

JUN 17 1976

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

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

Rev. Krueger: "In the name of the Father, the Son, and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. Amen. I ask that today you offer your prayer on a moment for the continued recovery of Daniel, the Governor of this state, and John David, a Member of this House. Norman Thomas once said, 'I am not the champion of lost causes, but the champion of causes not yet won'. This is a prayer that Sir Francis Drake prayed on the day he sailed into Cadiz in 1587. Let us pray for perseverance. O Lord, God, will Thou givest to Thy servants to endeavor any great matter. Grant us also to know that it is not the beginning, but the continuing of the same until it be thoroughly finished which yieldeth the true glory, through Him, but for the finishing of Thy work, lay down his life, our redeemer, Jesus Christ. Amen."

Speaker Redmond: "Roll Call for attendance. Reading of the Journal."

Clerk O'Brien: "House Journals for Wednesday, June 2, 1976, 2 o'clock p.m. The House met pursuant to adjournment. Speaker in the Chair. Prayer by Father William Krueger, Chaplain. By direction of the Speaker, a Roll Call was taken to ascertain the attendance of Members, as follows: Answering 'present', 171. By unanimous consent, Representative Peters was excused from attendance because of illness."

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

Madigan: "I move to suspend the reading of the Journal and also move that the Journals #153 for June 1, 154 for June 2 and 155 for June 3, be approved."

Speaker Redmond: "You've heard the Gentleman's motion. Representative Washburn."

Washburn: "Thank you, Mr. Speaker. Would the record show that



Representative Arnell is due, absent due to illness and Representative Jones remains hospitalized. Thank you."

Speaker Redmond: "Any objections? Let the record so show. Representative Madigan."

Madigan: "In the same vein, Mr. Speaker, would the record show that Representative Davis is excused and, Mr. Speaker, we have not moved on the motion for approval of the Journals."

Speaker Redmond: "I know that. I was interrupted. The question's on the Gentleman's motion to suspend the reading of the Journals and the Journals be approved. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment...er... the motion carries. House Bills, Second Reading appears House Bill 991."

Clerk O'Brien: "House Bill 991, Farley." =

Speaker Redmond: "Are there any Amendments to this Bill? Read the Amendments."

Clerk O'Brien: "A Bill for an Act to abolish all ad valorem property taxes by the replacement of revenue lost thereby. Second Reading of the Bill. One Committee Amendment. Amends House Bill 991 on page 1, line 1 by inserting immediately after taxes, the phrase and so forth."

Speaker Redmond: "Representative Maragos, will you explain what 991 is?"

Maragos: "Yes, Mr. Speaker, I'm just wondering if..."

Speaker Redmond: "Just explain it and maybe it'll get over the loudspeaker and we can understand it better."

Maragos: "Mr. Speaker, Members of the House, 991 as amended is designed to make effective and carry out the twice-expressed intent of the Legislature that personal property held in a fiduciary capacity for the benefit of natural persons, be exempt from ad valorem taxation. This intent was first expressed in the explanation of a 1970 Amendment to the 1870 Constitution which abolished the personal property tax as to individuals. However, the Supreme Court gave it more restrictive interpretation and held trust subject to personal property taxation. Again, the Legislature in 1974 passed a so-called



Day Bill which amended the Revenue Act of 1939 and declared all trusts exempt from personal property tax. In 1975, the Supreme Court in another instituted by trustess and beneficiaries again held trusts subject to personal property tax and declined to rule on the validity of the Day Bill. While the court did specifically declare that the estates of decedents got in tips on conservatorships or exempted from the tax by 1970 Amendment, adding Article IX(a) to the 1870 Constitution and use language which can be interpreted...(unintelligible)...trust. The court was clearly worried that the business would use the trust form to avoid personal property tax. Additionally, must be kept in mind that the court was also... recently declared on concur... with the abolition of personal property tax of any class. There must be enactment of a replacement tax. This Bill as amended is needed to clarify and make effective by desire that women and children whose property's held in trust are not discriminated against. We accomplished this in two ways. One, the abolition was restricted to traditional trusts. In other words, trusts were...(unintelligible) ...are simply managed and administered for the benefit of natural persons as distinguished from trusts which operate a business or profession for gain. And second, a replacement tax is enacted which will be equitable and which will not burden trust beneficiaries who are natural persons and who currently receive trust incomes. They quote, traditional trusts, will be taxed at an additional 2% on a standing income out of the Illinois Income Tax Act. And this will generate a replacement tax of \$3,200,000 on a state-wide basis and will be paid back by the State Treasurer to the county from which the additional or replacement tax came and will be distributed among the local taxing bodies in proportion to local tax collectors, collections in each county. The tax is necessary to effect a valid abolition and is supported by the Trust Industry in Illinois. It will reasonably replace lost revenue. This Bill is also supported by the Bankers Association and Association for Modern Banking. Since currently dissimilar incomes and



traditional trusts would not be subject to additional tax, an unjust burden will not be placed on widows and children whose estates are managed and conserved for them under the customary form of traditional marital trust. The tax, in fact, will fall on undistributed capital gains of traditional trusts and on traditional trusts whose income is no currently distributable to natural persons. In other words, accumulation and discretionary payment trusts. The business trusts and corporations will still remain subject to the personal property tax. That, in short, Mr. Speaker, is an analysis of what the House Bill 991 will do as amended with Amendment #1 which I move for its adoption which was adopted by the Committee."

Speaker Redmond: "Representative Walsh. You move the attendance Roll Call be used for the adoption of this Amendment, is that correct?"

Walsh: "Well, I thought a better idea would be to take it out of the record, Mr. Speaker, until some of the... till the Sponsor got here or some of the Sponsors of other Amendments got here."

Speaker Redmond: "Do you agree with Representative Maragos' explanation of this Bill?"

Walsh: "Representative Maragos gave a very lucid and long explanation, but there's so many people that aren't here, I think we ought to take it out of the record."

Speaker Redmond: "This the one that might increase the income tax?"

Walsh: "Yes, that's the baby."

Speaker Redmond: "Why don't they hear that in the State Office Building? Are the switches open? Maybe we'd better take this out of the record temporarily."

Maragos: "Thank you, Mr. Speaker."

Speaker Redmond: "Senate Bills, Second Reading. On Senate Bills, Second Reading is Senate Bill 1511. 1511 on Senate, Second."

Clerk O'Brien: "Senate Bill 1511, Schisler. A Bill for an Act to amend an Act to provide for the ordinary and contingent expense of the Department of Agriculture. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"



Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1514."

Clerk O'Brien: "Senate Bill 1514, Kosinski. A Bill for an Act making supplemental appropriation to the ordinary and contingent expense of the Department of Corrections."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Speaker, I'm handling the normal appropriation for this unit. I think the supplemental is being handled by Mr. Friedrich."

Speaker Redmond: "Representative Friedrich, are you handling this 1514?"

Friedrich: "No, sir."

Speaker Redmond: "Representative Schraeder, are you handling 1514? Okay, Representative Schraeder."

Clerk O'Brien: "Second Reading of the Bill. One Committee Amendment amends Senate Bill 1514 on page 1 by inserting immediately after line 11, the following."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker, this is a Committee Amendment I move its adoption."

Speaker Redmond: "Any discussion? Representative Ryan."

Ryan: "Yeah, would Representative Schraeder be kind enough to tell us what the Amendment does."

Speaker Redmond: "Would you explain the Amendment, Representative Schraeder."

Schraeder: "Yeah, it makes payment for... revolving reserve funds to pick up some changes that were already paid by General Services and this is a.... change in obligation from them to Corrections and corrects... their Corrections bills have been paid, but it's a matter of transferring money to the..."

Ryan: "What does the Amendment do, Representative Schraeder?"

Schraeder: "That's what it does. It transfers this fund."

Ryan: "Transfers the money from one agency to another?"

Schraeder: "Right."

Ryan: "How much money?"

Schraeder: "\$356,000."

Ryan: "Well now, that's not the way I see it. Is this the same amount



that was reduced by the Senate?"

Schraeder: "Yes."

Ryan: "The Senate removed this and your Amendment puts it back in, is that correct?"

Schraeder: "Yes, the Committee Amendment puts it back in."

Ryan: "Well, I would like to speak against the Amendment, Mr. Speaker."

Speaker Redmond: "We'll take this one out of the record temporarily then. 1610."

Clerk O'Brien: "Senate Bill 1610, Merlo. A Bill for an Act to provide for the ordinary and contingent expense of the Department of Insurance. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1614."

Clerk O'Brien: "Senate Bill 1614, Byers. A Bill for an Act to provide for the ordinary and contingent expense of the Department of Law Enforcement. Second Reading of the Bill. Twelve Committee Amendments. Amendment #1 amends Senate Bill 1614 on page 1, line 23 and so forth."

Speaker Redmond: "Representative Ryan, are these Amendments contentious?"

Ryan: "Well, Mr. Speaker, Amendment #1 was adopted by a vote of 11 to 10, so you tell me."

Speaker Redmond: "We'd better take this out of the record. 1627, out of the record. 1546, Representative Kozubowski."

Clerk O'Brien: "Senate Bill 1546."

Kozubowski: "Mr. Speaker and Ladies and Gentlemen of the House, on Senate Bill..."

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

Speaker Redmond: "You want 1546 held?"

Kozubowski: "Out of the record because..."

Speaker Redmond: "Out of the record. 1547."

Kozubowski: "Yes, there are no Amendments."

Speaker Redmond: "1547."

Clerk O'Brien: "Senate Bill 1547. A Bill for an Act to amend Sections



Workmens' Compensation Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1564."

Clerk O'Brien: "Senate Bill 1564, Kempiners."

Speaker Redmond: "Representative Kempiners."

Clerk O'Brien: "A Bill for an Act to amend the Sanitary District
Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1565."

Clerk O'Brien: "Senate Bill 1565, Kempiners. A Bill for an Act
to amend an Act authorizing certain sanitary districts and
drainage districts to acquire, improve, and extend the sewage
system. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1643. 1643."

Clerk O'Brien: "Senate Bill 1643. A Bill for an Act to amend the
School Code. Second Reading of the Bill. No Committee Amend-
ments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1681."

Clerk O'Brien: "Senate Bill 1681."

Speaker Redmond: "Representative Shea, 1681."

Clerk O'Brien: "Senate Bill 1681. A Bill for an Act to amend an
Act in relation to the creation, maintenance, operation and
improvement of Chicago Park District. Second Reading of the
Bill. One Committee Amendment."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment..."

Speaker Redmond: "Oh, pardon me. Representative Shea, Madigan."

Clerk O'Brien: "Amends Senate Bill 1681..."

Speaker Redmond: "Representative Madigan."



Madigan: "Mr. Speaker, Mr. Clerk, is there one Amendment?"

Clerk O'Brien: "One Committee Amendment."

Madigan: "Are there any floor Amendments?"

Clerk O'Brien: "No."

Madigan: "Mr. Speaker, Mr. Farley, who's the Sponsor of this Bill asked me to handle it for him today. The Committee Amendment is now the Bill so that the Amendment was voted by the Committee and it is the Bill and I move for its adoption."

Speaker Redmond: "Any questions? Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "The Amendment provides as the Bill originally did, that the park district, Chicago Park District could levy a tax in anticipation of the proceeds from bonds, is that correct?"

Madigan: "Yes, it is."

Schlickman: "Do you know if any other unit of local government has that authority?"

Madigan: "Metropolitan Sanitary District of Chicago."

Schlickman: "Any other unit of local government, general purpose, I'm thinking of specifically."

Madigan: "All home rule units."

Schlickman: "Do you know if any home rule units that are exercising that authority?"

Madigan: "No, I don't."

Schlickman: "Thank you."

Speaker Redmond: "Representative Schlickman, what was that closing comment?"

Schlickman: "Thank you."

Speaker Redmond: "Okay, question's on the Gentleman's motion for the adoption of the Amendment. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1713."

Clerk O'Brien: "Senate Bill 1713. A Bill for an Act to amend an Act



creating Electronic Funds Transfer Systems Study Commission.

Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1754."

Clerk O'Brien: "Senate Bill 1754. A Bill for an Act to provide for the development and construction of public docking and dry dock commodity transfer facilities for the Tri-City Regional Port District of Madison County. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1755."

Clerk O'Brien: "Senate Bill 1755. A Bill for an Act to amend the Capital Development Board Act. Second Reading of the Bill."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Second Reading. Representative Shea. Take 1755 back to the order of Second Reading. Representative Shea, do you have an observation? 1755. Has to be Southern Illinois in Edwardsville. Third Reading. 1918. Representative Geo-Karis."

Clerk O'Brien: "Senate Bill 1918. A Bill for an Act to amend an Act to tax gifts, inheritance, transfers, appointments, and interest in certain cases. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Second Bills... House Bills, Second Reading. 3226."

Clerk O'Brien: "House Bill 3226, Cunningham. A Bill for an Act to provide for the full amount of salary of Circuit Court Judges and Associate Judges to be paid by the state. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."



Speaker Redmond: "Third Reading. Representative Cunningham."

Cunningham: "Mr. Speaker, I've been most apprehensive about this Bill. Is there any chance that we could get out another Calendar, get it on Third Reading today? We have nurtured it too far to have it perish on the sands of neglect."

Speaker Redmond: "If we did it, we couldn't vote on it today anyway. So, your request although is reasonable, is impossible."

Cunningham: "Well, would the..."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Speaker, I raise the point of order with respect to this Bill."

Speaker Redmond: "What's your point?"

Schlickman: "The point of order, Mr. Speaker, and I don't see the Chairman of Judiciary I here and I would like to visit with him regarding it. But it's my understanding that this Bill was reported out of the Committee yesterday without a quorum actually present and by the use of the attendance Roll Call. Now I would like to visit with the Chairman of that Committee to confirm whether or not that is so."

Speaker Redmond: "Where was the quorum missing, you say?"

Schlickman: "In Judiciary Committee I."

Speaker Redmond: "In the Committee?"

Schlickman: "I am told that."

Speaker Redmond: "I don't see how we, on the floor, can pass judgment on the question of a quorum in a Committee. The Committee Chairman signed it and as far as the House floor is concerned, it's a quorum was present and I don't see how we can go into that collaterally. 3367. Representative Collins here? Take that one out of the record. 3430."

Clerk O'Brien: "House Bill 3430. A Bill for an Act directing the transfer of money between funds from the State Treasury. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3430 on page 1, line 15 by deleting 1976 and so forth."

Speaker Redmond: "Representative Terzich."

Terzich: "Yes, what this simply does it reduces the amount of transfer



by the amount of amount of money that was left over in the previous appropriation. I move for adoption of Amendment #1."

Speaker Redmond: "Any discussion? The Gentleman's moved the adoption of Amendment #1. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3553."

Clerk O'Brien: "House Bill 3553, Williams. A Bill for an Act making an appropriation to Emergency Service and Disaster Agency. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1."

Speaker Redmond: "Representative Williams."

Williams: "Yes, thank you, Mr. Speaker. Amendment #1 to this Bill came up as a result of a recent tornado that we just had last week here in Lemont. The original Bill that was introduced was introduced because there seems to be a big gap here in governmental services when it comes to giving any kind of disaster area relief to the small units of local government who suffer extensive damage to their public buildings or in the debris cleanup. As a result of a very disastrous tornado that hit through all the way from Oswego all the way through Leyden Township and up into Skokie. It was found that although the small business administration had declared the area a disaster area and the fact that Governor Walker and our state did declare the area a disaster area, the President had not declared it. Now, we're trying to figure out just how much damage you need and much suffering and pain people need before they declare it a disaster area. We had in our area some \$20,000,000 worth of damage. As to the amount of money that local units of government and colleague, the Representative Bluthardt, can probably speak to the damage there that happened to his area. We had a meeting of federal, state, and local officials that we had called in our area. We have a documented figures of about \$20,000,000 damage and probably about



\$600,000 damage to the local municipalities for the pub... as to the amount of public property damage. Our neighbor here, just south of us, the Village of North Lake, had their Public Works Building destroyed and all of the vehicles in it and I think it's just a terrible thing that the State of Illinois actually does not have any money appropriated for a disaster purposes like this. I certainly believe that for a state the size of Illinois, a million dollars is certainly a small amount to have available. All right now, backing up, this tornado that we had of May 12, I mean of March 12, here comes this terrible tornado that hit through our neighboring counties now of Will and DuPage County and although the figures there haven't been compiled, I can tell you right now what's going to happen. They're going to go the same kind of rigamarole that we went through when it hit through our township. Communities involved here in the debris clean-up and the amount of damage that has been done to their public property, I think, certainly need some sort of help and some sort of a relief here from our state. We have talked to Director Erie Jones and he says that actually and crux of the problem is that there is not enough money appropriated actually for the purpose. What Amendment #1 here does, it appropriates actually from the general revenue fund, \$1,000,000 to the Emergency Service and Disaster Agency and \$1,000,000 in the road fund. None of the funds, however, can be used unless the Governor would approve them in writing. I'd like to point out that one of the bad things that happens here, too, is that when an area has been hit by a tornado, the unit of local government suffer the amount of revenue sharing that would be derived from that amount of the assessed valuation that hasn't been destroyed by the tornado. So, units of local government actually suffer a two-pronged attack. I would move for the adoption of Amendment #1 to House Bill 3553."

Speaker Redmond: "Representative Bluthardt."

Bluthardt: "Yes, Mr. Speaker and Members of the House, the effort of my colleague from the 5th District certainly is laudatory."



And I'd like to point out that maybe I'm speaking with a conflict of interest. So you'll know where I stand on this, the Village of Schiller Park was hit slightly less hard as... than Franklin Park in Leyden Township, but nevertheless, we were hit and we lost some \$50,000 in damages to the Municipal Building. But the ones that really got hit hard were Franklin Park and especially the City of North Lake whose brand new Municipal Garage was destroyed and there's questions as to whether or not they have insurance to cover that. The real problem with this Amendment in the appropriation as I see it and I'm kidding myself and I hope Jack Williams is not kidding himself or the other municipalities is that, presently there is \$800,000 in the Governor's budget for disaster relief. He has refused to give any part of that to the municipalities involved, although he has every right to do so. I think it's unfortunate that the decision is left to the Chief Executive because politics seems to play a part in it. I was advised by my Civil Defense Director that Schiller Park was denied any part of this \$800,000 because I was an anti-Walker man. I don't know if there's any truth to that, but that's the statement that was made to me. I would hope that we could somehow tighten up the law so that its more than just the Governor to decide who's going to get disaster funds. I do support the Amendment, but I don't have much hope that any of the municipalities that we hoped to aid with this, will receive any of the funds. Nevertheless, I ask you to vote 'yes' on the Amendment."

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

Brinkmeier: "Yes, Mr. Speaker, would the Sponsor yield?"

Speaker Redmond: "He will."

Brinkmeier: "I can see the justification for this Amendment, sir, but I'm wondering at the rationale for road fund monies to be used. Could you explain that to me, please?"

Williams: "Well, I certainly guard the road fund just as much as anyone else, but I do have the figures here actually from the federal disaster agency that came through our area. And certainly



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I think that it's justifiable when you see here the streets and bridges, public utilities, clean-up of the streets and things like that, I would certainly think that's justifiable from the road fund."

Brinkmeier: "Thank you."

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

Deuster: "If the Sponsor would yield for a question or two."

Speaker Redmond: "He will."

Deuster: "One question I have is, this tornado and storm occurred four days ago and I know the President of the United States has a lot of problems and sometimes it takes him more than a couple of days to act. Has the President affirmatively acted to deny the declaration in this case?"

Williams: "He has not affirmatively acted and he has yet to do something about the March 12 one and what seems to happen, I don't know and it seems very ludicrous as far as that goes. We had \$20,000,000 of public damage and about, close a million dollars worth of... or I should say private damage and about a million dollars worth of public damage. I don't know what kind of figure is needed before the declaration is made. The small business administration has declared it, but as you know, that's really no help because that says you can have a loan for 30 years at 6 5/8%. So that's really no help."

Deuster: "Representative Williams, it's my understanding as there's two Amendments, Amendment #1 relates to the tornado that happened four days ago and that's the Amendment we're discussing right now. Amendment #2, which has yet to come along, relates to the March one."

Williams: "Well, I would... I was just going to ask the Speaker, I notice that Amendment #2 actually has the same language of Amendment #1, but it does not let the funds lapse. It goes to June 30, 1977, so probably at this point, I would move to table Amendment #1, but then take up Amendment #2."

Speaker Shea: "The Gentleman asks leave of the House to table Amendment #1. Is there objection? Hearing none, Amendment #1 is tabled. Amendment #2."



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Clerk O'Brien: "Amendment #2 amends House Bill 3553 by deleting everything and so forth."

Speaker Shea: "All right now, we're back on Amendment #2 and Mr. Deuster's talking to you."

Deuster: "Yes, a question I have, a second question is, on Easter Sunder and I think it was 1965 or 63 or quite a few years ago, we had a terrible tornado that struck through Northern Illinois, Crystal Lake, Harvard, Lake Zurich, Barrington, and my district. In fact, Representative Williams, about a half a mile from my house. At that time, I don't recall that any special appropriation was passed by the General Assembly. The normal procedures were involved and I think the President declared it a disaster area or something, but what distinguishes this tornado from the other ones, just so we can understand why special action under these circumstances is required?"

Williams: "Well, I think, actually myself, I think it was terrible that in that... I'm not familiar. I don't recall that one in 1965. These other two, of course, are very fresh and we met both Representative Bluthardt, myself, and mayors from the area with federal people, with the Congressmen and so forth. And there is a very big gap here in the amount of service they can give to municipalities. I think the worst part is, I think that there is actually as far as, we'll say the homes, they are usually covered by the insurance or the businesses can get the... long term loans, but I get back to the local units of government that are certainly operating now, we'll say at the brink of the red line, and I don't think they can afford and I have it documented here by the federal government the amount of actual damage here in Franklin Park, North Lake, Schiller Park, Leyden Township and we do not have the figures yet here from Lemont and, of course, our friends here to the south, then this last one. And I just think it's a real gap in governmental services that we don't have this available and I think the time to act is now."

Deuster: "Well, if I might speak on the Amendment."

Speaker Shea: "Proceed, sir."



Deuster: "I think this is a little novel and a little different, but I would support this Amendment because we ought to at least have the standby, safeguard authority of this appropriation. In the event federal aid comes through, I presume that these funds would not be utilized. But if the federal funds don't come through, it would be terrible if the damage to people and areas could not have the assistance, so I support the Amendment."

Speaker Shea: "The Gentleman from Madison, Mr. Byers."

Byers: "Will the Sponsor yield?"

Speaker Shea: "He indicates he will."

Byers: "Mr. Williams, what's the situation with the federal government on this at the present time?"

Williams: "The federal government is still fooling around, trying to figure out and I'd like to know how many dollars they figure they have to have if \$20,000,000 damage is not enough, is \$20,100,000? I mean, that's ridiculous. So, I think we have to look to our own state here in this kind of emergency. I don't know what their figure is actually. The federal people, we have talked to Mr. Connor from the federal disaster agency and there's a lot of buck passing, a lot of bureaucracy and as we well know, we don't know what their figures are. I don't if you have to have five people killed before they say that it's..."

Speaker Shea: "Mr. Williams, will you confine questions or your answers to the question and save the debate for the closing."

Byers: "Isn't there some possibility that if we go ahead and appropriate these funds that the federal government may just not give us any funds at all then?"

Williams: "No, I don't think that's true. And if the federal government does, why then, we will not need these. I do think we have to have these appropriated. We well know you can't expend anything that isn't appropriation and I think the... that the intent here is at least to have the money appropriation in the event that it is needed."

Byers: "Mr. Speaker, I want to address the Bill or Amendment. I do think that if we go ahead and appropriate these funds, it's going



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to take the federal government off the hook and they're going to say, well we'll let the State of Illinois pay the bill and I think we're going to be jeopardizing our funds by expending them at this time. So, I would this at this time until the federal government responds to this one way or the other and than that would be more appropriate action taken at that time."

Speaker Shea: "Could we have some order in the chamber, please.

The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Representative Hill, what's going to happen to the Mines and Minerals Amendment that was put on?"

Speaker Shea: "Mr. Williams, you have a question from Mr. Friedrich."

Williams: "I can answer that. That is not going to be put on. The Senate refused to concur with that and that's we came and added it to my Bill."

Friedrich: "Now, do you think that... this an emergency appropriation and I don't have any objections to that, but do you think as opposed to this, instead of appropriating for each thing that happens, we shouldn't have a fund which maybe we can participate in in Southern Illinois once in a while?"

Williams: "That's exactly my point. This isn't just for these areas. It so happens, well just like Representative Bluthardt said, it may sound like I'm speaking with conflict of interest. If it's conflict, it's a good conflict. But I just want to point out and these are from the figures that are given actually from the National Weather Bureau that actually the worst time is yet to come here for all our areas and you people, certainly, in Southern Illinois have not been without your problems. Now this is not only for tornadoes. This will be for any emergency type of a disaster, whether it was an explosion of a train or whether it's actually from natural causes. So, this will be for all emergency services as to it."

Friedrich: "All right, now let me ask you a question and I'm not picking on Representative Bluthardt. He suggests they lost the garage which wasn't insured. Could this money be used for that?"

Williams: "This would be used for the amount of uninsured. In other words, this particular garage we're talking about was about a



half a million dollars of which the depreciated amount the insurance company would cover would be about \$252,000. So, the difference could come from there."

Friedrich: "All right, now I just... I wanted to make a point of that because not very long ago we had a Bill in to reimburse the City of Salem when they had a police case down there where they were involved outside the city limits. Their insurance didn't cover it and the guys from Northern Illinois in Appropriations II screamed and hollered and said, well we're not supposed to insure everybody in the State of Illinois. That's different when it's down our way, but now you've got something uninsured your way and you want us to pay for it. And I just want to call the attention of the guys, everybody on that Committee voted against that Bill and now you come back and you want us to vote for a Bill to pay for something up there that isn't insured. I just thought you ought to be reminded of that."

Williams: "Well, I certainly would have supported your motion."

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

Birchler: "I'll be brief. Mr. Sponsor, would you tell me from what funds the money is coming to.... in your appropriation? Where are you getting the money for that, what funds?"

Williams: "\$1,000,000 from the general revenue fund, \$1,000,000 from the road fund."

Birchler: "Thank you."

Speaker Shea: "For what purpose does the Gentlemen from Cook, Mr. Bluthardt, seek recognition?"

Bluthardt: "Mr. Speaker, point of personal privilege. My name was used in debate and I think that there's some misunderstanding. The Village of Schiller Park did not lose the garage that I referred to. That was the Village of North Lake. The Village of Schiller Park does not expect to get anything out of the state, we're not fooling ourselves. But in replying to the statement that the Appropriations Committee killed, what I consider a very meritorious Bill for the City of Salem, I don't think that he should hold that against all Representatives from the northern part of the state. We don't happen



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to be on that Committee, many of us. I think it is a good Bill and I would vote for it and I think this General Assembly, if they heard the Bill, would also vote for it. I just hope that we won't get regional about the proposal of Jack Williams which would set up a fund for the entire state, not just the areas that have been hit by the recent tornadoes."

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

Schlickman: "Thank you, Mr. Speaker. Will the Sponsor yield? Again, I am not concerned about appropriating money for a particular disaster, but I am concerned about the means or approach that's being used. Why isn't this money being appropriated to the disaster relief fund which presently exists?"

Williams: "This does appropriate to the emergency service and disaster agency for the purpose of emergency service in disaster areas, you know."

Schlickman: "But why isn't it being appropriated to the fund which was created in 1965, an Act relating to disaster relief and making an appropriation there for it?"

Williams: "That's a line item, a... general revenue money actually. It's a line item here."

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

Speaker Shea: "Proceed."

Schlickman: "Mr. Speaker and Members of the House, there already exists in the statutes a disaster relief fund. And by that Act, disaster is defined to include flood, tornado, fire or other disasters which causes or threatens destruction or damage to life or property of such magnitude as to seriously endanger the public health, safety, and welfare. Now what concerns me, Mr. Speaker and Members of the House, that by the appropriation going to the emergency services and disaster agency, that control that is contained in the existing Act will be avoided. And one of those controls is a prohibition on the use of the money for private relief to persons sustaining property damage or personal injury as a result of a disaster. It seems to me, Mr. Speaker, Members of the House, that when we have a relief fund for disasters already created, there are built-in safeguards



within that Act than any appropriation for any disaster should go to that fund that is already established, subject to the controls and regulations. And I should also like to mention, Mr. Speaker, Members of the House, that by the terms of that Act, the Governor has the authority to make expenditures without an appropriation by this House if necessary. It seems to me, Mr. Speaker, Members of the House, that there is an improper means here to attain a good end and not only an improper means, but possibly if not probably, a useless means. And for these reasons, Mr. Speaker and Members of the House, I respectfully suggest a 'no' vote on this Amendment."

Speaker Shea: "The Gentleman from Kane, Mr. Schoeberlein."

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

Speaker Shea: "The question is shall the main question be put."

All those in favor will say 'aye', those opposed 'nay'. In the opinion of the Chair, the motion carries. The Gentleman from Cook, Mr. Williams, to close."

Williams: "Thank you, Mr. Speaker, Members of the House. I think we've heard all that there is to hear. I'd just like to point out one quotation here from the newspapers, says, 'No money for tornado damage public facilities' and quoted in there is Mr. Erie Jones, Director of the State Emergency Service Disaster Agency. And says, 'The crux of the problem is that only \$1,000,000 is appropriated each year and this is a woefully, actually not enough for the amount that will be needed throughout the State of Illinois'. And I would ask for a favorable vote on this Amendment #2 to House Bill 3553."

Speaker Shea: "The question is shall this Amendment be adopted."

All in favor will say 'aye', those opposed 'nay'. In the opinion of the Chair, I need a Roll Call. All those in favor will say 'aye', those opposed will say 'nay'. The Gentleman from Cook, Mr. Mahar, to explain his vote."

Mahar: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, to answer the question brought up by a previous speaker, I think you'll find that the money that's being appropriated here does go into the Emergency Service and Disaster Act which was a new



Act created last year to replace the old Civil Defense. This is a proper way to handle funds. In Appropriations, that fund was reduced for \$450,000 which many of us thought was woefully inadequate at that time. This will provide funds for that disaster fund. It can be used by the Governor in the appropriate manner and I urge your support."

Speaker Shea: "The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, by way of explaining my vote, if I understand this Bill correctly, this is money that would be used to reimburse and assist political subdivisions who failed to properly insure property in their care. Wind storm insurance is freely written in the free insurance market and I think we're setting a very bad precedent if we're going to bail out political subdivisions who fail to properly take care of their insurance needs locally. I think this is a bad precedent and I'd urge a 'no' vote."

Speaker Shea: "Have all voted who wished? Take the record, Mr. Clerk. On this 'question there are 81 'ayes', 21 'nays' and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Shea: "Third Reading. Senate Bills, Third Reading. On the order of Senate Bills, Third Reading appears Senate Bill 1600. All right, on the order of motions is a motion by Mr. Matijevich. Read the motion."

Clerk O'Brien: "Motion. That all nonappropriation House Bills on the Calendar on the order of House Bills, Third Reading and House Bills on consideration postponed, be tabled. Representative John Matijevich."

Speaker Shea: "The Gentleman from Lake, Mr. Matijevich, do you want to hold that until the end of the day?"

Matijevich: "I want it whenever anybody's ready for it. I'm ready anytime, Mr. Speaker."

Speaker Shea: "I will hold that till the end of the day, but I think every Member on the floor knows the motion's going to be called. On the order of House Bills, er... Senate Bills, Third Reading appears Senate Bill 1626. Is Mr. Barnes on the floor? Senate



Bills, Third Reading. 1628, Mr. Stone."

Clerk O'Brien: "Senate Bill 1628. A Bill for an Act making certain appropriations and reappropriations to the Board of Trustees, University of Illinois. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Moultrie, Mr. Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen, this is the appropriation Bill for the University of Illinois. It is... the Bill is in the same condition it was when it left the... substantially in the same condition it was when it left the Senate except for the fact that we added \$1,200,000 for the operation of... for health expansion and for the veterinarian school at the university. The total appropriation is now approximately \$276,458,600 and I move for the adoption of the Bill."

Speaker Shea: "Is there debate? The question is shall Senate Bill 1628 pass. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 132 'ayes', no 'nays', no Members voting 'present'. Senate Bill 1628 having received the Constitutional majority is hereby declared passed. On the order of Senate Bills, Third Reading appears Senate Bill 1637."

Clerk O'Brien: "Senate Bill 1637. A Bill for an Act making an appropriation to the Board of Higher Education. Third Reading of the Bill."

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

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, this is the appropriation to run the State Board of Higher Education. It provides for the running of that office as well as for grants to private colleges and also to the medical schools and we added \$65,000 yesterday to fund the legislative intern program and I would appreciate an 'aye' vote."

Speaker Shea: "Is there debate? The question is shall Senate Bill 1637 pass. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 135 'ayes', no 'nays', 3 Members voting 'present'. Senate Bill



1637 having received the Constitutional majority is hereby declared passed. On the order of Senate Bills, Third Reading appears Senate Bill 1646."

Clerk O'Brien: "Senate Bill 1646. A Bill for an Act to provide for the ordinary and contingent expense of Southern Illinois University. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Jackson, Mr. Richmond."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill makes appropriation for the ordinary and contingent expense of the Southern Illinois University for the fiscal year ending June 30, 1977. There were two Amendments that were adopted yesterday here in the House on Second Reading. One would... there were both to replace monies that were deleted as a result of action in the Senate and I move for the approval of this request."

Speaker Shea: "The Gentleman from Jackson, Mr. Richmond, moves for the passage of Senate Bill 1646. Is there debate? The question is shall Senate Bill 1646 pass. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 134 'ayes', 1 'nay', no Members voting 'present'. Senate Bill 1646 having received the Constitutional majority is hereby declared passed. On the order of Senate Bills, Third Reading appears Senate Bill 1650."

Clerk Selcke: "Senate Bill 1650. An Act making an appropriation to the ordinary and contingent and distribution expense to the Illinois Community College Board. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Moultrie, Mr. Stone."

Stone: "Mr. Speaker, it's necessary that I ask that this Bill be passed at this time. The substantive Bill did not get out of Rules last night and if we can't somehow shake it loose, then we're in trouble, so I'd better hold this Bill."

Speaker Shea: "Take it out of the record. On the order of Senate Bills, Third Reading, 1863, you're holding that aren't you? Turn Mr. Maragos on."

Maragos: "Mr. Speaker, the reason... I have the same reason because the Bills are in Rules Committee and I've got Bills to discuss..."



Committee about holding this Bill at the present time."

Speaker Shea: "All right. Is the Gentleman from Cook, E.M. Barnes, on the floor? All right, now Mr. Schraeder, on your Bill, are you going to call that today or you want it out all the... all... Turn Mr. Schraeder on."

Schraeder: "Are you speaking about 1600?"

Speaker Shea: "Yes, sir."

Schraeder: "I'm holding that on the wishes of the Appropriation Committee."

Speaker Shea: "All right. On the order of Senate Bills, Second Reading, 1514, are we ready to go on that, Mr. Schraeder?"

Clerk Selcke: "Senate Bill 1514. A Bill for an Act making a supplemental appropriation to the ordinary and contingent expense of the Department of Corrections. Second Reading of the Bill. One Committee Amendment amends Senate Bill 1514, page 1 by inserting immediately after line 11 the following and so forth."

Schraeder: "That's a Committee Amendment. I move its adoption."

Speaker Shea: "The Gentleman moves for the adoption of Committee Amendment #1. All those in favor say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further readings? Further Amendments? Third Reading. On the order of Senate Bills, Second Reading appears Senate Bill 1546. Take that out of the record at the Sponsor's request. Is that for all day? All right. Senate Bill 1614."

Clerk Selcke: "Senate Bill..."

Speaker Shea: "You want to take it out? Is that for the entire day, Mr. Byers?"

Byers: "Yes."

Speaker Shea: "Mr. Ryan would probably like to comment on that. Then, we won't let you. On the order of Senate Bills, Third Reading appears 1627, J.M. Houlihan."

Clerk Selcke: "Senate Bill 1627. An Act to provide for the ordinary and contingent expense of the Department of Registration and Education. Second Reading of the Bill."

Speaker Shea: "Mr. Houlihan, do you want that out of the record?"



J.M. Houlihan: "Please, if that would be all right."

Speaker Shea: "Is that for all day or just now?"

J.M. Houlihan: "I think all day. There's a controversy on a museum's budget. I'm trying to get the Director and get it straightened out. I think when we come back, we'll be ready to go, is that all right, Mr. Speaker?"

Speaker Shea: "There are three Bills left on Senate Bills, Second Reading. That's one of 'em. We would like to move 'em today. It's out of the record."

J.M. Houlihan: "Okay."

Speaker Shea: "On the order of Senate Bills, er... House Bills, Third Reading appears House Bill 3222. Mr. Collins on the floor? Take that out of the record. 3366, Mr. Lauer, do you want to go ahead with that now or... Take that out of the record. Is that all day? 39...for what purpose does the Gentleman from Cook, Mr. Madison, arise?"

Madison: "Well, thank you very much, Mr. Speaker. Mr. Speaker, I'd just like to announce that the World Series of Softball was held last night. The final score was 23 to 16 and the game was won as should of been expected, by the Democratic secretaries."

Speaker Shea: "House Bill 35 or 3367, Mr. Collins. All right, take that out of the record. 3545, Harold Washington. You want to move that to Third? 3545. I understand that. That's why I asked the Gentleman if he wanted to move it to Third Reading. On the order of House Bills, Second Reading, appears House Bill 3545. Mr. Washington, would you hold on for a minute?"

Clerk Selcke: "House Bill..."

Speaker Shea: "For what... Mr. Clerk... for what purpose does the Gentleman from Marion, Mr. Friedrich, seek recognition? For what purpose does the Gentleman from Marion, Mr. Friedrich, seek recognition?"

Friedrich: "I didn't like the.... let the statement of the Gentleman across the aisle about the Democratic secretaries go unchallenged. Next year, there'll be more Republican secretaries and the results will be different."

Speaker Shea: "Good luck. House Bill 3545. On the Senate... er..."



House Bills, Second Reading. Read the Bill, Mr. Clerk."

Clerk Selcke: "House Bill 3545. A Bill for an Act to revise the law in relation to medical malpractice, amending certain Acts in connection therewith. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3545 page 1 and so forth."

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

Washington: "Mr. Speaker, Members of the House, this is a Committee Amendment. It simply provides that for the creation of a Transition Advisory Committee to study the feasibility of joining various health delivery agencies for licensing and regulation of health services. I move the adoption of Amendment #1 to House Bill 3545."

Speaker Shea: "The Gentleman moves for the adoption of Amendment #1 to House Bill 3545. Is there discussion? All those in favor say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments? Third Reading. On the order of House Bills, Second Reading appears House Bill 991 and on that, the Gentleman from Cook, Mr. Madigan."

Clerk Selcke: "House Bill 991. A Bill for an Act to abolish all ad valorem personal property taxes."

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

Clerk Selcke: "Second Reading of the Bill."

Speaker Shea: "Hold the Amendment for a minute, Mr. Clerk. Mr. Madigan, turn Mr. Madigan on."

Madigan: "Mr. Speaker, I understand that there have been conversations with Mr. LaFleur on the Republican side concerning this Bill and pursuant to those conversations, I request that the Bill be read a Second time and then left on the order of Second Reading in order to allow everyone to examine the Amendments which have been filed over the weekend and then consider then at the beginning of next week."

Speaker Shea: "All right, the Bill has been read a Second time. Mr. LaFleur, the Gentleman from DuPage."

LaFleur: "I could not hear Mr. Madigan's explanation."

Speaker Shea: "He said that there had been conversations with you, sir,



that he asked that the Bill be read a Second time, that no Amendments be adopted, that the Members have an opportunity to read the Amendments and that it would be called Monday, for further Amendments."

LaFleur: "Oh, the examination is on Monday."

Speaker Shea: "The Bill has been read a Second time. We will not call the Amendments and would the Clerk please indicate on the Calendar that the Bill has been read a Second time when it appears on the Calendar on Monday. And leave it on the order of Second Reading. On the order of House Bills, Second Reading appears House Bill 3124. You want to go with that, Mr. Daniels? Hold it for the rest of the day? 3191, the Gentleman from Cook, Mr. Katz. Is he on the floor? All right, they tell me the Amendments are being printed on that one. House Bill 3588, Mr. Kane."

Clerk Selcke: "House Bill..."

Speaker Shea: "Take that... is that for the day, Mr. Kane? House Bill 3604, Mr. Kane."

Clerk Selcke: "House Bill 3604. A Bill for an Act to amend Sections 3 and 4 of an Act to provide insurance for employers who have been rejected by carriers, et cetera. Second Reading of the Bill. Five Committee Amendments. Committee Amendment #1 amends House Bill 3604 on page 1 and so forth."

Speaker Shea: "The Gentleman from Sangamon, Mr. Kane, on Amendment #1."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 is simply a technical Amendment that changes some mistakes in the Bill as it was introduced. I'd move the adoption."

Speaker Shea: "The Gentleman has moved for the adoption of Amendment #1. Is there discussion? All those in favor will say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there further Amendments."

Clerk Selcke: "Committee Amendment #2, Kane. Amends House Bill 3604, page 1 in line 22 and so forth."

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



Kane: "As House Bill 3604 was introduced, it did two things. What this Amendment does is leave the Bill in the position in which it allows... it reduces from three to two the number of declinations that a company has to have in order to go into the pool. I'd move the adoption."

Speaker Shea: "The Gentleman moves for the adoption of Amendment #2. Is there discussion? Is there discussion? All those in favor of Amendment #2 say... for what purpose does the Gentleman from Cook, Mr. Walsh, seek recognition?"

Walsh: "Speaker, I don't have a copy of this Amendment. I wonder if it has been distributed?"

Speaker Shea: "The Clerk, Mr. Selcke, informs me that the Amendments have been distributed."

Walsh: "Could we get some kind of an indication from the Membership if they've received it. I..."

Speaker Shea: "Well, the Clerk tells me it's been distributed and the Head Page tells me it's been distributed."

Walsh: "I know I find some other people here that do not have it. So, that would seem to contradict."

Speaker Shea: "It appears that a large number of Members have it. Proceed."

Kane: "I would move for the adoption of the Amendment."

Speaker Shea: "The Gentleman moves for the adoption of Committee Amendment #2. All those in favor say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk Selcke: "Committee Amendment #3, Mautino. Amends House Bill 3604, page 2, line 5 and so forth."

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

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 is a recommendation, one of the Amendments is a recommendation of the Insurance Laws Study Commission which basically requires that a copy of all correspondences and policy information or other related information to the workmen compensation risk pool go to the agent or broker of record, so that the employer and the agent will have the policy in hand and it



was unanimously agreed upon and I move for the adoption."

Speaker Shea: "The Gentleman from Bureau, moves for the adoption of Committee Amendment #3. Is there debate? All those in favor will say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Selcke: "Committee Amendment #4, Mautino. Amends House Bill 3604 page 1, line 28."

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

Mautino: "Yes, Amendment #4, at this time, I would like to table, Mr. Speaker."

Speaker Shea: "The Gentleman asks leave to table Amendment #4. Is there objections? Hearing none, the Amendment will be tabled. Are there further Amendments?"

Clerk Selcke: "Committee Amendment #5, Mautino. Amends House Bill 3604 page 2, line 21 and so forth."

Mautino: "This is also an Amendment from our Insurance Laws Study Commission which allows compensation and commission to be paid for the agent for putting the policy in the assigned risk pool. It is broken down 8% in the first 1,000 or per annum, 6% on the next four, 4% on the next 95,000, and 2% on excess of \$100,000. This was the, also, the outcome of our Insurance Laws Study Commission and it was brought out at that time that the insurance companies charged an additional 17% for servicing those accounts, yet they do not pay a commission to the agent that does service it. So, we're talking 8 of that 17. I move for its adoption."

Speaker Shea: "The Gentleman moves for the adoption of Committee Amendment #5. Is there discussion? All those in favor say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments? Are there further Amendments? Mr. Mautino."

Mautino: "Yes, sir. Amendment #6 replaced Amendment #4 which was just tabled."

Clerk Selcke: "Amendment #6, Mautino. Amends House Bill 3604 and so forth."

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



Mautino: "I tabled Amendment #4. It's almost exactly as Amendment #6 with the exception of one word. It says the Commission shall grant binding authority to a licensed insurance agent upon collection of at least 25% of the premium. What we're saying is there will be immediate coverage for 25% of the premium. The word I changed in the Amendment is, in the #4, it said they 'may' grant binding. In #6, says they 'shall' grant binding."

Speaker Shea: "The Gentleman from Bureau, Mr. Mautino, moves for the adoption of Amendment #6. Is there discussion? All in favor say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Are there further Amendments? Third Reading. On the order of House Bills, Second Reading appears House Bill 3610. Is Mr. Barnes on the floor? Mr. Lechowicz, can you handle that 3610?"

Clerk Selcke: "House Bill 3610. A Bill for an Act making an appropriation to the Secretary of State. Second Reading of the Bill. One Committee Amendment amends House Bill 3610 on page 1, line 5 and so forth."

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

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Committee Amendment #1 reduces the appropriation from \$4,500,000 to \$447,885. Under the current formula grant authorization, the Secretary of State would have the authorization to expend only those grant funds contained in fiscal '77 and that's exactly what this Amendment does. It reduces it to that dollar amount and again, that's a reduction to \$447,885. I move for its adoption."

Speaker Shea: "The Gentleman moves for the adoption of Amendment #1. Is there debate? All those in favor say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Are there further Amendments? The motion... the Amendment is adopted. Are there further Amendments? Third Reading. Mr. Giorgi, do you want to hold your Bill now? You're ready to... the Gentleman from Winnebago, Mr. Giorgi, on 3656."

Clerk Selcke: "House Bill 3656. A Bill for an Act to amend the Capital Development Bond Act. Second Reading of the Bill."



Committee Amendment #1 amends House Bill 3656, page 1, line 10 and so forth."

Speaker Shea: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Who's Amendment is... what #1, Frank?"

Clerk Selcke: "Skinner."

Giorgi: "Well, shouldn't he move to table it?"

Speaker Shea: "The Gentleman from McHenry, Mr. Skinner, on Amendment #1."

Skinner: "Well, Mr. Speaker, maybe he should move to table it, but then again, maybe his subsequent Amendment should be moved to table if it is in conflict. I move the adoption of Committee Amendment #1."

Giorgi: "Will you explain what Committee Amendment #1 is, Skinner?"

Skinner: "Committee Amendment #1 is the Amendment that the Revenue Committee offered and accepted virtually unanimously. I think it was seconded by Representative Mugalian upon the recognition that it was going to cost \$1.73 for every dollar borrowed. It deletes \$5.5 million of unneeded pork barrel appropriations in the Waterways budget."

Giorgi: "Frank, will you read Amendment #1, Mr. Selcke?"

Clerk Selcke: "Amendment #1 amends House Bill 3656, page 1, line 10 by deleting \$906,500,000 and inserting in lieu thereof the following \$901,000,000 and on page 3, line 15 by deleting \$26,000,000 and inserting in lieu thereof the following \$20,500,000."

Giorgi: "Mr. Speaker, take it out of the record temporarily. I'll talk to Mr. Skinner on this."

Speaker Shea: "All right, take it out of the record. House Bill 3810."

Clerk Selcke: "House Bill 3810. A Bill for an Act to amend the Election Code. Second Reading of the Bill. One Committee Amendment amends House Bill 3810 by deleting everything after the enacting clause and so forth."

Speaker Shea: "The Gentleman from Kelly, from Cook, Mr. Kelly. Pardon me, sir."

Kelly: "Thank you, Mr. Speaker. Amendment #1 removes for the counting



of the judicial ballots, the election of the judicial... of the judges and leaves only the retention ballots to be counted by special election judges, wherefore, leaving this Bill a non-partisan measure and favorable to all concerned. I move for the adoption of the Amendment."

Speaker Shea: "The Gentleman from Cook, Mr. Kelly, moves for the adoption of Committee Amendment #1. Is there debate? All in favor say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there further Amendments? Third Reading. On the order of House Bills, Second Reading appears House Bill 3811. Mr. Stearney, do you want to call that one today? Mr. Stearney, 3811. Take it out. Is that for the day? All right, House Bill 3903, Mr. Luft."

Clerk Selcke: "House Bill 3903. A Bill for an Act to amend Section 2 of an Act to provide for the ordinary and contingent expense of the Court of Claims. Second Reading of the Bill."

Speaker Shea: "Are there Amendments?"

Clerk Selcke: "No Committee Amendments."

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

Clerk Selcke: "Amendment number..."

Luft: "Mr. Speaker, I'm not sure that Amendment's been distributed yet. There is one floor Amendment that I have offered."

Speaker Shea: "Well, I'll find out very quickly. Mr. Everett, has that been distributed? Take it out of the record. The Amendment has not been distributed. House Bill 3906, Mr. Giorgi."

Clerk Selcke: "House Bill 3906. A Bill for an Act to amend Section 17 of the Workmens' Occupational Disease Act. Second Reading of the Bill. One Committee Amendment amends House Bill 3906, page 1, line 25 and so forth."

Speaker Shea: "The Gentleman from Winnebago, Mr. Giorgi, moves to table Amendment #1."

Giorgi: "Can you come back to this for about... in about five minutes?"

Speaker Shea: "Do you want to take this out of the record?"

Giorgi: "Temporarily."

Speaker Shea: "All right. What about 3907?"



Giorgi: "Both Bills, they're companion Bills."

Speaker Shea: "All right. House Bill 3933, Mr. Rigney. Is Mr. Rigney, are you ready? You don't want to just move that to Third? All right. House Bill 3935, the Committee on Education. The Chairman of the Committee on Education, Mr. Schneider. You want it out? Is that for the rest of the day?"

Schneider: "Forever."

Speaker Shea: "You want to make a motion to table it? Do you want to call it anymore today? Turn Mr. Schneider on please."

Schneider: "I'm not sure if I want to call it today. Thank you."

Speaker Shea: "All right. House Bill 3970. The Gentleman from Cook, Mr. Leon."

Clerk Selcke: "House Bill 3970. A Bill for an Act to amend Section 4 of an Act in relation to rate of interest and other charges in connection with sales on credit and so forth. Second Reading of the Bill. No Committee Amendments."

Speaker Shea: "Are there any Amendments from the floor? Third Reading. On the order of consideration postponed, House Bill 3677. Mr. McCourt on the floor? Take it out of the record. House Bill 3835, Mr. Marovitz. House Bill 3836, Ms. Chapman. Take it out of the record. House Bill 3851, Mr. Pierce or is that Mr. Mahar's Bill? Do you want to go with that today, sir? On the order of consideration postponed, appears House Bill 3851. Will the Clerk read the Bill." It's been read a Third time. Mr. Mahar."

Mahar: "Thank you, Mr. Speaker, Ladies and Gentlemen. Is Mr. Pierce, is it okay? All right, thank you. House Bill 3851 is a Bill that has had a great deal of discussion and I won't belabor the Members this morning very much on it. I'd like to have you reconsider and bear in mind that what we're trying to do here is to allow local government to have some input in landfills and while we have passed a Bill out of the House similar, the language in this Bill is just a little bit different and I would like your consideration on the Bill and I'd like to pass this on to the Senate so that we have... there are two Bills over there that could be considered in regard to solving the landfill problem."



I would urge your support and try to answer any questions that anybody might have."

Speaker Shea: "The Gentleman from Cook, Mr. Mahar, moves for the adoption of House Bill 3851. On the question, the Gentleman from Cook, the Assistant Majority Leader, Mr. Madigan."

Madigan: "Mr. Speaker, I rise in support of this Bill. I'm somewhat familiar with the problem which has been presented to Representative Mahar and Yourell and the other Representatives in those districts, a problem for local government and for the residents of the area. I think the Bill is a sincere attempt to solve the problem and I would urge an affirmative vote."

Speaker Shea: "The Gentleman from Lake, Mr. Pierce, the Chairman of the Environment Committee."

Pierce: "Now, Mr. Speaker, Ladies and Gentlemen of the House, when Representative Mahar came to me with this problem... it's quite a problem itself to Cook County of landfills being put in the same area, I agreed to schedule this matter for hearing in our Committee for the purpose of making a Committee Bill. And in the Committee, we were able to come up with House Bill 3851 in a form with an Amendment that has the support of the Environmental Protection Agency, the support of the Metropolitan Sanitary District and I think, general support. Unfortunately, on Second Reading on the floor, an Amendment was offered by Mr. Mahar that I think was pretty much a Municipal League Amendment and his own Amendment, that I understand made the Bill unpalatable to the E.P.A., to the Sanitary District and the Illinois State Chamber of Commerce. This Bill is aimed at a good purpose and that is allowing local input into determination of where landfill sites be placed; but if local government has a veto over landfill sites, we'll never get any approved because, believe me, no municipality wants a landfill in their boundaries. They want it a few miles away in the next municipality so the garbage trucks won't have to travel too far. But at the same time, so it won't be within their own village or county limits. And because of that, because I think the Bill is now in a position where it's unworkable, although it's aimed a good purpose, some



local input, I'm going to vote 'present'. I felt the original Bill as it passed out of Committee gave notice to landowners, notice to local government, mandated hearings in certain instances, made them permissive in other instances and went about as far as it could in solving this problem. I feel the Bill goes too far now. It's overkill and it'll leave us in a position of not being able to find landfill sites to dispose of our solid waste, especially in the metropolitan area and therefore, in its present form, I intend to vote 'present'."

Speaker Shea: "The Gentleman from Cook, Mr. Mahar, to close. I'm sorry, I didn't see your light, Mr. Epton."

Epton: "Thank you, Mr. Speaker. I'm sorry to take the time of the House, Ladies and Gentlemen, but I think that this is a subject which I should call to your attention. As many of you know in the past on several occasions, I have indicated sometimes in jest, sometimes otherwise, that I had a conflict of interest in this particular situation. It's inevitable that in the large law firm or a small firm, whether you're an industry and commerce, in agriculture or labor, it's almost inevitable that many of these Bills will present a conflict to you. I have no desire to take the time of the House and explain my position on each and every Bill. I do, however, intend to vote on each and every Bill and although I certainly have no quarrel with my colleagues who chose to do otherwise, but I want those of you who are engaged, for example, in farming, I value your opinion. I value your votes on the farming Bills. I think those of you who are in industry, those of you who are in pharmacy, those of you who are funeral directors, whatever your vocation, I gain from your debate, from your knowledge and your vote. So, I ask you to do as I am doing to vote on these Bills. In this particular case as a matter of fact, I believe my firm represents an operator attempting to do this and I intend to vote against the Bill. However, whether I vote for or against is not important. I think the fact that today we are asked to disclose every important thing, I do not intend to make a speech in the future about this, but I hope you'll understand when I get



up and simply indicate that I have a conflict of interest, but nevertheless, am voting. Thank you."

Speaker Shea: "The Gentleman from Cook, Mr. Mahar, to close."

Mahar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In closing, I'd just like to call to your attention that the previous speaker, Representative Pierce, who was kind enough to take this Bill in Committee failed to mention that the E.P.A. Amendment which the E.P.A. was in support of would set up the criterion for public hearings and quite extensive public hearings is part of my Bill. This is the added feature, I think, in this Bill that serves the purpose of many in that local government will know what's going on. So, I think we have an added feature over the other Bill and for that reason, I think, we ought to pass this Bill out of the House and I urge your support."

Speaker Shea: "The question is shall House Bill 3851 pass. All those in favor will vote 'aye', those opposed will vote 'no'. Shea 'aye'. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 99 'ayes', 12 'nays', 18 Members voting 'present'. House Bill 3851 having received the Constitutional majority is hereby declared passed. On the order of House Bills, Third Reading... I'm sorry, on House Bills, postponed consideration, House Bill 3891. Ms. Chapman. Mr. Lundy, are we ready on that one? House Bill 3891 has been read a Third time and on that, the Gentleman from Cook, Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3891 is a Bill to provide the Department of Public Health with current licensing authority for nursing and shelter care homes with the authority to remove from a home after consultation with the attending physician and responsible relatives and the operator of the home, any patient whose continued residence in that home poses a serious and imminent threat to the patient's life or health. The need for the Bill is that under current licensing procedures, the only sanction which is available



to the department is the suspension or revocation of a licensee's license. This is oftentimes regulatory overkill if all that is involved is the health or safety of a particular patient. In addition, it is a procedure which often because of the availability of administrative review, that is, court review of the administrative decision, is a very lengthy process. It may take as much as three or four years before the matter is finally adjudicated. For that reason, the department feels strongly that it needs this authority in order to adequately protect the often helpless residents of nursing and shelter care homes and I would urge your favorable support for the Bill."

Speaker Shea: "The question is shall House Bill 3891 pass. Is there debate? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 115 'ayes', 17 'nays', 7 Members voting 'present'. House Bill 3891 having received the Constitutional majority is hereby declared passed. Please Ms. Geo-Karis's 'aye' button and vote her 'aye' and Ms. Dyer 'aye'. Mr. Tipsword 'aye'. Mr. Mugalian 'no'. Mugalian 'aye'. Mr. Cunningham wants to be recorded as 'no' on that Bill. On the order of House Bills, consideration postponed appears House Bill 3677. And on that, the Gentleman from Cook, Mr. McCourt."

McCourt: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this Bill has been previously discussed and possibly there's been some misunderstanding to the limited scope of this Bill. This Bill is extremely limited in nature. It makes no substantial change in the existing Community College Act. It merely allows a High School District not now part of a Community College District that might otherwise qualify to form into a Community College District. The Community College created will contract with existing education institutions for the needed educational services its residents desire. I solicit your favorable support."

Speaker Shea: "The Gentleman from Cook, Mr. McCourt, moves for the adoption of House Bill 3677. All those in favor will... is there



debate? The Gentleman from Moultrie, Mr. Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen, again, this is the Bill that would, in effect, do away with the Senate Bill 1188 which we passed many years ago which required that all of the area of the State of Illinois should be in a Junior College District quite some time ago. Now, we have extended the time many, many times and still we have approximately 50 High School Districts in the State of Illinois that are not in a Junior College District. Even the newspapers in the area, in the areas that are not Junior College Districts say that those who are not in a Junior College District are getting a bargain rate for Community Colleges and that this is unfair. I have in my hand, an editorial from the Daily Pantagraph of Bloomington, Illinois in which they make that statement. They say that Central Illinois, they're not even talking about the Chicago area, they say that Central Illinois should quit kidding itself about getting Junior Colleges at bargain rates and that all areas in the State of Illinois should become a part of a Junior College so that they are paying their fair share and that they are not getting by with a lesser rate than the rest of the area in the State of Illinois. And they even agree in the area of Bloomington which is the largest downstate area that is not in the Junior College District that all areas should be in a Junior College District. I'm sure that most of you here have received word from the Junior College Presidents in your areas stating that they believe that this Bill should not pass. And I certainly would hope that we would, that this Bill would get the same treatment that it got before. The only thing that is changed about the Bill being on postponed consideration is, that it is older. It certainly isn't any better than it was when we defeated it before."

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

Lauer: "Thank you, Mr. Speaker. I know that the Ladies and Gentlemen of the House in future years are going to miss the Gentleman from Moultrie's talks on this subject. It's as Saul said when he noted the absence of David at a banquet and being told



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that he was unavoidable detained. His seat will be empty and he will be missed. Mr. Stone and I have disagreed on this subject now for four years and I think it's a disagreement of the certain amount of mutual respect because we both feel strongly on our particular side of the issue, but I find it very interesting that Mr. Stone would quote from the Daily Pantagraph editorial because the Editor of the Pantagraph and I are in basic disagreement about a lot of things, too. In fact, if the Pantagraph doesn't take off after editorially periodically, I figure I am not doing my job because the Pantagraph does not represent the thinking of Bloomington very often. In fact, it doesn't represent the thinking of the 44th District very often and the Pantagraph has been known to be wrong. In fact, they even endorsed me for election once. Now, Ladies and Gentlemen, we have here a reasonable compromise that will insure that that which has been indicated as public policy and which is desired, offering the benefits of a Junior College education to all of the young of the people, can be accomplished. It also accomplishes it with a minimum outlay of tax money. It seems superfluous to build additional Junior Colleges when we have existing facilities. In fact, those of you who are interested in the preservation of private education, this gives an excellent chance for the private colleges to survive. The proposal here is to set up Contract Junior College Districts which would be able to purchase services from existing facilities of higher education. This is a very important thing and actually this could breathe the breath of life back into some of our faltering private colleges. In the 44th District, in the area that Mr. Stone is talking about, we have the situation of about 5 institutions of higher education, 4 private, 1 public, from which a Contract Junior College District which this Bill would authorize could purchase services. It would give an economic viability to those private institutions, would also make use of virtually half empty classrooms and still yield to the young people of the state that defined public policy of a low-cost private... a



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low-cost college education through the first two years of college. I strongly solicit your 'aye' vote."

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

Greiman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I suspect that when the annals of wartime battles are written, that the Gentleman from the 44th, 11th, and 1st Districts will probably be symbols of rear guard, last ditch action. They have fought a battle for ten years. Their imagination and ingenuity is incredible. Look at... you know, as you pick up the Digest for this year and last year, almost all of them have some kind of Bill that delays them getting into community action. It's nice they go home with it and they brought home the bacon. Well, I don't know if it's bacon in all those districts, but..."

Speaker Shea: "Are becoming religious, sir?"

Greiman: "However, you know, I said two weeks ago that essentially they are mooches and they are. They owe my district some \$300,000 from New Trier. Evanston has announced that it will not send its young people, it will not pay for its young people's tuition any longer, although we will continue, I'm sure, to educate their young people. If we could mandate this kind of College District, I would be for this Bill. But this Bill requires another referendum. They will not pass that referendum. It will not be passed. It is a delaying action. It gives them another year, another time, another two years, another ten years perhaps. I'm sure that they'll have an incredible Bill in the next Session of the Legislature to delay and defer. I think once we do it, let's do it. Let's make those three districts part of the State of Illinois just like all of the other 56 Districts. My people in my district, your people in your district have gone through the growing pains of establishing Community Colleges. We have fought the battles to establish Community Colleges and let's let them share with us, share with us the problems of educating our young people. I vote, I urge a 'no' vote on this to maintain intact the concept and philosophy that we have for the last decade pursued. Thank you."



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

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

Speaker Shea: "The Gentleman from Lake, Mr. Matijevich, moves the previous question. The question is shall the main question be put. All those in favor will say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and back to the Gentleman from Cook, Mr. McCourt, to close."

McCourt: "Mr. Speaker and Ladies and Gentlemen of the House, there's been some misunderstandings about this Bill. Even the Community College President seemed to be misunderstood, have an apprehension that is not justified. This Bill actually does not change anything in the Community College Act wherein the qualifications necessary to be a Community College District. To be a Community College District, it requires that you have a population of at least 60,000 and an assessed valuation of at least \$150,000,000. At the present time, there are only 4 High School Districts that are outside, that are not within a Community College District that would qualify with this threshold. This is a type of a Bill that will allow the rest of the state to become part of a Community College District. It's the same situation that they have down in Quincy right now and in John Wood Community College and I would earnestly solicit your favorable support. Thank you."

Speaker Shea: "The question is shall House Bill 3677 pass. All those in favor will vote 'aye', those opposed will vote 'nay'. Shea 'aye'. Have all voted who wished? Have all voted who wished? The Gentleman from Stephenson, Mr. Brinkmeier, to explain his vote."

Brinkmeier: "Thank you, Mr. Speaker and Members of the House. Very briefly, I think we can draw a comparison here to what happened years ago with the non-High School Districts. I doubt if there's a Member of this House now that believes that there should be any area in the state that's not in a High School District. The same argument that should be prevailing today in this argument here. We passed this law years ago and there's no reason in the world why a certain few people should benefit



by staying outside of the Junior College District at the expense of the rest of us and I would urge a red light."

Speaker Shea: "The Gentleman from Cook, Mr. Berman, to explain his vote."

Berman: "Thank you, Mr. Speaker. Mr. Speaker, we have heard debate on here as to the merits of a state-wide Junior College program. That's really not what this Bill addresses itself to. As far as the district along the North Shore and including the City of Evanston which is part of the 11th District, we have a problem here and we seek this Bill as a solution. If we don't pass this Bill, then we're faced with the situation of having to take a substantial amount of money, several hundred thousand dollars, out of the education fund of the Evanston Township High School to pay for the Junior College tuition. This is money that is sorely needed in the areas that we've already appropriated monies for the education in the high schools. There have been referendums, they have been turned down. Representative McCourt here is trying to take a compromise approach of submitting for a second referendum, but not to build edifices that are going to cost the taxpayers money, rather a vehicle for the obtaining of education through the Junior College system for the people in areas such as Evanston, along the North Shore and down in the 44th District. These are just a few areas that have got a particular problem. Every day, we address ourselves to unique problems of unique districts and I think that this is a compromise solution. It doesn't hurt anybody. It will help the kids in the high schools and the kids seeking Junior College educations and I would urge an 'aye' vote."

Speaker Shea: "Have all voted who wished? Have all voted who wished? Did you want to talk, Mr. Walsh? Turn Mr. Walsh on. The Assistant Minority Leader, Mr. Walsh."

Walsh: "Thank you very much, Mr. Speaker. Well, Mr. Speaker and Ladies and Gentlemen of the House, this debate has brought a lot of old memories, things that we've discussed on this floor many, many times. I've changed. I've left my former allies,



Representative Stone, Representative Grelman, because, Mr. Speaker, this is really the only thing we can do under the circumstances. I have been a strong advocate of all of the state being within a Junior College District and forcing districts that were not in Junior College Districts to become a part. We had a deadline. We had the... pretty well accomplished until there was a court suit in which the Supreme Court said that we could not do that. That House Bill 1188 was unconstitutional because it did not permit those people who are outside of a district the same right as those who had been formed previously to have a referendum on the question. Therefore, we could not accomplish what we wanted to accomplish with that Bill. The only thing, therefore, that remains is either to permit the High School Districts to levy that tax to send kids to other Junior College Districts or, preferably, this Bill which would permit Junior College Districts to be formed but... have you got me on? But not be given the privilege of building buildings, only to contract for services. There are other aspects of this Bill that are good also, Mr. Speaker. It permits Junior College Districts to contract or these Junior College Districts to contract with private colleges as well as other public Senior and Junior Colleges. The difference between this and the John Wood Junior College District in Quincy is that in Quincy, they are not building voluntarily. They are contracting voluntarily with private and public Senior institutions. In these districts formed under this Bill, they would be required to contract, they could not build. This is a first step, Mr. Speaker, a necessary first step that if we do not take it, this time, we are going to prolong for a long, long time, the goal that I think we all have or many of us have, to put the entire state within a Junior..."

Speaker Shea: "Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this, Mr. Jaffe, for what purpose do you arise?"

Jaffe: "At the proper time, I'd like to ask for a verification."

Speaker Shea: "All right, on this question there are... Mr. Ewing,



for which purpose do you arise, sir?"

Ewing: "Mr. Speaker, my light's been on from the very beginning.

I understand that and I didn't complain when we had the previous question, but I thought we all had the right to explain our vote."

Speaker Shea: "Mr. Ewing, go ahead. If I missed your light, I'm sorry, sir."

Ewing: "Thank you, Mr. Speaker. I wish that some of the Members of this House would put themselves in the position of the taxpayers who come from the center part of this state. In this area, they are 60 miles away from a Junior College District many times and yet we are called moochers because we don't want to be in the Junior College District and pay taxes and get no services. I have the feeling sometimes that we must feel something like Elizabeth Ray does. They're not interested in our brains, they only want our farmland and they want to add to the taxes. And I think that it is unfair not to pass this Bill and give us a chance to educate our students to carry our weight and not have to build unneeded campuses and edifices. Thank you."

Speaker Shea: "All right, now, I guess I missed one more light.

Mr. Bradley, the Majority Whip."

Bradley: "Well, Mr. Speaker, I know we've had a long debate on this. There's just one point I would like to make that I think has been missed here tremendously. In our particular area, we have in Bloomington, we have Illinois Wesleyan University and Illinois State University. All that this Bill is going to allow us to do is to contract with either one of those universities or with the other schools in the district to provide the buildings so that we can have a Community College. That's all this does. It will allow us to become part of the Community College System. The people in our area just simply do not want to build another monument to education to the Junior College System. We can use the buildings already there at a tremendous savings to the taxpayers and still have a Community College education system and become a part. For the first time, to become a part of the



state-wide Community College System. This is going to give us the ability to do that without spending a great deal of tax money to building to new buildings which we simply don't need. We've got two facilities that will handle what we need, the needs of the Junior College that we propose to create through this piece of legislation. I urge those people who are voting 'present' or 'no', to allow us to become part of the Community College System through this particular piece of legislation. Thank you."

Speaker Shea: "All right, on this question, there are 99 'aye' votes, 52 'nay' votes and the Gentleman from Cook, Mr. Jaffe, has requested a verification of the affirmative vote. Mr. McCourt moves to poll the absentees. Ewell 'aye'. Schuneman 'aye'. McGrew 'no'. Mr. Jaffe withdraws his request for verification. There are 101 'ayes', 53 'nays'. House Bill 3677... Mr. Totten, for what purpose do you arise, sir?"

Totten: "Mr. Speaker, thank you. Just for an inquiry of the Chair, I know, maybe the lights up there are difficult to see, but there were many Members, myself not included, who had their lights on in this area to speak on explanation of vote and I just think it would be courteous if all those Members were given the opportunity to explain their votes."

Speaker Shea: "On this question, there are 101 'ayes', 53 'nays', 5 Members voting 'present'. House Bill 3677 having received the Constitutional majority is hereby declared passed. Now, Mr. Skinner, I must have missed you. You can explain your vote."

Skinner: "I don't want to explain it. I want to change it. I'm on the wrong side. I want to vote 'no'."

Speaker Shea: "All right, he wants to go from 'aye' to 'nay'. Does he have leave? Hearing no objections, leave is granted. On the order of postponed consideration appears House Bill 3959. 3959. On that, the Gentleman from Cook, Mr. Holewinski. The Bill's been read a Third time."

Holewinski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've spent a considerable amount of time discussing



this Bill the other day. What it does is it creates a new division, not a new department, a new division in the Department of Public Health for the purposes of medical licensing. The transfer of the licensing function does not take place for two years. There is an Interim Advisory Committee established to guide the transition and make statutory recommendations to the General Assembly for further change to really make sure that our licensing is a quality of care system. What it is intended to do is integrate really more closely the various elements of the health care system for purposes of planning. I'd be happy to answer any questions. Would appreciate an affirmative vote."

Speaker Shea: "The Gentleman from Cook, Mr. Holewinski, has moved for the passage of House Bill 3959. Is there debate? On the question, the Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand in opposition to House Bill 3959 basically on two premises. The latest available statistics that I've been able to dig up on this Bill since it was placed on postponed consideration that if this item does take place or have a cost impact to the state of approximately \$2.2 million. This figure includes such cost as legal staff, investigators, and also prosecutorial staff that would be necessary. E.D.P. capabilities which Public Health will need to develop it and the administration testing an evaluation, staff and others. As the Sponsor pointed out, this proposal is two years away; but in turn, when you're starting to create something at this stage, you should take a look what the fiscal impact will be. Let me also point out that the, none of the above that I've listed as far as the cost involved, will not be eliminated from the Department of Registration and Education because even with this Bill as it is being considered, there will be 26 professional and professions that will remain in R. and E. We've heard the department's budget request for fiscal '77 and I asked the Director, point blank whether he was in favor of this proposal and this concept. And he stated publicly to the Appropriations



Committee, he was against the proposal based upon the duplication in effort that will be required within this Bill. Let me also point out to you that the health professions, themselves, are not in agreement with the concept of this Bill. I talked to the Nursing Association and they are totally opposed to this Bill. Let me also point out to you that the slight provision as far as the creation of the committee, the cost of the committee will be substantial. The allowance of \$100 per day for the public members will amount to approximate total of \$120,000. And I may also point out to you as far as the hiring of as much staff as the committee deems necessary, quote, unquote, I think we should take a look at. Ladies and Gentlemen, this is a far-reaching Bill and I would hope that when you consider this measure, you would consider the measure in the light that it's a duplication, an additional cost to the taxpayers of Illinois and I, for one, cannot support this measure. Thank you."

Speaker Shea: "The Gentleman from Winnebago, Mr. Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I couldn't agree any more with Representative Lechowicz on this piece of legislation. To to the \$2.2 million additional cost to the State of Illinois which will be incurred if this Bill passes, a time when the State of Illinois does not have the extra funds to start up a department. I think we're dealing with another set of circumstances also. We're going to have a new Governor in January of 1977 whether it be Mr. Howlett or Mr. Thompson. And therefore, there'll be a new Director of the Department of Public Health at a time when transition period from one department to another would make it extremely difficult for the operation of a new department within a department with the responsibilities. And all of the reasons that Representative Lechowicz gave as far as the stability of transferring this program from R. and E. to the Department of Public Health, I certainly agree with. And especially that those services in R. and E. will have to be maintained for the other professions that are still licensed-the investigators, the other type of



administrative procedures. And for these reasons, I think this Session of the Legislature, especially, when we're supposed to be dealing with measures that are either appropriation or revenue or strictly emergency, this is not an emergency issue. If anything, it's going to cause havoc. It's going to create chaos within a system that already is trying to improve itself and frankly, I have had no communication from any of the health professions in favor of this other than a xerox copy from some dentist that I have never had the opportunity to discuss it with. And for these reasons, I think it would be prudent if the Legislature voted 'no' on this issue and perhaps gave it consideration during the 80th Session of the General Assembly. I would urge a 'no' vote."

Speaker Shea: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Well, Mr. Speaker, I have to join with the two previous speakers. We're talking about economy in state government and here under this procedure, we're going to spend over \$2,000,000. And it seems to me that when you have an agency that has the charge of licensing, regulating, investigating the health profession, you shouldn't disseminate that all over the countryside to different agencies that have no expertise and do not want it. It seems to me there's been no input whether or not this would even benefit the health professions if the transfer was made. We have no study showing that. But just think, Ladies and Gentlemen, if we're going to spend \$2.2 million plus now, over the next 10 years how much that's going to multiply because we're going to have duplicate services in two agencies of state government. This is an extremely costly program and will become more costly with each fiscal year. There's just no reason to have two licensing and regulating agencies and I would ask for the defeat of this Bill."

Speaker Shea: "The Lady from Lake, Mr. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, this is a Bill which only takes up about 7 or 8 professions related to health and does not take another 7 professions related to health such as psychologists, social workers, veterinarians,



sanitarians, and others. In as much as it will cost at least about \$2,000,000 and in as much as the head of this particular division will get a salary of \$44,000 a year and his assistant \$32,000 a year and the Advisory Commission will be able to hire an Executive Director and staff at any salary and hire any supporting number of people they deem fit. This is really a political boordoggle when we have the machinery already set up in the Department of Education and Registration to regulate 33 fields, I don't see the wisdom of now going into an additional, at least, \$2,000,000 to implement a new division. I think it's highly, highly reprehensible. The Advisory Commission, I think, gets about \$100 a day per member and what are we going to do with this? We do not have proper delegation of authority if we're going to do it with 7 professions and eliminate those 7 from the Department of Registration and Education which is already geared to go into it. There's another element. The impact of this, it would centralize the licensing function in an agency with no desire for it and no experience in the area. I think it places a responsibility on the department which has demonstrated no particular gift for administration of licensing act for individuals and does not guarantee any improvement in the status quo. You're going to have an M.D. and a supervisory position over all health professions and that's a posture which some of the professions involved already have stated to be unpalatable. And I think we will have as far as malpractice, it'll have absolutely no effect on incidents of severity of malpractice in Illinois because only 2% of all complaints of the Registration and Education Department in regard to the divisions that deal with malpractice in any way. This Bill will establish a new division and at the same time, it purports to study whether or not this should done. I think this is putting the cart before the horse and when I think in this time of economy that the director of this new division will get \$44,000 per year, when the head of the Department of Education and Registration gets, I think, \$32,000 a year. And yet, this division is going to go under the Department of Public



Health, I think we're out of our tree in supporting such a division. I think these professions should stay with the Department of Registration and Education. When the new administration comes in, whether it be Thompson or Howlett, let them decide which is the best to gear this. I feel that this is a bad Bill and I speak against it."

Speaker Shea: "The Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I've heard many of my colleagues stand up and talk against this Bill, giving numerous reasons why it shouldn't pass. I think basically, we've all missed the point. The point is that we do indeed today have a malpractice crisis in this state. One of the functions of the State of Illinois and one of its duties and obligations to its citizenry is to regulate the health professions in this state. The Medical Malpractice Commission in its testimony and testimony received before that Commission by the Department of Registration and Education has found, for instance, that there haven't been a doctor's license removed in the State of Illinois in the last five years. The Department of Registration and Education doesn't have the tools to regulate. The real issue here is do you want regulation of the health care professions or don't you. We don't have it now. We have laws on the books that are ineffective and the department has been very ineffective because we haven't given them the tools. In addition, if you're going to set up a regulatory agency, you'd better have the kind of people in it who understand the profession, who have some expertise in the area, and who can do the job. The fact of the matter is that we have no regulation and if you want to leave it with the Department of Registration and Education, then we're going to continue to have no regulation. Malpractice suits in this state have increased threefold since 1973. The insurance companies who have handled, the major carrier that handles the malpractice insurance in the State of Illinois has testified before the Medical Malpractice Commission that less than 2% of the suits filed for medical malpractice in this state are spurious



or nuisance claims. And that it amounts to less than 1%, less than 1% of the dollars paid out by those insurance companies. The fact of the matter is that we have a great deal of malpractice in this state. We have not, in view of all that, pulled one license for one doctor, one physician, one health care provider in the last five years in this state. Now, that's a travesty. The fact is we have no regulation. The state is doing nothing to protect your constituents in regard to health care. This is an opportunity to bring about the kind of agency that every state owes to its citizenry. I don't know where that \$2,000,000 figure came from, but let me suggest to you that there are, there is undoubtedly a substantial expenditure in the Department of Registration and Education to regulate health care and they aren't getting the job done. The fact is that that \$2,000,000 would be well spent. It's in an area that's vital to our constituents, vital to the citizens of this state. If you want to continue to have increased malpractice in this state, then we continue to allow the Department of Registration and Education do the kind of job that it's been doing. This is vital to solving the medical malpractice crisis. I don't know where \$2,000,000 figure came from, but let me suggest to you that if this Bill passes and we do indeed implement this regulatory agency and give them the expertise that they need to do the job, I'm sure that we'll be able to cut down the expenditures of that department. We're voting against this for all the wrong reasons. If you want regulation, vote for it. If you don't care what happens to your citizens back home, then vote against it."

Speaker Shea: "The Gentleman from Cook, the Chairman of the Judiciary I Committee, Mr. Harold Washington."

Washington: "Mr. Speaker and Members of the House, Jack Beaupre has said just about everything that could be said and said it well in support of this Bill. Unfortunately, every time we attempt to revise our laws and do something meaningful for people in terms of their health or safety, there is tremendous opposition and there is opposition in this Bill. What the opposition



and the main is coming from that source which is primarily responsible for the inception and propagation of this Bill. The department which is now responsible for surveying, licensing and registering and regulating these various agencies, I must say, has done an extremely pitiful job over the years. Now, they've been jacked up somewhat in the last six months or year. Well, that's primarily due to adverse press which has been focused upon them. I submit categorically that one of the reasons why we have so much malpractice in the state today is because the regulatory agency which we have given that authority to has not done its job. The other day, we reiterated some of the problems which have arisen in this field. There is malpractice and that's a basic and fundamental proposition and fact which we must face up to. And it appears to be rampant and it affects the health and safety of our people and unless the State of Illinois to the proper machinery with the right tools and techniques and with adequate personnel, are given the responsibility of surveying this entire medical field, we're going to continue to have malpractice. It's just that simple. Now, a figure of \$2,000,000 was bootered about here. That's highly specious and speculative. I don't know where that figure came from; but if the price is \$2,000,000 to be invoked over a period of two years from now is the price we must pay for safeguarding the health of our people, it seems to me that's a mighty small price. We spend that much money on putting bridges over creeks and dams and so forth without even a second thought. But when the question of protecting our people when their health comes up, the opposition musters. I submit to you that the only way that we're going to guarantee the people of this state that they're going to get the best kind of health provisions from the health providers of that state, the only way we're going to do it is to set up the machinery to make certain that the people do it. This Bill has been lobbied against incessantly and tirelessly by the agency which is responsible for the problem. The medical health providers are in the main, in support of this Bill.



It's a two-pronged Bill for two reasons. One, there's simply no reason for putting it off. No reason whatsoever, and so, we've done that. And two, in 'concomitary' with the message for transfer, we provided for an on-going study to tighten it up, to survey, to bring the various disciplines together. Hopefully in a period of two years, we'll be able to set down. But, disparaging groups, varied regulatory agencies, putting down conflicting standards of health delivery in this state must stop and I submit to you, it must stop with this Bill, House Bill 3959. In the long run, this is perhaps the best deal of the malpractice package. I urgently solicit your support. I suggest to you that you tell the lobbyists that you are responsible for the problem. We're not going to listen to you. We're going to take this thing out of your hands and in our own wisdom, we're going to set up some machinery which they can do the job. I want to commend Mr. Holeywinski, I want to commend the Reparations Commission for coming up with this concept. I think it's an excellent concept and I honestly do feel and I respectfully submit that we have a duty to pass House Bill 3959 as amended."

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

Friedrich: "Mr. Speaker and Members of the House, this Bill is really a cop-out by those who want to push under the rug that fact that they are not willing to vote for some meaningful changes so that we can have... stop the malpractice suits. Anybody that thinks that passing this Bill is going to stop malpractice, has to be out of their tree. The problem is a matter of enforcement. We have doctors who are on the board now. What reason do you have to believe that a doctor in the Department of Health would be different than a doctor in the Department of Registration and Education. What we need now is more enforcement in the department where it is. If you think the director doesn't have the power to enforce it, why don't you introduce a Bill to give him the power to do something about it? This is like the old carnival game where they shift the shells around and that's supposed to correct something. It just plain doesn't



do it."

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

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

Speaker Shea: "The question is shall the main question be put.

All those in favor say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Gentleman from Cook, Mr. Holewinski, to close."

Holewinski: "Thank you, Mr. Speaker. I almost don't know where to begin with... in order to rebutt the large number of arguments that were made with regard to this Bill. I think many of them give the wrong impression. One, the \$2.2 million figure that was thrown about, I don't know where that came from. I suspect it came from the Department of R. and E. Right now, there's only about \$1,000,000 involved in the licensing of medical practitioners, those involved in that field in R. and E. and what we're talking about is a transfer. Public Health does have E.D.P. facilities that are quite extensive. I can't believe that if we eliminated this function from one department and tranferred it to another there would not be a corresponding cost-saving in R. and E. The points made about Public Health's ability to regulate and license professions; well, they already do that with regards to facilities and they're quite effective with regard to nursing homes. Some of you may recall that several years, this General Assembly gave Public Health licensure power over plumbers and plumbers contractors for some reason. The intent of the Bill is to address quality of care question. I don't think, you know, I don't think that we can address effectively the malpractice crisis by simply dealing with the legal relationships of the parties. I think we've got to go further. We've got to look at the reasons for the problem. We've got to try and address it in a respectable way. This Bill is an attempt to consolidate those powers, the licensing powers in one department that can address because of its mandates in the federal government under the National Health Planning Act and Resources Development Act, who can address these problems by



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addressing continuing education requirements, by addressing in a responsible and comprehensive way, the licensing question. I appreciate your affirmative vote."

Speaker Shea: "The question is shall House Bill 3959 pass. All those in favor will vote 'aye', those opposed will vote 'nay'. The Gentleman from Perry, Mr. Ralph Dunn, to explain his vote."

Ralph Dunn: "Thank you, Mr. Speaker. This is the same bad Bill that we voted down the other day except now it's a worse Bill because we find out that it costs over \$2,000,000 to administer... to administer it. I remember when we talked about the Bill last week, why, I asked the Sponsor of the Bill what the cost would be and he said there was no cost. But now, it's a \$2,000,000 cost. I'd urge a 'no' vote."

Speaker Shea: "The Gentleman from Adams, Mr. McClain, to explain his vote."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, last week, I opposed this Bill because of a very specific reason. As you know, the medical physicians don't get along very much with chiropractors, so I opposed the Bill originally because on the Board of Directors there was not a chiropractor. Mr. Holewinski now has amended that Bill to include chiropractors, so that they have some protection in this licensing board and I would advise you now that this is a tremendous Bill. I withdraw any opposition to it whatsoever. I agree entirely now with the concept and also with Mr. Holewinski's fairness. I would urge an 'aye' vote."

Speaker Shea: "Have all voted who wished? For what purpose does the Gentleman from Kankakee, Mr. Beaupre, seek recognition?"

Beaupre: "I wanted to explain my vote, sir."

Speaker Shea: "Mr. Beaupre, you spoke... you spoke in debate, sir. The Gentleman from Cook, Mr. Palmer."

Palmer: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. If we're to solve the problem of malpractice in Illinois, one of the most critical points is a regulation of the health care profession. R. and E. and the state hasn't done it, and my guess is that they're not going to do it; but unless we get some



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of the people who are now practicing in those fields out of the business, then you will continue to have suits by lawyers and by patients represented by the legal profession which in turn, will bring in the verdict, high verdict which will drive up the insurance costs. I submit that this is an integral part of what we've tried to do in Illinois. I submit also that R. and E. in the past instead of protecting the public, has not done so; but rather, has protected those who, which we have given the power to regulate and it's been wrong. We must single this out...(microphone turned off)"

Speaker Shea: "Bring your remarks to a close, sir."

Palmer: "We must cut the health care professions out of that department if we're going to have a meaningful malpractice solution in this state. I vote 'yes'."

Speaker Shea: "The Gentleman from Cook, Mr. Mann, to explain his vote."

Mann: "Thank you, Mr. Speaker. I'm a little tired of the doctors of this state running health care. I think it's about time that the General Assembly stepped in and run health care. We talk about \$2,000,000. Health care is one of the largest industries in America, over \$15,000,000,000 every year and if we wait for the doctors to come into the 20th Century, we will not only not get house calls, we will not only not get generic medicine, we will not only get updated hospitals, we will get nothing in the way of health care because they are dedicated to the status quo. That's the whole problem with the Department of Registration and Education. They're committed to health care. They're committed to slapping a few doctors on the wrists. I know that progress hurts and I know it's difficult for doctors to be dis...(microphone turned off)"

Speaker Shea: "Will you bring your remarks to a close, sir?"

Mann: "Yes, sir. This is a good Bill. It's a movement in the proper direction. It will bring better health care and better life insurance to the people of the State of Illinois and I urge your 'aye' vote."

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



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Epton: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, again I must indicate a conflict of interest. We represent the dental societies and at the appropriate time, I will vote my conscience."

Speaker Shea: "The Gentleman from Cook, Mr. Mugalian, to explain his vote."

Mugalian: "Mr. Speaker, I serve on the Judiciary I Committee that considered this and this Bill is largely the product of the Malpractice Reparations Commission and I listened to the debate and the reasons expressed for opposition and I really can't find any that make sense. I've heard slogans and some cliches and I've heard that the Nurses Association is opposed to it on the remarkable grounds that this department is headed by an M.D. The Department of R. and E. is headed by someone that doesn't have to be an M.D., that has not other qualifications. That's the only argument I've heard, malpractice is a crisis and this is one of the most significant Bills that was developed by the Judiciary I Committee with tremendous input from the Department of Insurance and the very hard-working Malpractice Reparations Commission. I really can't understand why there are any red votes on this. It indicates either a lack of attention to what this Bill really means or it means a callous disregard of a crisis facing the citizens of this state."

Speaker Shea: "The Gentleman from DeKalb, Mr. Ebbesen, to explain his vote."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, very briefly, I'm opposing... I'm voting 'present' for one reason because I happen to be a member of one of the professions that's regulated by the Department of Registration and Education. And secondly, that I think what I consider the fiscal impact upon this is too great at this present time. It might be great legislation for some time in the future, but right at the moment, based on the dollar crunch, why, I think it would be a poor proposal."

Speaker Shea: "The Gentleman from Madison, Mr. Byers, to explain his vote."



Byers: "Well, Mr. Speaker, I think we have a chance here to do something about the malpractice crisis in the State of Illinois and to help get this department, the doctors in the State of Illinois properly inspected by an agency that can do it. The Public Health Department does all the licensing inspection now for medical nursing homes, et cetera and this would take this out of R. and E. and put it over. It doesn't start until January of 1978 and I think it's a perfectly, logical way to do it and I would urge some of the people that haven't voted yet to vote 'aye' on this Bill."

Speaker Shea: "The Gentleman from Cook, Mr. Holewinski, to explain his vote."

Holewinski: "Thank you, Mr. Speaker. Mr. Speaker, I'm absolutely amazed that someone can throw out a cost figure that it's to my knowledge an absolute fiction supplied by the department and all of a sudden, it becomes fact because a half a dozen people repeat it. When I answered Representative Dunn's question last, a few days ago when we discussed this Bill, I answered that there was no immediate cost other than the cost of the Interim Advisory Committee. That is still, to my knowledge, true. I would suggest to those of you that are voting 'no' that if you're concerned about the problems that we've had in the medicaid program and the medicare program, if you're concerned about the quality of care review, then you ought to be voting for this because this is a Bill that will give the Department of Public Health the ability to get into those areas, to get into the area of quality of care. They're already doing it with regards to institutions. They're already licensing institutions. This will give them the ability to have that same review over the personnel who are working on patients in those institutions."

Speaker Shea: "Have all voted who wished? Take the record, Mr. Clerk. On this... take the record. On this question, there are 73 'aye' votes, 22 'nay' votes. House Bill... there are 73 'aye' votes, 72 'nay' votes. House Bill 3959 having failed to receive a Constitutional majority is hereby declared lost. On



the order of concurrences, appears House Bill 3346. Mr. Lechowicz, can you take that one? Well, we'll pass that for a minute while you look at it. On the order of concurrences is 3372; and on that, the Gentleman from Stephenson, Mr. Brinkmeier. Is he on the floor? Turn Mr. Brinkmeier..."

Brinkmeier: "Yes, sir. Mr. Speaker, Members of the House, I would move that we concur with Senate Amendment #1 to House Bill 3372. Very briefly, it does five things. Number 1, it provides for a 2 and 1/2% rather than a 5% step and merit increase. It reduces the retirement appropriation by \$1,000. Now, this is \$1,000. Now, this is done to comply with the reduction of the increase. It adds \$8,100 to the budget, to the appropriation and this is done to correct an earlier error when they were computing the amount of money that was necessary for social security. And then the big one is the reduction of \$50,000 which is possible because of the fact that the Bozo Show that we heard so much about has been canceled. And then finally, it does prohibit the expenditure of more than 50% of the appropriation prior to January the 1st of 1977. I would move that we do concur with Senate Amendment #1 to House Bill 3372."

Speaker Shea: "The Gentleman from Stephenson, Mr. Brinkmeier, moves for the adoption of... Senate Amendments #1 and #2. Is there debate? All those in favor will vote 'aye', those opposed will vote 'nay'. It takes 89 votes, this is final action. Have all voted who wished? Take the record, Mr. Clerk. On this question there are 141 'ayes', no 'nays', 3 Members voting 'present'. And the House does concur in Senate Amendments #1 and #2 to House Bill 3372. Grothberg 'aye'. Mr. Brinkmeier."

Brinkmeier: "Yes, Mr. Speaker, Members of the House, I'm sorry that I didn't give you the second Amendment which is a big one. It provides for an appropriation of over \$400,000. Now, the Senate put this on and the reason for it is simply that apparently what has happened in the past, they have entered into contracts illegally. According to the law, they are not



permitted to enter into contracts for money that has not yet been appropriated. So, they are appropriating the money merely to comply with the legality of it, but I wanted every Member of the House to understand that."

Speaker Shea: "Well, it appears that that record is that we've adopted both Amendments. Mr. Hanahan, for what purpose do you rise?"

Hanahan: "Yes, Mr. Speaker, because if we haven't, I thought we'd have an opportunity to ask a question of the Sponsor of this concurrence. The State Fair Agency or the state fair program is this year. We're appropriating a budget for a fiscal year and limiting it to 50% this year when we need the money this coming few months. We don't restrict the appropriations to this coming six months at 50% when we need the money this year. I don't know how the hell you could put that one concurrence and that Amendment on and limit the state fair from operating this year, this coming August. I think somebody ought to reconsider... I didn't vote on that up on the board, but somebody ought to reconsider it and get some explanations on it."

Speaker Shea: "Well, Mulcahey wants to be recorded 'aye' and Emil Jones wants to be recorded 'aye' and perhaps Mr. Brinkmeier can explain it to you."

Brinkmeier: "Yes, Representative Hanahan. The 50% appropriation we're talking about, that is strictly for travel, commodities, printing, equipment, electronic data processing, and operation of auto equipment."

Speaker Shea: "Mr. Kane, for what purpose do you rise?"

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

Speaker Shea: "He indicates he will."

Kane: "Has this been checked out with the Director of the State Fair?"

Brinkmeier: "I presume it has. Representative Craig advised me that he wanted to confer with and I presume that has been done."

Kane: "Can we take this out of the record until we double-check that?"



Speaker Shea: "Well, the posture of the Bill right now, Gentlemen, is that Senate Amendments #1 and 2 were declared adopted or concurred in by the House."

Kane: "Mr. Speaker."

Speaker Shea: "Now, Mr. Tipsword, for what purpose do you arise, sir?"

Tipsword: "Mr. Speaker and Ladies and Gentlemen, due to the fact that the fair for fiscal year 1977 is in August and the major portion of expenditures for even the items that were read are going to necessarily have to be in the first six months of the fiscal year. Having voted on the prevailing side, I now move that the vote by which we concurred with Senate Amendments 1 and 2 to House Bill 3372 be reconsidered."

Speaker Shea: "Both Amendments or just #2?"

Tipsword: "Which one is it? Make it 1 and 2 and then we can work it out."

Speaker Shea: "All right, the Gentleman's motion is to reconsider the vote by which the House adopted Amendment's #1 and 2. This requires 89 votes. All those in favor of the Gentleman's Amendment will vote 'aye', those opposed will vote 'nay' on the motion to reconsider. All voted who wished? Take the record, Mr. Clerk. On this question there are 129 'aye' votes, no 'nays', no 'present'. And the Gentleman's motion to reconsider the vote by which Amendments #1 and 2 were concurred in is con... prevails. All right, the posture of the Bill now is that the Amendments... we're back where we started and Mr. Brinkmeier, do you want to take it out of the record now until you can..."

Brinkmeier: "Mr. Speaker, there's no problem with Amendment #1, I'm sure. I'd just as soon that we did move for concurrence on that and then hold it for Amendment #2."

Speaker Shea: "I specifically asked you..."

Brinkmeier: "Well, okay. Let's take it out of the record."

Speaker Shea: "Take it out of the record. On the order of concurrences on House Bill 3346, Mr. Lechowicz."

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



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House. I move that the House concur in Senate Amendments 1 and 2 to House Bill 3346. Senate Amendment #1 provides that no more 50% of the appropriation made in Section 1 for personal services on travel shall not be expended or obligated from the effective date to January 1, 1976. And also Amendment #2 reduces personal services by \$29,300. This reduction was to cut the step and merit increases from 3.5 to 3% and I move that we do concur with Senate Amendments 1 and 2 to House Bill 3346."

Speaker Shea: "The Gentleman moves that the House do concur with Senate Amendments #1 and 2 to House Bill 3346. On the question, the Gentleman from Cook, Mr. Schlickman."

Schlickman: "Thank you, Mr. Speaker. I'm not going to ask for a division of the question, but I would ask for leave to be recorded as voting 'present' on Amendment #1 and 'aye' on Amendment #2."

Speaker Shea: "The Gentleman wants to be recorded that way. The question is shall the House concur in Senate Amendments #1 and 2. All those in favor... Mr. Tipsword, for what purpose do you arise, sir?"

Tipsword: "I just merely have a question to satisfy myself. Is it Senate Amendment #2, is that really germane to this Bill. That adds inspectors in the Department of Mines and Minerals and this is a Bill for the Comptroller."

Speaker Shea: "Mr. Lechowicz."

Lechowicz: "I believe you've got the wrong Amendment, my friend. The Digest is wrong. Look at the Amendment."

Tipsword: "I don't have the Amendment available here at hand. I was looking at the Digest and if that can be cleared up, I'd appreciate it."

Lechowicz: "Amendment #2 reduces personal services by \$29,300. The personal service reduction was to cut step and merit increases from 3.7 to a 3% increase. That's Amendment #2."

Speaker Shea: "Mr. Tipsword now agrees with you. He's had a chance to see it."

Tipsword: "It's incorrect in the Digest."



Speaker Shea: "The question is shall the House concur in Senate Amendments #1 and 2. All those in favor will vote 'aye', those opposed will vote 'nay' and the Clerk will record Mr. Schlickman per his oral request. All in favor... have all Members voted? Have all voted who wished? Take the record, Mr. Clerk. On these questions, there are 147 'ayes', no 'nays', no Members voting 'present' and the House does concur with Senate Amendments #1 and #2 to House Bill 3346. House Bill 3378. The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, this concurrence is on Liquor Control Commission. It's a reduction of \$13,000 total--\$2,000 for contractual services, \$2,000 for equipment, and \$1,000 for telecommunications services and there's also an Amendment covering half of it to be... cannot be appropriated over the first six months with the exception of printing and equipment and I would move for the concurrence of Senate Amendment #1 to House Bill 3378."

Speaker Shea: "The Gentleman moves for the adoption of Senate Amendment #1 to House Bill 3378. Is there debate? The question is shall the House concur in Senate Amendment #1 to House Bill 3378. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question, there are 147 'ayes', no 'nays', 2 Members voting 'present' and the House does concur with the Senate Amendment #1 to House Bill 3378. On the order of concurrences appears House Bill 3385 and on that... on the last one, change Mr. Collins from 'aye' to 'nay'. On House Bill 3385, Eugene Barnes, can you handle the F.E.P.C. for Mr. Davis? There's an Amendment. Would you like to look at it and see if you want to concur? There's two Amendments to... Mr. Lechowicz... All right. Can you handle the Bill, Mr. Lechowicz?"

Lechowicz: "I can explain the Amendments, Mr. Speaker."

Speaker Shea: "Is there a reduction in it?"

Lechowicz: "That's Amendment #2. Yes, sir."

Speaker Shea: "Mr. Barnes indicates that the Dean of the House would



be upset if, in his absence, we..."

Lechowicz: "That's why I said I could explain the Amendment."

Speaker Shea: "So, we will take that out of the record and call it tomorrow. On the order of concurrences, appears House Bill 3541. Mr. Ryan."

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Amendment #1 is the 50% spending restriction through December of '76 and I would move to concur with Senate Amendment #1 to House Bill 3541. Appropriation for the Attorney General."

Speaker Shea: "Is there debate? Is there debate? The question is shall the House concur in Senate Amendment #1 to House Bill 3541. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question, there are 144 'ayes', 1 'present', no 'nays' and the House does concur in Senate Amendment #1 to House Bill 3541. On the order of concurrences appears House Bill 3820. And on that question, the Gentleman from Cook, Mr. Barnes."

E.M. Barnes: "Thank you very much, Mr. Speaker. I have a couple things here. Number one, I wanted to concur... I wanted to concur in three of those... two of those Amendments and non-concur in one. So, how do I put that motion?"

Speaker Shea: "Well, that covers three of 'em. What about Amendment 4?"

E.M. Barnes: "Well, I wanted to concur in the first three, non-concur in Amendment #4."

Speaker Shea: "All right, the Gentleman moves to concur in Amendments #1, 2, and 3. Gene, I might suggest that since the Senate has not adopted our rules yet and in the... for the sake of quickness and clarity, you move to nonconcur in all four and get it back."

E.M. Barnes: "That's fine with me."

Speaker Shea: "All right, the Gentleman moves that the House do nonconcur in Senate Amendments... For what purpose does the Gentleman from Cook, Mr. Madison, arise?"



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Madison: "Well, Mr. Speaker, I can understand your explanation to Representative Barnes, but there is the slim likelihood that that Senate may recede from Amendment #4."

Speaker Shea: "Mr. Barnes."

E.M. Barnes: "Well, there's not a likelihood. Senate Amendment #4, I will explain to you what it is and you'd know for the reasons for the nonconcurrence. Senate Amendment #4 was an addition of \$85,000 for the appropriation to carry out the purposes of the labeling for hazardous materials. That money has been put into the Department of Transportation's Bill where it should rightfully rest. So therefore, it's no necessity at this point for Senate Amendment #4. That's the reason for the non-concurrence."

Speaker Shea: "Mr. Friedrichs."

Friedrich: "Well, Mr. Speaker, I don't presume to out-guess you and the Parliamentarian, but I think the best procedure is to concur in the first three and nonconcur in the other with the hope they'll recede."

E.M. Barnes: "All right, I would move to nonconcur, Mr. Speaker, in Senate Amendments' #1, 2, 3, and 4."

Speaker Shea: "The Gentleman moves to nonconcur in Senate Amendments #1, 2, 3, and 4 to House Bill 3820. All those in favor will say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the House does nonconcur in Senate Amendments #1, 2, 3, and 4. On the order of House Bills, Consideration Postponed appears House Bill 3976. Ladies and Gentlemen of the House, I would like to make a statement. It would be the opinion of the Chair that since most of these Bills have been debated at great length, that the Chair would call on the Sponsor, then call on one opponent, and one proponent and let the Sponsor close if there is leave of the House to do that. Mr. Walsh."

Walsh: "Well, the thing that occurs to me, Mr. Speaker, is that the proponents in that instance, gets three opportunities to express their points. The opponents, just one. I think maybe there ought to be some limitation, but the limitation should



not be so favorable to the proponents as that."

Speaker Shea: "Well, why don't you figure out how to put the motion and I'll call on you in a few minutes. Okay? House Bills, 3976. Mr. Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3976 authorizes any company by board resolution when without referendum to issue bonds up to 30 year term and up to 2 cents on the dollar for reconstruction or construction of new courthouses. Now, this Bill as amended applies only to DuPage County, only to DuPage County and I ask your affirmative vote."

Speaker Shea: "The Gentleman moves for the passage of House Bill 3976. Is there debate? The Gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Mr. Speaker and Ladies and Gentlemen of the House, I suppose it's a little unusual for a Legislator to get up and rise to speak on another Legislator's project in his home county, but for those of you that have never been to Wheaton to see the abominable court situation that they have there in our second largest county, I feel that this Bill of Representative Daniels will go a long way to allowing them to build a decent courthouse in their county. I had the opportunity approximately two years ago to have a small trial out in DuPage County and found that there are more judges than there are courtrooms and I had to wait two days to get a courtroom even though our judge had been assigned to us. Meanwhile, the judge sat around trying to find something to do. They had the jury, they had the two attorneys, all the witnesses and no courtroom. Now, they're still operating in a rather antique court facility even though their administrative offices are in a new modern complex some several miles away from the old courthouse. Now as an original resident of DuPage County, I can attest to the fact that the courthouse at the present time in Wheaton is good for little more than a good museum. I would urge your passage of this good Bill, especially since it only affects DuPage County."

Speaker Shea: "Is there further debate? The Gentleman from DuPage,



Mr. Daniels, to close."

Daniels: "I just ask for an affirmative vote."

Speaker Shea: "The question is shall this Bill pass. All those in favor will vote 'aye', those opposed will vote 'nay'. All voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question, there are 117 'ayes', 17 'nays', 6 Members voting 'present'. House Bill 3976 having received a Constitutional majority is hereby declared passed. On the order of consideration postponed, appears House Bill 3835. And on that question, the Gentleman from Cook, Mr. Marovitz."

Marovitz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill was heard yesterday. It's the Consumer Products Safety Act. It compiles several other Acts that are presently existing in Illinois, namely, the Illinois Flammable Fabrics and Toys Act, the Safety Glazing Act, the Poison Prevention Packaging Act, the Uniform Substances Act, the Illinois Lense and Frame Act. It does not extend, it does not extend any authority to the Department of Public Health that they do not already have and I would ask for a favorable Roll Call."

Speaker Shea: "The Gentleman has moved for the adoption of House Bill 3835. Is there debate? On the question, the Gentleman from Cook, Mr. Stearney."

Stearney: "Will the Gentleman yield?"

Speaker Shea: "He indicates he will."

Stearney: "Representative, since last evening, you've had ample time to do some research on this project. Have you, since that time, discovered one product, one brand name product that may justify the creation of this bureaucratic legacy?"

Marovitz: "By brand name, no."

Stearney: "Well, Ladies... may I address myself to the question, Mr. Speaker?"

Speaker Shea: "Yes, sir."

Stearney: "Ladies and Gentlemen of the House, this Bill today is just as bad as it was last night. There's no justification whatsoever for enacting this matter into law. We have five Federal Acts which control the regulation of all products moving



in inter-state commerce and I defy anyone to get up on the House here and name one product which the federal government does not recognize as moving in inter-state commerce. That being the case, there is no justification for creating a bureaucratic agency which will nothing to regulate. Nothing, mind you. There is not one product the Gentleman, the Sponsor, could name, define, as having... justifying the creation of this agency. So, I say to you it was defeated last night, I suggest we sent it back to Committee for another year or two and in that time, perhaps, the Sponsor may during the course of that time, find a product, a brand name which would justify creating another bureaucracy. Thank you."

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

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, possibly I can add some clarification to this problem. This isn't really creating another agency because I, too, oppose bureaucracy. This exists. It's a fact, it's a reality in the state and I'm proud to say that I had some function in making it come to pass. The Hazardous Substance Act passed by us several years ago was supplemented by my Amendment also giving us the Dangerous Toy Control. You, I'm sure, remember that. You assisted me in passing it. At that time, I brought people in from H.E.W. in Washington to make sure the State of Illinois went along the guidelines proscribed by the federal agency. Now that federal agency is strung out so thin, it doesn't have the manpower to implement the federal laws. It depends on state control and hazardous substances which I cannot name by name, but dangerous toys are a consideration of this state. I can assure you there is a well-organized laboratory in the Department of Public Health along federal guidelines handling the problem. Now, with the exclusion put in the Amendment eliminating the control over firearms and ammunition and other substances that Chambers of Commerce's have been concerned about. I think Bill has a good Bill that should be supported. I commend it to you."

Speaker Shea: "The Gentleman from... the Gentleman from Cook, Mr. Fleck."



Fleck: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I don't think that this Bill incorporates what they're doing now. As compared to the small steps of a toddling child, this is a giant step forward. What's a consumer product under this Bill? Well, the definition is quite broad. A consumer product could be anything that's permanent or temporary household, resident, school, or otherwise to be used for personal use, consumption or enjoyment. Includes general household appliances, kitchen appliances, space heating, cooling, ventilating, household wares, household communication, hobby equipment. You name it, it goes everywhere, almost invades the bedroom of the household. I suggest to you that this also creates a bureaucracy. What you're going to have and I said it yesterday, you're going to have these inspectors going around to all the manufacturing companies and they're going to be saying, 'You know, I think that product you have...'"

Speaker Shea: "Mr. McGrew, for which purpose do you arise, sir?"

McGrew: "Mr. Speaker, on a point of order. Did we not give the Speaker leave to..."

Speaker Shea: "No."

McGrew: "My apology."

Speaker Shea: "Please continue, Mr. Fleck."

Fleck: "You're going to have inspectors going to into the manufacturing businesses of this state making a determination by looking at a product and saying, 'I think that that's going to be dangerous to the consumers. Why don't you give me a sample so I can bring it home and test it out?' I'm telling you, quite frankly, that it's going to be Christmas every day of the week for those inspectors. They're going to need U-haul trucks to go back home after they go around the state on their inspections. Also, I would like to point out that this does create a bureaucracy. You're going to need more and more investigators and inspectors 'cause you're opening up the door, the windows, and you've taken the roof off as far as inspections going, you're going to need more people to cover it. You're going to create a bureaucracy. The Department of Public Health



is going to be smothered in paper and it's going to be embalmed by its regulations. Moreover, the director, whenever he decides that something would be imminently hazardous, could go in and decide without a rule and I will quote from the Bill, 'The director may ban, he may ban, an imminently dangerous consumer product for which there is not feasible consumer product safety rule.' He can ban something when there isn't a even a rule. As I said yesterday, he's going to be the tyrant of Toyland on his own with no hearings and no one around to tell him what it is because he has decided it's imminently dangerous. What also is inherent in this Bill that makes it terrible is the harassment. Harassment can be very, very expensive. They can issue citations. The manufacturers will have to hire attorneys, goes through the hearing process, and pay and pay and pay just to prove that something isn't imminently dangerous. I suggest to you also that if Stanley Johnson was here, he'd probably be running across this ceiling of this chamber waving his arms because if an inspector can go in, tell a manufacturer 'I think that product you're making is hazardous, stop making it, you're going to have people who are in labor unions, people who are working on assembly lines, being shut down, being out of a job until there's a determination made whether that product is safe or not. This is a very dangerous Bill. It goes beyond the flammable fabrics and toys. It goes into every product you could possibly imagine or touch or bring into your house or bring into your office or bring anywhere. It's dangerous. It goes much too far. I don't think anyone should support this type of Bill in practice or in theory."

Speaker Shea: "The Gentleman from Cook, Mr. Maragos, to close.

I mean, Marovitz, to close. I'm sorry."

Marovitz: "Thank you very much, Mr. Speaker. Well, I want to make one point clear that perhaps has been clouded by the words of the previous speaker. There is not going to be any new bureaucracy created through this Bill. There are not going to be any new inspectors. There isn't going to be any new power. As I pointed out to Members when they asked me about this Bill, the



power to take a product that is hazardous, that is dangerous off the market, is already on our statutes in the State Hazardous Substance Act, Chapter 111 1/2, Section 25216. That power is already on our books. The state, under their Hazardous Substance Act, already has this power. The federal government has this power and we are going to be the... they are using the states as agents to enforce the federal power. What we're doing by this Bill, we're pulling a lot of different Acts together and putting them in one place. And if this Bill passes, the previous Acts that I mentioned, the Hazardous Substance Act, the Safety Glazing Act, et cetera, will be repealed. There is no new power. There is no new bureaucracy. There is no new inspections. And any product that is taken off the market today is taken off the market only after due process, only after hearing, only after inspections, only after due opportunity to recitfy the hazards that are within the product itself. I think that point has to be made imminently clear and I would ask for a favorable Roll Call. Every time a product comes up at Christmas that could be dangerous to your children, today the Department of Public Health can inspect those toys at Christmas time and summarily take them off the market if they're are dangerous or hazardous to the children of the State of Illinois. They can do this under the state power. They can do this through the Federal Act, either one. This does not extend their power, does not cost the state any money, does not add any new bureaucracy and I would ask for a favorable Roll Call."

Speaker Shea: "The question is shall House Bill 3835 pass. All those in favor will vote 'aye', those opposed will vote 'nay'. The Gentleman from DuPage, Mr. Hudson, to explain his vote."

Hudson: "Thank you. Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I'm getting up to explain my 'no' vote for essentially the same reasons that I did yesterday, but looking at that board, I think I will cease and desist right now."

Speaker Shea: "The Lady from Cook, Ms. Willer, to explain her vote."

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



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I rise in support of this Bill. I think it's an excellent one and having had experience, myself, with a defectively made electrical appliances over the years, I can attest to the fact that we need something like this and I would only ask Mr. Fleck what's wrong with going into the bedroom. There's a lot of electric blankets in there now."

Speaker Shea: "Have every... Have all voted who wished? Mr. Byers, to explain his vote."

Byers: "Thank you, Mr. Speaker. You know, this whole Session of the General Assembly, I don't believe we've passed one Bill yet that benefits the consumer and I think this is one of our last chances here to do something. All of us spend money for things that we use to run our homes and our businesses and all these don't always work. Some are dangerous, children are killed. There's accidents, people are burned and here's a chance to do something about it. And I think that Representative Marovitz has a good Bill here and I think that it's the last chance to do something for the consumer. And I think we should cast an 'aye' vote for this Bill. There's been a lot of red herrings dragged through this about what this would do and I do not believe that is true. I would urge an 'aye' vote."

Speaker Shea: "The Gentleman from Champaign, Mr. Hirschfeld, to explain his vote."

Hirschfeld: "Well, very briefly, Mr. Speaker, in response to the Lady, the Democratic Lady, Mrs. Willer, I'd just like to say that having lived with Representative Fleck for six years, I can assure you there's no electric blankets in his bedrooms."

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

Mann: "Well, Mr. Speaker and Members of the House, I've never been in Charlie Fleck's bedroom, so I don't know what kind of blankets he has there; but getting back to the principal question here is that I think we're losing sight of one fact. And that is that the single largest constituency that every person in this House has are the consumers of our respective districts. Why haven't any of the opponents to this Bill talked about the defective merchandise that goes out into millions of homes in this



country unregulated? What are we afraid of? Every time that we proceed with an action here that will seek to protect the consumer, this House somehow or another failed to do it. And then, when the Ralph Nader's of America move in, we always say, 'Why are they moving into our domain? This is our responsibility.' They move in because we don't do anything about our respon...(microphone turned off)"

Speaker Shea: "Would you bring your remarks to a close, please?"

Mann: "Yes, I was saying, Mr. Speaker, that the consumers and the consumer movement exists because we are not doing our duty with regard to protecting ourselves and the members of our district. It's a good Bill, vote 'aye'."

Speaker Shea: "The Gentleman from Cook, Mr. Ronald Hoffman."

R.K. Hoffman: "Thank you, Mr. Speaker. We just heard conversation relative to doing something for the consumer. I wonder if some of these green lights have ever wondered exactly what we're doing to the consumer. Under federal law, product safety is a very, very large encompassing matter. If some of the people here that are voting green would take the time to look at some of the products, these are highly, quality controlled, tested products by the manufacturer. They operate under very stringent regulations. Some of the items that are going out contain as many as 23 separate product safety labels. Venus T.V. sets, if you take the time, contain 23 product safety labels. Now, let me tell you what these green lights are implying to you when they say we're going to do something for the consumer. Every time you put another label on and you put another inspection and you put another requirement on, above and beyond what exists now, you're...(microphone turned off?)"

Speaker Shea: "Will you bring your remarks to a close, sir?"

R.K. Hoffman: "You're incurring a cost to the consumer. So, what you're doing is not protecting them because the protection is built in by the federal government which does preempt all areas. What you are doing with these green lights is adding another cost on to the product for the consumer. So if you can justify in your mind another requirement to be put on to



the cost to the consumer, then vote green."

Speaker Shea: "The Gentleman from Adams, Mr. McClain, to explain his vote."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm Vice-Chairman of Human Resources and I'm a little surprised at the vote and a little but surprised with Representative Fleck. When the Bill first came before us in Human Resources, it was adequately discussed. It was discussed by all the Members. It was passed out. Mr. Fleck is part of that Committee and there was no opposition to that, that Bill and now all of a sudden, he's arisen and I'd like to say once and for all that if it was not.... and he's arising. And once and for all, if it hadn't been for the government, our employees would still be working on mud floors. If it hadn't been for the government, we'd still have light bulbs instead of fluorescent lighting in these factories. It's only the government that continually supports the consumer and I urge you to vote 'aye'."

Speaker Shea: "The Gentleman from Cook, Mr. Fleck. You spoke in debate. The..."

Fleck: "Personal privilege. My name was mentioned..."

Speaker Shea: "The Lady from Lake, Ms. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I was on the Human Resources Committee and I did vote 'aye' to pass out of Committee. This was before I learned that... in fact, before I was completely apprised of the fact that the federal government had such an extensive network of looking into these things and that's why I'm voting 'no' today, not because I don't like children. I certainly do and I want them to be safe, but we've already got the taxpayer's money being spent by the federal government for this purpose. There's no sense to duplicate the work."

Speaker Shea: "The Gentleman from Cook, Mr. Holewinski, to explain his vote."

Holewinski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I really have difficulty understanding all the moaning and crying for industry when all we are asking is that they produce



products that are safe for those who use them. I spent a number of years in merchandising and retailing before I came here and I saw many, many products that were manufactured especially for children with wires and glass and flammable fabrics. Are we saying that the people don't deserve protection from the threat that those products represent? I think it's only common sense that they do. I think Representative McClain was accurate in that government's got the responsibility to take a leadership role in this area. It's got a responsibility to guarantee people that products that they are buying in stores are safe for the use for which they are intended and I would encourage a few more people to vote 'aye'."

Speaker Shea: "The Lady from Cook, Ms. Catania, to explain her vote."

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

Speaker Shea: "Go ahead."

Catania: "Well, I can't speak when my microphone is off. We've heard people talk here about Christmas and I'd like to remind all of you what happens a couple days after Christmas. I'm sure all of you with young children remember that a couple of days after Christmas, half the toys get broken. Now, disappointment and tears are bad enough trying to explain to a two-year-old or a three-year-old why the plastic shatters and the wheels fall off is a big enough problem; but what we're talking about here is not only the fact that they break but the fact that they can be dangerous when they break. I had to sit in an emergency room one night for half an hour holding a bleeding finger that required five stitches for my four-year-old because nobody bothered to say that the tin mirror that she slashed it on had to be hung out of the reach of children. This is what we're talking about here. We're talking about protection of our little children and I ask for your support of this Bill."

Speaker Shea: "The Gentleman from Lake, Mr. Griesheimer, to explain his vote."

Griesheimer: "Mr. Speaker, having been a former Boy Scout leader, I want you to know, especially with regard to the comments of the



last Representative, that if we're to allow one of these big brother departments to lay hands on all item considered toys or things that children are associated with, we would outlaw Boy Scout and Cub Scout hunting knives, their axes. We would certainly get rid of baseball bats because I've seen a number of bad knocks on boys and girls heads that have played baseball. My son broke his finger with a basketball and I wonder just how far we're going to carry this big brother attitude. Let those bleeding hearts watch their children a little bit better so that we don't have to depend upon big brother to do it. I urge a 'no' vote on this."

Speaker Shea: "Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. Now before I announce the Roll Call, Mr. Fleck, for what purpose do you arise?"

Fleck: "I wish to rise on a matter of personal privilege."

Speaker Shea: "Proceed. Proceed, sir."

Fleck: "There has been statements made along the lines that people were surprised about me, that there were no objections to this Bill, that it went through Human Resources Committee and I was a Member of Human Resources Committee and didn't raise any objections at the time. I take offense at that and I'll tell you why I take offense at it. I think any of the Members of the House who know me after six years knows that I don't deal that way and I don't deal in surprise and I stand for my word. I wasn't in Human Resources when this Bill came through or I certainly would have said something, although in that Committee, I don't think it would have made any difference. But I do not like the fact that people are suggesting that I have sat back, calmly let it go through Committee and then pull the big surprise on the floor by speaking. I never operated that way in the past. I don't do it today and I certainly do not intend to change my ways and methods and do it in the future."

Speaker Shea: "The Gentleman from Cook, Mr. Maragos, requests a poll of the absentees. Mr. Simms and Mr. Stearney tell me that if I get 89 votes, they want it verified. Poll the absentees."

Clerk O'Brien: "Arnell, Capuzi, Craig, Davis, DiPrima, J.D. Jones,



Kane."

Speaker Shea: "Who? Kane 'aye'."

Clerk O'Brien: "Luft, Meyer, Molloy, Rayson, Stone, and Wall."

Speaker Shea: "This question, there are 87 'ayes', 74 'nays'.

This Bill having failed to receive the Constitutional majority is hereby declared lost."

Representative Bradley in the Chair,

Speaker Bradley: "On the Speaker's Table appears House Resolution 902. And to remind the... to bring to the attention of the Members, this Resolution was placed on the desk of each Member and also a copy of the summary sheet on the Resolution with the Amendments. And the Chair recognizes the Gentleman from Christian, Mr. Tipsword, regarding House Resolution 902. Could we have some order, please?"

Tipsword: "Mr. Speaker, Ladies and Gentlemen of..."

Speaker Bradley: "Mr. Tipsword, just a minute..."

Tipsword: "I will be presenting this Resolution in behalf..."

Speaker Bradley: "Mr. Tipsword, just a minute, please. The Resolution two days ago was distributed and the synopsis of the... what it does and along with the Amendment sheet, should be on your desk. The Gentleman from Christian, proceed, sir."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, I will be presenting this Resolution in behalf of the Rules Committee. The Rules Committee met for several days on this and adopted a Committee Resolution which was originally Resolution 872."

Speaker Bradley: "Mr. Tipsword, before you continue, Mr.... the Gentleman from McHenry, Mr. Hanahan, for what purpose do you rise, sir?"

Hanahan: "Mr. Speaker, this is a very important Resolution to many Members of the House here. It's our own Rules Amendment. I don't believe all the lobbyists and all the various personnel from all the various agencies of the government are personally involved in this Resolution. I'd like the floor cleared. I'd like some order in the chamber so that we know what we're doing on this Resolution. It's going to affect all of us for a long time



to come and I see more people on the floor that I don't even recognize, let alone know what they're here for. On a Resolution of this nature, I think we could have some order."

Speaker Bradley: "I think your point is well taken, sir. And will the Doorkeepers please clear the chamber. All those persons not entitled to the floor of the House and those people who are entitled to it, such as Pages, if those Pages would come back down and sit in their assigned seats and if the Members would be in their seats. And we'll wait until we get some order, Mr. Tipsword, before we continue. And those people not entitled to the floor, would they please remove themselves so we can continue with this Resolution. All the Members please be in their seats. For what purpose does the Gentleman from Kane, Mr. Grotberg, arise?"

Grotberg: "Just an inquiry from the Chair regarding the plan for the... the immediate plan for the day. It's lunchtime."

Speaker Bradley: "The immediate plan is going to be House Resolution 902, sir, and I have no idea how long that's going to take, Mr. Grotberg."

Grotberg: "And then adjourn for Committees, is that correct?"

Speaker Bradley: "All right now, the Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker, before we start on the Amendment process of this House Resolution 902 which comes from the Rules Committee, I would like to request that the Membership take a minute to look at each of the Amendments that have been provided to them on this Bill and that they check the synopsis because there are Amendments that are going to be proposed to this Bill that could very, very drastically vary the kind and type of procedure that we would propose and have for a disciplinary process in the House of Representatives. This is the first attempt of this body to set a rule for itself for disciplinary proceedings in the existence of the body which we hope may set a pattern, not only for the immediate future, but from now on in the progress of this House of Representatives for the State of Illinois. Now, there is a product, House Bill... House Resolution 902, that



is before you. This is the product of many meetings of the House Rules Committee. Some of the Amendments that will be proposed on the floor were Amendments that were received and rejec... and adopted by the House or rejected... by the Rules Committee or rejected by the Rules Committee. Some of them are Amendments to reject items that were adopted by the Rules Committee. Some of them are brand new items that had not come before the Rules Committee. And this will be your disciplinary process for this House to use for each of the Members to use to see that the House operates as it should with the proper discipline and even for the protection of each of the Members. So, please a check on each of these Amendments, at least upon the synopsis that has been provided to you to see which one of these kinds of procedures and especially the initiating procedures that you will find in the Bill and in Amendments that I believe are numbered... Amendment 4 and Amendment 10 which set up strictly different kinds of initiating procedures. I think they will be quite important to you and that the manner in which these procedures may be adopted into or rejected from this Bill will... may and could affect each and every one of the Members very vitally and all of those who may succeed us here. So with that, Mr. Speaker, I am ready to proceed with the Amendment if the body is ready."

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

Schlickman: "On a point of procedure, Mr. Speaker."

Speaker Bradley: "State your point, sir."

Schlickman: "Well, Mr. Speaker and Members of the House, Amendments 1 through 9 affect House Resolution 902 as it's before us, they have a modifying nature. Amendments 10, 11 and 12 would substantially revise the procedures in this Bill and I'm simply suggesting with leave of the House that we take up for consideration those Amendments first, none of which is mine. But it just seems to me, Mr. Speaker, that under Amendments 10, there is a complete revision of the first tier approach. I believe Amendment 11 does the same thing and then Amendment 12 would go



from a two tier approach to a one tier approach and I think just to expedite this matter, those major revisions ought to be considered first."

Speaker Bradley: "In the opinion of the Chair, you're absolutely correct and I think Mr. Tipsword made that point that the Members should read the Amendments. However, I think that in all fairness to the Members who introduced those Amendments, we'll have to call 'em in that order. If the Sponsor of the Amendment at that time wishes to hold that Amendment so that we can go ahead to later Amendments, we will do that. But in all fairness, I think we'll have to call those Amendments in order. So, those Members who have Amendments 1 through, I think, it's 9, we will go through those. If the Sponsor of those Amendments wish to take it out of the record, we will get to 10, 11, and 12 and then if need be, we'll come back to 1, 2, 3, and 4."

Schlickman: "Well, my request at this time, Mr. Speaker, is for leave of the House to take Amendments 5 through 9 out at the times they're arrived at and have deferred until after the hearing of those... consideration of Amendments 10, 11, and 12."

Speaker Bradley: "All right, the Gentleman has asked leave of the House to take Amendments 5, 6, 7, 8, and 9 out of the record at this present time and we will give you the opportunity to come back to them later if you so desire. Now, do we have a similar motion with or... well, let's just start out with Amendment #1. The Gentleman from Cook, Mr. Berman. No, wait a minute. Do we have leave on that? Hearing no objection, the Gentleman has leave for that motion."

Schlickman: "Fine."

Speaker Bradley: "Mr. Berman, back to you, the Gentleman from Cook."

Berman: "Well, I have no objections to going to the... the end Resolutions first, so I'll ask that 1 be taken out of the record."

Speaker Bradley: "All right, the Gentleman has asked leave to have Amendment #1 taken out of the record and hearing no objections, leave is granted and it'll be out of the record. Now, what purpose does the Gentlemen from Lake, Mr. Deuster, arise?"

Deuster: "The reason I arise is to make an inquiry of the Chair. It



is my understand that none of these rules or procedural matters that we're considering now have affect. The one current inquiry that is under way, that these are just to... to pertain to future possibilities and because of that, I'm wondering, doesn't impress me... maybe I don't understand it, but this is an emergency that has to be taken up at this time, particularly when there's a time constraint. We have Committee meetings set for one o'clock and it's 12:15 and this is one of the most serious and significant subjects, I suppose, affecting the rights and reputations of all of us. I wouldn't want to see us trying to consider such a serious subject with a time constraint, and it seems to me that perhaps it could be scheduled for some other time. I just, I think every Member anticipated that we were going to adjourn for lunch. Sure, we can always forego lunch, but many Members might not even be here and that I would think the Chair might want to schedule it some other time and I make that suggestion."

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

Berman: "Well, thank you, Mr. Speaker. In response to Representative Deuster's inquiry, I would point out that if these rules are adopted, they very well may apply to the report of the Special Investigating Committee under Resolution 883, I believe that was the number and I refer you specifically to the last page of House Resolution 902 wherein the procedures that are set forth in 902 would, would guide and would govern the report of that Special Investigating Committee if charges... or upon its report of that investigating committee which is scheduled to report on Monday. The rules set forth in 902 very well might apply to those recommendations. So, I do think that it's... this is of a pressing nature."

Speaker Bradley: "In reply to Mr. Deuster, the Chair feels that we should proceed with this legislation at this time. And if we run into a time problem, we will, if we so desire, we can delay the Committee hearings. It's been done before and I think this is important enough that we should consider it at this time. So with that, we're back to Amendment #2, Mr. Kempiners. Do you



wish to proceed with Amendment #2, sir, or do you want to take it out of the record as the others have done at this time?"

Kempiners: "Well, I was going to ask the Chair what was the reasoning behind taking the other Amendments out at this time?"

Speaker Bradley: "To reach Amendment #10 and Mr. Schlickman called it to our attention that it substantially changes the initiation procedure and it is really the important, one of the important measures, 10, 11, and 12; and if we can go to those, we might not have to go to 1, 2, 3, 4..."

Kempiners: "Okay, then what has to do..."

Speaker Bradley: "We will come back to them if you so desire, but at this time you move to..."

Kempiners: "Okay, I will ask leave to withdraw that."

Speaker Bradley: "The Gentleman asks leave to take the Amendment out of the record at this time. Hearing no objections... hearing no... the Gentleman from Cook, Mr. Maragos, on a point of order. State your point."

Maragos: "I'm sorry, parliamentary inquiry, rather."

Speaker Bradley: "Parliamentary inquiry, sir."

Maragos: "Whether in this case if we do now, are we going to have automatic leave to renumber these Amendments?"

Speaker Bradley: "No, we're going to come back to them as they are presently numbered and that's the intent of the Chair. And I think that's..."

Maragos: "That will not in any way diminish the importance of the Resolution by doing this numbering system?"

Speaker Bradley: "No, sir."

Maragos: "Okay."

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

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, the Amendments 1 through 11 all do amend House Resolution 902. Number 12, which is mine, is the only one that wipes out all of 902 completely. It might be the best procedure to get to 12 and then figure out where we're at from there."

Speaker Bradley: "Well, we'll continue on through, as we're doing right now. We'll get to 10 and 11. If that's the procedure, if



that's the case, we will see if those Sponsors will remove them. By now, we're down to Mr. Greiman."

Greiman: "Yes, thank you, Mr. Speaker. Please take Amendment #3 out of the record."

Speaker Bradley: "Does the Gentleman have leave to take 3 out of the record? Hearing no objection, we'll take it out of the record. Mr. Collins on Amendment #4."

Collins: "Mr. Speaker, I ask that Amendment #4 be tabled."

Speaker Bradley: "The Gentleman moves to table Amendment #4 to House Resolution 902. Any objections? Hearing none, the Amendment is tabled. Now, Amendment #10, Mr. Greiman."

Greiman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would proceed with #10."

Speaker Bradley: "The Gentleman wishes to proceed. Proceed, sir."

Greiman: "Thank you. Number 10 was conceived, frankly, with the great assistance of the Parliamentarian to try and reach a compromise between the extremes in terms of how we initiate a disciplinary charge. The present 902 as it came to the House provides that we have a Resolution which does not specify the charges. It merely says that..."

Speaker Bradley: "Mr. Greiman, we're going to give permission for pictures to be taken. Pardon me, sir, proceed."

Greiman: "Well, I may have to, you know, put my shirt and my tie on and change, take a shower."

Speaker Bradley: "I would suggest that they do, sir. Proceed, sir."

Greiman: "Thank you. Under the present 902 as it came from Committee, it provides for a Resolution, nonspecific. In other words, the Resolution says merely that so and so may be guilty of some action that would require discipline. We have been required, we have been called upon without debate to vote on this skeleton Resolution. One would ask how shall I vote on this? What's the criteria for voting on a Resolution which has no specificity? Obviously, we would... we really lay upon ourselves an unnecessary moment of tension, and unnecessary moment of crisis, a decision which is meaningless since we have not evidence, since we have no charges even before us. So, we're really putting



ourselves in a foolish and unnecessary position. That's the one way of initiating, that's the way 902 has. The other Amendment which was Amendment #4 that Mr. Collins tabled and in a sense, Amendment #2, which Representative Matijevich has offered, provides for the establishment of a permanent Ethics Committee that would be charged with moving on its own initiative or charged with receiving petitions or charges or Resolutions from other Members. I submit that this, too, is the other extreme. That this requires us to have six people, I think the number is six, who will be permanently concerned with ethics, permanently concerned somehow with being our watchdog. And that, too, is uncomfortable for them certainly and for us. It occurred to me the other day that we had... a Member lost his temper here on this floor for which he might well be disciplined. Under a situation with a permanent Ethics Committee, that Committee would have been required to consider that Member's conduct. I think that we... these are serious matters and Members here are highly responsible. Hence, Amendment #10. Amendment 10 provides that one Member may file a petition asking for a special Investigating Committee with the Speaker. If the Speaker... I'm sorry, if the Member is joined in that petition setting out the charges by two other Members or three Members, then the Speaker will automatically appoint a disciplinary or a special Investigating Committee and the Committee will then report in accordance with the other reporting provisions of the Bill. If, on the other hand, that Member who is bringing the disciplinary petition is not joined by three Members, but is joined by one other or is... comes on his own petition, then the Speaker will ask the Member sought to be disciplined what is his pleasure. And if he says nothing, then the Speaker will appoint that special Investigating Committee. If, on the other hand, the Member prefers to have it go to a House vote immediately after the appointment of a Committee, then that motion will be debatable before this House and that Members who's seeking to be disciplined will have the right to bring it public. The matter will be confidential until the appointment of



that Investigating Committee. It is a way in between. It is the via-media. It doesn't institutionalize an Ethics Committee on the one hand, nor does it give... require us and put, place upon us the obligation of voting in the dark. I think it's a sensible and workable compromise. I ask that it be accepted. Thank you."

Speaker Bradley: "The Gentleman moves for the adoption of Amendment #10 to House Resolution 902. Is there discussion? The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I know there've been, already have been some preliminary remarks made, but I'd like to add mine for whatever they're worth. Number 1, we're dealing with something here that cuts two ways. One, it insures the House and the public that if there is an offense, that there's a procedure for handling it. It also provides for protection of those who might be charged innocently. This, I could vote for 902 just as it is. Also, I did not vote for every provision in it in the Rules Committee, but I'd like to remind you that the Executive Committee worked a long time on this package. Then it went to the Rules Committee, we worked it over completely and all of those who had an opportunity to be heard before the Executive Committee were again heard in the Rules Committee. And I might say that most of those who made proposals before the Executive Committee and turned down were also turned down in the Rules Committee and probably for the same reasons. I think we've got a good product here and there isn't one of us that maybe would not take exception to some part of it, but I want to tell you that if you've studied it and heard all the arguments, we've got a pretty good package and I don't think it ought to be messed with too much."

Speaker Bradley: "The Gentleman from Cook, Mr. Berman, on the Gentleman's Amendment."

Berman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, as most of you recall, one of the disturbing features of the original Resolution and that is in House Resolution 902 was the



problem of the so-called voting in the dark on the initiating Resolution. Many of us have thought long and hard and didn't come up with any solution. I personally think Representative Greiman has come up with an acceptable alternative. I think that all of us recognize that when a Resolution for censure is introduced, it is a very serious move. So serious, in fact, that it's only occurred twice in the past 71 years in the House of Representatives. I think that what Representative Greiman is suggesting here is a realistic approach to a difficult problem. Mainly, if there is... if a proposed Sponsor of a censure Resolution can't find two other people to join with him, then this is a matter that very well could be disposed of very quickly if the accused wishes it to go to a debate on the floor. If it's of such a nature that the Sponsor can convince two others to join with him, then the Investigating Committee is automatically appointed. We don't have to get into vague debates about a vague Resolution. I think it's... although it wasn't as Representative Friedrich points out, wasn't brought to the Executive Committee or the Rules Committee, I do think it is a practical, realistic, and yet properly safeguarded approach to this very delicate question and I'm going to support Representative Greiman's Amendment #10."

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

Schlickman: "Mr. Speaker and Members of the House, we are operating presently under the constraint of time and under the constraint of the Resolution. It seems to me, Mr. Speaker, Members of the House, the best approach would be that approach that was contained in the report of findings and recommendations of the Commission on Conflict of Interest Laws of 1967, providing for a standing, permanent Committee on Ethics. But composed of a majority of Legislators and a minority of non-Legislators and a Committee or Board, if you will, that in addition to receiving complaints and investigating them, also would receive inquiries and give opinions to individual Members with respect to potential ethical problems. However, as I say, within the constraint of time and within the... of a Resolution, it seems to me after I



have considered all of the approaches, that this is the best practical approach and I, for one, will be voting for it."

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

Tipsword: "Mr. Speaker and Ladies and Gentlemen, not in behalf of the Rules Committee, but speaking for myself alone, I would urge the Membership to support this Amendment because I think it gives us both things that we vitally need. It gives us both confidentiality to begin with which is the right that every accused has under our law in criminal matters and this is somewhat akin to that and is that vital. In addition, it provides that when there must be a vote on the floor of the House, the House will vote with information and will not vote in the dark. I think those two things coupled together in this make this a very excellent means of beginning a censure disciplinary proceeding and I think it has one other advantage. I think it has a great advantage to the individual Member who may be, say in the news media or by public word of mouth, accused of an impropriety, some matter that should be possibly censured or disciplined if it true. And the Member, himself, under this, has a very good and convenient means of initiating the procedure himself to get a quick determination and a good determination as to whether he is or is not at fault and a determination upon which there is a specification of the charges and upon which there is information available. And I think this is a very excellent means of initiating this and is a very wonderful compromise to a very sticky and difficult situation and I would urge the Members to support it."

Speaker Bradley: "The Gentleman from Cook, Mr. Collins, on Amendment #10."

Collins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have to agree with Representative Friedrich that I think the product that came out of the Rules Committee basically is a very, is a very good product. The one thing that bothers me however, was the fact that when a Resolution was introduced, the House was required to vote on a Resolution which lacked specificity and so would actually be voting in the dark. For



that reason, I introduced Amendment #4 which I just tabled a few minutes ago. The reason I tabled it was Amendment #4 would have established a permanent Committee on Ethics which many Members thought was going too far. And upon reflection, I had to agree. In the meantime, Representative Greiman introduced Amendment #10 which set up basically the same procedures which I favored and yet did not go so far as to set up a permanent Committee. I think that this is a very reasonable alternative. It does... it guarantees the confidentiality, I think, needed to protect any Member's name. It also guarantees that such a measure, if introduced, will be handled expeditiously and in the proper atmosphere which such serious charges should be considered. I think this Resolution is an excellent suggestion and I would urge every Member of the House to support Amendment #10."

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

Schraeder: "I wonder if the Sponsor would yield to one question?"

Speaker Bradley: "He indicates that he will."

Schraeder: "This is information only. Nowhere in the analysis, nowhere in the Amendment itself is it clear to me that if a Member accused or charged who does not want it brought to a Committee, then those initiating the petition may introduce a Resolution. Does that Resolution prohibit or allow charges to be made within the Resolution itself? I think that's extremely critical to the Member being charged."

Greiman: "Yeah, you would still have the same form as is in the present 902 for your Resolution. It would be without specificity and it would go on and we would just be required to vote on it at that point. About the only difference, it would be debatable, so I assume that in the course of a debate the charges would obviously be aired to some degree. But it would be, it would be in the same form, so there would be that voting in the dark."

Schraeder: "Then you're saying that if the Resolution was introduced, the charges could be debated or would be debated in all probability?"



Greiman: "Well, that would be up to the Member. The party sought to be disciplined has some input into that process at that time to determine whether he wanted it to go to the floor, but that's not the case if three Members join. If three Members join, it automatically goes to the Investigating Committee."

Schraeder: "But what I'm saying is that the three Members, there's only one Member and it doesn't go to a Committee by virtue that the one accused objects. I saying, does that leave it open for full debate on the House as far as the charges?"

Greiman: "No, I think, no. You would still have to argue only germanely to the Resolution which asks for the appointment of a Committee to investigate. That's all it asks for."

Schraeder: "Well, I think, Mr. Speaker..."

Greiman: "But the debate would be open obviously."

Schraeder: "Full debate on the charges themselves?"

Greiman: "Yeah, right, yeah. The debate, right. If you look down in it, it changes line 30. It says, 'Shall be debatable'. It would be debatable."

Schraeder: "All right, if that's what it is, fine."

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

Leinenweber: "I have a question for the Sponsor. Representative Greiman, I also agree with some of the previous speakers that this appears to be a reasonable compromise and approach to the problem. It seems that one of the aims here is for confidentiality until there's been a... some verification of the charges, is that correct?"

Greiman: "Well, yeah, I'd say that's right unless, of course, you know, the accused has the right to go forward. But otherwise, I think that's the general idea."

Leinenweber: "But it's really in the hands of the accused at least at the preliminary stages."

Greiman: "Right."

Leinenweber: "All right, one of the rights of a Member that is not charged, say, outside of this body to air the specific charges... would there be any disciplinary proceedings... would the person subject himself to disciplinary proceedings if he did so?"



Greiman: "Well, you're saying if... I'm sorry, repeat the question."

Leinenweber: "All right. Suppose that there is a petition filed.

Can either the person who filed it or someone else who gets wind of it..."

Greiman: "Oh, could that person go and, for example, issue a press release and..."

Leinenweber: "Yes, or let's say, he has a political campaign in progress and go forth and air the charges in the political campaign?"

Greiman: "Well, I think it would be improper. He would subject himself, I think, to disciplinary action by the House and he would violating the rules of procedure of Robert's, for example, and of the Rules of the House as well."

Leinenweber: "Well, the only thing..."

Greiman: "I mean, the point is, Harry, I think we can try our best for confidentiality, but obviously the Sponsor of that kind of thing can violate our rules and there's no way we can keep it confidential."

Leinenweber: "It just occurs to me that something might occur that would subject a Member to discipline which might well be necessary, say, to bring out in a political campaign."

Greiman: "That's right."

Leinenweber: "I... whether or not if a person... would a Member be absolutely prohibited or... from bringing that out... let's say in his district at election time if it's during the penant season?"

Greiman: "Yeah, I think that, sure, the substance of his charges, for example, could probably be brought out in the campaign. We can't stop his freedom of speech, but that he had filed a disciplinary action, that would be improper. He could certainly go in the grounds of it. There's another interesting answer to this, by the way, that somebody pointed out to me. Under this situation, someone could... who is accused, for example, in the press or accused by someone who was adverse to his interests, could file himself against himself so that he would have exoneration. That would be a possibility, not very likely, but it's



an interesting kind of an aspect of this that I had not considered, frankly, but someone had suggested to me."

Leinenweber: "Thank you."

Speaker Bradley: "The question is shall Amendment #10 to House Resolution 902 be adopted. All in... I'm sorry, the Gentleman from Macon, Mr. Dunn."

Ralph Dunn: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Bradley: "He indicates he will."

Ralph Dunn: "I'm still a little confused about what happens if the original petition is not signed by three Members. In that event, can the matter come up for debate on the House floor on a petition signed by fewer than three Members upon the written objection of the subject of the investigation?"

Greiman: "That would... if the Member who is the subject of the disciplinary proposal for an action wants it, yes, it can. For example, he may want a quick or he may want it aired. That may be in his best interest."

Ralph Dunn: "What if the Member does not object, the matter goes directly to the Committee?"

Greiman: "Well, yeah. The Speaker would call in the accused, would give the accused an opportunity to make the decision as to whether he wants to object to the appointment of an Investigating Committee. And if he did object, then it would come on the House floor after a Resolution was filed. Yeah, conceivable, you know, the passion of the moment might subside and that Sponsor who might very well give a secret petition to the Speaker, might very well not give a Resolution here in the House. He would have to give a Resolution in the House."

Ralph Dunn: "Let me ask my next question. At that point then, cannot a Resolution on this subject matter come before this House on the petition of one Member?"

Greiman: "It can only if it's gone through the Speaker's arrangements, yeah. Only if it goes through this, through this process."

Ralph Dunn: "What I'm getting at is I think we all are interested



in discouraging petty or frivolous petitions and I think that is the main thrust of requiring three Members to join, but if one Member really wants to get an investigation on the floor of the House, it looks to me like he could present an original petition, have the subject refuse to consent to the investigation because it's frivolous and then find himself in a spot where he can present a Resolution to the entire body all by himself."

Greiman: "I think that's true..."

Ralph Dunn: "Well, I thought that was what we were trying to prevent."

Greiman: "I think that's true. On the other hand, what we have done is we have created initiation procedure which gives some kind of period where the parties can have some perspective and think about the charges where it's confidential and the Speaker has a, you know, offers to that party a couple of alternatives for immediate exoneration, you know. Obviously, this is the way... whether it's one man or three men, I... you know, is really immaterial. There's 177 men in this House and... men and women in this House and, you know, it's one just sometimes I suppose, could be right, you know. That's all I can say."

Ralph Dunn: "Okay, was any consideration given to procedure by which every petition would require three Members to be on it and as soon as three Members were on it, it goes to the Investigating Committee automatically?"

Greiman: "Well, there was in 902, there was an Amendment put on in Committee that said you needed three Members. That was a Maragos Amendment, said you needed three Members to initiate a Resolution."

Ralph Dunn: "But 902 requires a vote before it goes to the Committee, does it not?"

Greiman: "That's right, yes."

Ralph Dunn: "Was any consideration given to..."

Greiman: "You mean with this kind of procedure?"

Ralph Dunn: "Yeah, yeah."

Greiman: "Well, yes. I suppose in a sense there was in that if three



Members or more do it, then we take that right or option away from the Member."

Ralph Dunn: "I don't want to take any more time. Thank you."

Greiman: "Okay, thank you."

Speaker Bradley: "The Gentleman from Cook, Mr. Ron Hoffman."

R.K. Hoffman: "Thank you, Mr. Speaker. A question of the Sponsor."

Speaker Bradley: "He indicates he'll yield, sir."

R.K. Hoffman: "In the initiative of this Resolution by the three Members, is there a stipulation that all three Members cannot be from the same political party?"

Greiman: "No, there is not."

R.K. Hoffman: "Wouldn't that be advisable to make sure that there would be no connotation that it would be a political act?"

Greiman: "Well, I mean, frankly, my own judgement on that is that this is a matter of such seriousness and such concern to all of us that I think people are not political in that sense in this kind of thing. I just don't think they are. I don't think it's necessary and it might really be an impropriety to..."

R.K. Hoffman: "Well, I always raise that question so that as we sit here discussing it now it is going to have a continuing effect for the next General Assembly and where we can mutually agree that this would not exist now, we don't know how we could speak for the next General Assemblies and I would suggest consideration that all three Members on that initiative could not be from the same political party."

Greiman: "Well, let me just say this, that we have got built-in a concept of nonpartisanship later on by... in terms of who shall be on the Investigating Committees so that there is the notion of bipartisanship built in the process ultimately so that it could not be used politically; but, you know, it's been 71 years since the last one and they're not going to be forthcoming, I don't think, unless we truly institutionalize our complaint-making process and I don't think we're about to do that."

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



Kosinski: "Al, I have a very serious concern with Amendment #10 in this regard. This doesn't apply to this General Assembly. I repeat, it does not apply to this General Assembly, but we're setting down guidelines for future General Assemblies. And presume that the political climate is such as political assassination is the mode of the day, if a person is accused under this Amendment and objects to the accusation because he's innocent, then the accuser without anyone behind him, can still come out on this floor and perform that political assassination in the public light. How do you respond?"

Greiman: "Well, you know, I suppose we always... that's one of the things that we're all subject to and we're all subject to being reasonable human beings. We also have the problems of free speech. Obviously, I can, on any given day, stand up, push my speak button, make any outrageous kind of thing and I'm immune, if I do it in this body, from slander and libel. And that's a terrible thing. We can't get away from the concept of unreasonableness and people who are beyond reason, but on the other hand, they could call a press release, a press conference and they could do the same kind of disastrous thing. Now, we also could discipline that Member if that Member went beyond the bounds of good taste and propriety. We have that within our power, but, you know, we live in a free society and we have free speech."

Kosinski: "All, you and I both know that indictment is assassination today. Now, in this situation, opening it to the House floor without any backing Members feeling that the accuser has the right of such accusation, we still open that possibility. Wouldn't it be more reasonable to insist that three Members make such a petition because the possibility of three Members attempting such assassination is more limited?"

Greiman: "Well, frankly, I look at it in terms of comparative and I believe that this, Amendment #10, is substantially better to what is presently in 902. And that's my basis of comparison. It's better than what's in 902 now. It gives some balance to the interest of the House, to discipline itself on the one hand,



the accused to be able to have confidentiality on the other hand, and for the accuser to at least have some avenue, some place where he can go and have his complaint aired."

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

Kempiners: "Thank you, Mr. Speaker. I move the previous question."

Speaker Bradley: "The Gentleman moves the previous question. The question is shall the main question be put. All those in favor will say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' carry, have it and the Gentleman from Cook, Mr. Greiman, to close."

Greiman: "Well, I believe that the matter has been thoroughly discussed and debated. I thank the Members for their consideration. I thank them for their courtesy in hearing this and considering this Amendment and I would appreciate a favorable vote: Thank you."

Speaker Bradley: "The question is on the adoption of Amendment #10 to House Resolution 902. All those in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will... give everybody time to get on there. The Gentleman from Cook, Mr. McAuliffe, wish to explain his vote? I'm sorry. All right, have all voted who wished? The Clerk will take the record. On this question, we have 133 'aye', 3 'nays', 12 voting 'present'. The Gentleman's motion prevails. Further Amendments."

Clerk O'Brien: "Amendment #11, Friedrich."

Speaker Bradley: "The Gentleman from Marion, Mr. Friedrich, on Amendment #11."

Friedrich: "Mr. Speaker and Members of the House, this takes care of a situation which could happen. The rule, the Resolution provides that the original Committee of six shall vote exoneration if there are, if it's a tie vote--three and three. Now, what this would do, of course, and it says that the report shall be signed by all Members of the Committee exonerating the person... Well, number 1, I think if I were on a Committee of six and I was one of three that did not vote for exoneration, I don't think I'd want to sign the report and I think that by



everyone having to sign the report every time, it does divulge the Roll Call which could be used in some cases. So, this report merely, this says that all the reports of the original Committee shall be signed by the Chairman only stating that it has been done in accordance with the rules and that minority reports are prohibited. And the reason for this, if a person's exonerated, there should not be a minority report on file for someone to carry around and use against him."

Speaker Bradley: "The Gentleman offers Amendment #11. Is there any discussion? Hearing none, the... on the adoption of Amendment #11 to House Resolution... I'm sorry, the Gentleman from Cook, Mr. Brummet. Pardon me, Mr. Berman."

Berman: "Will the Sponsor yield? Dwight, is that... is this provision for the nonsigning applicable only to Resolutions of exoneration or does it apply to all of the findings?"

Speaker Bradley: "Turn Mr. Friedrich on, please."

Friedrich: "This applies only to the first Committee and it does apply to any reports made by that Committee as they're to be signed by the Chairman only."

Berman: "Well, if I might address myself to that."

Speaker Bradley: "Proceed, sir."

Berman: "I can understand the point that Representative Friedrich makes if we're talking about a Resolution of exoneration. I'm not sure that I agree if we're talking about a Resolution of specific findings of impropriety. I think that if there are, if there is a minority view on that Investigating Committee, they should have the right to file a minority review that their position should be public, and that it should be subject to consideration on the floor of the House. Otherwise, if the vote was four to two, the two would not have the opportunity under Representative Friedrich's Amendment here to indicate that it was a split decision. I think the accused should have the right to have that noted, even though it is a minority of two out of six."

Friedrich: "I would respond to that, Mr. Speaker, by saying that..."

Speaker Bradley: "Mr. Friedrich, just a second. I don't think that



was a question. I think he was making a statement. If you want to close, we'll get back to you. All right? Further discussion? Hearing none, then the Gentleman from Marion, Mr. Friedrich, to close. I'm sorry, sir."

Fredirich: "All right. I would respond to that only by saying that the... anyone was in a minority, you remember this has to come to a vote on the floor to adopt the report of the Committee, so certainly anyone in the minority would have a chance to be heard. This does not preclude a minority Member if he feels strongly enough about it, to speak out on the floor of the House when it comes time for the adoption of the Committee report."

Speaker Bradley: "The question is on the adoption of Amendment #11 to House Resolution 902. All those in favor will signify by voting 'aye', those opposed by voting 'no'. The Gentleman from Cook, Mr. Duff, to explain his vote."

Duff: "Well, Mr. Speaker, I did have my hand raised, you didn't see me during debate. I think that this Amendment should not pass and the reason is the requirement that all Members sign the report is to a very large extent, to protect those parts of the inquiry which are or should be confidential and it prevents the necessity of Members having to have spurious or misunderstanding charges made publicly about their vote. And I do think that it would be better for the purposes of the body if the confidentiality was protected by the requirement that all Members have to sign it. I really think that perhaps we didn't get adequate discussion on this subject with only one comment pro and one comment against. I think perhaps in explanation of vote, we can make more clear the deliberate thought that went into the requirement that is in 902 when it came out of the Rules Committee."

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

Washington: "Mr. Speaker, Members of the House, I agree with Representative Berman and Duff. I doubt if anyone here would want to be locked into a report to which they violently disagree. The



Member may have some disagreements with the procedures followed, question of due process. He may have some disagreement the reasoning entailed in the conclusion. He may have all kinds of reasons and he may feel so strongly about it that he simply wouldn't want his name on it. It's not sufficient to get to the floor of the House and then try to exculpate himself from it by indicating he didn't sign it. It seems to me that if he feels strongly about it, he should be permitted to transmit his feelings intact to this body. I think this is a bad approach. I think it's a bad precedent. I've never heard of an situation of an investigatory body or a court, for that matter, having violent opposition of being bound by the rules not to express them in due process. I'm opposed to this."

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

Maragos: "I hate to disagree with my august colleagues, Washington and Berman and rest, but I think what we're trying to do with this Amendment is the fact that when a person is exonerated, they don't want the Roll Call to go ahead and be listed as to how the exoneration took place. By the same token, if a report comes out that is a finding that there should be some reprimand, then the minority Members will stand up if they had disagreed and ask that that report not be given or they say that the report or the sanctions of that Committee should not be followed. So they will have an opportunity to express themselves without signing that report. I should also bring out very frankly, Mr. Speaker, Members of the House, that concerns me about this problem is what if one of the Members refuses to sign? Then is that report no good or can it...is that Investigating Committee locked in? That's the question, that's why I think this was discussed originally in Executive Committee and I think it is a very good suggestion and I think we should support the Amendment, rather than defeat it."

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



Matijevich: "Mr. Speaker, I've voted 'yes' and 'no' on this and I'm not sure just what the right vote is, but the reason I finally voted 'yes' is I thought at least the Amendment is consistent because under 82(a), it states, 'All reports shall be signed by the Members supporting the report.' And then later under (d), it states that whether... they can determine whether to exonerate or not or not to prefer charges. That report shall be signed by all Members irrespective of their original vote. I guess their interpretation is that everybody agrees not to prefer charges, but maybe that's not true. So, there is a inconsistency in (a) and (d) and I thought at least the Amendment as offered by Mr. Friedrich is at least consistent; and therefore, I voted 'aye'."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question, there are 47 'ayes', 84 'nos', 19 voting 'present'. The Gentleman's motion is lost. Further Amendments."

Clerk O'Brien: "Amendment #12, Matijevich."

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

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #12 came very late because, frankly, I didn't know what to do and I'm not sure what I've done is right either. But I had a lot of problems with 902 as presented and I thought at least I ought to offer some alternative. House Resolution, or the Amendment to 902, #12, establishes a permanent standing, six Member House Committee on Ethics. The Committee could initiate an inquiry into improper... improprieties or a Member may file with the Chairman of the Committee on Ethics through a letter or petition requesting an inquiry into allegations of charges. The inquiry would be confidential in Executive Session just as called for in House Resolution 902. The Committee when it finds that reasonable grounds do not exist, shall dismiss the complaint, if you would call it that, and discontinue the inquiry. It would also allow the Committee, when appropriate, to file a report of this... even though that matter would be in Executive Session, still it would, when appropriate, allow that



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Committee to state conclusions and reasons for not preferring charges or when appropriate, reporting a Resolution of exoneration. And the reason for that is that very often, charges will come out in public thru the media and although the matter would be in Executive Session, the Members of the Committee might find it appropriate to make public the reasons for not making charges. The hearing before the Committee on Ethics after that initial confidential inquiry were held, would be open and it would differ in 902 and this is one of my main problems with 902. It would be a nonadversary proceeding. Now, I think this is a very important distinction because the reason I have so many problems with 902. Representative Greiman mentioned the uncomfortable feeling about voting in the dark, shall you say, or voting on another Member. Imagine the feeling of two Members being appointed by that special Committee as a prosecutorial team. Imagine that feeling. You're going to have two Members in an adversary proceeding being a prosecuting team against any Member of the General Assembly, and I think that's a very uncomfortable feeling. I don't like the process where it's going to be any Member versus another Member, the House versus another Member, plaintiff versus lawyer. I think the proceeding ought to be a Committee to make an impartial investigation through a nonadversary proceeding in a quasi-judicial manner to determine the truth in the matter. That's all it ought to be and I, frankly, thought maybe I could come up with a very simple Resolution, but I tried to encompass much of the philosophy that I read through the Membership in what they originally offered in the prior Resolution in forming a House Ethics Committee and then the changes made in 902. Also, my Amendment in the final hearing process and the report on the floor, there's less verbiage to it. I eliminate also the matter of minority reports because I feel as Dwight Friedrich does, that the Member who may be, have a minority position has the right on the floor to amend the Resolution. That's all that it ought to be. It ought to be that simple, and we don't have to go through the harangue of majority versus



minority reports. I don't think that serves any useful purpose. So, I offer this Amendment #12 as an alternative. I think it ought to be only a one-step process and, by the way, the last part of the Resolution or Amendment #12 states that this would not affect... it is different, for example, within the formation of the special Investigating Committee; but if that Committee did come out with charges, then this Resolution would apply. I think it's a viable alternative and for another reason. I happen to have some problems that we even have the authority to implement the code of conduct under the statutes. We really, the law as I think, is deficient and I think that the only way we can implement it in... is through a standing House Ethics Committee. In fact, I think that we probably even ought to add language to it and my Amendment was strictly limited to procedure. And I think that there probably ought to be more language saying that the Committee has authority to implement Section so and so in the code of conduct under the statutes. That would give us the express authority to implement the law which I doubt if we really have right now. So, I offer Amendment #12 to House Resolution 902."

Speaker Bradley: "The Gentleman from Cook, Mr. Berman, on the Amendment."

Berman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think it's interesting personally. On the elements that Representative Matijevich proposed in Amendment #12 was an element that I had originally submitted to the Rules Committee in another Amendment and that is the standing Ethics Committee. That Amendment, I did not proceed with because after putting it together, I gave some great thought to this. I think it sounds nice to say that we can have a standing Ethics Committee, but I think that there are some inherent problems with that approach. First of all, whether justified or not, I think that we are inviting questionable action as far as raising issues of impropriety when you create a standing Ethics Committee. We get lambasted every day in the press for one thing or another and I think that when you have a standing Ethics Committee, all you're



doing is inviting Members of the House to make charges against other Members of the House, charges that may or may not be meritorious, but the standing Committee encourages that kind of conduct. Now then, we've only had two examples in the past 73, 71 years of a Resolution. I'm not implying that there wasn't grounds for bringing something, but I think that when we establish a standing Committee, we are encouraging and inviting this kind of masochistic and opening the door to perhaps politically dangerous kinds of actions. If there is some illegal act that has been committed, the State's Attorneys of Sangamon and Cook and every other county in the state stands ready to prosecute. They get great headlines if they bring indictments, not to mention the United State's Attorney, of course. They get great headlines if they indict for some criminal act, a public official and Legislators. I'm not sure that we have to have a standing Committee to have an open door for this kind of action. Secondly, I think it puts six Members or, I think that's the number that the standing Committee is provided for in Amendment 12, it puts them... yes, six Members. It puts six Members into a very unique position in relation to the action of their colleagues in the House. You're appointing six angels on a standing basis to guard and judge the morals of everybody else in this House. I wouldn't want that responsibility and with that responsibility, I might add, also comes an awesome amount of power. I don't... I don't want to imply that anyone here would misuse that power, but we're talking about permanent rules and I'm not sure that this wouldn't lend itself to a misuse of that power of the standing Committee. That alone is cause, I believe, to vote against Amendment 12. So, let me merely address one other reason that I personally, oppose it. John and I, Representative Matijevec and I differ on the question of the adversary proceedings. As a lawyer, I think that the adversary procedure is a very valuable one. It has done us well through hundreds of years of jurisprudence because when you have an adversary proceeding, it means that both sides are trying the hardest to reach the same goal. Namely, as John so



aptly stated, to determine the truth. And oftentimes, truth is not an issue of black or white. It is an issue of interpretation of the facts. And the presentation of those facts can most times be properly be presented through an adversary proceeding where one side has the obligation to do the digging out of the facts most favorable to their side and the other side, the defense or the accused, has the obligation of presenting and bringing forth the facts that are most favorable to his side. In the end, through that adversary responsibility, the jury, the judges, the Committee has the best opportunity of determining after hearing all of the facts what is, in fact, the truth. I like the adversary procedure. I think that it has done us well throughout our system of jurisprudence and I think that we ought to maintain it. That's what Resolution 902 does. Amendment #12 would do away with it. For those two reasons, I would oppose Amendment #12."

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

Duff: "Well, Ladies and Gentlemen of the House, I know because I had an opportunity to discuss with him on some occasions and also to hear on the House floor the very sincere effort on the part of the Sponsor of the Amendment to try to do what he really believes is right and I share to a very large extent the difficulty of coming to good conclusions in how to accomplish this goal. However, there are some points that I would like to make in opposition to the Amendment. Many of them have already been made well by Representative Berman, but for whatever dimension I can give some of those comments, I would like to make several quick points. First, if a standing Committee exists, there is not only the power to which Representative Berman spoke, there is also the political difficulty that all of us on each side of the aisle have the experience, for example, during the period in which we pick our leadership and which different people ask for assignments to various Committees. This would be a Committee, it would be very much sought by some people for potentially different reasons. The continued existence of some Committee would necessarily cause that Committee to want to demonstrate



under human nature and under political circumstances that it was doing its job. It would then require by human nature if not by the rules itself, hearings, reports, press conferences, and I can surely see the potential of abuse of somebody who had the title of Chairman of such a significant standing Committee holding his press conferences immediately before an election. I'm not saying that would always happen. I'm saying it very much could. I also suggest that if somebody had a problem that he did not want disclosed, he should work very, very hard to get on this Committee because he would have to be responding to any charges made against him and I don't see any provision for eliminating it. On the adversary problem, I see inconsistency, I believe, when the Amendment suggests that it be nonadversary but that the rules of evidence apply. The rules of evidence are, in fact, the tool of an adversary proceeding. And while I agree with the point of the Sponsor that we really are uncomfortable with the idea of a Member being a, quote, 'prosecutor', close quote; without the adversary concept, we also deprive to some extent the accused Member of advocacy which is the other side of adversary. The Member accused seems to me, must have the right to an advocate who would be the adversary of the manager. I also would point out that in this instance, you take a standing Committee and under this Amendment, you would allow it to find probably cause and then you would allow it to determine whether it was right in finding probably cause. In a sense, making it judge of itself. The two-tiered stage has precedent in so many areas that it is, I believe, better to be maintained under this circumstance. I would point out to you that anytime there would be an accusation made, it does require as was pointed out a week ago in some of our debates, a great deal of effort and hopeful wisdom on the part of the leadership of both parties to try to pick good people pertinent to the circumstance of the charge. And we all know that circumstance of the charge related to individual persons who might be on such a Committee might relate to whether or not an individual was in the same district, whether he was in the same party, whether he



had a continuing personal relationship with another Member of the House which would give him a bias in one direction or another. So, it seems to me that the Speaker and Minority Leader should be continued to allow the heavy responsibility of attempting to select the most appropriate persons for a specific hearing. One other point, in the Amendment as it's proposed, it does not allow the defending report that, in the second stage, that Amendment 902 allows. I really do sincerely believe that the Sponsor of the Amendment has made great effort... I watched him yesterday in his chair struggling with the concept. I do understand the goal of it, but I think that the collective opinion that has developed 902 to this point, should be supported..."

Speaker Bradley: "Would the Gentleman bring his remarks to a close, sir?"

Duff: "I just did."

Speaker Bradley: "Thank you, sir. The Lady from Lake, Ms. Geo-Karis. We haven't turned the timer on. I think it's an important issue, but let's try to restrict ourselves and stay within bounds of some kind."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I have the utmost respect for my colleague on Sponsor of Amendment 12, but I feel like the prior speakers who spoke against this Amendment that we're assuming that there's going to be a constant rash of unethical conduct that's going to be involved in this House. I don't feel that's so and I feel that if you have a permanent Ethics Committee and it may happen next term, the term after when some of us are not going to be here. What you're doing is encouraging a little power to be a dangerous thing. And this can also be a seesaw as to favoritism maybe on Bills. I feel it's dangerous to have a permanent Ethics Committee. I think it should be a Committee selected at will only when necessary by the Speaker."

Speaker Bradley: "The Gentleman from Moultrie, Mr. Stone."

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

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

The question is shall the main question be put. All those in



favor will signify by saying 'aye', opposed 'no'. The opinion of the Chair, the 'ayes' have it. The Gentleman from Lake, Mr. Matijevich, to close."

Matijevich: "Mr. Speaker, just in case my Amendment may be adopted, the unlikelihood, could I have leave to amend the Resolution or the Amendment on its face, page 4, line 2 between the words 'apply' and 'as', put the word 'accept'. That was a typo error."

Speaker Bradley: "Does the Gentleman have leave to amend it on its face? Hearing no objection, the Amendment will be... it will be amended on its face. Proceed, to close."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, maybe what I'm demonstrating here is the, both the futility and maybe the impossibility of really drafting in the short time that we're working a good set of rules for a disciplinary process. I disagree that you can't use rules of evidence and not have a nonadversary process because I said that it be a quasi-judicial process and that can be done. But let me tell you the danger of what you've done by this rule and you may adopt it. You will allow by the adoption of Rule 902, you will allow somebody making a charge to be part of that two-man or two-woman prosecutorial team. Show me, for example on page 3, in Section B, 'If a majority of the Membership of the special Committee determines to prefer charges, it shall file a formal statement of charges and specifications and shall appoint two Member of the House, one from the majority, one from the minority party who are not Members of the special Investigating Committee to be managers for the House at the hearing... on the charges.' The person making the charges could be part of that prosecutorial team. I don't think you meant to do that, but I don't think that's right. I don't think that's the way it ought to be because you may have someone who has some ulterior motive for making a charge and you're going to put that person as a prosecutor against a Member of the House. I don't think that's fair procedure. I think the fairer procedure and I was somewhat troubled by a Committee on Ethics having six persons being the moralists for the House. I'm troubled by that, but I'm



pointing out the difficulty getting a good procedure. Maybe the procedure is to have a select Committee, but to do it all in one stage, to have an investigation; but surely I think that the procedure as outlined in Amendment 12 is better than in 902 and therefore, is ask for the adoption of Amendment #12 to House Resqlution 902."

Speaker Bradley: "The Gentleman moves the adoption of Amendment #12 to House Resolution 902. All those in favor will signify by voting 'aye', opposed by voting 'no'. And the Gentleman from Christian, Mr. Tipsword, to explain his vote."

Tipsword: "Very briefly, Mr. Speaker, I appreciate what the Member has done here and I think he's very sincere in it. I would arise to oppose this permanent Committee because I think it has some problems. I think one of them is the pressures that the Committee could be objected to from outside sources who are themselves not subject to disciplinary procedures to conduct a fleecing expedition, the purpose of making their investigations that perhaps they ought to be making otherwise, just merely on some assumptions. And also, I think it's very difficult for the persons who'd serve on that Committee to be that kind of a person in this legislative body. I think it needs to be passed around if there are charges and the other thing, you know, I recall I served on a permanent Ethics Committee here one time and I remember Membership on that being used as a reason to vote for a person having served on the Ethics Committee had to be clean, so vote for him in the election. So, I appreciate the action of the House."

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

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, I respectfully submit to you that this preoccupation of the House with constructing a permanent scaffolding for hanging our fellow Members of the House is pathological. It's a knee-jerk, monkey see, monkey do reaction to the Watergate matter of a couple of years ago. You remember that's the occasion in which a group



of Congressman, over half of whom are admitted recipients of Gulf Oil money, lynched a President. Recent disclosures there indicate that none of those people were morally qualified to sit in judgement. This step is unnecessary, uneconomical, barbaric and we should get back away from it as fast as we could. Don't hesitate to vote to dismantle it and all similar proposals. To those that moan and groan about public trust and public confidence, let me remind each of you that we are tried daily in the court of public opinion. The news media serve a very useful purpose in they point out in great detail the rare blemishes of imperfections on the face of each of you and every two years, the court of public opinion returns a verdict, twice every time in two years at the polls. The people get a chance then to decide who are the crooks and who are not the crooks and who are the good guys. So, I ask you if it's not, in your judgement, now the time to march forward in camaraderie and in confidence, in good will to our fellow man and mete the citizenry together. Vote 'no' and vote 'no' on all other proposals of this nature."

Speaker Bradley: "I think you swayed everybody. There's 12 'ayes', 118 'nos', 9 voting 'present' and the Gentleman's motion fails. Further Amendments. Oh, I'm... the Gentleman from Cook, Mr. Houlihan. For what purpose do you rise, sir?"

Houlihan: "Thank you, Mr. Speaker. The Committee which has been created pursuant to House Resolution 883 is scheduled to convene at 1:30 this afternoon in Room H1 of the State Office Building. Since it now appears that the debate here will extend beyond 1:30, I would ask leave of the House for the Members of that Committee to meet at 1:30 in Room H1 while the House is in floor Session."

Speaker Bradley: "Does the Gentleman have leave? Hearing no objection, the... leave is granted. Further Amendments. Amendment #1."

Clerk O'Brien: "Amendment #1."

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



Schlickman: "Mr. Speaker, Members of the House, I ask leave to table Amendments 5 through 9."

Speaker Bradley: "The Gentleman asks leave to table Amendments 5 through 9. Are there any objection? Hearing no objections, the Amendments are tabled. For what purpose does the Gentleman from Macoupin, Mr. Boyle, arise?"

Boyle: "Well, Mr. Speaker, I've had several Members, including Representative Ryan, ask me what your intention was. We have an Appropriation II meeting scheduled for 1:30 in Room 118 and we are... have a large number of Bills and a lot of work to do including the education budget and those folks are down here and we'd like to know what your intention is. Are you going to go through? Are we going to have Committees? Are we supposed to have them tonight or..."

Speaker Bradley: "We have completed all but, I believe, sir, now three Amendments left on this Resolution. We'd like to address ourselves to that and complete... and the hearings on the Amendments and adopt 902 and we intend to go to Committee meetings at that time."

Boyle: "Well then, are you going to try to come back in here at 4 o'clock?"

Speaker Bradley: "We will notify you before we leave, sir. Further Amendments."

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

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

Berman: "Thank you, Mr. Speaker. Amendment #1 to House Resolution 902 would seek to take out a provision that appears in 902 on page 4 between lines 16 and 26. The language that appears there on page 4, lines 16 to 26 was adopted on a close vote. I think it was a one vote difference, if I recall correctly. in the Rules Committee. That language states that if the special Committee that hears the charge, the first tier, the special Investigating Committee determines that the initiating Resolution was introduced with willful and wanton disregard of the facts known to the Sponsor or which should have been known to the Sponsor by reasonable diligence or was introduced without



reasonable grounds and malice, the special Investigating Committee shall report appropriate charges and specifications as to the Sponsor. My Amendment would take out that language. Now, I've discussed this with a number of people, including the Sponsor of the original language that's in House Resolution 902, my good friend, Representative Hanahan. I think that this language in the rule does the House a disservice. May I point out to you that we don't need this kind of language to address ourselves to an irresponsible Sponsor of a censure Resolution. Even under the Greiman Amendment, if one or more Members introduce a Resolution which is totally without merit and it's been for totally inadequate or improper reasons, political, personal or otherwise, any other Member of this House, singularly or in concert, can turn around and introduce a censure Resolution against the Sponsor of the first irresponsible Resolution. This language, however, automatically vests in the special Investigating Committee the power to censure and, in fact, reverse the tables on the Sponsor of the first Resolution. I think that it's not the best way to approach this problem. First of all, I think that we are, that we have in everything that has been adopted so far, the body of House Resolution 902, the Greiman Amendment, we have tried to build in procedural and substantive safeguards to protect every Member in this body from irresponsible action. I think that the language that's in 902 is overkill. We are intimidating by that language any person that wants to bring a Resolution. I don't think it's necessary to have that intimidating type of language in 902. That is the reason why I have offered Amendment #1 to take that out. It still gives this House and any other Member the alternative that if somebody acts irresponsibly, that person can be the subject of a censure Resolution, but I don't think that we ought to build in that kind of threat in the rules. And I solicit your support of Amendment #1."

Speaker Bradley: "The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Well, Mr. Speaker and Members of the House, the Gentleman says 'intimidated'. Imagine how intimidated the accused is



in the process of being accused of an impropriety. Imagine the harm done to another Member of this House just on the basis of the accusation; not the proof, not any fact, but just the plain, simple fact of life that an accusation against another Member makes headlines. It puts you in the news media, it destroys your family relation, your kids get asked at school, you know, what did your daddy or your mother do wrong that they are accused wrongfully. I want to point out a few of the reasons and not being an attorney, but a few of the reasons just as a kid from a streetcorner has brought me to bring this Amendment into the Act that's proposed here. Number 1, the immunity question. If a Member of this House says to another Member of this House that he is a thief, a murderer, or a rapist, there is not one thing you could do about it because that Member has immunity on the floor of this House. Now, this is in the grand jury proceeding that is secretive. This is not a situation where you could go before a grand jury and not a soul will know about it. If a Member of this House accuses another Member, you're going to hear about it in the press, just the accusation. Now, stop and think of the intimidation that happens at that Member. Now, some people say you have a right to cross-file. Well, in the neighborhood I was raised in, we didn't take to that kind of protection. I don't believe in being a snitch pigeon, a stool pigeon or be granted immunity. All those things are vile and reprehensible to my kind of conduct. I don't believe in it, I don't think it's the American system, and I think it stinks. The time when we used to have prisoners of war and nobody corroborated with the enemy is long gone when we see the situation today that we have immunity laws and all the other garbage that has been placed down on us by these so-called do gooders and free thinkers. Let me tell you when the ethics statements pass and I'm making it a public statement, when the ethics statements pass next November if they're on that ballot, you're going to elect nitwits to this House of Representatives that will have nothing better to do with their time than to accuse other Members of improprieties concerning ethics. And I'm going to tell



you right now it's going to happen on the advent of passing that kind of Constitutional Amendment, that everyone's going to be able to be accused of everything with immunity, mind you with immunity and you're going to have to protect yourself in the court. Now, my language in House Resolution 902 does not behead the messenger as some people may try to allude to. It simply says that the Committee that the charges went to has a right to see whether or not there was willful and wanton disregard of the facts known to the Sponsor or which should have been known to the Sponsor by reasonable diligence or was introduced without reasonable grounds and with malice. Now, we're not talking about some guy who really believes that another Member acted improperly and files a charge. We're talking about a willful and wanton disregard. We're talking about with malice and without reasonable grounds and it's the very least we could expect to protect ourselves from this public flagellation that we're going through with this kind of rule, that at least that the accused, the accused is not unreasonably charged and has to put up a major defense of his character, not only here and not only before the Committee, but back home in his district as Representative Cunningham so ably described, the real jury back home when you run for reelection. And there's another jury that's back home and that's the jury when you walk into the neighborhood grocery stores or the jury that's sitting in the neighborhood saloons or restaurants. I'm not one of those guys that stay in a closet. I go out among people and people talk and people have a lot to say. And if you want to give people more to say, allow some silly nitwit that may get elected to the Legislature to do nothing but accuse other people of ethics violations and introduce Resolutions unreasonably, without protection. Now Ladies and Gentlemen, I urge a 'no' vote on Representative Berman's Amendment. That 'no' vote will in no way hamper, hamper good and well-intentioned and reasonable accusations against a Member who, with reason, may have or without reason, may have violated some ethics code or some rule of this House. But to allow every Member with...say... not have that



kind of protection and we're all not lawyers. And a lot of us that are nonlawyers need that protection that in the rules, nobody's going to just easily introduce a Resolution to accuse somebody of an impropriety. And I urge a 'no' vote."

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

Kempiners: "Thank you, Mr. Speaker. The previous Gentleman has alluded to the nitwits who might be elected to this House. I'd like to allude to the responsible people who might be elected to this House. Mr. Berman, in his offering of this Amendment, talks about intimidation and this is what I'm afraid of. I voted against this Amendment putting this wording in the Bill in the Rules Committee because I took a good, hard look at the words. Mr. Hanahan said that this would just give the Committee, it would have a right to look into the actions of the Sponsor. It's not just saying it has a right, it says it shall review the actions of the Sponsor in initiating the Resolution. That's not a right, that's a mandate. You take a responsible person who thinks he has found something that somebody has done very wrong. How do you think that language is going to sound to him. It's going to intimidate him, it's going to give him an idea, well, I'd better not introduce this Resolution even though I believe I'm right. Take a look at some of the other wording, about the words 'introduced with willful and wanton disregard of the facts known to the Sponsor or which should have been known to the Sponsor'. What does that mean? Does that mean that if he didn't check one base that was not available to him and if there's something there that he didn't find that just because he couldn't find it that he's going to liable for censure? That's a good question. Think about that. Yes, this would intimidate a decent person who's trying to get at the facts of an alleged wrong. I think without this wording, the House would be able to censure or to punish a person who did, with malice, file an unjust Resolution. We don't need this wording to protect us. We need to do away with this wording, however, so that a person who is decent and trying to get at the truth is not intimidated. I very strongly recommend the adoption of the Berman Resolution.



I support it and urge your support."

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

Washington: "Well, Mr. Speaker and Members of the House, very briefly, in support of Mr. Berman's Resolution. First of all, these rules are not being written for lawyers in the House and they're not being written for nonlawyers in the House. They're being written for the protection and also to get at the truth in terms of allegations against and for all Members of the House. Let's don't make this a lawyer-nonlawyer debate because that is fruitless, irrelevant and has nothing to do with what we're talking about. The question Mr. Berman is raising is where do you end this process--charges, countercharges. And if the person who has been countercharged against, what is he to do--bring charges against the body that says he was irresponsible and operating with malice. Where does the process end? Mr. Berman is saying that the process should end with dispatch on a hearing with determination, a clear-cut designation as to guilty or innocent which presumably will be publicized and inherent in an innocent finding would be presumably, some castigation against those who brought the charges if they were irresponsible. Well, if this matter goes on and on and on interminably, you'll be intimidating everybody in the House. I think this Amendment deletes language which should never have been placed therein. I think by placing it in there, you overlook certain inarticulate factors which exist in the House and that is that a Member can be held up to opprobrium without necessarily writing it down. He can be looked upon in disdain without necessarily bringing a charge that he was irresponsible. The basic and fundamental thing that you're trying to bet at is to dispatch as quickly as possible what you're looking for and to protect the Members of the House. But if you string this thing on interminably, I think all you're going to have is charges and countercharges and in final analysis, do a disservice to the House which is struggling mightily here. And I have to assume that Mr. Hanahan is also doing that, struggling mightily to just come to a reasonable, sound system of rules to govern our



conduct. I think we should vote for this Amendment."

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

Friedrich: "Mr. Speaker and Members of the House, I support this Amendment. I know what Mr. Hanahan's fears are and I share them along with the others, but I don't know any document that's come up with more protection for the accused than we've done here without the Hanahan... or with the... without this Berman proposal in it. I want to tell you something else. This suggestion that you have to prove malice, malice is almost impossible to prove and I'm not an attorney and I know that much. Even willful and wanton behavior is hard to prove because you have to prove what was in the mind of the accuser. So, I think it's a little futile in the first place. It will deter people from, I'm talking about responsible people, from bringing charges. I think we put a lot of safeguards in there without this and if I didn't think so, I'd be for it. I urge support of the Berman Amendment."

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

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

Speaker Bradley: "The Gentleman moves the previous question. The question is shall the main question be put. All those in favor will signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Gentleman from Cook, Mr. Berman, to close."

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

I want to underline the... that the fears that Representative Hanahan so eloquently spelled out are ones that we all, I think, share in common. The question is how do we address those fears? And I think that what I am suggesting by Amendment 1 is a way that I think is the more responsible way, the more stand-up way. Tommy talks about being a stand-up guy. He is. Let me tell you why Amendment 1 should be adopted for those people that want to stand up and be counted. You're putting into six people in a Committee the right to turn around and bring a Resolution of censure against the original Sponsor. I don't need six people to do that job for me if I have been wrongly accused by some nitwit



or some irresponsible guy; If I'm wrongly accused and there was no basis for that accusation, I'll stand up and I'll introduce that Resolution. That's standing up. I don't need us to be in a six Member Committee to do my job for me and I think that's a different approach. Also and I think the last speaker pointed this out that there are certain standards set forth here which in some degrees limit that six Member Investigating Committee as far as turning around and putting that Sponsor on the spot. They've got to find malice. Representative Friedrich is right. It's very difficult to find malice and yet you're limiting it. One question that I would raise here is if you put this kind of power in the six Member Committee, does it take away from any one of you the right to turn around and make an accusation? I'm not sure of the answer. One answer might be that it does prevent you from doing that, the right to turn around and accuse the original Sponsor might lie only in that six Member Committee. I don't think it should lie there. I think that each of us should be our own judges of our own actions and the actions of everybody else on this floor. That's what Amendment #1 does. I solicit your 'aye' vote."

Speaker Bradley: "The question is on the adoption of Amendment #1 to House Resolution 902. All those in favor will signify by voting 'aye', opposed by voting 'no'. And the Gentleman from Cook, Mr. Maragos, to explain his vote."

Maragos: "Mr. Speaker, I'm going to take one minute to get a little action, to show my aggravation. I've been on three Amendments here to speak and going to be limited to one minute. The reason why I'm against this Amendment, Mr. Speaker and Members of the House, even though we have the other speakers who helpfully proposed the position, is the fact that we... I want every one of us to consider that we have three Members that run in each district. We're a unique state in this country that only has three Members running. If one of us wanted to accuse falsely another Member for political reasons and then this man is blasted in the paper and even though he's exonerated later by Committee, he's lost the election and there's a new House that comes in next time,



how is this automatic going to be set in unless these procedures are already left in this particular rule? I say to you, Mr. Speaker, Members of the House, let us make sure that when a man accuses another, that he's got reasonable grounds. And I agree that we should have these grounds, but it should be reasonable. It should not be with malice. And with the political climate as we have it today, Mr. Speaker and Members of the House, it can happen because we have three Members running from each district. And as an antipathy, we'd better be very careful before we adopt and eliminate this particular clause from these rules. I say to you because you should be an automatic lock-in because then the accused Member, the accusing Member should know that if he's done it by maliciously... done it by malice and maliciously and does it without willful... with willful and wanton intent, he shall have some automatic sanction against him, Mr. Speaker and Members of the House. And that's why I think we should be very careful before we adopt this Amendment."

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

Duff: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I know that the reason that the Sponsor of the original Amendment in Rules speaks so well to this subject and he is so popular in this House is that he so often expresses what's in our hearts, but I think the Sponsor of this Amendment on the floor so often speaks what is in our minds that we should accomplish. This Amendment isn't intended to be intimidating, but it is. It's counterproductive and it's unnecessary as has been pointed out. It's difficult, at best, for an individual in this body to go against the friendships of the peer groups, but we protect the right of an individual to proceed in true conscience, no matter how unpopular his effort is and I am strongly supporting the effort of Representative Berman. I've spoken many times on this floor for the rights of the accused. In this instance, I think that we have to speak for the rights of both parties. What we are doing here is a good thing in this Resolution and we can sully that effort if we do anything which would promote those ethics,



so-called ethics petitions which are being circulated in the state now. To support Representative Berman, we'll show the public our good conscience, our good intentions."

Speaker Bradley: "The Gentleman from Moultrie, Mr. Stone, to explain his vote. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 77 'ayes', 59 'nos', 11 voting 'present', and the Gentleman's motion prevails. The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, I move now that the House recess..."

Speaker Bradley: "Hold that..."

Giorgi: "Till four o'clock so that the Committees scheduled can be meeting and we'll be back here promptly at four o'clock. We're going to work a few hours and we're going to retire for the weekend."

Speaker Bradley: "Before we move on the motion, the Gentleman from Cook, Mr. Mann, for what purpose do you rise? Mr. Mann."

Mann: "Mr. Speaker, for the benefit of those Members of the House Higher Education Committee, we only.... Bill and we will meet immediately after recess in Room D1, D1."

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

Kempiners: "Yeah, a little bit of unfinished business, Mr. Speaker. Amendment 2 to this Resolution was made unnecessary by the Greiman Amendment, so I would ask leave to table Amendment #2."

Speaker Bradley: "Does the Gentleman have leave to table Amendment #2? Hearing no objections, the Amendment is tabled. The Gentleman from Macoupin, Mr. Boyle."

Boyle: "Yes, thank you, Mr. Speaker. Appropriations II will meet in Room 118 immediately upon recess of the House and I'd urge the Members to be there as fast as possible so that we could get a quorum and proceed with hearing the Bills that we have before us. If you've got to go somewhere else on legislative duties, please come to 118 so that we can have a quorum call and get a quorum."

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

Matijevich: "Yes, Mr. Speaker and Members of the House, the House Executive Committee will meet immediately after adjournment in



Room 114. Also, Mr. Speaker, I'd like to move the suspension of Rule 18, the posting notice, so that House Resolution 897 can be heard this afternoon. It's a simply Resolution asking the Legislative Council to make a study. If we hear that this afternoon, then we don't have to have any meeting next week. So, I ask leave to use the attendance Roll Call for unanimous consent."

Speaker Bradley: "Does the Gentleman have unanimous consent to suspend Rule 18 for the immediate consideration today of the Resolution? Hearing no objection, we'll use the attendance Roll Call. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "In case the Members of Executive Committee misunderstood, that's immediately after recess. We're meeting now in Room 114."

Speaker Bradley: "The Gentleman from Macoupin, Mr. Boyle."

Boyle: "All right, Mr. Speaker, now I understand that we've got problems again in Room 118, so we'll stay here on the House floor."

Speaker Bradley: "All right, the Lady from Cook, Ms. Chapman."

Chapman: "Mr. Speaker, the House Human Resources Committee will be meeting immediately in A1. It should be a very brief meeting if we can get a quorum immediately. There are two simple Resolutions only, so I hope that the Members of the Committee will be able to come immediately to A1."

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

Katz: "Mr. Speaker, first of all, an announcement concerning the House Rules Committee that will be important to all of the Members of the House who are handling Senate Bills. Last night, at the meeting of the House Rules Committee that followed the adjournment, it was agreed by the Republican and the Democratic leadership that there could be a meeting of the House Rules Committee to hear Senate Bills this coming Tuesday. That will provide two days notice and the posting will be made at the end of the day today. Now, if you have a Senate Bill that you want to have scheduled for next week, you should obtain from the Clerk, the form that already exists, fill it out, and leave it with the



Clerk. And automatically, your Bill will be posted for next Tuesday immediately upon the adjournment of the morning Session that will take place. Now if you have already file that form, you do not have to do anything. It will be automatic. It will be posted automatically by the Clerk of the Rules Committee for next Tuesday, immediately upon the adjournment of the morning Session. Now, with regard to the Judiciary II Committee, they have a meeting that had been posted for 1:30... had been posted for two o'clock today, since the number of the Members of the Judiciary II Committee are on other Committees that are meeting at the same time, we will meet in the same room, Room C1, at 3 p.m. today to give the Members an opportunity to attend to their other Committee assignments. So that Judiciary II will be meeting in Room C1 at 3 p.m. today."

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

Holewinski: "Yes, Mr. Speaker, really as an inquiry. That is, I understand, later today, we're going to be considering a motion by Representative Matijevich to table substantive legislation, nonappropriation Bills, I'm just wondering why should we go to Committee considering that legislation when we will, in effect, possibly table that tonight? That's what I'm asking. Wouldn't it be appropriate to consider that motion now?"

Speaker Bradley: "It would not be appropriate, if that's what you're asking. The Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, for the purpose of an announcement. Appropriations I will convene on the House floor at two o'clock for their Committee meeting."

Speaker Bradley: "The Gentleman from Macoupin, Mr. Boyle."

Boyle: "Thank you, Mr. Speaker. Again, we have another change. I understand that we're now going to meet in the closet in the Speaker's office right after... no, we're going back down to Room 118, so let's everybody go back down there. They've got their technical problems solved."

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

Maragos: "Mr. Speaker, Members of the House, it concerns me. If the Rules Committee is not going to meet until next Tuesday,



it is not going to give many of us who want... if they succeed to get it out of Rules, time to bring them in for a hearing next week and that's the final week for some Committee hearings and that's what concerns me. I was wondering if there's any way we could suspend the rules and have them meet earlier, either on Monday or later today, if possible."

Speaker Bradley: "There's a way. The Gentleman from Cook, Mr. Katz, the Chairman of the Rules Committee."

Katz: "Yes, Mr. Speaker, the Republican leadership and the Democratic leadership discussed last night at the Rules Committee meeting when they would meet again. Now rather than 6 and 1/2 days, the Republicans agreed to hold it next Tuesday. That's a lot better than 6 and 1/2 days. Mr. Maragos had a hearing last night on his Bills. He has no real complaint. I can't simply require everyone to be there just because a Member lost his Bill last night. Mr. Maragos will have his chance next Tuesday. That is the day the Republican leadership agreed, it was the earliest date they would agree to, and I would urge that it is a very fair thing. We are practically through the day. We will be back Monday and that's Tuesday and it's after the morning Session. That is very prompt service, Mr. Speaker."

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

Palmer: "Parliamentary inquiry of the Chairman of the Rules Committee.

Has the notice been suspended relative to having Bills heard before the Rules Committee? Can one with a Bill just go in there and... without asking for waiver of the 6 and 1/2 day rule, go in there and have his Bill heard?"

Katz: "Mr. Speaker, let me say that the Chairman of the Rules Committee, the Speaker, has been very concerned about the problem of Members and time. There has not been, there has been a change in policy, shaving the 6 and 1/2 days to two days. Now, two legislative days; but there is still required two legislative days. I did state before that if you will file your petitions today before you leave here, they will be automatically posted for next Tuesday, immediately after the adjournment of the morning Session. The Speaker and the Republican leadership are trying



to accommodate the Members, but they do want enough time to know what is being considered and that two days was the agreement that was reached between the leadership at the meeting last night."

Palmer: "Thank you."

Speaker Bradley: "Anymore announcements? Announcements, Mr. Duff? All right, the Gentleman moves that the House stands in recess until four o'clock and for a couple of minutes, we're going to do some work, housekeeping work up here. So, the House will stand in recess until the hour of four o'clock."

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

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills of the following titles. The passage of which I'm instructed to ask concurrence of the House of Representatives, to wit. Senate Bill 1679, 1961, 1994, and 1999. Passed by the Senate, June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has acceded to the request of the House of Representatives for a First Conference Committee relating to Senate Bill 1604. Action taken by the Senate, June 17, 1976. Kenneth Wright, Secretary. Senate Bills, First Reading. Senate Bill 1558, Choate. A Bill for an Act relating to a tax on coal operations. First Reading of the Bill. Senate Bill 1750. A Bill for an Act to amend the Illinois Highway Code. First Reading of the Bill. Senate Bill 1961, Kozubowski. A Bill for an Act to amend the Illinois Housing Development Act. First Reading of the Bill. No further business. House stands in recess."

Speaker Bradley: "The House will stand in recess till the hour of four o'clock."

House in recess

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

Speaker Bradley: "The House will be in order, the Members will be in their seats. Committee Reports."



Clerk O'Brien: "Representative Chapman, Chairman of the Committee on Human Resources, to which the following Resolutions were referred; action taken June 17, 1976. Reported the same back with the following recommendations. Be adopted--House Resolution 846 and House Resolution 880."

Speaker Bradley: "Messages from the Senate."

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

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the passage of Bills of the following title, to wit. House Bill 3245, 3246, 3310, and 3436; passed by the Senate June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate concurred with the House in passage of Bills of the following title, to wit. House Bill 3218 together with an Amendment; passed by the Senate as amended, June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House, the passage of a Bill of the following title, to wit. House Bill 3586 together with an Amendment; passed by the Senate as amended, June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the passage of a Bill of the following title, to wit. House Bill #3850 together with an Amendment; passed by the Senate as amended, June 17, 1976. Kenneth Wright, Secretary.

A message from the Senate by Mr. Wright, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution and the adoption of which I'm instructed to ask concurrence of the House of Representatives, to wit. Senate Joint Resolution #79; adopted by the Senate, June 17, 1976. Kenneth Wright, Secretary."

Speaker Bradley: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 908, Choate et al. House Resolution 909, Choate. House Resolution 910, Capparelli. House Resolution



912, Geo-Karis. House Resolution 913, Laurino. House Resolution 914, Laurino. House Resolution 915, Kornowicz. House Joint Resolution 103, Kelly. House Joint Resolution 105, Waddell."

Speaker Bradley: "The Gentleman from Winnebago, Mr. Giorgi, on the Agreed Resolutions."

Giorgi: "Mr. Speaker, House Resolution 908 by Choate honors... notes Jerry Shea's accomplishments in the domestic field and in the accounting field. House Resolution 909 by Choate notes the... Oh, you're here. And House Resolution 909 by Choate honors: James and Norma VonBoeckman who were married on June 14, Flag Day, 1941. House Resolution 910 by Capparelli and Lechowicz also honors Roman J. Kosinski and his new wife, Isabelle. They celebrated Flag Day when they were married in 1939. Geo-Karis, House Resolution 912 honors Libertyville Township High School Baseball Team on their achievement in State Championship. House Resolution 913 by Laurino honors Dennis Bernardy on obtaining the highest Scout award. House Resolution 914 by Laurino honors the Boy Scouts of America. House 915 by Kornowicz honors the Reverend Phillip J. Wirth, Pastor of Savior Lutheran Church on its fiftieth anniversary. House Joint Resolution 103 by Kelly honors the week of... 'Respect of Life Week'. And House Resolution 105 by Waddell gives an extended reporting date for the Information Systems Commission, created by the General Assembly. I move for the adoption of the Agreed Resolutions."

Speaker Bradley: "The Gentleman moves the adoption of the Agreed Resolutions. All those in favor, say 'aye', opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. Further Resolutions. The Lady from Lake, Ms. Geo-Karis, for what purpose do you rise?"

Geo-Karis: "Mr. Speaker, Ladies and Gentlemen of the House, especially, I'm sure, and on behalf of the whole Lake County, would like to congratulate Libertyville Township High School for coming in 2nd in the State Baseball Games. And we certainly congratulates (unintelligible) even though they beat us, they only lost by one once."

Clerk O'Brien: "House Joint Resolution 104, Washington."



Speaker Bradley: "Committee on Assignments. On the Speaker's Table, appears House Resolution #902 and regarding that Resolution, we are to the point that Mr. Kempiners has just tabled Amendment #2 and we will proceed with the further Amendment, Amendment #3. The Gentleman from Cook, Mr. Greiman, on Amendment #3."

Greiman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I put in Amendment #3 which essentially brings the finding, allows the finding of guilt to be reduced to 89, rather than 107 that's in 902 as originally given. I have searched my own conscience and find that I do not agree with my Amendment. However, it would be unfair for me to move to table it and Representative Matijevich has, who does feel strongly on it, is going to take it instead and I am asking that my name be deleted as the Sponsor of Amendment 3 and that Mr. Matijevich's name be substituted as the Sponsor of Amendment 3."

Speaker Bradley: "Discussion? The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker and Members of the House, on Amendment #3, most of the precedents in other such types of Committees and subsequent action is that it... except for expulsion and on those matters, the State Constitution does state that it be two-thirds of the Members be required to expel a Member. But on other sanction matters, that it be 89 Members. Now, for those of you who think it ought to be 107, let me say, put yourself in the position of a Member who may find himself in the position where there are not 107 votes on a matter of a sanction, yet you won't get the required number of votes for exoneration and that, I think, would place quite a cloud on that Member. So, you know, I think 89 votes is enough. It's the ordinary procedure in most such instances and I think the better procedure. I think we'd probably be accused of and rightfully so, that in establishing 107 votes, we are really being over, overly protective and maybe in that overprotection, we really aren't guaranteeing that Member also his rightful due because we can place a cloud over him by no action coming out of the House. So, I ask for your adoption of Amendment #3 to House Resolution 902."

Speaker Bradley: "Discussion? The Lady from Lake, Mr. Geo-Karis.



And if we could have the Members in their seats because, again, the Chair would like to remind the Members this is indeed an important Resolution and these Amendments should be thoroughly discussed and every Member have the opportunity to hear what's being said. The Lady from Lake, Ms. Geo-Karis."

Geo-Karis: "Thank you, Mr. Bradley. Will the Sponsor yield for a question?"

Speaker Bradley: "The Sponsor indicates that he will yield, yes, ma'am."

Geo-Karis: "On this Resolution which you are now sponsoring and he's out of, that's Amendment 3... in the summary it says that the majority... it returns to 89, the majority required on the floor to adopt the Resolution of fault at the conclusion of disciplinary proceedings. Now, John, does this Resolution only refer to a finding of fault or does it also refer to any finding of exoneration?"

Matijeich: "That's on the matter of finding of at fault. That's on page 7 in Subsection F, Rule 86, Subsection F."

Geo-Karis: "All right, Mr. Speaker, I'd like to speak on the Resolution."

Speaker Bradley: "Proceed."

Geo-Karis: "I don't like to disagree with my colleague because I know he has agonized for many weeks on these problems. However, I do think that if there's going to be a finding of fault, it is a very serious item against any Legislator. And I do feel that if we have as many as 107 votes, for example, for home rule counties, just for home rule reasons, but this affects the very reputation of an individual. It can be... and finding of which if it is against him, can ruin him for life. I think the only equitable way to do this would be to have a finding of 107 and therefore, I speak against Resolution 3 and I can understand, well understand why Mr. Greiman absolved himself from this Resolution because I think he probably feels like I do, that 107 would be far more equitable when you're dealing with a person's very life because your reputation in my book is your very life."

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



Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, I've wrestled with the question of whether it should take 107, an extraordinary majority or a simple majority to find a..."

Speaker Bradley: "Mr. Walsh, let's try to get some attention for your remarks. Again, the Chair would remind the Members of the importance of this piece of legislation and we certainly should give every Member remarks full consideration and give them some attention and please give them some order. The Doorkeepers will keep those people not entitled to the floor, until we finish with this Resolution, would you please keep them off the floor. Proceed, Mr. Walsh."

Walsh: "I've wrestled with the problem of whether it should take an extraordinary majority to find a Member at fault. I think that Representative Matijevich makes a very good point when he agrees that for expulsion, it should take the 118 votes that are called for; but the question of whether it should take more than a simple majority to come up with a lesser finding, it seems to me it's reasonable. It seems to me that the person against whom the charges are made has the opportunity of convincing the Investigating Commission, the Committee... Investigating Committee must find that there's reasonable cause and because the... it is a uneven number, it must be a four to two finding against him. I think, Mr. Speaker, that the 89 should really be renumbered because that's what it takes for us to pass a Bill and to do other things of considerable consequence and I would hope that Representative Matijevich's motion would be supported."

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

Duff: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I am slightly nonplussed for two reasons. First of all, Representative Greiman told me just before lunch that he was going to table this Amendment. He's on the phone over there. I wish he'd listen. Representative Greiman told me before lunch that he was going to table this Amendment and I don't understand why he didn't. That's point #1, point #2, the House Judiciary Committee just got out and here we are dealing with an inadequate number of people on the floor with a most serious matter as far as I'm



concerned. I see empty chairs all around the periphery. Further, Mr. Chairman, I can't agree with my colleague, the Assistant Minority Leader for these reasons. Every single Member of this body is put here not to be a Member of this body in a peer group situation and is not put here to represent partisan difficulties when they might arise, but is elected by the people of Illinois. Every single Bill we pass doesn't say be it enacted by 177 individuals. It says enacted by the people of the State of Illinois represented in the General Assembly by each and every one of us for the serious individual right as well as responsibility. And it seems to me that to get 89 votes allows the possibility on occasion for partisan action within this House. It seems to me further that 107 or some extraordinary majority protects every individual in this House from two things. First, partisanship on those occasions where it might occur because in the mind of recent memory, there is no situation where 107 except for 1964 has been a number of one party. Secondly, it also seems to me very important that there are occasions where anger, partisanship, excess in debate have been seen in recent years to have caused the body itself to rise up on anger. I would remind some of you of the occasions in 1971 when one of our Members, no longer here, made an inappropriate remark on the House floor and there was an instant effort to censure with... and there were well over 89 votes to conduct it. I would remind you of 1973 when a lobbyist was sitting in the gallery and had passed a piece of information around the House floor which said that there should be, that there had been money passed by another lobbyist. That man, to those of you who will remember, was called down from the gallery. The House instantly formed itself into a hanging Committee of the Whole, called him before us willing to deprive him of his Constitutional right in our anger and our indignation at his inference of our lack of conscience and the temporary anger of the moment would have been enough to have caused on both of those recent occasions a serious error on the part of this body. One thing that 107 votes does for us besides eliminating the possibility of partisanship



is that it allows for a more thorough deliberation. And it further allows if there is a finding of fault that it is not by a narrow margin, but a speaking of the conscience of an extraordinary majority of the body, carrying to the public a significance way beyond a simple majority of 89. I think it's a very great mistake for us to recede, to go back to 89 votes on such a serious matter to every single Member of this House however unpopular he or she may be on any given afternoon or late evening when we're angry and tired."

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

Greiman: "Thank you, Mr. Speaker. I rise just to comment because I was mentioned in debate by the previous speaker. Firstly, I would advise the Gentleman that I would have to have leave of the House in any event to table something. Secondly, I owed him no particular, you know, responsibility. It was not a promise or an understanding or an undertaking. I merely advised him on the possibility that he might want to carry that Amendment. But I will say this, that I had filed the Amendment. The Amendment was sitting here for some three days and I thought it would be unfair for me to table it since there might well have been other Members of the House who would have put in that kind of Amendment had my Amendment not been sitting there. So, for that reasons, I sort of threw it open to any who might be interested in taking Sponsorship. The Gentleman from Lake decided to become the Sponsor of the Amendment and that is where the matter stands. I just, you know, didn't want to let that go as if it were some breach of faith. And I might say by the way that I struggled with what my ultimate judgement should be in the matter over the weekend."

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

Deuster: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think we all have to ponder this question and decide whether we want to leave the Resolution as it is requiring 107 votes or adopt this Amendment which lowers it down to the normal 89. And I think as we ponder this thing in our minds, we must ask ourselves this question. Is the reprimanding and discipline of



one of the Members of this House an ordinary, normal thing or is it an extraordinary, unusual act? If you go through the Constitution of the United States, if you go through the Constitution of the State of Illinois, if you look through the rules of this House, and if you look through Robert's Rules of Order, you will find running through there, all of these documents, a common thread. And that thread is that normally a simple majority which is more than half is all that's required under normal circumstances. But under extraordinary circumstances, under unusual circumstances, you call for something higher. It seems to me that the reputation and the good name of an elected Member of this body is extraordinary and unusual and before we tarnish or cast disrepute upon the good name of any sitting Member of this body, we ought to require a higher vote than if we're just appropriating money for a dam or doing something else; and I think we should have... we... leave the Resolution the way it is with 107 votes. And I urge a 'no' vote on this Amendment."

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

Friedrich: "I think Mr. Deuster has said it better than I. This is an extraordinary situation. In a criminal trial, all twelve of the twelve would have to decide a person's guilty. We're only saying that 60% in this case and I think that's reasonable. I hope you'll vote against the Amendment."

Speaker Bradley: "The Gentleman from Winnebago, Mr. Giorgi."

Mr. Giorgi."

Giorgi: "Yes, I don't think... in my opinion, I don't think 107 votes is sufficient. I think we ought to go up to 118 and I'll tell you why. I've been in this House when the likes of some of the people on this floor, if they had 89 votes, would censure us once a week and I don't want to mention any names, but I really am not above mentioning some names, but let's just mention one of our previous speakers if he had 89 votes would be censuring me once a week. I think they tried to censure me once, so I don't think even 107 is a sufficient number. I think it should take 118 votes because when you go into a court of law, it takes



a unanimous verdict of a jury to convict you, so I'm going to be against this Amendment."

Speaker Bradley: "The Gentleman from DeKalb, Mr. Ebbesen."

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

Speaker Bradley: "I think that was the last speaker anyway. The Gentleman moves the previous question. The question is shall the main question be put. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Gentleman from Lake, Mr. Matijevich, to close."

Matijevich: "Mr. Speaker, Ladies and Gentlemen, I'll close simply by saying this is the usual procedure in most cases like this. And also, I want to reiterate the situation where you may have 107 votes on either a reprimand or a censure, but you don't have 107, I'm sure, you couldn't get a simple majority for an exoneration because 106 Members have said that a person is at fault. So, you really you leave the thing in limbo and surely you will give the appearance of improprieties to the public and that's what the whole matter is about, to resolving a situation. So, I think the 89 vote majority is the better course; and therefore, I would ask you adoption of Amendment #3."

Speaker Bradley: "The question is on the adoption of Amendment #3 to House Resolution 902. All those in favor of the Amendment will vote 'aye', opposed will vote 'no'. And the Gentleman from Cook, Mr. Maragos, explain his vote. Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question, 14 'ayes', 100 'nos', 4 voting 'present'. The Gentleman's motion fails. Further Amendments."

Clerk O'Brien: "Amendment #13, Deavers. Amends House Resolution 902 as amended and so forth."

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

Deavers: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #13 inserts after Subsection A of the proposed Rule 80, the following: "In disclosure of the comments of any such petition to any other person shall subject the Member making such disclosure to censure by this House." And I think it's essential that we give some protection to the grieved person whereby that



some individual cannot go on any kind of a witchhunt and I move for the adoption."

Speaker Bradley: "Discussion? The Gentleman from Cook, Mr. Berman."

Berman: "I raise a point of order as to whether this is... whether this is in conflict with Amendment #1 which is of the same subject matter and isn't this relating to the censure of a Sponsor?"

Speaker Bradley: "In the opinion of our Parliamentarian, in so far as form is concerned, it's in order, Mr. Berman."

Berman: "All right, then may I direct a question to the Sponsor?"

Speaker Bradley: "You certainly may, sir."

Berman: "Who's the Sponsor?"

Speaker Bradley: "Mr. Deavers is the Sponsor of the Amendment, Mr. Berman."

Berman: "Oh, all right. Gil, I'm sorry. I didn't hear the opening remarks in full. Is this similar to what was taken out by Amendment #1?"

Deavers: "Art, I think it is. Amendment #1 and as a matter of fact, I was hoping that we would adopt Amendment #4 and this is one part of Phil Collins Amendment that I liked in the whole thing and I could find it in no substance any other place and that's the reason I went and trying to insert it in this manner."

Speaker Bradley: "Mr. Berman, we'll get back to you, but the Gentleman from Christian, Mr. Tipsword."

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

Speaker Bradley: "He indicates that he will."

Tipsword: "Representative Deavers, if I understand this correctly, really all this does is maintain inviolate the secret of the original... the secret of the original petition that is filed to initiate some kind of a censure or disciplinary proceeding, does it not?"

Deavers: "That's correct."

Tipsword: "And it just simply says that if... it takes care of that problem that someone raised on the floor that if they filed that and then they go out and give a press conference, this takes care of just that situation. It doesn't bother the situation,



I think you're referring to that Amendment of Representative Greiman when he said Amendment #1. That was actually Amendment 10, was taken out of order. Now Amendment #1 was the one with regard to Representative Hanahan's provision in the Bill that indicated that after the hearing of a petition, it indicated that someone had done it with malice in filing the petition, then there should be censure. This has nothing to do with that one, does it?"

Deavers: "That's correct."

Tipsword: "Thank you, sir."

Speaker Bradley: "All right now, back to Mr. Berman. Do you want to proceed? The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Well, Mr. Speaker, it would appear from reading this Amendment that it treads pretty heavily on the first Amendment and I would suggest that a Member could possibly be guilty of misconduct and he should not be shielded from public disclosure of this just because of the fact that this body may see fit to attempt to discipline him. I would suggest that we read this Amendment carefully and I think it should be defeated. I think that as the Bill stands without this Amendment, it does provide the protection that a Member may not disclose the fact that a petition has been filed, but it certainly ought not to shield a Member from exposure of conduct which may be brought to the attention, say, during a political campaign which may be in progress which may reflect on his fitness to hold office. I would suggest that the fact that this rule Amendment would attempt to prevent a Member from exercising his free speech and therefore, it would be in confrontation with our Constitutional rights and I would suggest its defeat."

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

Deuster: "Well also, if you read this Amendment, you will see that it says the disclosure of the contents of any such petition to any other person shall subject the Member making such disclosure to censure. If you had a secretary and you said, make a xerox copy of this and stick it in the file, your secretary is another person and that would... that act in itself would subject you to



censure. Beyond that, disclosure is now defined with respect to whether it's accidental, inadvertent, intentional, willful, malicious, or whatever the nature of the disclosure might be, it might be in your pocket and it might fall out as you were walking down the rotunda steps or something. I think it is vague and I think it is too broad, although I share the intention of the Sponsor of the Amendment, I think the form of the Amendment requires us to vote 'no'."

Speaker Bradley: "Further discussion? The Gentleman from McLean, Mr. Deavers, to close."

Deavers: "Mr. Speaker, not being a Constitutional lawyer and all these other good things and I think that the wording you'll find that the intent is implied. Everybody knows what's going on. It's... a petition is filed and this Committee is so fair to everybody who's being grieved, I'm sure they'll be very fair in the matter of censure of the Member who discloses what's in the petition. So, I think it is a good Amendment and I move for its adoption."

Speaker Bradley: "The Gentleman moves the adoption of Amendment #13 to House Resolution 902. All those in favor of the Amendment will vote 'aye', opposed will vote 'no'. Have all voted who wished? The Gentleman from Cook, Mr. Duff, to explain his vote."

Duff: "Well, Mr. Speaker, I think that Representative Deavers has found an item that we have overlooked even in spite of all the effort that's been made to try to make this Resolution into a very good product. Many of us have said over the years in this chamber from time to time that we wish that, for example, that the grand jury was truly secret or that a body attempting to find probable cause under investigative situations with the capacity for Executive Session and so forth, would, in fact, remain confidential. Point out to the Members that the Amendment of Representative Deavers which I had not seen before the last ten minutes does, in fact, only relate to the investigating area, only to the finding of probably cause before there is any kind of action on a report out. It is in the area of investigation



where the Investigating Committee has to be free to have a more widespread inquiry than is even limited totally. Also, we have already spoken to the need in the paragraph above for the confidentiality of the statement of fact. It seems to me that if any Member of that Investigating Committee or any other person would then disclose contrary to the intention of the rule, that has already demanded confidentiality, that that person would be abusing a most serious role that they had accepted by appointment to that Committee and/or an accuser who might leak things to the press in order to create an environment outside of this chamber not directly pertinent to the charges. So, what I think that Representative Deavers has done is find a small, little correction that can be helpful to maintaining the integrity of the Investigating Committee. And I do think we should vote 'aye' on it."

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

Greiman: "Yes, thank you, Mr. Speaker. I think that we are grasping on to this Resolution which has had a great deal of thought behind it; an unconstitutional notion which would abridge free speech. We cannot... there are some risks in being a politician. There are some risks in being down here. We do lay our reputations on the line when we enter public life and we have to be, I suppose, developed. We have to develop some tough skins to come in here, to stay in politics. The notion that we... that we require confidentiality is implicit in this 902. The whole thing has been geared to give confidentiality, but to make it a witchhunt... you know, so and so said to so and so and make us all subject to, to some kind of discipline because we heard from someone, because someone gossiped. You know, I think we are doing ourselves a disservice. I think we're crossing over the line where we're building up such a residue of objections to this... process that we are making this counter-productive. I think this is a very foolish kind of Amendment."



Speaker Bradley: "The Gentleman from Christian, Mr. Tipword, to explain his vote."

Tipword: "Mr. Speaker and Ladies and Gentlemen, when I first looked at this Resolution, I was... I felt very happy with it. But the more I look at it, the more it... I'm convinced that perhaps the language of it goes a little too far. Had it stopped by saying, 'And disclosure of the contents of any such petition, of any other person, shall subject the Member to investigation or discipline or censure', perhaps it would be all right; but what this goes ahead and says is that, 'He shall be censured.' Censure is the penalty after an investigation for discipline and I would suggest that perhaps maybe the language of this will not even permit that Member to have himself a hearing before a body of his peers to determine whether or not he should be censured. This pronounces the sentence instead of directing an investigation and I think perhaps on that basis, it is probably improper."

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

Friedrich: "Mr. Speaker and Members of the House, I think you'd better think about this a little before they vote for it because I think it's inevitable that the contents of these things are going to come out. All someone's got to do is say, well, I got it from Schuneman, I got it from Hirschfeld, I got it from somebody else and you're immediately faced with a problem defending yourself for something you didn't even do. Now, this thing... you'd better think about that because you could be the subject of the censure without your having done anything and it doesn't say willful and wanton, it doesn't say maliciously or anything else. It just says if it gets out, you can be censured for it. Thank you."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. The Gentleman from McLean, Mr. Deavers."

Deavers: "Mr. Speaker, I'd like to explain my vote. I have to disagree with Representative Tipword. Under the original Resolution, there's four possible penalties for any of the violations



that the Committee finds. And I'm sure that all I'm doing with my Amendment is putting it under that same rule whereby that if the censure does occur, they have four possible choices. And then he has the same rights and privileges of anybody else who is grieved under this Resolution. So, I have to disagree with that and at this time, I'd like to poll the absentees."

Speaker Bradley: "The Gentleman ask a poll of the absentees and... Poll the absentees. Record Mr. Brinkmeier as voting 'aye'. He's already recorded as voting 'aye', I'm sorry. Poll the absentees."

Clerk O'Brien: "Arnell, Beaupre, Bluthardt, Capuzi, Craig, Daniels, Davis, Domico, Epton, Ewell, Ewing, Ron Hoffman, Hudson, Huff, J.D. Jones, Kent, Klosak, Kucharski, LaFleur, Leverenz, McAvoy, McClain, Meyer, Peters."

Speaker Bradley: "Representative Peters wishes to be recorded as voting 'no'."

Clerk O'Brien: "Rayson, Riccolo, Rose, Schuneman, Totten, Wall, Winchester, Yourell, Mr. Speaker."

Speaker Bradley: "On this question there are 61 'ayes', 72 'nays', and the Gentleman's motion fails. On the Speaker's Table, appears House Resolution 902. And with that, the Chair recognizes the Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, I'm certain that after we have had the discussion that we have had here that we now certain know, all of us on the floor of this House, what this Resolution contains. This sets up a situation in which an action can be filed to, for the possible disciplinary action against a Member by the filing of a petition and a Resolution with the Speaker. That petition can set forth a list of charges. If there are three Members that have signed that, then the Speaker shall immediately direct it to an Investigating Committee which Investigating Committee then reports to the House. And the House then upon the report of that Investigating Committee on their Resolutions and their results can either find the person to be at fault or not at fault and then they can vote the kind of penalty that should apply upon the recommendation of that Commission. In



the initiating petition if there is only one person files it with those specification of charge, it goes to the Speaker. He calls in the accused. The accused if he objec... can object or not object. If he does not object, the Speaker can then immediately send it to an Investigating Committee. If he objects, then it comes to the floor of the House for debate as to whether or not it should then go to an Investigating Committee and the House is not in the darkness as to what those general charges might be. I think that this is maybe not perfect. I'm sure it doesn't satisfy everybody, but I think it is probably as near as we can possibly come to, at this time, setting forth a disciplinary proceeding that should govern the House whenever this kind of action may be brought to the attention of the House in a proper manner. It still gives us that protection which is necessary to a person's good name and reputation who might be accused and still gives us the opportunity when the House must help initiate the original action to give the House an indication of what the charges are so that the Membership would not necessarily be voting in the dark. If there is disclosure, if there is impropriety on the part of any person or persons filing the petition, the same kind of action can be and should be brought against them under this same kind of a proceeding. It even gives the individual Member the right when he has been accused in the public or in the press or someplace to himself get an investigation as soon as possible, either clear his name or find if he has acted wrong. I would suggest that this is possibly the best kind of proceeding we can come up with now. We'll undoubtedly find errors in it in the future. It may be subject to Amendment, but I urge that the House do adopt this procedure at this time. And only the part of the procedure that applies after the Investigating Committee makes a report of its charges, can apply by virtue of the provisions in this Resolution to any proceeding that is now pending."

Speaker Bradley: "The Gentleman moves the adoption of House Resolution 902. And on that question, the Gentleman from Cook, Mr. Greiman."

Greiman: "Thank you, Mr. Speaker. Would the Gentleman yield for a



question?"

Speaker Bradley: "He indicates that he will."

Greiman: "Okay, Rule 84(c) which is on page 5 at line 20, provides that the rules of evidence applicable to the criminal proceedings shall apply. Does that mean that the rules as they relate to admission of evidence or... I assume that's what it means, but does it also have any reference to the burden of proof or to the extent of evidence? For example, will you need, by that, proof beyond a reasonable doubt or will preponderance of evidence or doesn't that speak to that?"

Tipsword: "The rules of evidence do not speak to that. The burden of proof is a substantive matter and not in the rules on how... what evidence can be received or not received and it would just govern a receipt and acceptance of evidence in the case and not on the quantum of proof that is necessary."

Greiman: "Well, would... in other words, no one who reads this later in years to come could reasonably or justifiably argue that the burden of proof is beyond a reasonable doubt?"

Tipsword: "The burden of proof..."

Greiman: "That would not be it."

Tipsword: "The burden of proof and reasonable doubt are... reasonable doubt are not as I'm sure you're well aware and I appreciate your bringing this out, are not a rule of evidence; but they are... they govern the quantum of proof and that which must be found from the proof for the... for finding of guilty in a criminal case. Those matters would not apply in this kind of situation."

Greiman: "I'm trying to make some kind of record for the future. Thank you."

Tipsword: "Yes, I appreciate that. Thank you."

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

Geo-Karis: "Will the Sponsor yield for a question?"

Speaker Bradley: "He indicates that he will."

Geo-Karis: "On the same rule, 84(c), language as he says, the rules of evidence shall apply except as may be waived by the managers or the respondents. Do you mean of the respondent there?"



Tipsword: "No, the managers are the ones who proceed in behalf of the select Committee to present the case. The respondent is the accused in the case."

Geo-Karis: "All right, now that you mentioned evidence rules, is there... I'm trying to get all these documents together. There's so many to read here. Is there... what is there... what is the finding of guilty based on? Is it going to be based on the preponderance of evidence or upon evidence beyond a reasonable doubt of guilt?"

Tipsword: "That is the quantum of proof in the manner of making that determination is not specified in these rules as it is for a jury in a criminal case. This is a matter in which the individual Members must be convinced in their own minds as to what has satisfied them to whether or not there is fault or that there should be exoneration."

Geo-Karis: "Now, could you just tell me which Amendment has been passed relative to 902 today because I've had some... I've got a little mix-up here. Would you just tell me which ones have been passed so that I can put them together?"

Tipsword: "Yes, I most certainly can. Just a minute, let me figure out... yeah. Amendment #1 was passed. That was the Amendment..."

Geo-Karis: "That's Berman's Amendment?"

Tipsword: "That was Berman's Amendment which took out the language in which Representative Hanahan was very interested in in a mandatory action by the Commission if somebody had been willful or wanton in disregarding the facts and without reasonable grounds or with malice in filing. That one has passed in removing that language. Amendment 2 was tabled. Amendment #3 was just defeated. Amendments 4, 5, 6, 7, 8, 9 were all tabled. Amendment #10, changing the manner of initiating this proceeding, offered by Representative Greiman, the first one that we considered, was adopted. Amendment #11 by Representative Freidrich was not adopted. Amendment #12 was not adopted. And Amendment #13 which we just considered was not adopted."

Geo-Karis: "All right, Mr. Speaker, I'd like to speak on the Resolution."

Speaker Bradley: "Proceed."



Geo-Karis: "I think, I'm aware of the Amendments and I'm aware of House Resolution 902 and I thank the Sponsor for his explanation and I'd like to speak in favor of House Resolution 902. I think that this is a bona fide effort to provide some modus operandi for disciplinary proceedings on Members of this House. We cannot be said that we're ignoring it any further if we pass this Resolution. I think it's a very well-drafted proceeding and of course, as we go on, we'll know more about it. We hope that it will not be the necessity of using this disciplinary proceeding as evidenced by this rule, but I speak in favor of House Bill 902."

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

Geo-Karis: "As amended."

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

Would the Sponsor of the Resolution yield for..."

Speaker Bradley: "He indicates that he will, sir."

Lundy: "Representative Tipword, three quick questions on Rule 81, paragraph C. That's on page 3, lines 3 to 9. Those are the confidentiality provisions applicable to the proceedings of the Investigative Committee. My first question is, is it the intent of the Committee that the investigation must be conducted in Executive Session even if the accused Member wishes otherwise, even if he requests of the Chairman that it be conducted publicly?"

Tipword: "It apparently is. The language of it provides that the special Investigating Committee shall conduct all of its proceedings in Executive Session and that particular paragraph ends by saying, this subsection may not be suspended. The reason that this was incorporated is so that we could avoid pressure on any future accused in this situation to open up the proceeding whether he wanted to do so or not."

Lundy: "My second question is, does the phrase, Executive Session, which if I'm not mistaken, is nowhere else used in the House Rules, is that intended to indicate that the Committee shall hold its, conduct its proceedings closed to the public only or that it also hold its sessions closed to other Members of this



body, of the House of Representatives?"

Speaker Bradley: "The Gentleman from..."

Tipsword: "The other..."

Speaker Bradley: "I'm sorry."

Tipsword: "The other Members of the body, this is... we have to again then look back to the rules that govern us when our specific rules do not and that would be 'Robert's Rules,' provide that Executive Session is a session from which the general public is excluded and that Members of the body may be permitted in or staff may be permitted in, but if they are, they are then themselves subject to the confidentiality rules."

Lundy: "So, it is the Committee's intention that the phrase, Executive Session, would permit the attendance of other Members of the House on the condition that they are bound by the confidentiality requirements."

Tipsword: "That is true. And under Robert's Rules of Order, can be determined by each Investigating Commission, but that is the limit of who they can have in, his staff and other Members of the body...and witnesses. So that it's up to the Committee, it's... the answer... each Committee would make that determination."

Lundy: "But in no case, could the public be admitted?"

Tipsword: "No, Executive Session excludes the public from that part of this procedure."

Lundy: "Thank you."

Tipsword: "That's the only part, by the way, they are excluded from with the exception of the filing of the original petition with the Speaker."

Lundy: "Thank you, Mr. Speaker. Those are all the questions I have."

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

Palmer: "I have a question of the Sponsor."

Speaker Bradley: "He indicates he'll yield, sir."

Palmer: "We've got the procedural aspect of this thing taken care of, but I wanted to know what type of conduct or action, disciplinary procedures can be predicated. Is that in the Bill or in the Resolution anyplace? If not, where would we find it?"

Tipsword: "It... what we are called upon... you mean, the matters



upon which what kind of matters that the disciplinary procedures may be brought forth?"

Palmer: "Yes, we've provided for the procedural aspects. Upon what sort of substantive conduct would these apply, if you know?"

Tipsword: "Can you wait just a second until I take a look at #10? This rule directs itself basically to procedure in this matter and what is... what may be a matter for discipline is a matter that is left either to future rules or to each body as it is reconstituted here, each House of Representatives as is reconstituted from election to election as to what may be a matter that would subject the Members of the body to answer for possible disciplinary proceedings. Those substantive matters are left either to future statutes or rules or to each body."

Palmer: "Well, we have no enunciation on rules, any rule or we have some statutory things, of course; but we have no enunciation within the rules as to those matters upon which this... the discipline can be based."

Tipsword: "That is right and one of the reasons for that, as I understand it, would be because in trying to so enunciate, we might thereby either too greatly limit or too greatly broaden our aspect in it's a matter that the... the individual bodies as they are... body as it is reconstituted from time to time, will have to determine for itself."

Palmer: "All right, thank you."

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

Ewell: "Mr. Speaker, Ladies and Gentlemen, I'd like to just simply rise up in opposition to the Resolution. Fundamentally, I doubt that we can ever win this fight through ethical war which we're pursuing under our present tangled condition. They're ridiculous. The rules and Resolutions, in fact, none of them can ever lift a man's ethics unless he has the will to rise above his unethical inclinations. The present thing that we're going to do is gonna' pollute the minds of our politicians for several generations. It's going to cripple even young people's desire to enter and pursue a policy and a course in politics. All we're going to do is stagnate our own outlook and doom ourselves



to nothing but constant bickering about ethics. There's never been a demonstration that any of these rules or Resolutions are going to work in any method to gain us any ethical conduct. I suggest all we're doing is committing ourselves to an endless commitment of constant bickering without the possibility of gain to ourselves as an Assembly or to the society as a whole. All we're doing is debating Resolutions that are going to do nothing but tax the good will of ourselves and our Members and our voting constituency. All we're doing is sinking into a quagmire which is only going to deepen and follow us in ever and growing numbers. I suggest that we're neglecting the important issues of state. We're avoiding the fundamental questions of poverty, of education..."

Speaker Bradley: "Mr. Ewell, just a minute. Let's try to get the Gentleman some order. Let's see the Members in their seats and those Pages that are running around the floor, if they would come down and sit down in the chairs provided for them. Again, I remind you this is a very important measure. Mr. Ewell, proceed."

Ewell: "When we measure the meager results of our efforts, I think our course of conduct is intolerable. There are those of us who don't want to turn back because we've spent so much needless time in nothing but orations and bickering. I think that what we have to do is de-escalate this increasing ethical war, for we're in a quagmire which we will never extricate ourselves. I think that we ought to trust the Democratic institutions in our country and simply decide if there's been a violation of law, then we ought to let either the federal, the state, or the local prosecutors take charge and we go back to the business of legislating. I think if we discuss the problem in terms of strict morality and ethics, that we do not have that particular problem, nor should we. I think that we ought to let the voters decide upon a man, if they feel that he has made the political judgements that are wrong. And I think if he has made those, quote, unquote, 'moral or unethical judgements', I think that we ought to leave it to him and his God to make their discussions.



And finally, I would say that we're doing here in folly, is simply deciding that those of us who now live in glass houses, are going to decide on the size of the pebbles we cast. Gentlemen, I'm going to vote 'no' on the entire Resolution."

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

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

I have an understanding of the feelings of the previous speaker, but I think that it's important to recognize that there occasions in this House where we really do something very significant and enduring. If this Resolution passes, this body will have accomplished an historic and unprecedented accomplishment. I would bring to the attention of our Boswells in the box in the front of the room who are sometimes our friends and sometimes our critics and who have a consciousness of the dynamics of this body way beyond the editors that sit in the ivory towers in the big cities, that this is indeed a sincere and extended effort of this body to attempt a major step. Not a matter that we undertake with any joy, but with cognizance of our responsibility to the rights of every elected Representative and to the people. We do this unhappily under the catalytic effect of the Resolution that has given a somber feeling to many of us who have not yet come to any conclusions as respects it. Many of us have fire insurance on our homes. We hope we never need it. This, in a sense, is our best effort, however imperfect, it will be an injustice to the honest effort if this... of this body if it is not so reported. The just man will not fear this procedure or these sanctions. It is not a hollow phrase that government should be of law and not of man. This Resolution offers a rule, a rule in essence by which the conduct of this body may be ordered. It embodies our affection and respect for each other, our consciousness of the perils of politics and our obligation to demonstrate to the world that we can synthesize values in conflict to do our very best however imperfectly. And I would hope that every person in this body would see the propriety of the action that we take today with honest deliberation, without any great anger, fear,



hostility, or supplication to anyone. I solicit your support of the Resolution and I want to compliment throughout these entire couple of weeks the efforts of the Executive Committee, the Rules Committee, the Parliamentarian, and the body which has debated this so well and so thoroughly."

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

Cunningham: "Well, Mr. Chairman, Mr. Speaker and Ladies and Gentlemen of the House, I urge you to reject this rotten apple out of hand. Don't be afraid to do so. I'll go with you to meet your voters and we'll explain to them why this isn't... if you want me to, we'll explain to 'em why this Bill shouldn't be passed. First, it's a usurpation of the Constitutional right and duty of the courts to prosecute criminal activities. If a matter's serious enough to bring a Legislator in and mar his record forever, surely it's serious enough to have a criminal prosecution. We have courts, we have prosecutors to handle those particular aspects of the case. Secondly, the inevitable effect of this is to inhibit free discussion on the floor of this very House and you and I believe that a debate without a frank, candid discussion of the issues comes that heading a step without point is piffle. If you want to have future conversations reduced to just mere niceties between the parties, less they offend the sensibilities of the fellow Members who might one day sit in judgement on him, pass this sort of regulation. I think that it's too valuable an attribute to a legislative process to have it swept away so effortlessly as we see here today. I thought that the comment by the prior speaker that this was historic and unprecedented was nonsense and then for him to add that no just man would fear this particular Bill is fatuous reasoning, absolutely devoid of any factual support whatever. Let's dare to say that we believe in our fellow men, that we aren't stampeded into doing a process that outside forces urge be done in the ill-founded hope that this body will stand up and cheer as we swat ourselves on the head. It is as though we bumped our head on the wall so we could quit and feel better for having done so. I'll be



voting 'no' and urge you to do the same."

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

Matijevich: "Would the Gentleman yield to a question?"

Speaker Bradley: "Mr. Tipsword."

Matijevich: "Representative Tipsword, who appoints the two-member prosecutorial team, the so-called managers of the House?"

Tipsword: "The special Investigating Committee."

Matijevich: "I knew that and I just wanted to hear you say that because I just couldn't believe that the Rules Committee wanted to do that, to put that appointment power in a special Investigating Committee. One other question, I've made my point fairly clear that I don't think you ought to have minority reports. What was the logic, for example, on page 6 where there's the allowance of a minority report where there is a finding of fault, yet there is no minority report where there's a finding of exoneration. Don't you think it's better to remain silent on that and leave any Member as was said to go on the floor to amend the Resolution? You have the appearance in this Resolution of trying to favor one side or another and I think that's a disservice. The Members of the floor of the House can do anything they want with the Resolution and I think you're better off remaining silent with that, don't you?"

Tipsword: "Well, I think the alternative is still left to the House. No matter what you say in there as to whether there is a report of fault or a written report of exoneration, when a majority has determined otherwise, the matter of the final determination is still left to the House. Either one will present or none. I mean, there are only one of any of the alternatives will present the total issue to the House."

Matijevich: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I'll just speak briefly. I know everybody's worked hard on this and it's an agonizing thing, but the truth of the matter is that what we do today if we adopt the usual procedures that General Assemblies do, that future General Assemblies are going to adopt the rules that we have and I was delaying what we were doing in Executive Committee because of what I thought was bad



precedent and I think what we're doing today will not be good precedent either. The more and more that I hear on the floor of the House what we're doing, I think my original notion that a simple rule that when there is the matter of a censure Resolution or whatnot, that a select Committee be formed to investigate and report to the House and drop it at that and I think we'd be better off. So, I'm going to vote 'no' on this."

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

Lauer: "Mr. Speaker, I know that Chairman Matijevich has agonized over the situation in which we find ourselves for some weeks as Chairman of the Executive Committee and his staff has done extensive work. As Minority Spokesman and I know I speak for Mrs. Kent, my Co-spokesman and also for our staff, there's also been agonization and tremendous amounts of staff work done. I don't know, Ladies and Gentlemen, whether or not we were taking a correct course of action, but I do know this. That I would like to see this House have a course of action presented to it so that any Member who makes any kind of a charge against another Member knows exactly what the procedures will be. I would not like to have anyone ever frivolously charged. I still make the point as I did several weeks ago that in public life, a man's reputation is his highest capital asset and it is virtually nonrenewable. It should certainly not be for political purposes or for any frivolous purpose, expended or taken away from him virtually without any chance of recourse. It has been said by some that if we adopt this rule, we are creating a monster. And this may very well be true that we are, but I do know this. We had a situation that took four or five weeks and agony on the part of the Committee that handled it. I'm sure a great deal of soul searching on the part of the maker of Resolution 777 and he who was accused under it because I basically believe, Mr. Speaker, that every Member of this House is an honorable man or an honorable woman and of good conscience. I do not think that we have created anything perfect in House Resolution 902. However, I think it is better than what we presently have and what we've been through. Therefore, I would



strongly solicit your support for this Resolution and maybe in the next 70 years, the House can determine whether or not our course of action has been correct."

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

Tipsword: "Mr. Speaker and Ladies and Gentlemen if we do not adopt House Resolution 902, we will then be back again where we had been before under Robert's Rules of Order. The reason for drafting House Resolution 902 is because Robert's Rules of Order which we make a part of our rules by our existing rules, does not... is not drafted and does not properly fit a legislative body. And that is why we need a Resolution of rules that would better fit that kind of disciplinary procedure if we need it to a legislative body which we are certainly supposed to be. Under Robert's Rules of Order, the Investigative Commission or Committee selects the managers and the part that Representative Matijevich alluded to as to why should the Investigative Committee select the managers for the proceeding before a select Committee came from Robert's Rules of Order and that has been a time-tested and time-honored method of doing that. It takes that burden and it is a considerable burden off the shoulders of the speaker who must select the first Committee and who could then as an individual, be solely charged with the lack of proper presentation of prosecution and I think that would be unfair to the Speaker of this House to have to have that kind of charge against him. This Resolution will not improve the ethics necessarily of any Member of this body now or in the future. What it does do is give to us a set procedure so that when an alleged violation of ethics in this House, when it is alleged that a Member has brought disrespect or disrepute to the House, is made, we may then, each of us, know where we... what the procedure will be and how we shall proceed. And we will not be in the dilemma that we have found ourselves in here for several weeks. This Resolution will best serve this body if it is never put to use, if there is never a need for this Resolution; but it is vital that we should have it when and



if such a cause should arise or when any Member may find himself accused and would feel that he should have his peers determine whether or not he has violated the code of ethics or whether he has brought this body into any way into disrepute by his actions. I would urge the Members of this House to adopt this Resolution which has been created by the Rules Committee pursuant to hearings and by your actions on 13 Amendments presented or made available for you here on the floor of this House. I think you have done a admirable job in discussing those Amendments. The Executive and the Rules Committee has done an admirable and a soul-searching job in trying to find a solution for procedures in this very difficult kind of question that presents itself before us. I would hope that we can act equally responsible when we consider this House Resolution on adoption as we are now called upon to do and I request the Members of the House to agree with me, with the Rules Committee who handed this Resolution to me and with those Members who have submitted meaningful Resolutions and who have debated intelligently on all sides of this question and hope that you will adopt House Resolution 902."

Speaker Bradley: "The question is on the adoption of House Resolution 902. All those in favor will vote 'aye', opposed will vote 'no'. The Gentleman from Lake, Mr. Deuster, to explain his vote."

Deuster: "Very briefly, Mr. Speaker, I think if you think of the Boy Scout motto 'Be prepared', you'll think..."

Speaker Bradley: "Mr. Deuster, just one minute please. It's been brought to my attention by some Members of the House and I think it's well taken, the points are well made, that we vote our own switches and those Members who are not here, will not be recorded because we do have a rule of the House. We're trying to adopt another rule, we have a rule that we shall vote our own switches, so let's abide by the one rule that we do have. Mr... The Gentleman from Lake...or one of the rules we have. The Gentleman from Lake, Mr. Deuster."

Deuster: "Well, every Assembly as reflected in Robert's Rules of Order, has the inherent power to... and the right to try and



enforce its own rules and its own standards and to require that all of its Members refrain from any conduct injurious to the organization or the Assembly. Rarely, does the suggestion of impropriety ever arise. In our history, only happened twice that we know of. In 1905 and 71 years later, in 1976. Although it's a rare occurrence, I think we ought to be prepared and the Boy Scout motto of 'Being prepared' is something that should guide us in adopting these guidelines. I talked to three lady Members, none of whom know that Girl Scout motto, for I apologize for not mentioning that."

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

Farley: "No, I'm sorry, Mr. Speaker, I spilled some coffee on Mr. McPartlin's switch and it stuck on 'no'. I didn't vote it. It stuck on 'no', so I'd just like to point that out."

Speaker Bradley: "Would we leave him off the Roll Call then right now. The Gentleman from Cook, Mr. Berman, to explain his vote."

Berman: "With 118 votes, I don't have to say anything."

Speaker Bradley: "Have all voted who wished? The Gentleman from LaSalle, Mr. Anderson, to explain his vote. Just a minute, Mr. Anderson. The Gentleman from Union, Mr. Choate."

Choate: "Mr. Speaker, I think in as much and the coffee is on that switch back there, in as much as Representative McPartlin is not here and in as much as someone might get a copy of the Roll Call with him being shown as 'no', I would suggest that you dump that Roll Call and let everybody else vote again so that he does not appear as in opposition to the..."

Speaker Bradley: "The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Yes, Mr. Speaker, I think it would be a good idea because I happen to notice a lot of violation of the rules that are on the board, are very apparent. There are at least eight or nine or ten or maybe fifteen names up there that if we have to verify to have their names removed, of adopting a Resolution of this nature that they are not present and under our House Rules, it is serious offense. And if somebody wants Resolutions addressing ethics, this is the first ethical rule that they'd better



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start obeying and keep their hands off of somebody else's switch when they're not here."

Speaker Bradley: "Sir, your point is well taken. The Chair tried to address itself to that very rule earlier. Let's dump the Roll Call and those... All right, now... let's everybody who... The question is on the adoption. All those in favor will vote 'aye' and vote their own switch and those opposed will vote 'no'. Have all voted who wished? McPartlin is again voting 'no'. All right, we'll take that out of the record. We'll have to stick with this one. There's nothing we can do. We seem to have a malfunction and the Clerk will correct that. Have all voted who wished? The Gentleman from LaSalle, Mr. Anderson, to explain his vote."

Anderson: "To explain my 'no' vote, you know, this Ethics Committee is not a new thing. From 1967 to 1972, we had a Committee and when George Lindberg introduced House Bill 3700 which created the present Ethics Act, there were 36 Amendments added to. And by the time that Bill passed out, one of the casualties was the Ethics Committee that we had. It's a much simpler... I have the old statute in front of me and it's much simpler than what we've adopted here. I would like to go back to simpler times like John Matijevich. Therefore, I vote 'no'."

Speaker Bradley: "The Gentleman from Union, Mr. Choate, to explain his vote."

Choate: "No, I'd just like to make a point of order and have the record to indicate that evidently the coffee spilled on Representative McPartlin's switch shorted it out some way and he is still voting 'no' with the key turned off and I'd like for the record to indicate that."

Speaker Bradley: "It will be Journalized, Mr. Choate. And the Clerk has indicated they will make sure that that takes place. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question we have 126 'ayes', 6 'nays' and 6 voting 'present'. And the Resolution is adopted. On the order of Concurrences, consideration postponed appears House Bill 2627. The Gentleman from Cook, Mr. Taylor."



Taylor: "Mr. Speaker and Members of the House, since there was such a great debate over House Bill 2627 and quite a bit of opposition, I'll now move that the House nonconcur with Senate Amendment #3 and request a Conference Committee."

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

Walsh: "Well, I wonder if the Gentleman could tell us why he is doing this."

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

Taylor: "I'm doing this, Mr. Speaker, because it did appear to me from the vote that I received yester... last week, that they were not ready for this type of Bill and that maybe my own Bill ought to be reinstated."

Speaker Bradley: "Further discussion? The Gentleman... the Gentleman from Cook, Mr. Walsh."

Walsh: "Yes, Mr. Speaker, I just wanted to be heard for a moment on why I would object to the Gentleman's motion to nonconcur. The Gentleman talked about the Bill that he introduced which would amend the Civil Administrative Code and I would ask, Mr. Speaker, that the Gentleman correct me if I'm wrong; but it seems to me that the Digest tells pretty much the story of what this Bill would have done as introduced. It amends the Civil Administrative Code, authorizes the Department of Mental Health and Developmental Disabilities to provide mental health care to persons in Illinois institutions. Now, that, Mr. Speaker, is what I thought they were doing in the first place and we did not need a Bill to do that. My point is, Mr. Speaker, that this was obviously a shell Bill when it was introduced. It was a shell and has been amended to do something very significant and not at all germane to what the original Bill talked about. Now, this is the time, Mr. Speaker, to kill this Bill or it will come back and haunt us evermore. So, I object and I would ask the Gentleman to correct me, to correct me if I did not properly describe this as what it did and if it is not a shell Bill, I would like him to tell me."

Speaker Bradley: "The Gentleman from Cook, Mr. Madison, on a point of order."



Madison: "Thank you, Mr. Speaker. My point is that we are on the order of Concurrence and that the Gentleman should confine his remarks to the Amendment that we are to either concur or non-concur with. And any other remarks that he would make ought to be in an explanation of his vote."

Speaker Bradley: "Your point's well taken. Now, Mr. Taylor."

Taylor: "Mr. Speaker, I have never introduced a shell Bill in this House. This Bill is for... Department of Mental Health and that he says they're already doing it and that's not the truth. If it had been, the Bill would not have been introduced. Now you know this serious problem with people that do have handicap problems, physical problems, mental problems who want to go into the institutions and they are not being properly today examined, nor will they be unless we do get this type of Bill or this type of law. So, I suggest that we nonconcur with Senate Amendment #3, Mr. Speaker."

Speaker Bradley: "The Gentleman moves to nonconcur with Senate Amendment #3 to 2627. All in favor of the Gentleman's motion say 'aye', opposed 'no'. The Chair is unable to determine. All those in favor vote 'aye', in favor of the Gentleman's motion; opposed vote 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Gentleman from Union, Mr. Choate."

Choate: "Is the motion to nonconcur with the Senate Amendment, I mean with the Senate Amendment to House Bill 2627? Is the motion to nonconcur?"

Speaker Bradley: "Yes, sir, to nonconcur in the... takes a simple majority to nonconcur."

Choate: "Then, I would vote 'aye'."

Speaker Bradley: "Record the... well, the Gentleman's recorded 'aye'. Have all voted who wished? Have all... the Gentleman from Cook, Mr. Farley, to explain his vote."

Farley: "No, sir. Again, I want to point out that Mr. McPartlin's switch is not working. The electrician is here and he shouldn't be recorded as a 'no' vote."

Speaker Bradley: "All right, the... we'll Journalize that and the



Clerk will correct the Roll. The Gentleman from Peoria, Mr. Schraeder, to explain his vote."

Schraeder: "The motion, as I understand it, was to nonconcur. If we do override that motion, then does this... final action and become law?"

Speaker Bradley: "It's not final action. The Gentleman's moved to nonconcur in the Senate Amendment."

Schraeder: "But if that's overridden..."

Speaker Bradley: "It will take a separate motion. We'll have to send this back to the Senate. All right, have all voted who wished? The Gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker, I think what would happen would be this. If we do nonconcur now, I would assume the Gentleman would then move to concur. And if that fails, then the matter stays in the House and there's no message at all that goes to the Senate."

Speaker Bradley: "You're correct, sir. All right, I agreed with the Gentleman when he said, is this final action. I said this is 'no', this is not final action. All right, the Gentleman from Cook, Mr. Duff."

Duff: "Mr. Speaker, concurrence takes 89 votes. Is that also true of a nonconcurrence?"

Speaker Bradley: "Simple majority on nonconcurrence. Have all voted who wished? The Gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker, the Sponsor of this motion is one of my... "

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

Madison: "Mr. Speaker, I think the Gentleman spoke in debate."

Speaker Bradley: "Your point's well taken. Mr... The Gentleman from Cook, Mr. Walsh. You know what our rules provide. Turn on Mr. Walsh."

Walsh: "It seems to me, Mr. Speaker, that I was speaking on procedural matters prior to this and that I am now speaking on the... in explanation of vote which is a matter of substance."

Speaker Bradley: "You were not making a point of order. We'd be stretching the rule a little bit, sir, in the opinion of the Chair."



Walsh: "Thank you, Mr. Speaker."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? On this... turn Mr. Walsh on."

Walsh: "I thought you had ruled that I might explain my vote."

Speaker Bradley: "No, I said we would be stretching the rules if we allowed you to explain your vote, sir."

Walsh: "On the contrary, that's... I thought you agreed with what I said, that it was procedural."

Speaker Bradley: "You did speak in debate. Have all voted who wished? Have all voted who wished? McPartlin wishes to be recorded as voting 'aye'. The Clerk will take the record. On this question there'll be 74 'ayes' and there will be 74 'nays' and the Gentleman's motion fails. The Gentleman from Cook, Mr. Taylor."

Taylor: "Mr. Speaker, I'd like to have a poll of the absentees, please."

Speaker Bradley: "The Gentleman requests a poll of the absentees. I'm recognizing the Gentleman to... for... to... well, we're going to back up a little bit now and we're going to poll the absentees. The Gentleman from Champaign, Mr. Hirschfeld, on a point of order."

Hirschfeld: "Now, Mr. Speaker, you know, with all due respect to your position in the Chair, you may have screwed up just now. But you did announce the results and once you announce the results, it's finished and you cannot back up or back pedal or anything else and this matter has been declared lost and that's that. And if... we would appeal the ruling of the Chair if you decide any other way and I would not want to file the appeal until I had a copy of the tape."

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

Maragos: "Mr. Speaker, having voted on the prevailing side, I move that we reconsider by which the vote was taken."

Speaker Bradley: "Let us check the Roll Call. The Gentleman from Cook, Mr. Downs, for what purpose do you rise, sir?"

Downs: "Well, as I understand it, I did vote on the prevailing side and I think he is entitled to have his verification. So, I move



to reconsider the vote by which it was taken."

Speaker Bradley: "There's no prevailing side. All right, the 'nos' prevail. The Gentleman moves, having voted on the prevailing side, to reconsider the vote by which the motion was lost.

Mr. Lauer, state your point."

Lauer: "My point, Mr. Speaker, is that if there is a tie vote, there is no prevailing side."

Speaker Bradley: "Yeah, when there is a tie vote, the prevailing order... the Gentleman's motion lost. I announced that and I don't argue with the Gentleman from Champaign. He... the Gentleman was on the losing side. He moves to reconsider and so, that's what we're doing. Mr. Simms, on a point of order."

Simms: "Yes, is that motion in writing?"

Speaker Bradley: "Now, the problem that you're having is that Mr. McPartlin's switch is not working properly. He voted 'aye' and on the tabulation, he is recorded as voting 'no'. So, it's a 74-74... Mr. Lauer, your point was not well made. The Gentleman from Cook, Mr. Duff. Pardon me, Mr. Simms, please. State your point."

Simms: "Mr. Speaker, I asked if that motion were in writing. I'm sure Mr. Downs can write."

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

Duff: "Mr. Speaker, I'm not sure if you're going to rule it has to be in writing; but in any event, under precedent, I move to table the motion to reconsider."

Speaker Bradley: "All right, it's a proper motion. The Gentleman has moved to table Mr. Downs' motion and on that we will have a Roll Call vote. All in favor of tabling... the Gentleman from Cook, Mr. Shea."

Shea: "So long as I understand this, if you want to vote with Mr. Downs, you vote 'no'; if you want to vote with Mr. Duff, you vote 'aye'?"

Speaker Bradley: "And if you want to vote with Mr. Taylor, you'll vote 'no'. That's correct, just so we all understand it. All right, now... Mr. Duff has moved to table the motion of Mr. Downs. All in favor of tabling, will vote 'aye' and those opposed will



vote 'no'. The Gentleman from Effingham, Mr. Keller, to explain his vote."

Keller: "No, Mr. Speaker, I would just like to know how many votes is it going to require to table it?"

Speaker Bradley: "Simple majority. Have all voted who wished?"

Have all voted who wished? The Gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I still think there might be a little bit of confusion on this matter and I think that the Members ought to know that if they want to vote with Mrs. Willer, Representative Willer, they will vote 'aye' or if they want to vote with the position taken by Representative Beaupre and Schraeder, previously taken on these Bills, they'll vote 'aye'. They'll also vote 'aye', Mr. Speaker, if they want to vote on the position taken by Representative Pierce. I don't know how they're voting on this particular motion, but the position taken on this Bill previously certainly would indicate that they want to vote 'aye' on this motion."

Speaker Bradley: "Have all voted who wished? The Gentleman from Cook, Mr. Shea."

Shea: "I just want the record to reflect the Gentleman from Champaign made a statement that the Bill was lost. The motion made by the Gentleman from Cook, Mr. Taylor, this motion is lost and he may make another motion."

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

Choate: "In response to Representative Walsh, also let the record indicate that if you want to vote 'no', pour coffee on your switch."

Speaker Bradley: "The Gentleman from Lake, Mr. Matijevich, to explain his vote."

Matijevich: "Well, I was going to make the observation that the Majority Leader made because some were under the impression that that was going to kill this Bill. And Representative Taylor would just then move, you've got one more shot at concurrence. And that would keep us here for another hour and a half, I'm sure. So, let's let him go back in the Senate and if it does



come back, we can handle it if it's got that income tax provision on it. So, let's vote 'no' right now."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question, there are 74 'ayes' and 79 'nays'. The Gentleman from Cook, Mr. Duff."

Duff: "Mr. Speaker, I'd like to poll the absentees, please."

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

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I'm sure we can keep this up all night and all day tomorrow."

Speaker Bradley: "State your point, Mr. Duff."

Duff: "Well, Mr. Speaker, unless the Majority Leader is trying to make a parliamentary point or a personal privilege, he's way out of order. He's debating my legitimate request for a poll of the absentees."

Speaker Bradley: "Poll the absentees."

Clerk O'Brien: "Arnell, Bluthardt, Capuzi, Craig, Davis, Domico, Epton, Getty, Greiman, Dan Houlihan, Jim Houlihan, J.D. Jones, Kosinski, LaFleur, Laurino, Leverenz, Mann, Marovitz, Meyer, Mulcahey, Rayson, Riccolo, Rose, Wall."

Speaker Bradley: "On this question there's 74 'ayes' and 79 'nos' and the Gentleman's motion fails. Back to the Gentleman from Cook, Mr. Downs, to... he moves, having voted on... it's in writing and having voted on the prevailing side, he moves to reconsider the vote by which the Amendment #3 to House Bill 2627 fails. On nonconcurrency, all in favor of the reconsideration motion shall vote 'aye', opposed shall vote 'nay'. It takes a simple majority. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Gentleman from Cook, Mr. McPartlin, wishes to be recorded as voting 'aye'. All right, he's on. Have all voted who wished? Have all voted who wished? Clerk will take the record. The Gentleman from Cook, Mr. Caldwell, wishes to be recorded as voting 'aye'. The Gentleman from Livingston, Mr. Ewing, wishes to be recorded as voting 'no'. The Gentleman from Winnebago, Mr. Simms."

Simms: "Mr. Speaker, on a point of order. I understand Mr. McPartlin has not been here and now he's voting green up there. Now, let's



not be horsing around. We'll be here all night. I'm sorry, Bob."

Speaker Bradley: "The Gentleman from Lake, Mr. Pierce, wishes to be recorded as voting 'aye'. The Gentleman from Cook, Mr. Walsh, wishes to be recorded as voting..."

Walsh: "I want to have something to say, Mr. Speaker. I see two Members who are on the board voting 'aye' who are not here. Now, that would suggest that maybe we ought to have a verification and keep Mr. Shea here until Sunday. So, why don't we do this all over again and just vote those people, just those people who are here and present vote."

Speaker Bradley: "Well, I think we've already asked that to be done, Mr. Walsh, time and time again and it's taking up time. If you want to verify it, then I think we'll go ahead and verify and take those off the roll."

Walsh: "In that case, I request a verification, Mr. Speaker."

Speaker Bradley: "Okay, sir. All right, have all voted who wished? Mr. Ewing wishes to be recorded as voting 'no', correct, sir? You were not voting. All right, on this question there are 73 'ayes' and 72 'nos'. For what purpose does the Gentleman from Cook, Mr. Taylor, arise?"

Taylor, "Mr. Speaker, will you please poll the absentees?"

Speaker Bradley: "The Gentleman requests that we poll the absentees. The Clerk will poll the absentees."

Clerk O'Brien: "Arnell, Bluthardt, Capparelli, Capuzi, Craig, Davis, Domico, John Dunn, Epton, Getty, Greiman, Dan Houlihan, Jim Houlihan, Hudson, J.D. Jones, Katz, Klosak, Kosinski, LaFleur, Laurino, Leverenz, Mann, Marovitz, McCourt, McLendon, Meyer, Molloy, Rayson, Riccolo, Rose, Tipsword, and Wall."

Speaker Bradley: "The Gentleman from Christian, Mr. Tipsword, wishes to be recorded as voting 'aye'. All right now, the Gentleman requests verification, so we're now at 74 'ayes', 72 'nays', correct?"

Clerk O'Brien: "Correct."

Speaker Bradley: "All right, call the prevailing side which is the negative votes or the 'aye' votes, the affirmative votes."



Clerk O'Brien: "E.M. Barnes, Beatty, Beaupre, Berman, Birchler, Boyle, Gerald Bradley, Brandt."

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

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

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

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

Dunn: "Vote me 'aye'."

Speaker Bradley: "Record the Gentleman as voting 'aye'. Continue, sir."

Clerk O'Brien: "Brinkmeier, Brummet, Caldwell, Chapman, Choate, Darrow, DiPrima, Downs, John Dunn, Ewell, Farley, Flinn, Gaines, Garmisa, Giglio, Giorgi, Hanahan, Hart, Hill, Huff, Jacobs, Emil Jones, Kane, Keller, Kelly, Kornowicz, Kozubowski, Kucharski, Lechowicz, Leon, Londrigan, Lucco, Luft, Madigan, Madison, Maragos, Matijevich, Mautino, McAvoy, McClain, McGrew, McPartlin, Merlo, Mudd, Mulcahey, Nardulli, O'Daniel, Patrick, Pierce."

Speaker Bradley: "Mr. Simms, could the Speaker be verified now and... is that all right, sir? All right, thank you, sir. Continue."

Clerk O'Brien: "Pouncey, Richmond, Schisler, Schraeder, Shea, Stone, Taylor, Terzich, Tipword, Vitek, VonBoeckman, Washington, White, Williams, Wolf, Younge, Yourell, Mr. Speaker."

Speaker Bradley: "Questions of the affirmative vote. There are presently 75 'ayes', 72 'nays'. Well, we'll find out. Proceed, sir. Turn Mr. Walsh on."

Walsh: "Birchler, Mr. Speaker."

Speaker Bradley: "Right in the center aisle or our aisle, Mr. Birchler."

Walsh: "Boyle."

Speaker Bradley: "He's not in his seat. Is Mr. Boyle in the chamber? How's the Gentleman recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the Roll."

Walsh: "Brinkmeier."

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



Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the Roll."

Walsh: "Chapman."

Speaker Bradley: "Mrs. Chapman. She's not in her chair. Is she in the chambers? Here she comes. Certainly, she's here."

Walsh: "Darrow."

Speaker Bradley: "Darrow. I think that he is on that Committee that has leave of the House to meet right now, Mr. Walsh."

Walsh: "Did you remove him, Mr. Speaker?"

Speaker Bradley: "No, we haven't, sir."

Walsh: "Okay, would you like me to wait?"

Speaker Bradley: "Well, why don't you go ahead and..."

Walsh: "Well, remove him first, Mr. Speaker. He does not have permission to vote in absentia."

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

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the Roll."

Walsh: "DiPrima, Mr. Speaker."

Speaker Bradley: "DiPrima is not in his seat. Is the Gentleman in the chambers? How's the Gentleman recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the Roll."

Walsh: "Garmisa."

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

Walsh: "Jacobs."

Speaker Bradley: "Jacobs is in the rear of the chambers, sir."

Walsh: "Kelly."

Speaker Bradley: "Kelly is in his chair."

Walsh: "Drat. Luft."

Speaker Bradley: "Luft is in the center aisle."

Walsh: "McAvoy."

Speaker Bradley: "He's in the rear of the chambers."

Walsh: "McClain."

Speaker Bradley: "McClain, sir?"

Walsh: "McClain, right."

Speaker Bradley: "Representative McClain is not in his seat. The



Gentleman in the chambers? How's the Gentleman recorded?"

Clerk O'Brien: "Aye."

Walsh: "Take him off. Merlo, Mr. Speaker."

Speaker Bradley: "Wait a minute. Now who's the... do you want prior to that?"

Walsh: "McClain."

Speaker Bradley: "McClain was not in the chambers. How's he recorded?"

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

Speaker Bradley: "Take him off the Roll. Proceed, sir."

Walsh: "Merlo."

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

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the Roll."

Walsh: "Nardulli."

Speaker Bradley: "Nardulli. The Gentleman is not in his seat. Is Nardulli in the chambers? How's he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the Roll."

Walsh: "Huff."

Speaker Bradley: "Representative Huff. I don't see him in his chair. Is he in the chambers? How's he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the Roll."

Walsh: "Kane."

Speaker Bradley: "Representative Kane is not in his seat. He's over on your side of the aisle, sir."

Walsh: "Kornowicz."

Speaker Bradley: "Kornowicz. Just walking into the chamber, sir."

Walsh: "Nardulli, Mr. Speaker."

Speaker Bradley: "You've taken him off, sir."

Walsh: "I beg your pardon. Tipsword."

Speaker Bradley: "He's in the rear of the chamber, sir."

Walsh: "Capparelli."

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

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



Speaker Bradley: "Take him off the Roll."

Walsh: "Marovitz."

Speaker Bradley: "Marovitz."

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

Speaker Bradley: "Let's just verify those who have voted."

Walsh: "I'm sorry, I didn't realize that. That's my fault. Is...
how's Representative Domico recorded?"

Speaker Bradley: "I don't know. How is the Gentleman recorded?"

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

Speaker Bradley: "He's recorded as not voting; Mr. Walsh."

Walsh: "Representative Emil Jones."

Speaker Bradley: "Are you asking how he's recorded?"

Walsh: "I'm verifying his 'aye' vote."

Speaker Bradley: "Oh, I... Mr. Emil Jones is not in his seat. Is
the Gentleman in the chambers? How's he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the Roll."

Walsh: "Well, that'll do it, Mr. Speaker. I don't want to take any
more time with this. Just announce the Roll Call."

Speaker Bradley: "All right, now Representative Brinkmeier has re-
turned to the chambers. We'll put him back on the Roll and
the Gentleman from Cook, Mr. Taylor. For what purpose do you
rise, sir?"

Taylor: "Mr. Speaker, I would like to know the count and then
verify the negative votes."

Speaker Bradley: "All right, sir, you have that... All right, we're
starting with 67 'ayes', 72 'nays'. Mr. Taylor's requested a
verification of the negative Roll. The Clerk will call the
negative Roll."

Clerk O'Brien: "Anderson, J.M. Barnes, Bennett Bradley."

Speaker Bradley: "The Gentleman has requested that those Members
on that side if you would sit down and Members be in their seats
so he can see across there, would help. He's having some diffi-
culty. Continue, sir."

Clerk O'Brien: "Byers, Campbell, Carroll, Catania, Coffey, Collins,
Cunningham, Daniels, Deavers, Deuster, Duff, Ralph Dunn, Dyer,



Ebbesen, Ewing, Fleck, Friedland, Friedrich, Geo-Karis,
 Griesheimer, Grotberg, Hirschfeld, Gene Hoffman, Ron Hoffman,
 Holewinski, Jaffe, Kempiners, Kent, Lauer, Leinenweber, Lundy,
 Macdonald, Mahar, McAuliffe, McMaster, Miller, Mugalian, Neff,
 Palmer, Peters, Polk, Porter, Randolph, Reed, Rigney, Ryan,
 Sangmeister, Satterthwaite, Schlickman, Schneider, Schoeberlein,
 Schuneman, Sevcik, Sharp, Simms, Skinner, Stearney, E.G. Steele,
 C.M. Stiehl, Stubblefield, Telcser, Totten, Tuerk, VanDuynes,
 Waddell, Walsh, Washburn, Willer, and Winchester."

Speaker Bradley: "Questions of the negative votes, sir. Turn
 Mr. Taylor on."

Taylor: "Mrs. Kent."

Speaker Bradley: "Mrs. Kent. She's not in her chair. Is the Lady
 in the chambers? How's she recorded?"

Clerk O'Brien: "No."

Speaker Bradley: "Take her off the Roll."

Taylor: "Mr. LaFleur."

Speaker Bradley: "Mr. LaFleur. I don't see him on the... How's the
 Gentleman recorded?"

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

Taylor: "Mr. Totten."

Speaker Bradley: "Mr. Totten. The Gentleman is not in his chair.
 How is he, is he in the chambers? How's he recorded?"

Clerk O'Brien: "No."

Speaker Bradley: "Take him off the Roll."

Taylor: "Tuerk. Fred Tuerk."

Speaker Bradley: "Mr. Tuerk's in his chair."

Taylor: "Mr. Stearney."

Speaker Bradley: "Stearney is in his seat."

Taylor: "Willer."

Speaker Bradley: "She's in her chair."

Taylor: "Sevcik."

Speaker Bradley: "Representative Sevcik. How's the Gentleman
 recorded?"

Clerk O'Brien: "No."

Speaker Bradley: "Take him off the Roll."



Taylor: "Randolph."

Speaker Bradley: "He's in the aisle."

Taylor: "Friedland."

Speaker Bradley: "Friedland is in his seat."

Taylor: "Grotberg."

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

Taylor: "Telcser."

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

Taylor: "Sangmeister."

Speaker Bradley: "He's right in the center aisle, sir."

Taylor: "Mugalian."

Speaker Bradley: "Mugalian. The Gentleman's not in his seat. Is he in the chambers? Mugalian. He's in the chamber, sir. Mr. Randolph, Mr. Taylor, would like to be verified and he has been verified, so..."

Taylor: "Jaffe."

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

Taylor: "Mahar."

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

Taylor: "McAuliffe."

Speaker Bradley: "Representative McAuliffe. I don't see him in his seat. Is he in the chambers? How's the Gentleman recorded?"

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

Speaker Bradley: "Take him off the Roll."

Taylor: "Sharp."

Speaker Bradley: "Sharp is in his chair."

Taylor: "Kempiners."

Speaker Bradley: "Is in his chair."

Taylor: "Ron Hoffman."

Speaker Bradley: "Ron Hoffman is in the aisle."

Taylor: "Fleck."

Speaker Bradley: "Representative Fleck. Is Representative Fleck in his chair? I can't see him, his chair. Would the Gentleman in front of Mr. Fleck sit down? Thank you. Representative Fleck is sitting in his seat."

Taylor: "Winchester."



Speaker Bradley: "Representative Winchester is right here in front of the Clerk's desk."

Taylor: "Anderson."

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

Taylor: "Representative Peters."

Speaker Bradley: "Is right here in front of the Clerk's desk on the Democratic side."

Taylor: "Representative Schlickman."

Speaker Bradley: "Representative Schlickman is not in his seat. Is he in the chambers? He's in the center aisle."

Taylor: "Representative Klosak."

Speaker Bradley: "Representative Klosak. How's the Gentleman recorded?"

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

Speaker Bradley: "He's not voting, sir."

Taylor: "Representative McMaster."

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

Taylor: "Representative VanDuyne."

Speaker Bradley: "He's in his seat. Further questions, sir?"

Taylor: "Representative Molloy."

Speaker Bradley: "Representative Molloy."

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

Speaker Bradley: "Mr. Taylor, would you please just verify those who have voted, sir?"

Taylor: "Well, I'm trying to, Mr. Speaker, but I'm not a lawyer. You have to give me a little time. I'm just an old country boy."

Speaker Bradley: "Further questions, sir? The Gentleman from Cook, Mr. Katz, for what purpose do you rise, sir?"

Katz: "To be recorded as voting 'no', Mr. Speaker."

Speaker Bradley: "Record Mr. Katz as voting 'no'. I don't have the Roll Call yet. If we just wait a minute, we'll get it. On this question there are 66 'ayes' and 69 'nays' and the Gentleman's motion fails. Is Lee Daniels in the chamber? All right, the Gentleman from Cook, Mr. Taylor, for what purpose do you rise, sir?"



Taylor: "Mr. Speaker, you leave me no alternative other than to now move that we concur with Senate Amendment #3 to House Bill 2627."

Speaker Bradley: "All right, the Gentleman moves... Mr. Taylor, you have a choice. You can wait another day and do that motion."

Taylor: "Mr. Speaker, Mr. Speaker."

Speaker Bradley: "Yes, sir, Mr. Taylor."

Taylor: "The only reason that I moved today was I was a little bit afraid of the Resolution 1600; but if that is the case, I would like to take it out of the record and wait a day."

Speaker Bradley: "All right, let's wait a day. We have some important business to transact in... for thirty seconds. The Gentleman from DuPage, Mr. Lee Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, as you all know, the Tennis Tournament was held the night of the Department of Transportation's budget was held, hearing and we had the good fortune of starting the tournament at midnight. Consequently, many of us didn't get to play as many games as we wanted to, but at the end of that tournament, because not all players were able to be matched, they took the results and set them into a computer and out of the computer came the winners of the 1976 Southwestern Illinois Industrial Association Tennis Tournament. Now, in presenting the awards, I don't want you to feel, Representative Hanahan, that it had anything to do with your minimum wage Bill, but you're not getting the trophy. And I would like to say that the people that won these trophies certainly did play great games and third place, Representative Cal Schuneman and Representative Ron Griesheimer. And first place winners were Representative Ben Bradley and Representative John Porter. For your information, the second place winners were Senator Bob Mitchler and Senator Harber Hall. And fourth place, Senator Bob McCarthy and Senator John Nimrod. And we certainly thank the Southwestern Illinois Industrial Association and Robert J. Walters, Coach Walters, for their putting on this event."

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



Madison: "Mr. Speaker, that obviously was a Republican computer."

Speaker Bradley: "Your point's well taken. On the Calender under Concurrences appears House Bill... The Gentleman from Union, Mr. Choate."

Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I..."

Speaker Bradley: "Could we give the Gentleman some order, please?"

Choate: "I find myself in the position again today of taking the House floor on a point of personal privilege and let me say at the outset and especially for the benefit of the so-called factual reporting media that on the advice of my counsel, regarding a potential libel and slander suit, that I'm going to hold my remarks today to a very minimum and that after my remarks, I'm not going to talk to the media individually and I'm not going to continue letting them harass in the manner in which they are accustomed to doing. If this subject that I was not... that I'm going to speak on today was not so ridiculous, I might term it as funny; but it isn't funny. It isn't funny to me. It isn't funny to my family. And it isn't funny to my friends. And what I'm talking about in case there's a couple of you that haven't seen them, is especially the headline; not primarily the story, but the headlines in today's Chicago Sun Times. The headlines put out all over the state by the Associated Press and carried in most of the papers, I would assume, throughout the State of Illinois; headlines that publicize a book written by an unscrupulous and wanton woman only to gain the almighty dollar; headlines that contain two evils, but I might say to you there's one good. Headlines that publicize this so-called book, free of charge, notoriety to this so-called book; and these are the evils of the headlines that I'm talking about and especially in as much as factual reporting newspapers fall prey to this type of publicity, free publicity. But the one good thing is, my friends out of all of this, is that my family after talking to them long-distance this morning, they believe me. My wife and daughters believe me and they don't believe the Sun Times and the Associated Press and the rest of the newspapers throughout



this state. Free publicity, let me tell you that this morning I talked to former Congressman Ken Gray and he told me the thing that I told the media last night, that never did I come to Washington with the contractor mentioned in this story as far as being there with him, in his office. Never was I in the town or at least in his office at the same time that this contractor might have been in our Capital City, Washington, D.C. And he apologized to me for having an employee that used my name and he told me and reminded me what I had told the media last night that at no time had I ever been on his boat and at no time did this so-called influence peddling scheme with the contractor, the Congressman, and myself did we ever meet; but the fact still remains that the free press, the free notoriety, the free publicity has taken place and I would assume would help sell books without any sustaining facts, with no substantial weighting data, and it might make some ill-begotten money for those involved. But let me ask you as I stand here today that with all of the free publicity, public relations that the media has seen fit to give this book, what can make each and every one of us in this Capital City of Springfield, the Capital City of Washington, or any other Capital City within our United States of America, think that Washington only has an unscrupulous person who would write magazine articles, books, use names, use titles without sustaining facts, without background data, no substantiating data, and what makes you think but what we're all suspect of it happening right here in our own Capital City of Springfield because it appears that we're at a crossroads of America here in our Bicentennial year where some people will use people, will use their names regardless of the feelings that it might bring to their families, only for the almighty dollar. But to treat it in the manner in which maybe it should be treated, if you haven't seen the cartoon in today's Chicago Tribune, get a copy of it and look at it because it shows a Senator sitting behind his desk and one of his secretaries coming in and leaving the door open. And another secretary sitting out at the desk typing away, and the one that comes into the room says, 'Excuse me, Senator,



but I think Miss Jones is writing a book.' Thank you for being attentive."

Speaker Bradley: "On the Calendar on Concurrences appears House Bill 3372. The Gentleman from Stephenson, Mr. Brinkmeier."

Brinkmeier: "Mr. Speaker and Members of the House, I discussed the Senate Amendments to this Bill with Director King and also with his fiscal officers and they've advised me there's absolutely no problem with this 50% limitation that's being imposed. I understand, too, that Representative Hanahan has removed his objections, so at this time, I would move that the House do concur with Senate Amendments #1 and 2 to House Bill 3372."

Speaker Bradley: "The Gentleman moves that the House concur in Senate Amendments #1 and 2 to House Bill 3372. All those in favor will vote 'aye'... the Gentleman... discussion? The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Could we have an explanation of the Amendments that we're asking to concur with?"

Speaker Bradley: "Pardon me, sir. Do you have a copy?"

Schlickman: "Did he explain the Amendment? I'm sorry."

Speaker Bradley: "All right, they were explained this morning.

Mr. Brinkmeier, do you wish to explain them now, sir?"

Brinkmeier: "I could go over it again if you wish, Representative Schlickman. The first Amendment actually does five different things. Number one, it provides for a 2 and 1/2% step and merit increase rather than the 5% which is customary now. That reduces the appropriation by about \$16,000. It reduces the retirement appropriation by \$1,000. Now, that's to comply with the reduction in the increase. It corrects a former error for the Social Security allotment to the extent of \$8,000. It's \$8,100 more. It reduces the appropriation by \$50,000 because of the cancellation of the contract of the Bozo Show. And the final thing that it does, it prohibits the expenditures of more than 50% prior to January 1 of 1977. Now, that's done in Amendment #1. Then in Amendment #2, appropriates \$482,500 for the 1977 state fair entertainment. Now, this is necessary because the Comptroller has stated that what we have been doing



apparently is illegal. We are not permitted to enter into contracts for appro... for monies that have not yet been appropriated. So, this money will not be spent, of course, until fiscal '78. It has to be appropriated now so that they can get the type of entertainment that we'd like to have for the state fair."

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

Schlickman: "Would the Sponsor yield for one question regarding Amendment #1?"

Speaker Bradley: "He indicates that he will."

Schlickman: "The question was raised earlier in the morning or earlier today and that's why this was taken out of the record, that the expenditures of the state fair are the greatest apparently in the first half of the fiscal year and yet this Amendment would restrict the appropriation to only 50% in the first six months."

Brinkmeier: "Yes, Representative Schlickman, that was the objection this morning. Subsequently, I talked with Director King and also his fiscal officer and they have advised me that there's absolutely no problem there whatsoever, that the limitations will not affect them adversely."

Schlickman: "Thank you."

Speaker Bradley: "Further discussion? If none, the question is on the House concurrence with Senate Amendments #1 and 2 to House Bill 3372. All those in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question we have 108 'ayes', 5 'nays', 6 voting 'present'. The House does concur in Senate Amendments #1 and 2 to House Bill 3372. On the Calendar on the order of Third Reading, House Bills, Third Reading appears House Bill 3491. The Gentleman requests that this Bill be returned to Second Reading for the purposes of Amendment. Does he have leave? Hearing no objections, the Bill is returned to Second Reading. It has been read a Second time, so the Gentleman from Perry, Mr. Dunn."

Clerk Selcke: "Amendment #4, Dunn. Amends House Bill 3491 as amended and so forth."

Dunn: "Thank you, Mr. Speaker, Members of the House. Amendment #4



corrects an error that we had made in, excuse me, in Amendment #3 and it has to do with sales tax on coal and it would keep the sales on coal that's not mined in Illinois, the 1% municipal tax. We had removed the Illinois municipal tax and county and municipal tax on coal... all coal and it should have been only on coal mined in the state. So, I would move for the adoption of Amendment #4."

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

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

Speaker Bradley: "He indicates that he will."

Shea: "As I understand the posture of the Bill when you get done with this Amendment, is that the counties will be able to impose a 1% severance tax on the extraction of coal."

Dunn: "Representative Shea, it would automatically be imposed and the state would collect it and keep 2% and refund it to the counties."

Shea: "All right, but I just wanted to find out, I want to make sure exactly where I am. There'll be a 1% severance tax on coal."

Dunn: "That's right and..."

Shea: "Is that coal sold within the State of Illinois will be taxed... Illinois coal sold within the State of Illinois will carry a sales tax of 4¢?"

Dunn: "Right, and a severance tax of 1¢."

Shea: "All right, well..."

Dunn: "In lieu of, right."

Shea: "That out of state coal sold within the state will be taxed at the rate of 5%, 4% for the state and 1% of the municipality wherein the coal is sold, is that correct?"

Dunn: "That's correct. The net effect of the Bill would be to only tax coal that leaves the state."

Shea: "I want to support your Amendment."

Speaker Bradley: "Further discussion? Hearing none, the question is on the adoption of Amendment #4 to House Bill 3491. All those in favor will say 'aye', opposed 'no'. The 'ayes' have it. Further Amendments. Third Reading. On the Calendar under Third Reading,



appears... the Gentleman from Lake, Mr. Matijevich, for what purpose do you rise, sir?"

Matijevich: "I was going to ask Ralph Dunn if he wouldn't suspend the rule whereby we have to hold the Bill 8 days when we've amended it and get the Bill out of here because I'm going to come through here with a motion pretty soon to kill everything on Third Reading and that would include you and I don't want to hurt you, Ralph. You know what I mean? In other words, if you would suspend the rule which requires that Bill, having been amended to stay one day before being considered on Third Reading so that we can pass this Bill out of here and get ready for my motion that's going to come later down the pike."

Speaker Bradley: "He's referring to 3335, 35(c). And if he makes a motion, it will take 89 votes and we can... Mr. Dunn, do you wish to do that?"

Dunn: "Mr. Chairman, would you take it out of the record for a minute, please? Would it be all right?"

Speaker Bradley: "It's on Third Reading right now. The Gentleman... on House Bills, Third Reading appears House Bill 3802. Mr. Garmisa, did you wish to go with that at this time?"

Garmisa: "Yes, Mr. Speaker."

Speaker Bradley: "All right, read 3802 on Third Reading. Read the Bill a Third time."

Clerk Selcke: "House Bill 3802. A Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

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

Garmisa: "Mr. Speaker and Ladies and Gentlemen of the House, what we're trying to do here with 3802 is to bring the Investigating Division of the Secretary of State's Office into the pension plan that is now offered to the regular police of the highway police. And the principal concern in offering this change in the pension laws is to provide an additional benefit for our enforce... for their enforcement personnel to assist the Secretary in his efforts in making their operation one of a professional nature. And there can be... we can use two arguments here to include the Secretary under the current benefits that are now granted to the



Illinois State Police. And number one, the... it assist them in recruiting capable state troopers and we believe that the Investigation Division of this office should be able to offer the same retirement and benefit package for exactly the same reasons. And the provision which rules the years of service or early retirement benefits as provided to the State Police because their duty is classified as hazardous and we contend that in the performance of the duties as an investigator in the Office of Secretary of State, his duties are of a hazardous nature. I would appreciate an 'aye' vote of every Member of the General Assembly on House Bill 3802."

Speaker Bradley: "The question is shall House Bill 3802 pass. All those in favor will signify... the Gentleman from Cook, Mr. Schlickman."

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

Speaker Bradley: "You certainly may, sir."

Schlickman: "Thank you. Mr. Speaker, Members of the House, in considering House Bill 3802, I would suggest that the Membership take into account the financial impact statement prepared by the Pension Laws Commission regarding this Bill. And let me quote from that statement which was distributed to each of the Members. 'The Commission presently has under consideration requests from the Illinois Commerce Commission, Department of Conservation, Secretary of State, Department of Mental Health, Treasurer's Office and anticipates that there may be others in order that uniform standards can be established for the alternate service retirement allowance for occupational categories termed as hazardous duty. Further study is necessary to determine the extent of coverage and the implication state-wide as to who merits coverage under such a provision.' The Pension Laws Commission goes on to say further, 'There is no immediate urgency for passage of this Bill since few, if any, of these persons are near retirement age. It is recommended that the Bill be deferred for further study and any future action could be made retroactive to this time.' End of quote. And it's on the basis, Mr. Speaker, Members of the House, of this statement



by the Pension Laws Commission that I urge a 'no' vote on House Bill 3802."

Speaker Bradley: "Further discussion? Hearing none, the Gentleman from Cook, Mr. Garmisa, do you wish to close, sir?"

Garmisa: "Yes, Mr. Speaker. I can supply you with all kinds of figures and facts here that would justify this House Bill. And as far as the Pension Laws Commission impact statement is concerned, their total accrued pension liability now stands at over one billion, one seven with unfunded liabilities of \$661,000,000. And their funding ratio assets to liabilities is now 43.6 and what we're talking about here, this Bill would increase the unfunded liability by only 00., by .005% or three and a half million dollars out of that billion, one point seven that we're talking about. And I would ask for an affirmative vote on House Bill 3802."

Speaker Bradley: "The question is shall House Bill 3802 pass. All those in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? Clerk will take the record. The Gentleman from Cook, Mr. Garmisa."

Garmisa: "I'd ask you put this on postponed consideration."

Speaker Bradley: "The Gentleman asks that this Bill be placed on postponed consideration. The Clerk will place it on postponed consideration. Motions. The Gentleman from Lake, Mr. Matijeich."

Matijeich: "Mr. Speaker, I've got a motion on the Speaker's Table which I'd like to have them read except that I'm going to amend it to exclude any Bill which was on Third and amended today. That would exclude Ralph Dunn's Bill, but as I told everybody yesterday, I'm not surprising anybody. I told everybody yesterday that at the conclusion of the day's work today that I was going to make a motion similar to what Pete Granata always made, but limited to table all Bills on Third Reading and all Bills on consideration postponed. We're right near the end of the work of the General Assembly, all of these Bills, I think, have had an adequately shot and now because they have had their time... I know the Speaker has called some Bills ten times and so



therefore, I'm going to move that we table all Bills on Third Reading on the Calendar today, on the regular Calendar on Third Reading, all nonappropriation Bills rather... House Bills, on Third Reading and on consideration postponed."

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

Washington: "Mr. Speaker, Members of the House, in a sense I can sympathize with Representative Matijevec motion because I'm of the suspicion that some people here may have been dilatory in their Bills on Third Reading, but it would be a disservice to quite a few Members or some Members who for various reasons had to leave and aren't here or didn't have their Bills called today. So with that in mind, Mr. Speaker, I'm going to move to postpone Mr. Matijevec's motion until Monday, June 21 after the last order of business has been called."

Speaker Bradley: "The Gentleman moves to postpone Mr. Matijevec's motion. On that point, the Gentleman from Cook, Mr. Maragos."

Maragos: "Mr. Speaker, I'd like to get a ruling from you or the Parliamentarian as to the status of Revenue Committee Bills, whether they fall under this classification or whether they are exempt."

Speaker Bradley: "We'll get right back to you. The Minority Leader, the Gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think the motion to kill all House Bills other than appropriation Bills on Third Reading is out of order at this time, a little premature. We still have what, some ten working days or so, maybe more than that until the deadline of June 30th and I just feel that this is early to make such a motion. I think it would be in order perhaps sometime in the middle of next week when the time remaining is not sufficient to pass the Bills over to the Senate and have them go through the usual procedure. But I think with about ten days, ten working days working for this Legislature, waiting in this Legislature, this motion is just premature and should be defeated if the Gentleman persists in it."

Speaker Bradley: "Well now, we're on the... Mr. Washington has moved,



Mr. Washburn, to postpone and that's where we are now on that motion to postpone Mr. Matijevich's motion until... until when, Mr. Washington? Until Monday. So, that's what we're addressing ourselves to, is Mr. Washburn's substantive motion. The Gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker, it seems to me that this, Mr. Washington's motion kind of puts us on the horns of a dilemma. It would seem that if we supported it, then we would agree by that support to table these Bills on Monday. I'm not at all sure that we are prepared to do that on Monday and I wonder if Mr. Washington might withdraw his motion so that we can vote on this straight up and then consider it again, possibly on Monday."

Speaker Bradley: "Mr. Washington, the Gentleman from Cook."

Washington: "My motion is to postpone till Monday. It doesn't presume that it would pass on Monday, but if you vote it straight up and Mr. Matijevich's motion prevails, then you've lost the whole ballgame. I would suggest..."

Speaker Bradley: "Mr. Washington is persisting in his motion to postpone the motion by Mr. Matijevich. The Gentleman from Cook, Mr. Palmer, on the motion by Mr. Washington."

Palmer: "Parliamentary inquiry, Mr. Speaker."

Speaker Bradley: "Yes, sir. State your point."

Palmer: "In order for me to vote intelligently on Mr. Washington's motion, I should like to know whether or not the motion to kill all Bills on Third Reading has then the effect of knocking off all Bills below Third Reading or having the effect of not permitting those Bills to come to Third Reading."

Speaker Bradley: "No, just... the motion... Mr. Matijevich's motion is to... addresses itself to only those Bills, House Bills, Third Reading which appear on the Calendar that are... with the exception of appropriation Bills that appear on the Calendar. And I think it also included and Mr. Matijevich can correct me if I'm wrong that this includes those Bills on postponed consideration, so it does not preclude us from moving House Bills on Second Reading in answer to your question. It only addresses itself to Third Readings, House Bills postponed consideration."



Palmer: "Well, so that I know... if there's a Bill that comes up after this motion is made moving to Third from Second to Third and it appears on the Calendar on Monday, would that Bill be dead?"

Speaker Bradley: "No, sir. The way I understand it, he's addressing himself to House Bills on the Calendar dated Thursday, June 17, 1976. And now back to the Gentleman, Mr. Washington's motion and all those in favor of Mr. Washington's motion to postpone consideration of Mr. Matijevich's motion will say 'aye', and opposed will say 'no'. All those in favor Mr. Washington's motion will vote 'aye', and those opposed will vote 'no'. And the Gentleman from Lake, Mr. Pierce, to explain his vote. Pierce, Mr. Pierce."

Pierce: "Mr. Speaker, explaining my vote I might point out we didn't complete the Third Reading call today. We stopped at Garmisa's Bill, 3808. I had a Bill, the next Bill on the call and when the warning came from Mr. Matijevich yesterday, we already passed my Bill so I haven't had a chance to call it since his warning. So therefore, I've voting 'aye' on the motion to postpone."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question 65 'ayes', 47 'nos' and the Gentleman's motion prevails. Is Representative Shea in the chambers? Mr. Lechowicz, are you going to handle Mr. Barneß motion? Is that the purpose you rise, sir?"

Lechowicz: "That is correct, Mr. Speaker. I move to suspend Rule 18 in order to hear the following Bills in the Appropriations Committee. Two, this has been cleared by the leadership. Now, these Bills will be posted and heard Monday afternoon at 1 o'clock in Room 118 in the Capitol Building. Senate Bill 1744 which is the Legislative Advisory Council; Senate Bill 1795, judicial systems; Senate Bill 1613, Board of Vocational Rehabilitation; Senate Bill 1622, Department of Aging; Senate Bill 1935, Board of Education; Senate Bill 1938, University Retirement System; Senate Bill 1956, the Board of Education. Mr. Speaker, I move that we suspend Rule 18 to have those following Bills heard



Monday at 1 o'clock in Room 118 and I would hope that... ask leave of the House to use the attendance Roll Call."

Speaker Bradley: "The Gentleman moves to suspend Rule 18 so that those Senate Bills, five Senate Bills can be heard Tuesday... Turn Mr. Lechowicz on."

Lechowicz: "Monday, 1 o'clock, Appropriations II."

Speaker Bradley: "Monday, 1 o'clock. Are there any objections?"

Hearing none, we'll use the attendance Roll Call and the Gentleman's motion prevails. Messages from the Senate. Wait a minute, pardon me. Mr. Lechowicz."

Lechowicz: "Yes, Mr. Speaker, I also have another motion for Appropriations I. I move that we suspend House Rule 18 in order to hear the following Bills in Appropriations I Committee on Tuesday, June 22 at 1 o'clock on the House floor. Senate Bill 1742 which is Capital Development Board reappropriation. We started hearing testimony on that Bill today and did not conclude. Senate Bill 1936 which is C.D.B.'s O.C.E. Bill for '77. And on Wednesday, June 23, 1976, at 1 o'clock on the House floor, Senate Bill 1608, General Services' O.C.E. Bill and Senate Bill 1932, the Omnibus Commission Bill. And again, this matter has been cleared on both sides of the aisle and I would ask that we have leave to use the attendance Roll Call."

Speaker Bradley: "Are there objections? Hearing none, we will use the attendance Roll Call on the Gentleman's motion and the Gentleman's motion is adopted. Now, if we could, we would like to read the Messages from the Senate and then if there are announcements or motions that cannot wait until Monday, we will address you to those, but let's get to Messages from the Senate."

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

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills of the following title. The passage of which I'm instructed to ask concurrence of the House of Representatives, to wit. Senate Bill 1680, 1756, and 1930; passed by the Senate, June 17, 1976. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills



of the following title and the passage of which I'm instructed to ask concurrence of the House of Representatives, to wit. Senate Bill 1608, passed by the Senate June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following title and the passage of which I'm instructed to ask concurrence of the House of Representatives, to wit. Senate Bill 1932, passed by the Senate June 17, 1976. Kenneth Wright, Secretary."

Speaker Bradley: "All right, the Gentleman from Cook, Mr. Katz."

Katz: "Mr. Speaker, today the Judiciary II Committee had hearings Mr. Palmer was there on a Committee Bill on obscenity. The Committee did not finish. I would like leave for Mr. Palmer to be able to proceed on Tuesday, one hour after adjournment at a meeting of Judiciary II to consider the question of Mr. Palmer's and Mr. Sangmeister's request for a Committee Bill on obscenity."

Speaker Bradley: "Does the Gentleman have leave? Hearing no objection, we will use the attendance Roll Call on the Gentleman's motion. The Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speaker, I would like to have leave pursuant to Rule 66(a) to move to discharge the Committee on Rules from further consideration of House Bill 3998 and to suspend the appropriate rules to have that Bill heard by the Revenue Committee on June 21. Let me explain the motion. As you can tell by the number, this Bill was introduced today. It deals with a recent court decision which as a result of that court decision allows taxpayers paying under protest taxes to avoid the administrative review system that we have established in our laws. If indeed the Bill has merit and I repeat, if indeed the Bill has merit, it certainly is an emergency situation and Rules should move it out. If it does not, I assume the Revenue Committee will indeed deal with it appropriately. I have not had an opportunity to review the Bill thoroughly, but I think it's one that should be considered by the Revenue Committee and I would ask leave to accomplish that Monday night."

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



Walsh: "Well, Mr. Speaker, it seems to me that we'd save a whole lot of time if the Gentleman would clear this motion with the Minority Leader."

Beaupre: "Well, Mr. Walsh, I apologize to you for not having done that. I just realized that I could not file a motion to have the Rules Committee consider this at their next meeting next week. I was informed that that applied only to Senate Bills and so I didn't have a chance to talk to the leadership on both sides. I'd be willing to take this out of the record if we have time, but I'm afraid that I need to move rather quickly on it."

Speaker Bradley: "Let the Chair say it takes unanimous consent. If somebody objects, he does not receive unanimous consent and the Bill stays right where it is. Is anybody objecting? The Gentleman from Grundy, the Minority Leader, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Chairman of the Rules Committee did and I don't have the record with me, but perhaps a week ago declared that we would hear no more House Bills after a certain date. However, if my memory is right, we suspended that rule or the Chairman suspended that rule or broke the rule and heard some House Bills after he declared... two House Bills after he declared the deadline was passed. Am I correct, Mr. Katz? So therefore, House Bills can be heard in the Rules Committee."

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

Katz: "The distinguished Minority Leader is not exactly correct, no. The fact is that the Rules Committee by a unanimous vote that included the Republican Leadership, unanimously voted to hear only Senate Bills after a certain date. It was not the act of the Speaker or the act of mine, but a vote of the full Committee. Now, it happens that at one meeting at which I will add, I was not present, I do understand that one or two House Bills were reported out. I did not... was not at the meeting and I was not consulted about it and did not vote on it, so I just wanted to make that clear."

Speaker Bradley: "Mr. Washburn."

Washburn: "When does Revenue meet next week? I see it's scheduled



for Monday. Will they be holding more than one meeting or..."

Speaker Bradley: "Mr. Maragos, when are you meeting in Revenue Committee?"

Maragos: "Monday evening, after adjournment."

Washburn: "And then when would be your next meeting, Mr. Chairman?"

Maragos: "The only one that I can... we haven't planned one yet. Let's see what the volume is, but the other one will be the following week unless we got rules suspended."

Washburn: "Unless you had what?"

Speaker Bradley: "Why don't you... let's do this. We can do this Monday at 4 o'clock so that that Bill can be heard and you can clear it with the Minority Leader and the Majority Leader at that time and I think that would be the proper position for us to find ourselves in at this time. Is that all right, Mr. Beaupre? You can renew your motion on Monday. Further... the Gentleman from Winnebago, Mr. Stubblefield."

Stubblefield: "Yes, thank you, Mr. Speaker. Under the order of motions, I have a motion filed regarding House Bill 3608. In view of a previous ruling of the Chair, I would now ask leave to table that motion."

Speaker Bradley: "The Gentleman asks leave to table... you can table it or withdraw it, 38... withdraw it? Hearing no objection, the motion is withdrawn. All right now, further announcements? The Lady from Lake, Ms. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I have a motion to discharge Rules Committee and place on Second Reading House Bill 3794 and I respectfully ask for favorable consideration."

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

Katz: "Mr. Speaker, the motion is, in my view, not in order. I ask for a parliamentary inquiry. This is a Joint Rule. The House does not have the right to suspend a Joint Rule and I would object to the Lady's motion."

Speaker Bradley: "The Gentleman's objection is well taken. Further motions? The Gentleman from Kane, Mr. Grotberg."



Grotberg: "Yes, Mr. Speaker. In regards to Senate Bill 887 and the motion on the Supplemental Calendar #1 of Mr. Hoffman, has asked me to present it. I just spoke to with the Chairman of Rules. This Bill inadvertently was tabled in the laundry and I would move to remove from the table so it could be heard in Rules next Tuesday which would take 107 votes."

Speaker Bradley: "Is that motion in writing, sir?"

Grotberg: "Yes, there are several motions in writing."

Speaker Bradley: "Is that the Supplemental Calendar?"

Grotberg: "Yeah, it would have to be amended on its face here because we discovered it had been tabled in Rules. And with leave of the... the last unanimous Roll Call or something, we could handle all that. It's an agreed Bill and it's a Senate Bill that we've worked on for 18 months."

Speaker Bradley: "Would you hold that until Monday, sir? It's not going to make that much difference. I'm... We're trying to get the Members out of here on their way home. Could you hold that? All right now, the Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, I move that we adopt the adjournment Resolution which indicates that we will adjourn now and return Monday at 4 o'clock."

Speaker Bradley: "The Gentleman moves for the adoption of the adjournment Resolution. All those in favor will say 'aye', opposed 'no'. The 'ayes' have it and the Senate Joint Resolution 879 is adopted. Now, the Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "I move we adjourn."

Speaker Bradley: "Now, Mr. Giorgi, we've got a housekeeping. Could you give us three minutes to recess and at that time, the House will stand adjourned until Monday at 4 o'clock. Mr. Giorgi."

Giorgi: "I move for the adoption of the adjournment."

Speaker Bradley: "We did that. Would you move to adjourn the Second Special Session? In five minutes, we'll move to adjourn the Second Special Session in five minutes."

Giorgi: "Okay, I move that the Second Special Session be adjourned in five minutes."

Speaker Bradley: "The Gentleman moves that the Regular Session stand



adjourned in five minutes until the hour of 4 o'clock on Monday. On that motion, all in favor say 'aye', the opposed 'no'. The 'ayes' have it. Now, Second Special Session. Attendance Roll Call will be used for the Second Special Session, same as the Regular Session. Now, is there leave? Hearing no objection, leave is granted. Messages from the Senate."

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

Mr. Speaker, I directed to inform the Senate... or directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution, the adoption of which I'm instructed to ask concurrence of the House of Representatives, to wit. Senate Joint Resolution #6. Adopted by the Senate, June 17, 1976. When the House of Representatives adjourns on Thursday, June 17, stands adjourned until Wednesday, June 23 at 10 o'clock a.m."

Speaker Bradley: "Now, the Gentleman from Giorgi moves the adoption of the adjournment Resolution. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Second Special Session stands... All right, the adjournment Resolution is adopted. Now, Mr. Giorgi has moved that the House stand adjourned pursuant to the... the Second Special Session stands adjourned pursuant to the Resolution. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Second Special Session is adjourned. Back to the Regular Session for the purpose of Committee Reports."

Clerk O'Brien: "Representative Katz, Chairman from the Committee on Judiciary II to which the following Bills were referred; reported the same back with the following recommendation. Do pass as amended House Bill 3798. Representative Katz, Chairman from the Committee on Judiciary II to which the following Bills were referred; reported the same back with the following recommendation. Do pass, House Bill 927, House Bill 3285. Representative Lechowicz, Chairman from the Committee on Appropriations I to which the following Bills were referred; reported the same back with the following recommendation. Do pass as amended, Senate Bill 1603."

Speaker Bradley: "Messages from the Senate."

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



Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in passage of Bills of the following titles, to wit. House Bill 3410 and 3536; passed by the Senate June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in passage of Bills of the following titles, to wit: House Bills 3661, 3804, and 3924; passed by the Senate June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has receded from their Amendments 1, 2, 3 and 4 to House Bill 1914. Action taken by the Senate June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the adoption of House Amendments to a Bill of the following title. Senate Bill 1620. I'm further directed to inform the House of Representatives the Senate has refused to concur with the House in the adoption of the following Amendment, Amendment #5. Action taken by the Senate June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the adoption of House Amendments to a Bill of the following title, Senate Bill 1869. Concurred in by the Senate June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the adoption of House Amendments to a Bill of the following title, Senate Bill 1607. Concurred in by the Senate June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has refused to concur with the House in the adoption of Amendments of the House of Representatives to a Bill of the following title. Senate Bill 1621, action taken by the Senate June 17, 1976.



Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has refused to recede from their Amendments to a Bill of the following title. House Bill 3392, and request a Conference Committee. Action taken by the Senate June 17, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has adopted the following, First Conference Committee Report on Senate Bill 1604. Adopted by the Senate June 17, 1976. Kenneth Wright, Secretary."

Speaker Bradley: "Introduction and First Reading."

Clerk O'Brien: "House Bill 3998, Schraeder. A Bill for an Act to amend an Act in relation to the payment and disposition of money received by officers, employees of State of Illinois. First Reading of the Bill. House Bill 3999, Hart. A Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 4000, Hart. A Bill for an Act to amend the Workmen's Compensation Act. First Reading of the Bill."

Speaker Bradley: "Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 1608, Washington. A Bill for an Act to provide for the ordinary and contingent expense of the Department of General Services. First Reading of the Bill. Senate Bill 1679, Berman. A Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1680, Washington. A Bill for an Act to amend Motor Fuel Tax Laws. First Reading of the Bill. Senate Bill 1756, Lucco. A Bill for an Act to amend the Downstate Public Transportation Act. First Reading of the Bill. Senate Bill 1930, Yourell. A Bill for an Act to amend the Park District Code. First Reading of the Bill. Senate Bill 1932, Lechowicz. A Bill for an Act making an appropriation to the ordinary and contingent expense of various commissions, boards and agencies of state government. First Reading of the Bill. Senate Bill 1994, Schneider. A Bill for an Act making an appropriation to the State Comptroller. First Reading of the Bill. Senate Bill 1999, Terzich. A Bill for an Act to



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amend the Pension Code. First Reading of the Bill. No further business."

Speaker Bradley: "Ms. Catania, would you like to move that the House stand adjourned? Ms. Catania so moves that the House does stand adjourned until Monday at 4 o'clock. Hearing no objections, we will... House is adjourned."

