been taken there is no recourse but to, I think, to raise the fee, which I believe is nominal. I don't know of anybody who...the Department of Conservation does not have any opposition to this and I would solicit your favorable vote."

Speaker Matijevich: "The Gentleman from Cook, Representative Wolf, has moved for the passage of House Bill 239. The issue is, shall House Bill 239 pass? Those in favor vote 'aye', those opposed vote 'nay'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this issue there are 122 voting 'aye', 19 voting 'nay', 1 voting 'present' and House Bill 239, having received the Constitutional Majority, is



hereby declared passed. House Bill 249. Polk."

Clerk O'Brien: "House Bill 249. A Bill for an Act to amend Sections of the Illinois Blood Bank Act. Third Reading of the Bill."

Speaker Matijeich: "The Gentleman from Rock Island, Representative Polk, on House Bill 249."

Polk: "Mr. Speaker and Ladies and Gentlemen, a couple of years back when we changed the Blood Bank Act, at that time we made it mandatory that all directors of blood banks had to be certified through the Board of Pathology. The problem we run into in the smaller communities that our Pathologists have served in those capacities, directors, but they do it for about two years and they don't wish to do it any longer. In our smaller towns we do not have Pathologists, that many Pathologists around but we do have qualified M.D.'s, we do have qualified doctors who work in the cancer department and they've asked that we just remove that section. This went to the Committee under... Representative DiPrima handled the Bill for me in Committee, it came out 12 to 0, I know of no opposition..."

Speaker Matijeich: "The Gentleman from Moline... Rock Island, Representative Polk, has moved for the passage of House Bill 249. All in favor will vote 'aye', opposed vote 'nay'. McClain, you're doing a better job. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this issue there are 133 voting 'aye', none voting 'no' and House Bill 249, having received the Constitutional Majority, is hereby declared passed. House Bill 257. Klosak. Out of the record. 266, Mautino."

Clerk O'Brien: "House Bill 266. A Bill for an Act to amend Sections of the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Matijeich: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 266 sets up a mechanism by which any person who has paid their tax to the Department of Revenue, either Sales Tax, Liquor Tax, etc., and for some reason it did not get processed or received by the... or postmarked by the



Revenue Department, by let's say the 15th of the month, they have very little recourse for a rehearing on the circumstances which caused that situation. For example, many post offices in rural areas of the state, if in fact you do not get the postage in the mail before 5:00 they postmark everything the following day. Something that's mailed on the 1st should be eligible for being stamped the 1st of the month until 11:59 of the 1st. But in many cases the post office marks it the 2nd. If it is in the mail box after 5:30. This also allows three people, rather than three division heads, to review the cases and make a decision at that time whether or not the person who filed the tax will lose the 2% offset or will pay a fine. I think it's needed for review of the tax structure we have in the Department of Revenue. I would be happy to answer any questions and if there aren't any I'd ask for support on this measure."

Speaker Matijevich: "The Gentleman from Bureau, Representative Mautino, has moved for the passage of House Bill 266. There are no...the Gentleman from McClain, Representative Bradley, on House Bill 266."

Bradley: "If I might ask the Sponsor a question, in the Digest 266 doesn't sound like the Bill you've just explained."

Speaker Matijevich: "The Gentleman from..."

Bradley: "I favor the Bill you explained but I don't know that that's 266."

Mautino: "It's the same thing. It's the Administrative Review Section for the Department of Revenue. Because everybody that pays taxes can have their situation reviewed by the Administrative Review. It's the same thing, Gerry. It came about because of the Department of Revenue's ruling that three directors, rather than three persons, would review the case."

Speaker Matijevich: "The Gentleman from Harden, Representative Winchester."

Winchester: "Would the Gentleman yield for a question?"

Speaker Matijevich: "He indicates he will."

Winchester: "I have a constituent who has a grocery store and he's required at the end of the month to close out his books. And he sends in his sales tax report or whatever it is and he sends it in



on the last day. Rural post office...it seems that because of the slowness of the postal system it doesn't get to Springfield for 2 or 3 days. It seems like in the last 4 or 5 months he has received 2 or 3 penalties that he's had to pay for lateness in getting in his sales tax. Does this legislation cover that? Does it allow him...do you want to explain that..."

Mautino: "Yes. It allows him to have an administrative review on the reasons that this did not reach Springfield in time, first of all. Secondly, the Administrative Review process has three directors who must review it. In many cases you can't get three directors to sit down at the same time to make the review. So we're saying three people, and it could be those people who are knowledgeable and who...who either gave the man the fine, etc., whatever happened, to review the case. If there are some extenuating circumstances. That's all we're saying here, Bob. It would cover your case, yes."

Speaker Matijevich: "The Gentleman from Bureau, Representative Mautino, has moved for the passage of House Bill 266. The issue is, shall House Bill 266 pass? All in favor vote 'aye', opposed vote 'nay'. The Gentleman from Lake, Representative Deuster, to explain his vote."

Deuster: "Well I was just going to ask a question. The Calendar indicates the Bill has not been amended so we assume it's in the same order it was introduced. The description of the Bill introduced says it eliminates the prohibition against members deciding cases on which they have worked. It seems to me that we're eliminating a...something that might be important. Perhaps Representative Mautino or somebody could comment on that. Meanwhile, not knowing the answer, I'm voting 'present'."

Speaker Matijevich: "Have all voted...have all voted who wish? The Clerk will take the record. On this issue there are 133 voting 'aye', 0 voting 'no' and House Bill 266, having received the Constitutional Majority, is hereby declared passed. House Bill 286."

Clerk O'Brien: "House Bill 286. A Bill for an Act to amend Sections of



the Revenue Act. Third Reading of the Bill."

Speaker Matijevich: "Out. House Bill 287, out. 290, Brady, out.

House Bill 318. Brummer. Out. 325, Mugalian, out. 327, Kane.  
Read the Bill."

Clerk O'Brien: "House Bill 327. A Bill for an Act to amend Sections  
of an Act relating to Internal Auditing in State Government.  
Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Keane, on  
his first Bill. Representative Keane. Way in the back. You're  
on, Jim."

Keane: "They couldn't find me. This Bill should have been on the  
Consent Calendar. All it does is update language. It deletes  
references to the Department of Audit and to the Illinois  
Budgetary Commission. It was passed out of Committee by a vote  
of 14 to 0. I know of no opposition, I ask for your favorable  
consideration."

Speaker Matijevich: "The Gentleman from Cook, Representative Keane,  
has moved for the passage of House Bill 327. The issue is,  
shall House Bill 327 pass? All those in favor vote 'aye', those  
opposed voting 'no'. And on this Bill...take the...hurry up,  
change... The Clerk will take the record. On this Bill there  
are 139 voting 'aye', 0 voting 'no' and House Bill 327, having  
received the Constitutional Majority, is hereby declared passed.  
Huskey 'aye' on that last Bill. House Bill 329, Kornowicz.  
Do you want to try your first Bill? No? All right. House  
Bill 340. Steele. Take it out. House Bill 357. McClain.  
Read the Bill."

Clerk O'Brien: "House Bill 357. A Bill for an Act to amend Sections  
of an Act to provide for the ordinary and contingent expenses of  
the Office of State Appellate Defenders. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Adams, Representative McClain,  
on House Bill 357."

McClain: "Thank you very much, Mr. Speaker. Along with Jim Keane's  
comment, this Bill also should be on a Consent Calendar. This  
was worked out, the supplemental appropriation for the Office of



State Appellate Defender. It was agreed upon by both Democrat and Republican staff, in fact, they worked out...a supplemental appropriation. What is really is is a transfer of 19 thousand 600 dollars out of Personell Services and..."

Speaker Matijeich: "The Gentleman from Adams, Representative McClain, has moved for the passage of House Bill 357. All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wished? The Clerk will take the record. On this issue there are 100...Sandquist 'aye'...137 'aye', 1 'no' and House Bill 357, having received the Constitutional Majority, is hereby declared passed. House Bill 358."

Clerk O'Brien: "House Bill 358. A Bill for an Act to amend Sections of an Act relating to alcoholic liquors. Third Reading of the Bill."

Speaker Matijeich: "The Gentleman from Marion, Representative Friedrich, on House Bill 358."

Friedrich: "Mr. Speaker and Members of the House, this present law says that you can't have a liquor license within 100 feet of a church. And the courts have ruled and the Attorney General has ruled that means church property. This merely adds the word 'sanctuary' to the word 'church' so we're talking about the church building or the altar. I think there's no opposition at this point and I ask for your favorable vote."

Speaker Matijeich: "The Gentleman from Marion has moved for the passage of House Bill 358. The issue is, shall House Bill 358...and on that the Gentleman from Lake, Representative Deuster."

Deuster: "Representative Friedrich, I thought your Bill allowed a church to waive this 100 foot requirement and, as I remember, on Second Reading I mentioned to you that we have a common problem throughout the State of Illinois and I have one in my district where churches quite often when they are starting out, try to lease space in a shopping center and I have one in Vernon Hills that's right near a Walgreen's Store and I thought your Bill would allow them to waive the 100 feet. The idea of your Bill was that if it's okay with the church it's okay with us. But now the way you





describe the Bill it sounds like you've gone back to the 100 feet and all you did was change something to sanctuary and that you wouldn't help out this problem that we discussed. Is that the case? What's the total Bill do now?"

Speaker Matijeich: "The Gentleman from Marion, Representative Friedrich, to respond."

Friedrich: "It just adds the word 'sanctuary' to define...so we're talking about the church building or altar instead of the church property, which the courts had ruled. That was amended out in my Amendment #3."

Deuster: "You mean it adds 'sanctuary' to the existing law or it adds 'sanctuary' to your Bill?"

Friedrich: "It adds it to the existing law, not to the Bill."

Deuster: "So your Bill wouldn't help out my problem or the..."

Friedrich: "No. The question was raised in the Judiciary Committee that there was a...whether or not a church had a right to waive a law and I'm not smart enough to know whether they can or not."

Deuster: "Well, I'm sorry you did that with your good Bill. I'm...but I..."

Speaker Matijeich: "The Gentleman from Marion, Representative Friedrich, has moved for the passage of House Bill 358. The issue is, shall House Bill 358 pass? All those in favor vote 'aye', opposed vote 'nay'. Have all voted? Have all voted who wish? The Clerk will take the record. On this issue there are 124 voting 'aye', 6 voting 'nay', 7 voting 'present' and House Bill 358, having... Flinn 'aye'...having received the Constitutional Majority, is hereby declared passed. House Bill 361. Mautino."

Clerk O'Brien: "House Bill 361."

Speaker Matijeich: "The Gentleman from Bureau, Representative Mautino, on 361."

Clerk O'Brien: "A Bill for an Act to amend Sections of an Act to create the Illinois Educational Facilities Authority. Third Reading of the Bill."

Speaker Matijeich: "Representative Mautino."



Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 361 is very basic. It allows the Educational Authority within any given locality to invest in C.D.'s, certificates of deposits, etc., in savings and loans as well as banks. It came out of Financial Institutions, passed favorably, and that's exactly what we're talking about. This legislation does nothing else but allows them to invest their deposits in savings and loans that are insured by the Savings and Loan Deposit Insurance Corporation."

Speaker Matijevich: "The Gentleman from Cook, one of our distinguished Minority Leaders, Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, as I said in Committee, I don't oppose this particular Bill, in fact being a former president of a savings and loan I would probably have been in favor of this. But what concerns me more about these Bills is this is one of about 20 Bills that are going to be introduced for various governmental agencies. And I want to remind the governmental agencies that savings and loans cannot issue any lease back loans or sell bonds to these municipalities when they need equipment or any kind of merchandise or any kind of bonds for bond indebtedness the savings and loan cannot help them in that and I'm afraid that they're going to have every bank in the State of Illinois turn their backs on municipal bonds. I'd like to see the whole package before we vote on these Bills piece meal. If I'm not mistaken, Mr. Mautino, there's some 20 Bills that are going to change this Act, is that right?"

Speaker Matijevich: "The Gentleman from Bureau, Representative Mautino, to respond."

Mautino: "In answer, Representative Conti, to your inquiry, I do not know if there are any other Bills. The only two, as you know, that came to our Committee, was one by Representative Friedland and I have the other. I don't...I do not believe others have been introduced. I'm not the Chairman of the Committee but you may address the question to him. I don't know of any."

Conti: "Yeah. Well, I have 12 Bills on my desk that address this same



problem."

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

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

Speaker Matijevich: "He will."

Bowman: "Is there any insurance limit? Is there any limit, in other words, on the amount that be in the account above which the balance is not insured?"

Speaker Matijevich: "Mautino to respond."

Mautino: "Yes, I believe that it was brought out. I think that it is 40 thousand dollars limitation...I think very similar to what they have is the Federal Deposit Insurance Corporation."

Bowman: "Okay. Is there any restriction in the Bill that would guarantee that...that governments would not deposit an amount that would be in excess of that insured limit?"

Mautino: "No, that is not in the Bill. This allows them to do so. I would assume that any local governmental agency would not invest more than what is insured in any financial institution, whether it be a bank a savings and loan or whatever."

Bowman: "But, Representative, do you have any information on the average deposits that are now being made in banks which might then be transferred to savings and loans? In other words, do you have any idea how many governments might go over 40 thousand?"

Mautino: "Well, to the educational authority I could not give you that answer because their money is floated, for example, in banks in other states by this same authority, as well as Illinois. So I don't know who...who would have that answer for you."

Bowman: "Okay. Well, the...if I could speak to the Bill very briefly. I think the idea is a good one but I...I would hate to see the money being put into these institutions in excess of the insured limit because that balance then is unprotected and I think it would be helpful to have that in...in the Bill too. I'm sorry this one got away on Second Reading because I was going to make that suggestion. But...I think that that ought to be in the Bill before it's passed. I would recommend that it be held and maybe moved back to Second Reading."



Mautino: "In response to your inquiry, Representative. I do not believe the same is true for banks as well. There is no limit on local governments on how much money they can put into a bank in a C.D. So I don't know how you would address that question. I'd be happy to hold that if there's a possible way to do it, if you'd like."

Bowman: "Well, I...I think it would be a good idea to...to take this opportunity to clean it up. I don't want to...you know, block your Bill at this point but it seems to me that is something that ought to be cleaned up in the law. If you wouldn't mind holding it...if you wouldn't mind holding it I think it would be a good thing to clean up."

Speaker Matijevich: "Hold it, because this is our last Bill. All right?"

Mautino: "Okay, fine..In that case I don't know how to handle it, I'm still going to ask to go with it then..."

Speaker Matijevich: "Out of the record. Oh, just a minute. Representative Mautino."

Mautino: "I said I've been informed that there is no way to legislatively do it, so therefore I...I respectfully submit that I can't hold it since there isn't any way to guarantee that a local governmental agency has to do something or will not do something else. So I'm going to go with it."

Speaker Matijevich: "The only reason we thought we'd hold it, we want to get out of here."

Mautino: "Okay, let is go."

Speaker Matijevich: "Take it out of the record."

Mautino: "No, Roll Call."

Speaker Matijevich: "All right, he wants to go with it. The issue...the Gentleman from Bureau, Representative Mautino, has moved for the passage of House Bill 361. The issue is, shall House Bill 361 pass? All those in favor vote 'aye', and opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Who? The Gentleman from Cook, Representative Leon, to explain his vote."

Leon: "Mr. Speaker and Ladies and Gentlemen of the House, my understanding



of this Bill is a clearing up of a statute. Under the present law, it is my understanding, that savings and loans can accept these deposits but the savings and loan league said ...that they wanted to have it specified in the law so that there would be no question even though it now is permitted. I think it deserves a 'yes' vote."

Speaker Matijeich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this issue there are 88 voting 'aye', 18 voting 'no' and the Gentleman from Bureau has requested a poll of the absentees. And the Gentleman from Cook, Representative Conti, is going to ask for a verification, I guess?"

Conti: "No, I'm not going to ask for a verification. I've just questioned. I didn't want to plant in anybody's mind that I was against the Bill. I just questioned the fact that if it's going to be a package of Bills I would like to see them all so I voted 'no' on this Bill for that one reason. I don't see anything wrong with the Bill and if means defeat of the Bill I would like to change my vote from 'aye' to...from 'no' to 'aye'."

Speaker Matijeich: "Your 1 vote will pass it. Leave to change Conti to 'aye' and Peters voting 'aye', Stanley voting 'aye', McAuliffe voting 'aye'. Do you want a new Roll Call, Clerk? Well it's locked. Can we take another Roll Call, Clerk? Oh. All right, there's enough on. But I think you locked it... Bullock 'aye'. All right, we're going to take another Roll Call. Get on the Roll Call, same thing. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this issue there are 99 voting 'aye', 13 voting 'no', 20 voting 'present' and House Bill 361, having received the Constitutional Majority, is hereby declared passed. Resolutions. The... Just a minute. The Gentleman from Cook, Representative White, for what purpose do you rise? The Gentleman from Cook, Jesse White."

White: "Mr. Speaker...Mr. Speaker and Ladies and Gentlemen of the House, I'd like to have leave to table House Bill 840."

Speaker Matijeich: "Leave...you have leave to table, what number?"

White: "House Bill 840."



Speaker Matijevich: "840. Leave. House Bill 840 is tabled. Resolutions."

Clerk O'Brien: "House Resolution 120. Macdonald. 122, DiPrima.

123, Lechowicz. 124, Taylor. 125, Van Duyne. 126, Schraeder.

128, Stuffle. 129, Macdonald. 130, John Dunn. 131, Ebbesen.

132, Christensen. 133, Redmond. 135, Borchers. 136, Ryan.

139, Hallock and House Joint Resolutions 25, 26 and 27."

Speaker Matijevich: "The Gentleman from McClain, Representative Bradley, on the Agreed Resolutions."

Bradley: "Yeah, Mr. Speaker and Ladies and Gentlemen of the House, House Resolution 120 commends Florence Hendrickson for her outstanding contribution to society in civic life in the Village of Arlington Heights. 122, DiPrima, congratulates our friend and colleague, the Honorable Frank Nardulli, upon his election as Alderman from the 26th Ward. Lechowicz on 123 congratulates th...our friend and colleague, the Honorable Kozubowski-Barnes nomination as Democratic candidates for City Clerk. 124, Taylor, congratulates our colleague, Walter Shumpert, upon election of Alderman. 125, Van Duyne, congratulates the New Lenox Providence on their Class A Basketball Championship. Schraeder on 126 congratulates Mrs. Bertha ~~V~~<sup>D</sup> on her 100th birthday. Stuffle and Terzich, 128, congratulates the Executive Director of the State Retirement System upon his retirement for all the help he's given. Macdonald, 120, for...to congratulate Mr. Thomas Redenbacher for the showing and dedication and ability required to be an effective building commissioner. House Resolution 130 recognizes Mr...let's see, John Dunn is the Sponsor, Mr. Cyril Rubeny on his...congratulates him on his 100th birthday. Ebbesen, 131, congratulates the Daily Chronicle on the 100th anniversary of it's first publication. Christensen congratulates Mike Delschneider on his receiving an Eagle Scout Award. 133, Redmond, congratulates Fenton High School on their Illinois High School Speech Championship, which incidentally was held in Bloomington, Illinois. Borchers, on House Resolution 135 congratulating Mr. Cyril...we've already had that one. House Resolution 136, Ryan, congratulating and thanking Zale Glauberman for all he has done for State Government. And Hallock on 139 congratulates the Rockford High School on



a successful basketball season and House Joint Resolution 25 asks the Director of the Illinois Environmental Protection to immediately cease and desist in appealing the new regulations. House Joint Resolution 26 urges the Administrator of the United States Environmental Protection Agency to consider...to consider the impact of a new source of performance standards and House Joint Resolution 27 asks and directs the Department of Fiscal... Economic Fiscal Commission to undertake a complete study of the current economic conditions of the Coal Mining Industry and I move the adoption of the Agreed Resolutions and also the Death Resolution, 134, Kozubowski and Vitek."

Speaker Matijevich: "The Death Resolution will be separate."

Bradley: "All right, I move the adoption of the Agreed Resolutions."

Speaker Matijevich: "Representative Bradley has moved the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'nay' and the Agreed Resolutions are adopted. Death...Adjournment Resolution."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary.

Mr. Speaker, I am directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution, the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Joint Resolution #26, resolved by the Senate of the 81st General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Thursday, March 22, 1977(sic), it stands adjourned until Tuesday, March 27, 1979 until 12:00 noon. And when the House of Representatives adjourns on Thursday, March 22, 1979, it stands adjourned until Tuesday, March 27, 1979 at 1:00 p.m."

Speaker Matijevich: "The Gentleman from McClain, Representative Bradley, has moved for the adoption of the Adjournment Resolution. All in favor say 'aye', opposed 'nay' and the Adjournment Resolution is adopted. Representative Mulcahey, for what purpose do you rise?"



Mulcahey: "Mr. Speaker, just to request to be recorded as voting 'aye' on House Bill 361."

Speaker Matijevich: "Leave, show him so recorded. All right, we're... that's the Death Resolution. General Resolutions."

Clerk O'Brien: "House Resolution 121. Hoxsey. 138, Peters."

Speaker Matijevich: "Committee on Assignment."

Clerk O'Brien: "House Resolution 140. Bradley."

Speaker Matijevich: "Speaker's Table. Death Resolutions."

Clerk O'Brien: "House Resolution 127. Terzich. To respect of the memory of Reverend John H. Gibbons. House Resolution 134. Kozubowski. To respect the memory of Reverend Francis P. Crawford. House Resolution 137...and House Resolution 141, Keane. With respect to the memory of William A. (Bill) ~~Furtherly~~."

Speaker Matijevich: "The Gentleman from McClain, Representative Bradley, has moved for the adoption of those Death Resolutions. All in favor say 'aye', opposed 'no' and those Death Resolutions are adopted. Further Death Resolutions."

Clerk O'Brien: "House Resolution...House Joint Resolution 137. Ryan, Republican Leadership and Representative Lechowicz."

Speaker Matijevich: "The Clerk will read this Resolution, it's the death of the mother of one of our Members."

Clerk O'Brien: "Whereas, Members of this Chamber are saddened to learn of the death on Monday, March 19, 1979, of Mrs. Magdalena Heinrich, mother of our colleague, Representative Jacob John Wolf; and whereas, Mrs. Heinrich exemplified the highest ideals of the American Heritage in adopting this nation, its customs, language and laws as her own; and whereas, she was born September 21, 1900 in the nation of Austria-Hungary and was married in her native land to Jacob M. Wolf on February 6, 1919, and emigrated to the United States of America in the summer of 1923; and whereas, she diligently and fully accepted the attendant responsibilities of her new life by achieving the status of United States Citizen in 1929; and whereas, she further contributed to the development of the American way of life by becoming a life-long resident of Chicago, Illinois and making it a home for five devoted and loving





children, Mr. Jacob John Wolf, Mrs. Elizabeth M. Rogers, Mrs. Mary E. Dineen, Mr. Robert P. Wolf, and Mrs. Kathryn B. Filkey; and whereas, she provided the guidance and teaching necessary to prepare her son Jacob John Wolf for public service as a Member of this General Assembly. And whereas, with sacrifices of self and time she added to the development of her neighborhood and community by actively involving herself in work with the Girl Scouts of America, the German-American Republican League, and the civic and church organizations in the parishes of St. Matthias, Our Lady of Mercy and St. Benedict's; and whereas, she lost her husband of 32 years at his death October 24, 1951 yet continued to lead a fully productive and active life of family and community service; and whereas, she displayed a renewed spirit and determination to share her love of life in her marriage to Peter Heinrich on February 6, 1964, a union that was separated only by death; and whereas, the aforementioned achievements and exhibitions of great character serve as an exemplary model of courage, love, and will to succeed in the enriched life of 78 years; therefore, be it resolved by the House of Representatives of the 81st General Assembly of the State of Illinois, the Senate concurring herein, that we do hereby recognize and acknowledge the considerable and outstanding contributions of Mrs. Magdalena Heinrich as a citizen of the United States of America and the State of Illinois in promoting through her own example the highest ideals of a free society which holds the family as its foundation. And be it further resolved that we the Members of the Illinois House of Representatives do extend our heartfelt sympathy and sense of loss to our colleague, Representative Jacob John Wolf, and to members of the family of Mrs. Magdalena Heinrich; and be it further resolved that suitable copies of this Resolution and preamble be presented to members of the family of Mrs. Magdalena and to Representative Jacob John Wolf."

Speaker Matijevich: "The Minority Leader, Representative Ryan, has moved for the... Representative...the Gentleman from Kankakee, the Minority Leader, Representative Ryan."



Ryan: "Mr. Speaker, I think that Jake's mother exemplifies what's made this country what it is. She emigrated here from the old country and lived by the principles that most of us know now and helped develop those that we know and I would ask leave that every Member be added to the Resolution and for the adoption of it."

Speaker Matijeich: "Leave for adding all Members on this Death Resolution. And the Minority Leader, Representative Ryan, moves for the adoption of the Death Resolution and after 15 minutes for the Clerk to introduce...half an hour to introduce Bills this House, in respect to the memory of Representative J.J. Wolf's mother, is hereby declared adjourned until Tuesday at 1:00 p.m."

Clerk O'Brien: "Senate Bills, First Reading. Senate Bill 110. A Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill."

Clerk Hall: "Introduction and First Reading of House Bills. House Bill 1130. Williams. A Bill for an Act to amend the River Conservancy District Act. First Reading of the Bill. House Bill 1131. Sandquist. A Bill for an Act to amend the Insurance Code. First Reading of the Bill. House Bill 1132. Telcser. A Bill for an Act to make an appropriation to the ordinary and contingent expenses of the General Assembly Retirement System. First Reading of the Bill. House Bill 1133. Skinner. A Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. House Bill 1134. Telcser. A Bill for an Act to amend Articles of the Capital Development Bond Act. First Reading of the Bill. House Bill 1135. Skinner. A Bill for an Act in relation to the acquisition of land for the state parks. First Reading of the Bill. House Bill 1136. Skinner. A Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. House Bill 1137. Davis. A Bill for an Act to amend the Teacher's Retirement System Act. First Reading of the Bill. House Bill 1138. Brady. A Bill for an Act in relation to principal incomes. First Reading of the Bill. House Bill 1139. Yourell. A Bill for an Act to amend Sections ... A Bill for an Act requiring prompt payment by states for goods and services, to reduce a 60 day period



to 30 days and 90 days to 60 days. First Reading of the Bill.

House Bill 1140. Cullerton. A Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 1141. Gaines. A Bill for an Act to amend the State Finance Act. First Reading of the Bill. House Bill 1142. Polk. A Bill for an Act to amend the Farm Labor Contractor's Certification Act. First Reading of the Bill. House Bill 1143. Stuffle. A Bill for an Act to amend the Sheriff's Act. First Reading of the Bill. House Bill 1144. Stuffle. A Bill for an Act to amend the Downstate Teacher's Retirement System Article of the Pension Code. First Reading of the Bill. House Bill 1145. Borchers. A Bill for an Act to amend the Adoption Act Section on Confidentiality of Records. First Reading of the Bill. House Bill 1146. Walsh. A Bill for an Act concerning vocational rehabilitation. First Reading of the Bill. House Bill 1147. Telcser - Marovitz. A Bill for an Act to amend Sections of the Illinois Insurance Code. First Reading of the Bill. House Bill 1148. Ryan. A Bill for an Act to amend the Community College Act. First Reading of the Bill. House Bill 1149. Satterthwaite. A Bill for an Act to amend the State Finance Act. First Reading of the Bill. House Bill 1150. Campbell. A Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 1151. Stanley. A Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 1152. Greiman. A Bill for an Act to amend an Act concerning public utilities. First Reading of the Bill. House Bill 1153. Ropp. A Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. House Bill 1154. Pullen. A Bill for an Act to amend the Mental Health and Developmental Disability Act. First Reading of the Bill. House Bill 1155. Bower. A Bill for an Act to amend the Pharmacy Practice Act. First Reading of the Bill. House Bill 1156. Rea. A Bill for an Act to amend the Community Mental Health Act. First Reading of the Bill. House Bill 1157. Swanstrom. A Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 1158. Bell. A Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill



1159. Ropp. A Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 1160. Jones - Oblinger. A Bill for an Act to amend the State Employees Retirement System Article of the Pension Code. First Reading of the Bill. House Bill 1161. Hanahan. A Bill for a new Act to prohibit lie detection tests as a condition of employment. First Reading of the Bill. House Bill 1162. Hanahan. A Bill for an Act to amend the minimum wage law. First Reading of the Bill. House Bill 1163. Hanahan. A Bill for an Act to amend the Wage Payment Collection Act. First Reading of the Bill. House Bill 1164. Hanahan. A Bill for an Act to amend the University Civil Service Act. First Reading of the Bill. House Bill 1165. McPike. A Bill for an Act to amend an Act concerning townships. First Reading of the Bill. House Bill 1166. McPike. A Bill for an Act to amend the Senior Citizen's Disabled Persons Property Relief Tax Act. First Reading of the Bill. House Bill 1167. Keane. A Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 1168. Gaines. A Bill for an Act to appropriate money for the ordinary and contingent expense of the Equal Employment Opportunity Department for Fiscal Year beginning July 1, 1979. First Reading of the Bill. House Bill 1169. Wikoff. A Bill for an Act making an appropriation to the Board of Trustees for the State University's Retirement System. First Reading of the Bill. House Bill 1170. Abramson. A Bill for an Act to make an appropriation for the ordinary and contingent expense of the Fair Employment Practice Commission. First Reading of the Bill. House Bill 1171. Barnes. A Bill for an Act to make an appropriation for the ordinary and contingent expense of the Pollution Control Board. First Reading of the Bill. House Bill 1172. Vinson. A Bill for an Act make and ordinary and contingent expense to the Civil Service Commission. First Reading of the Bill. House Bill 1173. Wikoff. A Bill for an Act to make an appropriation to the ordinary and contingent expense of the University Civil Service Merit Board. First Reading of the Bill. House Bill 1174. Jones - Oblinger. A Bill for an Act to make an appropriation for the ordinary and contingent expenses of the State



Employee's Retirement System. First Reading of the Bill. House Bill 1175. J. J. Wolf. A Bill for an Act to make an appropriation to the Public School Teacher's Pension Retirement Fund. First Reading of the Bill. House Bill 1176. Stearney. A Bill for an Act to make an appropriation to the ordinary and contingent expense of the Medical Center Commission. First Reading of the Bill. House Bill 1177. Grossi. A Bill for an Act to make an appropriation for the ordinary and contingent expenses of the Liquor Control Commission. First Reading of the Bill. House Bill 1178. Collins A Bill for an Act to establish mandatory collective bargaining for police officers. First Reading of the Bill. House Bill 1179. Hoxsey. A Bill for an Act to amend the County Board of Health Act...active leave daily compensation. First Reading of the Bill. House Bill 1180. Kane. A Bill for an Act to amend the Public Utilities Act. First Reading of the Bill. House Bill 1181. Ewing. A Bill for an Act to create the Agricultural Areas Conservation Protection Act. First Reading of the Bill. House Bill 1181. Harris - Darrow - Winchester. A Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 1182. Dunn. A Bill for an Act to amend the Public Utility Act. First Reading of the Bill. House Bill 1183. Cflinger. A Bill for an Act to amend...to reduce transit fares for the elderly Act to include provisions for reimbursing part of the cost. First Reading of the Bill."

Clerk Unknown: "House Joint Resolution Constitutional Amendment '31'.

Wolf-Daniels-Mugalian. Resolved by the House of Representatives of the 81st General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the next general election occurring at least 6 months after the adoption of this Resolution a proposition to amend Sections 8 and 12 of and to add Sections 12.1 and 12.2 to Article VI of the Constitution and amend and add Acts...Sections to read as follows: Judiciary. Section 8. Associate Judges. Each Circuit Judge shall have such number of Associate Judges as provided by law. Associate Judges shall be



appointed by Circuit Judges in each circuit of the Supreme Court, shall provide by rule provided that if the voters in the Circuit Court adopt the appointed system thereafter provided in Sections 12 and 12.2 for the selection of Circuit and Associate Judges, Associate Judges in that circuit shall thereafter be selected in the manner provided in those Sections. In the First Judicial District, unless otherwise provided by law, at least one-fourth of the Associate Judges shall be appointed from and reside outside Chicago. The Supreme Court shall provide by the law for a matter to be assigned to Associate Judges. Section 12. Appointment and Retention of the Supreme Court, Appellate Court, Circuit Court upon adoption, the following provision shall govern the selection and tenure of Judges of the Supreme Court and all Appellate Courts and shall also govern the selection and tenure of the Judges and Associate Judges of the Circuit Court and any Circuit which adopts this Section shall provide in Section 12.1 for the purpose of this Section and Section 12.1 and 12.2 the term of 'Judge' to include all Judges of the Supreme and Appellate Courts and all Judge<sup>s</sup>. Associate Judges of the Circuit Court, except where otherwise stated. The Judges shall be appointed by the Governor from nominees submitted by Judicial Nominating Commissions. The Office of the Judge shall be vacant upon his death, resignation, retirement, removal or upon the conclusion of his term without retention in office. Whenever an additional Judge is authorized by law the office shall be filled in the manner provided by..for filling a vacancy in the office. If a vacancy occurs in the Office of Judge then the Administrative Director shall notify the Chairman of the appropriate Nominating Commission who shall immediately convene the Commission. The Commission shall conduct informal meetings and investigations but no formal recommendations shall be made by the Commission to the Governor except upon concurrence of the majority of all the members of the Commission. Within 38 days after the delivery of the notice the Commission shall submit a list of 3 qualified persons to the Governor. However, the Commission, by certification in writing by its Chairman to the Governor that



additional time is required may take additional time not to exceed 28 days. If there is more than one vacancy on the same Court the number of qualified persons listed shall be 3 times the number of vacancies. If the Supreme Court, upon motion of the Commission, shall certify in writing that the number of qualified persons available is fewer than 3 times the number of vacancies, the names of those qualified persons available shall be submitted to the Governor. The Governor, immediately upon receipt of this list shall make it public, not fewer than 28 nor more than 56 days after the delivery of the list to the Governor, he shall appoint therefrom one person to fill each vacancy. If the Governor does not make the appointment within 56 days, the Supreme Court shall make the appointment promptly from the list. A Judge appointed to fill a vacancy shall serve an initial term ending on the first Monday in December following the next general election held after he has been...completed the first year of office. He may, at that general election, stand for retention in office and hereafter provided. Not less than 6 months prior to the general election next preceeding the expiration of his term in office, any Judge previously elected or appointed may file in the Office of the Secretary of State, a declaration of candidates to succeed himself and the Secretary of State, not less than 63 days prior to the election, shall certify the Judges candidacy to the proper election officials. At the election of the...name of each Judge who has filed a delcaration shall be submitted to the electors separately and without party designation on the sole question of whether he shall be retained in office for another term. The election shall be conducted in the appropriate Judicial Districts and Circuits. The affirmative vote of three-fifths of the electors voting on the question shall elect him to the office for a full term commencing on the first Monday in December following the election. Any Judge who does not file a declaration within the time thereafter specified or having filed fails of retention, shall vacate his office on the first Monday in December following the general election whether or not his successor shall yet have qualified. If an



incumbent does not file a declaration of candidacy within the time specified above the selection and appointment of his successor, if any, shall proceed immediately in a manner provided in this Section so that the successor may take office as soon as the vacancy occurs. Any law reducing the number of Judges of the Appellate Court in any district of the number of Circuit or Associate Judges in the Circuit shall be without prejudice to the right of Judges in office at the time of its enactment to seek retention in office. The reduction shall become effective whenever a vacancy in the effective unit occurs. Circuit Courts. The Circuit Judges of all Circuit Courts shall be nominated at primary elections or by petition and then shall be elected at the general and judicial elections as the General Assembly shall provide by law. Vacancies in such office may be filled by appointment or as otherwise provided for interim periods in such manner as they may prescribe by law. The provisions of paragraph (e), (f) and (g) of Section 12 governing retention of Judges shall apply to the Circuit Judges as shall be elected under this Section, however, the electors of the Circuit may by referendum adopt the provisions of Sections 12 and 12.2 to govern the selection and tenure of Circuit Judges and Associate Judges of that Circuit. The electors of any Circuit Judge shall vote on the proposition at the general election held not less than 3 months following the filing petitions with the Secretary of State, signed by not fewer than five percent of the total number of electors who voted in the next preceding general election of that circuit asking that the proposition be submitted to referendum. If the majority of votes cast on the proposition shall be in the affirmative the provisions of Section 12 and 12.2 shall thereafter govern the selection and tenure of Circuit Judges and Associate Judges of the Circuit Court of that Circuit. After the tenure following the referendum herein the electors of any Circuit have adopted Sections 12 and 12.2 together in the selection and tenure of Circuit Judges and Associate Judges, the electors of such Circuits may by referendum withdraw their adoption of Section 12 and 12.2. This referendum election





shall be held in the same manner as is provided thereafter with referendum. reference to the referendum to adopt the provisions of Section 12 and 12.2. If the majority of votes cast on the proposition shall be in the affirmative the provisions of Section 12 and 12.2 shall thereafter no longer govern the selection and tenure of Circuit Judges and Associate Judges of the Circuit Court of that Circuit. At that time the selection and tenure of Circuit Judges and Associate Judges shall be as they were immediately prior to the referendum approved in the adoption of Sections 12 and 12.2. Judicial Nominating Commissions.

There shall be a Judicial Nominating Commission in each Circuit... Judicial Circuit for nominating of Judges of the Supreme Court and Appellate Courts in each Circuit which adopts the provisions of Sub-Section 12 of this Section 12.2 for the nomination and appointment of Judges and Associate Judges for the Circuit Court as follows. Circuit Judicial Nominating Commission for each Circuit outside the First Judicial District shall make nominations for Circuit Judges and Associate Judges in each respective Circuit shall consist of six persons who are not lawyers, no more than three of whom shall be Members of the same political party and five lawyers. The districts Judicial Nominating Commission for each Judicial District, other than the First Judicial District, to nomination of Appellate and Supreme Court Judges from each respective district shall consist of two lawyers from each Circuit, two persons who are not lawyers from each Circuit and an additional nonlawyer as hereafter stated. The district Commission Members from each Circuit having a Judicial Nominating Commission shall be elected by that Circuit Commission from its members. The district Commission Members of the Circuit which does not have a circuit commission shall be elected and appointed in a manner provided in paragraphs (d) thru (g) of this Section, but from and after the time there shall be a Circuit Judicial Nominating Commission in any of the Circuits the Members of the Judicial Nominating Commission from that Circuit shall be elected and appointed in a manner prescribed by this paragraph (b). An additional nonlawyer



member shall be appointed by the Governor to serve on each district Commission and such appointment shall be made from the Circuit Commission or if there is no Circuit Commission in that district, from <sup>persons</sup> ~~person~~ residing in that district. The first district Judicial Nominating Commission to make nominations from the Appellate and Supreme Court Judges from the District or Circuit Judges and Associate Judges if the electors from that Judicial District adopt the provisions of 12 and 12.2 shall consist of eleven <sup>members</sup> persons who are not lawyers, no more than six of whom shall be members of the same political party and 10 lawyers. The nonlawyer members of each Circuit Commission and the Commission for the First Judicial District shall be appointed by the Governor with the advice and consent of the Senate for the first three years of the life of each of the Commissions. The Governor shall designate one of the nonlawyer <sup>members</sup> as Chairman, thereafter the Chairman shall be selected by a vote of all the Members of the Nominating Commission from a nonlawyer Member. The term of any Chairman shall be three years unless his remaining term as Member of the Commission expires sooner, except that the term of Chairman appointed by the Governor shall not extend beyond the first three years of the life of the Commission. The Commission may vote only to cast a tie. The nonlawyer Members shall reside in the Circuit or district from which he was appointed. The lawyer members of each Circuit Commission of the Commission for the First Judicial District shall be chosen by secret ballot without political party designation and other designation by those lawyers admitted to practice in Illinois whose principle offices are in the appropriate Circuit of the First Judicial District in such manner as this shall be provided by rules which shall be adopted by the Supreme Court. The lawyer members shall preside in the circuit district from which they were chosen. The initial non-lawyer members of each commission shall be divided by lot into three groups. One group to serve for two years, one group to serve for four, and one group to serve for six years. As near as may be, the group shall be equal in number.



The initial lawyer members of each commission shall be divided into lot at three groups equal as near as may be at one group to serve for two years, one group to serve for four years, and one group to serve for six years. Thereafter the terms of all members shall be six years. No more than a simple majority of the non-lawyer members shall be members of the same political party. A vacancy in the office of chairman our members of the commission shall be filled for unexpired term in the same manner and subject as the same qualifications as were applicable at the commencement of the unexpired term. No person who holds office under or is an employee of the United States or this state or any municipal corporation or political subdivision of this state or who holds an office position and political party is eligible to serve on a judicial nominating commission. Compensation for service in the state <sup>militia</sup> militia or the armed forces of the United States of such period of time as may be determined by the rules of the Supreme Court, shall not be considered disqualification. No member of the judicial nominating commission may be nominated or appointed to judicial office for a period of three years from the last day he has served on the commission. A member having served a full term of six years on the Commission may not be selected to serve on <sup>on</sup> that Commission during the next three years. Members of the Commission shall not receive any compensation for their salaries but shall be <sup>to</sup> entitled for reimbursement for necessary expenses. The General Assembly shall appropriate funds to the Supreme Court for such reimbursement and for other administrative expenses of the Commission. The Commission may conduct such <sup>investigations</sup> investigations and employ such staff members as may be necessary to perform their duties. Each <sup>nominee</sup> Nominee Commission shall adopt rules and procedures. Schedule. If approved by the electors, this amendment shall take effect the next day following proclamation of the result of the vote, except that no, to provide time for establish the district Judicial Nominee Commission. Vacancies occurring in the office of judge of the Supreme Court and Appellate Courts to and including the following June 30 shall continued to be filled as provided in sections 12C, Article 6 of the Constitution



adopted in 1970, effective July 1, 1971. The vacancies occurring after the following June 30 shall be filed as provided herein. Being no further business, the House now stands adjourned."



## LEGISLATIVE INFORMATION SYSTEM

DAILY TRANSCRIPT INDEX  
MARCH 22, 1979

PAGE 1

HB-0018	3RD READING	PAGE	11
HB-0021	2ND READING	PAGE	9
HB-0183	3RD READING	PAGE	25
HB-0188	3RD READING	PAGE	33
HB-0239	3RD READING	PAGE	35
HB-0249	3RD READING	PAGE	36
HB-0266	3RD READING	PAGE	36
HB-0327	3RD READING	PAGE	38
HB-0357	3RD READING	PAGE	39
HB-0358	3RD READING	PAGE	40
HB-0361	3RD READING	PAGE	41
HB-0387	2ND READING	PAGE	11
HB-0437	2ND READING	PAGE	9
HB-0438	2ND READING	PAGE	10
HB-0439	2ND READING	PAGE	10
HB-0675	3RD READING	PAGE	31
HB-0840	MOTIONS	PAGE	45
HB-1054	1ST READING	PAGE	4
HB-1055	1ST READING	PAGE	4
HB-1056	1ST READING	PAGE	4
HB-1057	1ST READING	PAGE	4
HB-1058	1ST READING	PAGE	4
HB-1059	1ST READING	PAGE	4
HB-1060	1ST READING	PAGE	4
HB-1061	1ST READING	PAGE	4
HB-1062	1ST READING	PAGE	4
HB-1063	1ST READING	PAGE	4
HB-1064	1ST READING	PAGE	4
HB-1065	1ST READING	PAGE	4
HB-1066	1ST READING	PAGE	4
HB-1067	1ST READING	PAGE	4
HB-1068	1ST READING	PAGE	4
HB-1069	1ST READING	PAGE	4
HB-1070	1ST READING	PAGE	4
HB-1071	1ST READING	PAGE	5
HB-1072	1ST READING	PAGE	5
HB-1073	1ST READING	PAGE	5
HB-1074	1ST READING	PAGE	5
HB-1075	1ST READING	PAGE	5
HB-1076	1ST READING	PAGE	5
HB-1077	1ST READING	PAGE	5
HB-1078	1ST READING	PAGE	5
HB-1079	1ST READING	PAGE	5

HB-1080	1ST READING	PAGE	5
HB-1081	1ST READING	PAGE	5
HB-1082	1ST READING	PAGE	5
HB-1083	1ST READING	PAGE	5
HB-1084	1ST READING	PAGE	5
HB-1085	1ST READING	PAGE	5
HB-1086	1ST READING	PAGE	5
HB-1087	1ST READING	PAGE	5
HB-1088	1ST READING	PAGE	6
HB-1089	1ST READING	PAGE	6
HB-1090	1ST READING	PAGE	6
HB-1091	1ST READING	PAGE	6
HB-1092	1ST READING	PAGE	6
HB-1093	1ST READING	PAGE	6
HB-1094	1ST READING	PAGE	6
HB-1095	1ST READING	PAGE	6
HB-1096	1ST READING	PAGE	6
HB-1097	1ST READING	PAGE	6
HB-1098	1ST READING	PAGE	6
HB-1099	1ST READING	PAGE	6
HB-1100	1ST READING	PAGE	6
HB-1101	1ST READING	PAGE	6
HB-1102	1ST READING	PAGE	6
HB-1103	1ST READING	PAGE	7
HB-1104	1ST READING	PAGE	7
HB-1105	1ST READING	PAGE	7
HB-1106	1ST READING	PAGE	7
HB-1107	1ST READING	PAGE	7
HB-1108	1ST READING	PAGE	7
HB-1109	1ST READING	PAGE	7
HB-1110	1ST READING	PAGE	7
HB-1111	1ST READING	PAGE	7
HB-1112	1ST READING	PAGE	7
HB-1113	1ST READING	PAGE	7
HB-1114	1ST READING	PAGE	7
HB-1115	1ST READING	PAGE	7
HB-1116	1ST READING	PAGE	7
HB-1117	1ST READING	PAGE	7
HB-1118	1ST READING	PAGE	7
HB-1119	1ST READING	PAGE	7
HB-1120	1ST READING	PAGE	8
HB-1121	1ST READING	PAGE	8
HB-1122	1ST READING	PAGE	8

DAILY TRANSCRIPT INDEX  
MARCH 22, 1979

HB-1123	1ST READING	PAGE	8
HB-1124	1ST READING	PAGE	8
HB-1125	1ST READING	PAGE	8
HB-1126	1ST READING	PAGE	8
HB-1127	1ST READING	PAGE	8
HB-1128	1ST READING	PAGE	8
HB-1129	1ST READING	PAGE	8
HB-1130	1ST READING	PAGE	50
HB-1131	1ST READING	PAGE	50
HB-1132	1ST READING	PAGE	50
HB-1133	1ST READING	PAGE	50
HB-1134	1ST READING	PAGE	50
HB-1135	1ST READING	PAGE	50
HB-1136	1ST READING	PAGE	50
HB-1137	1ST READING	PAGE	50
HB-1138	1ST READING	PAGE	50
HB-1139	1ST READING	PAGE	51
HB-1140	1ST READING	PAGE	51
HB-1141	1ST READING	PAGE	51
HB-1142	1ST READING	PAGE	51
HB-1143	1ST READING	PAGE	51
HB-1144	1ST READING	PAGE	51
HB-1145	1ST READING	PAGE	51
HB-1146	1ST READING	PAGE	51
HB-1147	1ST READING	PAGE	51
HB-1148	1ST READING	PAGE	51
HB-1149	1ST READING	PAGE	51
HB-1150	1ST READING	PAGE	51
HB-1151	1ST READING	PAGE	51
HB-1152	1ST READING	PAGE	51
HB-1153	1ST READING	PAGE	51
HB-1154	1ST READING	PAGE	51
HB-1155	1ST READING	PAGE	51
HB-1156	1ST READING	PAGE	51
HB-1157	1ST READING	PAGE	51
HB-1158	1ST READING	PAGE	51
HB-1159	1ST READING	PAGE	52
HB-1160	1ST READING	PAGE	52
HB-1161	1ST READING	PAGE	52
HB-1162	1ST READING	PAGE	52
HB-1163	1ST READING	PAGE	52
HB-1164	1ST READING	PAGE	52
HB-1165	1ST READING	PAGE	52

## LEGISLATIVE INFORMATION SYSTEM

DAILY TRANSCRIPT INDEX  
MARCH 22, 1979

PAGE 4

HB-1166	1ST READING	PAGE	52
HB-1167	1ST READING	PAGE	52
HB-1168	1ST READING	PAGE	52
HB-1169	1ST READING	PAGE	52
HB-1170	1ST READING	PAGE	52
HB-1171	1ST READING	PAGE	52
HB-1172	1ST READING	PAGE	52
HB-1173	1ST READING	PAGE	52
HB-1174	1ST READING	PAGE	52
HB-1175	1ST READING	PAGE	53
HB-1176	1ST READING	PAGE	53
HB-1177	1ST READING	PAGE	53
HB-1178	1ST READING	PAGE	53
HB-1179	1ST READING	PAGE	53
HB-1180	1ST READING	PAGE	53
HB-1181	1ST READING	PAGE	53
1182 1184 > 10	HB-1183	1ST READING	PAGE 53
	SB-0110	1ST READING	PAGE 50
	HR-0120	3RD READING	PAGE 46
	HR-0121	1ST READING	PAGE 48
	HR-0122	3RD READING	PAGE 46
	HR-0123	3RD READING	PAGE 46
	HR-0124	3RD READING	PAGE 46
	HR-0125	3RD READING	PAGE 46
	HR-0126	3RD READING	PAGE 46
	HR-0127	3RD READING	PAGE 48
	HR-0128	3RD READING	PAGE 46
	HR-0129	3RD READING	PAGE 46
	HR-0130	3RD READING	PAGE 46
	HR-0131	3RD READING	PAGE 46
	HR-0132	3RD READING	PAGE 46
	HR-0133	3RD READING	PAGE 46
	HR-0134	3RD READING	PAGE 48
	HR-0135	3RD READING	PAGE 46
	HR-0136	3RD READING	PAGE 46
	HR-0137	3RD READING	PAGE 48
	HR-0138	1ST READING	PAGE 48
	HR-0139	3RD READING	PAGE 46
	HJR-0025	3RD READING	PAGE 46
	HJR-0026	3RD READING	PAGE 46
	HJR-0027	3RD READING	PAGE 46
	*HJR-0031	1ST READING	PAGE 53
	SJR-0026	3RD READING	PAGE 47



## LEGISLATIVE INFORMATION SYSTEM

DAILY TRANSCRIPT INDEX  
MARCH 22, 1979

PAGE 5

## SUBJECT MATTER

SPEAKER REDMOND-HOUSE TO ORDER	PAGE	1
REV. KRUEGER-PRAYER	PAGE	1
ATTENDANCE ROLL CALL	PAGE	1
MESSAGES FROM THE SENATE	PAGE	1
COMMITTEE REPORTS	PAGE	2
EXCUSED ABSENCES	PAGE	3
HOUSE BILL 840-TABLED BY SPONSOR	PAGE	45
MESSAGES FROM THE SENATE	PAGE	47
REPRESENTATIVE MULCAHEY-'AYE' ON HOUSE BILL 361	PAGE	48
RESOLUTIONS-COMMITTEE ON ASSIGNMENT	PAGE	48
HOUSE STANDS ADJOURNED	PAGE	60

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
1	3:00	Speaker Redmond	House to order
		Rev. Krueger	Prayer
		Speaker Redmond	Roll Call for Attendance
		Clerk O'Brien	Message from Senate
		Speaker Redmond	
2		Clerk O'Brien	Committee reports
3		Speaker Redmond	
		Telcser	Excused absense
		Speaker Redmond	Leave granted for vote counting
		Madigan	Excused absence
		Speaker Redmond	
4		Clerk O'Brien	Introduction & 1st Rdg.
8		Speaker Redmond	
		Leinenweber	Parliamentary inquiry
		Speaker Redmond	
		Kelly	
9		Speaker Redmond	
		Clerk O'Brien	HB 21, 2nd Rdg., amendment #1 last, read 2nd time previously, #2 & 3 withdrawn, fiscal note filed
		Speaker Redmond	
		Madigan	Hold Bill
		Speaker Redmond	
		Clerk O'Brien	HB 437, 2nd Rdg., amendment #1 adopted in Committee
		Speaker Redmond	3rd Rdg.



## GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
10		Clerk O'Brien	HB 438, 2nd Rdg., amendment #1,2,&3 adopted in Committee
	3:30	Speaker Redmond	
		Clerk O'Brien	Floor Amendment #4
		Speaker Redmond	
		?	Keep on 2nd Rdg.
		Speaker Redmond	
		Clerk O'Brien	HB 439, 2nd Rdg., no Committee amendments
		Speaker Redmond	3rd Rdg., take out or record
		Clerk O'Brien	
		Leinenweber	Parliamentary inquiry
11		Speaker Redmond	
		Clerk O'Brien	HB 387, 2nd Rdg., no Committee amendments
		Speaker Redmond	3rd Rdg.
		Clerk O'Brien	HB 18, 3rd Rdg.
		Speaker Redmond	
		Huskey	
12		Speaker Redmond	
		Waddell	Yield
		Huskey	
		Speaker Redmond	
		Johnson	Questions
13		Huskey	
14		Speaker Matijevich	In chair
		Katz	



## GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
15		Clerk O'Brien	
		Speaker Matijevich	
		Conti	
16		Speaker Matijevich	
	3:48	Yourell	Question
		Huskey	
17		Speaker Matijevich	
		Skinner	Move previous question
		Speaker Matijevich	
		Walsh	
18		Speaker Matijevich	Skinner withdraws
		Mugalian	Urge defeat
19		Speaker Matijevich	
		McBroom	Move previous question
		Speaker Matijevich	
		Huskey	To close
20		Speaker Matijevich	
		Getty	Explain vote - no
		Speaker Matijevich	
		Deuster	Explain vote
21		Speaker Matijevich	
		Wolf	Explain vote
22		Speaker Matijevich	
		Borchers	
		Speaker Matijevich	
		Freidrich	
		Speaker Matijevich	HB 18 passed



## GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Johnson	Asks for verification
23		Clerk Hall	Polls absentees
		Speaker Matijevich	
		Totten	Leave to be verified
		Speaker Matijevich	
		Clerk Hall	Calls off roll
		Speaker Matijevich	
		Collins	Change to aye
		Speaker Matijevich	
		Clerk Hall	Proceeds
		Speaker Matijevich	
		Slape	Leave to be verified
		Speaker Matijevich	
		Clerk Hall	Proceeds
24		Speaker Matijevich	
		Wycoff	"May be verified?"
		Speaker Matijevich	
		Johnson	Questions of roll
25		Speaker Matijevich	99 aye-46 no HB 18 passed
		Clerk Hall	HB 183, 3rd Rdg.
		Speaker Matijevich	
		Greiman	
26		Speaker Matijevich	
27	4:17	Leinenweber	Question
		Greiman	
29		Johnson	
30		Speaker Matijevich	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
31		Jones, J. David	HB 183 passed VB 675 passed
33		Speaker Matijevecich Wolf	
		Speaker Matijevecich	HB 188 passed
34		Satterthwaite	
	4:35	Speaker Matijevecich	
		Clerk O'Brien	HB 239, 3rd Rdg.
		Speaker Matijevecich Wolf	
		Speaker Matijevecich	
35		Borchers	
		Speaker Matijevecich	
		Mautino	Oppose
		Speaker Matijevecich	
		Wolf	To close
		Speaker Matijevecich	HB 239 passed
36		Clerk O'Brien	HB 249, 3rd Rdg.
		Speaker Matijevecich	
		Polk	
		Speaker Matijevecich	HB 249 passed
		Clerk O'Brien	HB 266, 3rd Rdg.
		Speaker Matijevecich	
		Mautino	
37		Speaker Matijevecich	
		Bradley	Question
		Mautino	
		Speaker Matijevecich	



GENERAL ASSEMBLY  
STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Winchester	Yield
	4:45	Mautino	
38		Speaker Matijevec	
		Deuster	Explain vote
		Speaker Matijevec	HB 266 passed
		Clerk O'Brien	HB 327, 3rd Rdg.
39		Speaker Matijevec	
		Keane	
		Speaker Matijevec	Passed
		Clerk O'Brien	HB 357, 3rd Rdg.
		Speaker Matijevec	
		McClain	Passed
40		Speaker Matijevec	
		Clerk O'Brien	HB 358, 3rd Rdg.
		Speaker Matijevec	
		Freidrich	
		Speaker Matijevec	
		Deuster	Question
41		Freidrich	
		Speaker Matijevec	Passed
		Clerk O'Brien	HB 361, 3rd Rdg.
		Speaker Matijevec	
42		Mautino	
	4:54	Conti	
		Mautino	Discussion
43		Speaker Matijevec	
		Bowman	Yield



GENERAL ASSEMBLY  
STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Mautino	
44		Speaker Matijevich	
		Mautino	Can't hold it
		Speaker Matijevich	HB 361
		Leon	Explain vote
45		Speaker Matijevich	Poll avsentees
		Conti	Change to aye
		Speaker Matijevich	Dump Roll Call, HB 361 passed.
		White	HB 840 - table
46		Speaker Matijevich	Tabled
		Clerk O'Brien	Resolution
		Speaker Matijevich	
		Bradley	
47		Speaker Matijevich	Resolution adopted
		Clerk O'Brien	Adjournment Resolution
		Speaker Matijevich	Resolution adopted
48		Mulcahey	Leave aye on HB 361
		Speaker Matijevich	
49		Clerk O'Brien	General Resolution
		Speaker Matijevich	Committee on assignment
		Clerk O'Brien	HR 140
		Speaker Matijevich	Speakers Table
		Clerk O'Brien	Death Resolution
		Speaker Matijevich	Resolution adopted
		Clerk O'Brien	HJR 137 - Death Resolution
50		Speaker Matijevich	Senate Bills, First Readings



## GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Ryan	
		Speaker Matijevech	Resolution adopted, House adjourned - Tuesday 1 p.m.
51		Clerk O'Brien	SB 110
		Clerk Hall	HTRCA # 31



GENERAL ASSEMBLY  
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