

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED FIFTEENTH LEGISLATIVE DAY

JANUARY 13, 1972

10:00 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR,

SPEAKER IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

A roll call for attendance was taken and indicated that all were present with the exception of the following:
Representative Charles W. Clabaugh - no reason given;
Representative John P. Downes - death of wife;
Representative J. Horace Gardner - illness;
Representative Benedict Garmisa - no reason given;
Representative Henry J. Klosak - illness;
Representative Edward J. Shaw - death.



Doorkeeper: "All those who are not entitled to the House chamber, will you please retire to the gallery. Thank you."

Hon. W. Robert Blair: "The House will be in order. The invocation this morning will be by Dr. Johnson."

Dr. John Johnson: "We pray. Almighty God I stand for a moment in your presence to ask for a full measure of your grace. Get me the will to dedicate the hours of this day to seek and know your purposes and to be an instrument in carrying them out. Give me a sense of joy as I go about my tasks. Give me serenity as I react to the issues in which I will become involved. Sharpen my conscience with respect to the responsibility which I bear to all who come within the circle of my life, my position and my influence. I commend to your care and keeping concerned about me and who take the time to express such concern. When I make mistakes, give me the wisdom to recognize them. When I am misjudged, give me the wisdom that I may realize that you, O Lord, both know and judge all things well. We pray now on behalf of Representative Henry Klosak who is ill. Refresh him both in body and in soul and deal mercifully with him according to your healing will. This and all other things we ask because you are a god whose mercies are new to us each day. Amen."

Hon. W. Robert Blair: "The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Mr. Speaker, would you let the record please show that Representative John Downes is absent because of



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

the death of his wife."

Hon. W. Robert Blair: "Introduction - roll call for attendance. Introduction and first reading of House Bills."

Fredric B. Selcke: "House Bill 3779, Regner, et.al. Bill for an act to amend the 'Condominium Property Act'. First reading of the bill. House Bill 3780, Capparelli, et.al. A bill for an act to amend 'The Vehicle Code'. First reading of the bill. House Bill 3781, Carter, et.al. Amends the 'Illinois Vehicle Code'. First reading of the bill. House Bill 3782, no further, no further house bills."

Hon. W. Robert Blair: "I would like to call the members attention to the fact that on the calendar, under the category of vetoes, there are total vetoes and then total veto motions and amendatory veto motions and as you know under the rules as was pointed out by the Majority Leader yesterday, the motion with regard to these have to be filed for one day prior to being acted upon, so that the motion can be printed on the calendar. And, it's our intention this afternoon when we come back to go to the amendatory vetoes motions to have consideration given by the House to those motions. If there are any other motions that are desired to be filed, I suggest you get those into the Clerk today so they can be on the calendar tomorrow for whatever consideration the House desires to make. All right, for what purpose does the gentleman from Cook, Mr. Hyde, rise?"

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, I have a few announcements to make that are of in-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

terest to the members. The Conference Committee on Ethics will be meeting at 12:00 noon to go over the final draft of a proposal of the computers broke down in the Legislative Reference Bureau last evening, thus causing a delay the very thing we were most anxious to avoid since we have been told there are no excuses for delay, but there was some problem beyond the legislature's fault that caused this to happen. Now, there will be a Republican members conference immediately following these announcements in Room 212, if you would all report there promptly, Room 212, and I now move, Mr. Speaker, that this House stand in recess until the hour of 3:00 P.M. this afternoon, and I would point out that it is our hope and expectation at 3:00 P.M. to have ready for debate on this floor the report of the Conference Committee on Ethics. So, Mr. Speaker, until 3:00 P.M. this afternoon, I move that the House stand in recess. The Republican members to report immediately to Room 212."

Hon. W. Robert Blair: "All right, all those. . .for what purpose does the gentleman from Cook, Mr. B. B. Wolfe rise?"

Bernard B. Wolfe: "Mr. Speaker, a point of parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "I would never have suspected it."

Bernard B. Wolfe: "Will the report of the conference committee be available for each of the members of the House prior to 3:00 P.M.? Will there be a report on our desk or . . ."

Hon. W. Robert Blair: "Well, it when it's signed, it will be made available just as quickly as it can be reproduced there-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

after that the conferees will that we will be able to sign that product shortly after we convene at 12:00 noon in the Conference Committee. Then we would proceed to make that available just as quickly as possible."

Bernard B. Wolfe: "Thank you."

Hon. W. Robert Blair: "And that was a parliamentary inquiry, I'm sure. The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Mr. Speaker, just in the event that all of the Democratic members who are not listening or did not hear what the Speaker said, there will be no Democratic, there will be no Democratic conference this morning. However it is very possible that there will be one later on in the afternoon after we convene at 3:00 P.M."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Granata."

Peter C. Granata: "Mr. Speaker, that I do understand now that we are going to finish tonight, regardless of what time it is so we can be on our way home tomorrow, is that correct?"

Hon. W. Robert Blair: "No, no."

Peter C. Granata: "I don't understand it then."

Hon. W. Robert Blair: "Well, no, the all that the Majority Leaders said was that when we come back in at 3:00 P.M. this afternoon, we will address ourselves to the amendatory vetoes or motions that are on the calendar, anyone that has any further motions that they want to file with regard to the vetoes, should do it today with the Clerk so they can be on the calendar tomorrow, for whatever consideration the House wants to give tomorrow."



Peter C. Granata: "Well, Mr. Speaker, when I said understood yesterday that we were going to finish up sometime today and I made a an appointment with a doctor in Chicago at 3:00 P.M. tomorrow, so in the event we don't finish, I'm going to ask unanimous consent to be recorded tomorrow morning and hit the road, if I can get it."

Hon. W. Robert Blair: "I understand. All right, all those in favor of the motion say 'Yeas', and the opposed 'No', the 'Yeas' have it and we will stand in adjournment until 3:00 P.M. this afternoon, and the Republican members will report now to Room 212 for a short conference."

Adjournment at 10:20 O'Clock A.M.

Return at 3:00 O'Clock P.M.

Doorkeeper: "All those who are not entitled to the House chamber, will you please retire to the gallery. Thank you."

Hon. W. Robert Blair: "The House will stand at ease for a short while while the printers office puts together the Conference Committee report for distribution on your desk. Thank you."

Doorkeeper: "All those who are not entitled to the House chamber, will you please retire to the gallery. Thank you."

Hon. W. Robert Blair: "The House will be in order. All right on the calendar on the order of vetoes, amendatory vetoes,



motion appears House Bill 1684 on which the Chair recognizes the gentleman from Whiteside, Mr. Miller."

Kenneth W. Miller: "Ah, Mr. Speaker and Members of the House, House Bill 1684 was a bill which extended the life of the Illinois Mississippi Canal Commission and had an appropriation of \$7,500.00. That bill passed this House in May or June, I do not recall the exact date, by, as I remember, a unanimous vote. It went to the Senate and the Senate did not take action on the bill until the fall session. At the time of the fall session, the bill was passed by the Senate, by a unanimous vote, but the bill did not have an emergency clause. Therefore, the Governor has suggested an amendment. The amendment merely attaches an emergency clause so that the Illinois Mississippi Canal Commission can function prior to July 1st of this year. Now, Mr. Speaker and Members of this House, I move that the members of this House adopt the amendment as suggested by the Governor and that we report this action to the Senate and it will take a three-fifths vote, Mr. Chairman, Mr. Speaker."

Hon. W. Robert Blair: "All right, is there further discussion? All right, on this question since January 1 has passed, ah, it would only require 89 votes for this to become effective. Back when this was passed in November, it required a three-fifths vote for it to become effective immediately, but when we went past January 1, it only takes 89 votes for it to become effective immediately. The gentleman from Whiteside, Mr. Miller."



Kenneth W. Miller: "I'm a little bit confused. The calendar indicates three-fifths vote, that was my thought on the matter, and I'd be glad to stand corrected, it was my understanding that in order for it to become effective immediately, rather than July the 1st, that this clause must be on there and that it must be by three-fifths vote, if I'm in error, I'd very much be happy to accept a majority vote."

Hon. W. Robert Blair: "All right, while there seems to be some question about this among the various parliamentarians that we have on this matter and while we are getting that resolved, we thought we would shift over to Committee Reports and I understand the Clerk has before him a Conference Committee Report on House Bill 3700. All right, now if we can have your attention. We're going to ask the Clerk, because these have been on your desk only for about ten or fifteen minutes. We're going to ask the Clerk to read through the entire Conference Committee Report slowly so if you want to follow him, why you can pick up the copy on your desk and follow the Clerk as he reads through the report."

Fredric B. Selcke: "To the Honorable the Senate, the House of Representatives, we, the undersigned committee of conference, appointed to consider the differences between the two houses in relation to: the senate amendments to House Bill 3700, recommend that the Senate recede from all Senate amendments to House Bill 3700, and that House Bill 3700 be



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

further amended by striking everything before the enacting clause and inserting in lieu thereof the following: 'An Act to amend Sections 2-103, 3-206 and 3-304 and the title of, and to add Sections 1-115 and 1-116 and Articles 4A and 8 to, and to repeal Sections 1-103, 2-102, 3-108 and Articles 4, 5, 6 and 7 of the 'Illinois Governmental Ethics Act', approved August 26, 1967.'; and by striking everything after the enacting clause and inserting in lieu thereof of the following: 'Section 1. Sections 2-103, 3-206 and 3-304 of the 'Illinois Governmental Ethics Act', approved August 26, 1967, are amended, and Sections 1-115 and 1-116 and Articles 4A and 8 are added thereto, the amended Sections and added Sections and Articles to read as follows: Sec. 1-115. 'Instrument of Ownership' means deeds, common or preferred stock certificates, rights, warrants, options, bills of sale, contracts, interests in proprietorships, partnerships and joint ventures, and beneficial interests in trusts or land trusts. Sec. 1-116. 'Professional services' means services rendered in the practice of law, accounting, engineering, medicine, architecture, dentistry or clinical psychology. Sec. 2-103. No legislator may accept commission, other than that provided by law for members of the General Assembly, for performance of his official legislative duties. No persons, other than State officials or employees performing their duties in making payments to members of the General Assembly as provided by law, may pay or offer to pay any legislator any compensation for



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

performance of his official legislative duties. A violation of this Section is punishable by a fine not exceeding \$500.00. Sec. 3-206. Sections 3-201 through 3-205 are intended only as guides to legislator conduct, and not as rules meant to be enforced by disciplinary action. Sec. 3-304. Sections 3-301 through 3-303 are intended only as guides to conduct, and not as rules meant to be enforced by penalties. ARTICLE 4A DISCLOSURE OF ECONOMIC INTERESTS. Sec. 4A-101. The following persons shall file verified written statements of economic interests, as provided in this Article: (a) Members of the General Assembly and candidates for nomination or election to the General Assembly. (b) Persons holding an elected office in the Executive Branch of this State or on the Board of Trustees of the University of Illinois, and candidates for nomination or election to these offices; (c) Members of a Commission or Board created by the Illinois Constitution, and candidates for nomination or election to such Commission or Board; (d) Persons whose appointment to office is subject to confirmation by the Senate; (e) Holders of, and candidates for nomination or election to, the office of judge or associate judge of the Circuit Court and the office of judge of the Appellate or Supreme Court; (f) Persons (except those primarily employed by the State in teaching as distinguished from administrative duties) who are compensated for services to the State as employees and not as independent contractors at the rate of \$20,000.00 per year or more, and are employ-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

ed by any branch of the government of this State, including but not limited to, the Illinois Building Authority, the School Building Commission, the Illinois State Toll Highway Authority, the Illinois Housing Development Authority, the Illinois Educational Development Authority, and institutions under the jurisdiction of the Board of Regents, Board of Governors, Board of Trustees of the University of Illinois, Board of Trustees of Southern Illinois University, or the Junior College Board; (g) Persons who are elected to an office in a school district or in a unit of local government as defined by the Illinois Constitution, and candidates for nomination or election to such office; (h) Persons appointed to the governing board of a school district or of a special district and persons appointed to a zoning board, or zoning board of appeals, or to a regional county or municipal plan commission; (i) Persons who are employed by a school district or by any unit of local government as defined by the Illinois Constitution, and are compensated for services as employees and not as independent contractors at the rate of \$20,000.00 per year or more. Sec. 4A-102.

The statement of economic interests required by this Article shall include the economic interests of the person making the statement as provided in this Section. The interest (if constructively controlled by the person making the statement) of a spouse or any other party, shall be considered to be the same as the interest of the person making the statement. Campaign receipts shall not be included in



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

this statement. (a) The following interests shall be listed by all persons required to file: (1) The name, address and type of practice of any professional organization or individual professional practice in which the person making the statement was an officer, director, associate, partner or proprietor, or served in any advisory capacity, from which income in excess of \$1200.00 was derived during the preceding calendar year; (2) The nature of professional services (other than services rendered to the unit of government in relation to which the person is required to file) and the nature of the entity of which they were rendered if fees exceeding \$5,000.00 were received during the preceding calendar year from the entity for professional services rendered by the person making the statement. (3) The identity (including the address or legal description of real estate) of any capital asset from which a capital gain of \$5,000.00 or more was realized in the preceding calendar year. (4) The name of any unit of government which has employed the person making the statement during the preceding calendar year other than the unit of government in relation to which the person is required to file. (5) The name of any entity from which a gift or gifts, or honorarium or honoraria, valued singly or in the aggregate in excess of \$500.00 was received during the preceding calendar year. (b) The following interests shall also be listed by persons listed in items (a) through (f) of Section 4A-101: (1) The name and instrument of ownership in



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

any entity doing business in the State of Illinois, in which an ownership interest held by the person at the date of filing is in excess of \$5,000.00 fair market value or from which dividends of in excess of \$1,200.00 were derived during the preceding calendar year. (In the case of real estate, location thereof shall be listed by street address, or if none, then by legal description). No time or demand deposit in a financial institution, nor any debt instrument need be listed; (2) Except for professional service entities, the name of any entity and any position held therein from which income of in excess of \$1,200.00 was derived during the preceding calendar year, if the entity does business in the State of Illinois. No time or demand deposit in a financial institution, nor any debt instrument need be listed. (3) The identity of any compensated lobbyist with whom the person making the statement maintains a close economic association, including the name of the lobbyist and specifying the legislative matter or matters which are the object of the lobbying activity, and describing the general type of economic activity of the client or principal on whose behalf the person is lobbying. (c) The following interests shall also be listed by persons listed in items (g) (h) and (i) of Section 4A-101: (1) The name and instrument of ownership in any entity doing business with the unit of local government in relation to which the person is required to file if the ownership interest of the person filing is greater than \$5,000.00 fair market value as of the date



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

of filing or if dividends in excess of \$1,200.00 were received from the entity during the preceding calendar year.
(In the case of real estate, location thereof shall be listed by street address, or if none, then by legal description).
No time or demand deposit in a financial institution, nor any debt instrument need be listed. (2) Except for professional service entities, the name of any entity and any position held therein from which income in excess of \$1,200 was derived during the preceding calendar year if the entity does business with the unit of local government in relation to which the person is required to file. No time or demand deposit in a financial institution, nor any debt instrument needed be listed. (3) The name of any entity and the nature of the governmental action requested by any entity which has applied to the unit of local government in relation to which the person must file for any license, franchise or permit for annexation, zoning or rezoning of real estate during the preceding calendar year if the ownership interest of the person filing is in excess of \$5,000 fair market value at the time of filing or if income or dividends in excess of \$1,200 were received by the person filing from the entity during the preceding calendar year.
Sec. 4A-103. The statement of economic interests required by this Article to be filed with the Secretary of State shall be verified, dated, and signed by the person making the statement and shall contain substantially the following: STATEMENT OF ECONOMIC INTERESTS. (Name). (Office or



position of employment for which this statement is filed)
(address to which notification of an examination of this
statement should be sent) GENERAL DIRECTIONS: The interest
(if constructively controlled by the person making the
statement) of a spouse or any other party, shall be con-
sidered to be the same as the interest of the person making
the statement. Campaign receipts shall not be included in
this statement. If additional space is needed, please
attach supplemental listing. 1. List the name and instr-
ument of ownership in any entity doing business in the State
of Illinois, in which the ownership interest held by the
person at the date of filing is in excess of \$5,000 fair
market value or from which dividends in excess of \$1,200
were derived during the preceding calendar year. (in the
case of real estate, location thereof shall be listed by
street address, or if none, then by legal description.)
No time or demand deposit in a financial institution, nor
any debt instrument need be listed. Business Entity. In-
strument of Ownership. 2. List the name, address and type
of practice of any professional organization in which the
person making the statement was an officer, director, ass-
ociate, partner or proprietor or served in any advisory
capacity, from which income in excess of \$1,200 was derived
during the preceding calendar year. Name. Address. Type
of Practice. 3. List the nature of professional service
rendered (other than to the State of Illinois) to each en-
tity from which income exceeding \$5,000 was received for



professional services rendered during the preceding calendar year by the person making the statement. 4. List the identity (including the address or legal description of real estate) of any capital asset from which a capital gain of \$5,000 or more was realized during the preceding calendar year. 5. List the identity of any compensated lobbyist with whom the person making the statement maintains a close economic association, including the name of the lobbyist and specifying the legislative matter or matters which are the object of the lobbying activity, and describing the general type of economic activity of the client or principal on whose behalf that person is lobbying. Lobbyist. Legislative Matter. Client or Principal. 6. List the name of any entity doing business in the State of Illinois from which income in excess of \$1,200 was derived during the preceding calendar year other than for professional services and the title or description of any position held in that entity. (In the case of real estate, location thereof shall be listed by street address, or if none, then by legal description). No time or demand deposit in a financial institution nor any debt instrument need be listed. Entity. Position Held. 7. List the name of any unit of government which employed the person making the statement during the preceding calendar year other than the unit of government in relation to which the person is required to file. 8. List the name of any entity from which a gift or gifts, or honorarium or honoraria, valued singly or in the aggre-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

gate in excess of \$500, was received during the preceding
calendar year. VERIFICATION: 'I declare that this state-
ment of economic interests (including any accompanying
schedules and statements) has been examined by me and to
the best of my knowledge and belief is a true, correct and
complete statement of my economic interests as required by
the Illinois Governmental Ethics Act. I understand that
the penalty for willfully filing a false or incomplete
statement shall be a fine not to exceed \$1,000 or imprison-
ment in a penal institution other than the penitentiary not
to exceed one year, or both fine and imprisonment'. date
of filing. signature of person making the statement. Sec.
4A-104. The statement of economic interests required by
this Article to be filed with the county clerk shall be
verified, dated, and signed by the person making the state-
ment and shall contain substantially the following: STATE-
MENT OF ECONOMIC INTERESTS. (name) (office or position of
employment for which this statement is filed) (address to
which notification of an examination of this statement
should be sent) GENERAL DIRECTIONS: The interest (if con-
structively controlled by the person making the statement)
of a spouse or any other party, shall be considered to be
the same as the interest of the person making the state-
ment. Campaign receipts shall not be included in this
statement. If additional space is needed, please attach
supplemental listing. 1. List the name and instrument of
ownership in any entity doing business with the unit of local



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

government in relation to which the person is required to
file, in which the ownership interest held by the person
at the date of filing is in excess of \$5,000 fair market
value or from which dividends in excess of \$1,200 were re-
ceived during the preceding calendar year. (In the case
of real estate, location thereof shall be listed by street
address, or if none, then by legal description.) No time
or demand deposit in a financial institution, nor any debt
instrument shall be listed. Business Entity. Instrument of
Ownership. Position of Management. 2. List the name,
address and type of practice of any professional organiza-
tion in which the person making the statement was an offic-
er, director, associate, partner, or proprietor, or served
in any advisory capacity, from which income in excess of
\$1,200 was derived during the preceding calendar year.
Name. Address. Type of Practice. 3. List the nature of
professional services rendered (other than to the unit of
local government in relation to which the person is requir-
ed to file) to each entity from which income exceeding
\$5,000 was received for professional services rendered dur-
ing the preceding calendar year by the person making the
statement. 4. List the identity (including the address or
legal description of real estate) of any capital asset from
which a capital gain of \$5,000 or more was realized during
the preceding calendar year. 5. List the name of any
entity and the nature of the governmental action requested by
any entity which has applied to the unit of local govern-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

ment in relation to which the person must file for any
license, franchise or permit for annexation, zoning or re-
zoning of real estate during the preceding calendar year
if the ownership interest of the person filing is in excess
of \$5,000 fair market value at the time of filing or if
income or dividends in excess of \$1,200 were received by
the person filing from the entity during the preceding cal-
endar year. 6. List the name of any entity doing business
with the unit of local government in relation to which the
person is required to file from which income in excess of
\$1,200 was derived during the preceding calendar year other
than for professional services and the title or description
of any position held in that entity. No time or demand de-
posit in a financial institution nor any debt instrument
need be listed. 7. List the name of any unit of govern-
ment which employed the person making the statement during
the preceding calendar year other than the unit of govern-
ment in relation to which the person is required to file.
8. List the name of any entity from which a gift or gifts,
or honorarium or honoraria, valued singly or in the aggre-
gate in excess of \$500, was received during the preceding
calendar year. VERIFICATION: 'I declare that this state-
ment of economic interests (including any accompanying
schedules and statements) has been examined by me and to the
best of my knowledge and belief is a true, correct and com-
plete statement of my economic interests as required by the
Illinois Governmental Ethics Act. I understand that the



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

penalty for willfully filing a false or incomplete state-
ment shall be a fine not to exceed \$1,000 or imprisonment
in a penal institution other than the penitentiary not to
exceed one year, or both fine and imprisonment.' (date of
filing) (signature of person making the statement.) Sec.
4A-105. Every person required to file by Section 4A-101 shall
file an initial statement of economic interests by July 1,
1972 but no person is required to file under this Article
before July 1, 1972. On April 30 of each year after 1972
a statement must be filed by each person whose position
at that time subjects him to the filing requirements of
Section 4A-101 unless he has already filed a statement in
relation to the same unit of government in that calendar
year. After July 1, 1972 statements must be also filed as
follows: (a) A candidate for elective office shall file his
statement at the time he takes the action necessary under
the laws of this State to attempt to qualify for nomination,
election, or retention to such office if he has not filed
a statement in relation to the same unit of government with-
in a year preceding such action. (b) A person whose appoint-
ment to office is subject to confirmation by the Senate
shall file his statement at the time his name is submitted
to the Senate for confirmation. (c) Any other person re-
quired by this Article to file the statement shall file a
statement at the time of his initial appointment or employ-
ment in relation to that unit of government. Sec. 4A-106.
The statements of economic interests required of persons



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

listed in items (a) through (f) of Section 4A-101 shall be filed with the Secretary of State. The statements of economic interests required of persons listed in items (g), (h), and (i) of Section 4A-101 shall be filed with the county clerk of the county in which the person making the statement resides. Upon the request of any person subject to this Act, the Secretary of State shall render an advisory opinion in writing, certified by him, on questions concerning the interpretation of Article 4A of this Act. The Secretary of State may employ such employees, consultants, and legal counsel as he considers necessary to carry out his duties hereunder, and may prescribe their duties, fix their compensation, and provide for reimbursement of their expenses. All statements of economic interests filed under this Section shall be available for examination and copying by the public at all reasonable times. Each person examining a statement must first fill out a form prepared by the Secretary of State identifying the examiner by name, occupation, address and telephone number, and listing the date of examination and reason for such examination. The Secretary of State shall supply such forms to the county clerks, annually and replenish such forms upon request. The Secretary of State or county clerk, as the case may be, shall promptly notify each person required to file a statement under this Article of each instance of an examination of his statement by sending him a duplicate original of the identification form filled out by the person examining



his statement. Sec. 4A-107. Any person required to file a statement of economic interests under this Article who willfully files a false or incomplete statement shall be fined not to exceed \$1,000 or imprisonment in a penal institution other than the penitentiary for a term not to exceed one year, or both. ARTICLE 8. SEVERABILITY. Sec. 8-101. If any provision of this Act or application thereof to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of this Act which can be given effect without the invalid application or provision, and to this end the provisions of this Act are declared to be severable. Section 2. Sections 1-103, 2-102 and 3-108 and Articles 4, 5, 6, and 7 of said Act are repealed. Section 3. The title of said Act is amended to read as follows: 'An Act in relation to ethical standards and disclosure of economic interests in Illinois government.' Section 4. No existing right or remedy of any character shall be lost, impaired, or affected by reason of the enactment of this amendatory Act of 1972, nor shall the validity of any action taken by any person or entity under the law in force prior to the effective date of this amendatory Act of 1972 be affected by the enactment of this amendatory Act of 1972. Section 5. This Act takes effect upon becoming law." All those of which is respectfully submitted this 13th day of January, 1972. Signed on the part of the Senate, Cecil A. Partee, Thomas Lyons, Robert Cherry, Robert Coulson, William Harris. On



the part of the House, W. Robert Blair, Henry Hyde, Rolland Tipsword, George Lindberg, Gerald Shea."

Hon. W. Robert Blair: "All right, with regard to the question that had been raised earlier with regard to the number of votes required on those amendatory vetoes and at the same time in connection with this Conference Committee Report on 3700 which says that this shall become effective upon its becoming a law. It's the ruling of the Chair that in both instances 89 votes is all that is required. All right with respect to the Conference Committee Report, the Chair recognizes the gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, I would at this time to like to move for the adoption of the Conference Committee Report on House Bill 3700. Before doing so, however, I would like to advise this body that this proposal which is an amendment to the existing Ethics and Government Act of 1967 is unquestionably a dramatic improvement to the present act. In fact, to call it an improvement understates the significance of this new ethics legislation. Upon approval of this report by this House and the Senate, Illinois will have the toughest economic disclosure legislation for any legislative body in the United States including the federal Congress. As you know, this House undertook the task of enacting meaningful legislation over ten months ago when the House Ethics and Government Committee was established by this body. Literally hundreds of hours have been spent researching, studying and



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

debating the difficult questions that the implementation of a meaningful economic disclosure bill requires. The committee had available and utilized extensively the staff of both the House and the Senate leadership. In addition, we had the expert legal counsel of Professor Stephen Barnett of the University of California Law School, Charles F. Marrino and Morris J. Wexler. Knowing Morry as I did, I can say without reservation that had he lived he would have been extremely proud of this accomplishment that the House and Senate Conference Committee offered this body for its consideration today. Finally, I want to preface my explanation of the details of this proposal by commending the members of the Senate-House Committee, Henry Hyde, Gerry Shea, Tom Lyons, Bill Harris, Bob Coulson, Bob Cherry and Rolland Tipsword. For the practical, fair and intelligent approach they each took in resolving the many difficult questions that this type of legislation presents. Most of all, however, we are indebted to the Speaker, W. Robert Blair, and the President Pro Tempore, Cecil Partee, for their absolute dedication to procuring the passage of this important milestone in restoring the public's confidence in its officials and the integrity of the institutions of Illinois Government. Now, Mr. Speaker, I would be happy to answer any questions that may be on the minds of any of the members at this point and then I would like to reserve the opportunity to close."

Hon. W. Robert Blair: "All right, the gentleman from Lake, Mr.



Pierce."

Daniel M. Pierce: "Mr. Speaker, Mr. Lindberg, I'm thinking of a situation where a woman may be elected to a local grade school board and wondering whether she'd have to file all of her husband's capital gains over \$5,000.00 in interest, sources income and so on over \$1,200.00 or \$5,000.00, but I do notice that the general direction on Page 13 says 'The interest is constructively controlled by the person making the statement of a spouse or any other party and I'm not sure what that means. Ah, would a wife, who is elected to a school board have to show her husband's capital gains over \$5,000.00 and other economic interests if she does not constructively control the interest, and what does constructively control the interest mean, it looks like she might not have to do it under this provision, which I would agree with and approve if that is the case?"

George W. Lindberg: "Ah, Mr. Speaker, and Ladies and Gentlemen of the House, in answer to that question, Representative Pierce is correct. The key word 'constructively control' and I would say that that language is rather clearly defined according to the researchers for the Senate-House committee, actually many many pages written on defining 'constructively controlled', and if she had an interest such that she would have to give her permission as to the disposal of that asset then of course, it would be constructively controlled by her, such as an interest in a joint tenancy."

Daniel M. Pierce: "And then if a husband owned the stock or



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

in his own name, he would probably not have to list that capital gain that he made."

George W. Lindberg: "She would not have to list. . ."

Daniel M. Pierce: "She would not have to were she on the School Board or the Park Board or the Library Board or so on. I still have some questions about the necessity of requiring every Library Board Member, every Park Board Member, every School Board Member in these small suburban communities who receive no compensation, having them to list all of their capital gains over \$5,000.00, their assets and so on. I could see the reason for it, even the Library District makes purchases, and so does a School Board and a Park Board, I suppose you've done what you could here. Now, on real estate, of course, a woman, a wife, a spouse, would have to join in a deed on real estate because of her dollar interest, so isn't it true, Mr. Lindberg, that every capital gain every capital gain on real estate over \$5,000.00 on the husband would have to be listed by the wife who served on the School Board or Park Board, because she does constructively control it in that her signature is required to effectively deed or sell the property?"

George W. Lindberg: "Well, well, I would say that if her if her signature was legally required for any particular purpose, she would be considered to have a constructive constructively control of that asset."

Daniel M. Pierce: "And that would not be true, I imagine if the husband had the land in trust, because then he wouldn't



need the wife's signature to convey the property. I understand what you're getting at here and I think you've done a good job, I'm just a little concerned that certain women that do serve on our Park Boards and School Boards might be discouraged from holding these jobs because her husband would then have to reveal some items of interest to be filed in the County Clerk as public record, his capital gains, his assets and so on. I'm not saying in any way that that makes it a bad bill, it does it has been questioned in my area by the school superintendents who have been trying to get people to serve in the school board posts, because of the time consuming duties and because of the of all the conflict that has entered these days on school boards with teachers' salaries and racial problems and so on, here we have the additional problem of having to list assets, but I think I would agree with you that I think we'll have to do it, and the School Board members will have to show their capital gains or their spouses capital gains if they have real estate or interest."

George W. Lindberg: "Well, Mr. Sp- . . ."

Hon. W. Robert Blair: "The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Ah, Mr. Speaker, I think this is an excellent opportunity to clarify one major point in this legislation and that is the type of disclosure that is required here does not require the dollar reporting of any income or the value of any assets, so it really isn't an



invasion of privacy and not that Representative Pierce indicated it was, it is a relatively modest type of reporting, but I think meets the test of economic disclosure."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Yourell:"

Harry Yourell: "Ah, thank you Mr. Speaker. Ladies and Gentlemen of the House, I don't know whether Representative Lindberg will be able to answer the question that I am going to pose to him. But it is of some concern to me having as the rest of the members of this body have, I am sure, contemplated and reviewed the ethics message that has been directed to us at this time and previously to this time. I would like to know if it can possibly be answered by the gentlemen if we have any assurances from the Executive Branch of government that would indicate that what we're doing here today would be sufficient or whether we're going to come back at a later date and face an amendatory veto in part or whole and have an Executive bill to contend with in something not that we have before us presently.

Do we have any such assurances?"

George W. Lindberg: "Inasmuch as this particular bill is that you're looking at was just completed less than two hours ago, I am sure that the Executive Branch does not have the opportunity to review it. Certainly, I have no indication whatsoever as to the attitude that they will assume concerning this bill. My personal opinion that it will meet the test of full economic disclosure."

Harry Yourell: "The the only concern I have is that I think



it's in the prerogative and authority of this body to write ethics legislation and that effort should be directed to us individually and as a body and not have another branch of government right ah write the ethics bill that we eventually and everybody in the state with any offical capacity will have to live with and I think I hope that this won't be the case."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, as an addendum to the last gentleman's remarks, I might also state that we've had no input from the Judicial Branch either, as to how they'll look upon this bill, now that they're included."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to, as a member of this committee, commend this bill to you and ask for your support. The 1967 law was one of the strongest in the nation. This amendment will make a strong bill stronger and broaden the coverage to all units of local government. This bill will help restore the confidence of the people of this state in their local elected officials and the people that run with in this State. Now, I would like to take this opportunity to say that on November the 14th when we left this Chamber, there was many many statements made that that bill sent to the Conference Committee to scuttle it and that the general assembly was not ready to meet its obligation. Since November the 14th, there have been many meetings. Countless



hours of time spent. I would like to publicly thank the staff members, Wayne Anderson, Bob Cahill, Pat Cadigan, and Dave Epstein for the endless hours that they put into this, helping us research this, answering their questions. We had a Professor in from the State of California who explained the City of Carmel case and many of the constitutional limitations under which we work. I think that this is a good product and I'm somewhat resentful of candidates and other public officials that are telling this legislature how to act when we are sitting here working putting this bill together. I think when this bill becomes a law it will no doubt be one of the best, one of the strongest anywhere in the nation, and I would ask for the support of this body."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Kosinski,"

Roman J. Kosinski: "Mr. Speaker, Mr. Lindberg, I have great respect for the people who were involved in the final production. I know their morality is of the highest, I know yours is. At the same time I have great concern, I have concern that the problem is not within the realm of state office or this legislature. I have concern that the the problem lies in the multi-billion dollar overhead. The influences, the direct reactions, therefore, I do have concern as to whether you in morality feel that this bill will give us the ethics we hope for or is this appeasement for the news media?"

George W. Lindberg: "Ah. . ."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Hon. W. Robert Blair: "The gentleman from DuPage, Mr. Hoffman."

Gene L. Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House, I believe that the necessity for legislation on ethics has come about by the actions of certain individuals in certain levels of government. I believe that this bill that we have before us today has extended this argument beyond the point that it should have been extended. It seems most unreasonable to me to be including in this bill people who are appointed to governing boards of a school district or to special districts, must be to debate special districts, other types of districts, regards to schools, we already in the school code have a law which states that board members can not be interested in any contract associated with that particular entity, and gentlemen, I hope that in passing this bill, and I'm going to vote for it, because I can't explain it to everyone in my district why I didn't vote for it and I vote for this with rather great reservation because I feel that many school board members and members of other special districts who serve with no interest in mind other than the welfare of the general public, who put in their time, with no remuneration at all, and with a great deal of grief to themselves and to their family out of their service, and here we're saying you must do this and you must do that because of something that X number of people have done and some people have lost confidence in certain levels of government. Gentlemen, Ladies and Gentlemen, I'm in-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

clined to think that we're going to have many, many of these people after this is passed and if it's signed by the Governor saying to us 'thanks, but no thanks, here's my resignation, find somebody else'. I think we're in error, I think the committee that's put in countless hours, and for this I commend them, have extended the argument beyond the point that it should have been taken, and although I'm going to vote for this, I do so very reluctantly."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Rayson."

Leland H. Rayson: "Would the sponsor of the bill, Mr. Speaker, yield for a few questions?"

Hon. W. Robert Blair: "He indicates that he will, Mr. Lindberg."

Leland H. Rayson: "Ah, Mr. Lindberg, Mr. Lindberg, ah, ah, the rationale on \$500.00 listing on an honorarium or an honoraria is that what's the rationale there?"

George W. Lindberg: "Well, we just picked a number, ah, . . ."

Leland H. Rayson: "Well, that's good, that's good. . ."

George W. Lindberg: "Well, it's about the only thing I could do."

Leland H. Rayson: "That's a very good answer, I accept it. I take it on real estate disclosures, this only applies to in-state real estate, is that right?"

George W. Lindberg: "Ah, say that again, Lee."

Leland H. Rayson: "For disclosure of real estate interest, I take it it only applies to something in state, doesn't apply



to something in Miami Beach or something?"

George W. Lindberg: "No, ah, I believe it would be clear that with regard to real estate, it would have to be in-state real estate, because the modifier there is doing business in the State of Illinois."

Leland H. Rayson: "Yes, yes, all right, the other thing the other question, some of us wanted to delete the provision that school teachers at the time, I see that they're accepted by this new thing. The rationale against that at the time was that that was unconstitutional. Is there anything in there to change that to make it constitutional now?"

George W. Lindberg: "No, except that we think that they are an easily definable class and as such would be excluded reasonably from this reporting."

Leland H. Rayson: "Ah, ah, Mr. Speaker, I'd like to make a few comments in favor of this bill. I support this motion for this amendment of the Conference Committee Report without reservation. I feel it's a magnificent effort on the part of many people and I feel that it will be somewhat felt as far as an effective maneuver, my only point is to suggest that what the alternatives are, and the alternatives aren't some things acute and terrific, they're some things that, I think, in good judgment should have been included, but for various reasons, and for good reasons, I suppose, were not. The first and foremost, I suppose is the campaign expenditure provision and I can understand legislative judgment suggesting that that shouldn't be a concomitant to



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

this ethics legislation, but I feel that this is a caveat number one to us in the future, Mr. Speaker. The second caveat I suggest because it wasn't included and I think it should be, but as again I'm not finding fault because legislative wisdom is what it is and we're going to pass a good bill. I have a new thinking on this double dip thing. Last fall I certainly opposed the idea of including that, but since the consent to decree in Chicago to be in it soon in Judge Meredith's court, in regard to the patronage system, I would suggest that we have an inculcated system of double dipping which can't help but breed conflict of interest and I'm sorry we didn't relate ourselves to this problem. The third caveat I wish to throw out, and perhaps this is the most aggressive of all, ah, is the exemption of any kind of political office, whether it's committeeman or state central chairman or whoever. I feel that abuses in political power which have been going on these many years without election law reforms and what have you, will continue to go on and I suggest that this is caveat number three so no matter how well we might think we did a good job, it's really incomplete, because the future augurs more corruption, more disease, unless we have true reform in our political structures. Thank you."

Hon. W. Robert Blair: "The gentleman from Livingston, Mr. Hunsicker."

Carl T. Hunsicker: "Mr. Speaker, and Ladies and Gentlemen of the House, first of all I want to commend the Committee on



the excellent job that they have done on this particular bill. They gave it some major research, they gave it some major surgery and personally I think it's better than it was originally, and I rise with reluctance, I still arise with reluctance to oppose it. I can't see where this legislation will accomplish one thing. Just clutter up the statute books. There are three things you can not legislate according to my thinking and those things are honesty, love and morals. Either a person's honest or he's not. And there's no half way in between. Now, there's a lot of comment on about the legislature that have lost their image with the people and they're not going to do a good job, if something needs to be done. I'll grant you something needs to be done, all right, to restore public confidence my friend, but in that book, and that's for the legislature to quit dilly dallying around and get down to business and quit playing politics and take care of the business of state government. This will restore public confidence quicker than anything else. A man who's honest needs no ethics law, and the one who isn't will not and I said will not comply anyway. All this bill will do is penalize the honest official and the dis-honest official will go scot free the same as the one who violates our laws at the present time against crime. The honest official is penalized or the honest citizen is penalized and the one who commits the crime goes free nine times out of ten. This bill if enacted is going to keep many competent good citizens from

**GENERAL ASSEMBLY**

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

running for public office at all levels of government and for this reason I'm going to have to vote against the bill.

Hon. W. Robert Blair: "The gentleman from Cook, Mr. B. B. Wolfe."

Bernard B. Wolfe: "Ah, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm very unhappy with this amendment because I feel its a product of the act in haste and repent in leisure process. I'm very happy that one of our colleagues mentioned the fact that the present Illinois Governmental Ethics Act was at the time of its enactment considered one of the best pieces of legislation in America it was not passed in its original form. It did need implementation and we've been trying for the past four years to implement the present act. I don't think they were mindful of the city of Carmel case in California, which undertook a review of their ethics legislation and the Supreme Court reversed the judgment of the trial court and I'm reading from a summary of the records, 'holding that the attempted regulation undertook an overbroad intrusion into the right of privacy and thereby invalidly restricted the right to seek or hold public office or employment. The court recognized the laudable and proper legislative purpose expressed by the statute of informing the public of matters which might bring about a conflict of interest, but it took the view that the prevention of such conflicts could be achieved by much more narrowly and precisely drawn legislation and this was what I was hoping that this body and the Senate



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

would do in connection with this Ethics legislation. For example, in the new bill, the power of the Secretary of State now is given by replacing the Board of Ethics and the power is not defined or drawn and gives that Secretary of State to draw rules and regulations. Now, this might be a violation of the constitution in connection with the legislative body, because in the constitution it says 'only each House may judge the qualifications, election, etc. of its members'. Hopefully, the change recommended here by the conference committee, and I do commend that committee, because we studied this particular matter for more than 18 months, and believe me it was a difficult, arduous and long drawn study that came up with very few answers, knowing all of the problems, and for the committee to have worked out in a very brief time this type of a legislation is commendable to that extent. I believe that we are rushing into the matter because of extreme pressure rather than acting in a deliberative, type of manner and also that we have repealed by this new amendment six sections of the Illinois Governmental Ethics Act, which in my opinion were very constructive sections with regard to the codes of conduct for non-elected officers of the Executive Department, codes of conduct for the legislative department, and sort of a guideline and blueprint for conduct of the members of the General Assembly, as well as the Executive Branch. We are again stepping into the judicial area, our Supreme Court has already held that that was unconstitutional in a

**GENERAL ASSEMBLY**

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

case the State of Illinois as you are all well familiar with and again I fear that the constitutionality of that provision is being tested by the court. Although I am unhappy with respect to this particular legislation, ah, I am happy in the knowledge of knowing that in the Rules Committee this House we have a motion pending to create a permanent Ethics Committee of the House and to provide for this House the standards and rules which are so necessary in the performance of our professional duties. I shall support the bill but I do so reluctantly."

Hon. W. Robert Blair: "The gentleman from Moultrie, Mr. Stone "

Paul Stone: "Mr. Speaker, Ladies and Gentlemen, the Senate passed this bill in two minutes, I move the previous question."

Hon. W. Robert Blair: "All those in favor say 'Yeas', the opposed 'No', the 'Yeas' have it, the previous question has been moved. The gentleman from McHenry, Mr. Lindberg, to close."

George W. Lindberg: "Well, Mr. Speaker, in closing let me say that how to establish high standards of governmental more governmental officials, high enough to establish more confidence in our constitutions, and at the same time not to discourage honest, talented and dedicated people from government service, that was the challenge, and this Conference Committee Report is this legislature's answer to that challenge. I'm proud of the Ethics and Government Committee, the Judiciary II committee, the Executive Commit-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

tee, the Conference Committee on 3700 and the staffs who so ably served us. I'm proud of this report, Mr. Speaker, and I respectfully move its adoption."

Hon. W. Robert Blair: "All right, the question is shall the House adopt the Conference Committee Report with respect to House Bill 3700. All those in favor will vote 'Yeas', the opposed 'No', it has an effective date when it becomes law, that requires 89 votes. The gentleman from Cook, Mr. Schlickman."

Eugene F. Schlickman: "Mr. Speaker, and Ladies and Gentlemen of the House, prior to the moving of the previous question, I had hoped to ask a couple of questions. I'll use the time that is allotted to me for the explanation of my vote to express those questions. Number One, on page 2 in Section 1-116 it strikes me that we exclude from the definition of professional services the professions of insurance and real estate, but we do include clinical psychologists, architects and engineers, and I don't know that any of those professions are being practiced by any members of the General Assembly. Number two, I would have asked on Page 6 in Section Sub-Section 4 what the definition of unit of government is, I know what the definition of unit of local government is, and in that regard I would have asked if the unit of government the phrase of unit of government includes a school. I would also have asked Mr. Speaker and Ladies and Gentlemen of the House, the definition of the word 'employed' in line 5, of Page 6. Now, we do know that



there is a distinction between 'employee' and an independent contractor. By the use of the word employ by with regard to a municipal corporation, do we mean those who are actually on the pay roll full time regularly, exclusively, or do we also mean someone who is providing services such as a municipal attorney on an individual independent contract or basis, and then Mr. Speaker, I would have pointed out that the two forms that are provided for do are not specifically identified as to which is to be filled by state employees and which is to be filled by local employees. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "The gentleman from Lake, Mr. Murphy."

W. J. Murphy: "Mr. Speaker, and Ladies and Gentlemen of the House, I've heard many pious things said about this bill and I commend the white hatters and all of them that gained so many headlines on this bill, and again rendered a most ineffectual bill that amounts to a tremendous hoax on the people of the State of Illinois. If this is as strong as bill in the United States, all I've got to say is that the other legislatures in the United States have no ethics bill at all. I have personally filed my own statement with the Secretary of the State that is so much beyond this bill that there is no comparison in it and this bill in my opinion is as much to do about nothing but for once in my life, I'm going to join all the hypocrites, all the phonies, all the white hatters and I'm going to vote 'Yeas'."

Hon. W. Robert Blair: "The gentleman from Lawrence, Mr. Cun-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

ningham."

Roscoe D. Cunningham: "Mr. Speaker, Ladies and Gentlemen of the House, none would contend that this was a giant leap forward for mankind or even for honesty in government, but none can prove that it's a step backwards, and though it's riddled by the great many loopholes that should challenge the great efforts, of this General Assembly and many future General Assemblies, and though the ban on double dippers is conspicuous by its absence, and one would think that's a bit of an anomaly, because we're passing the Conflict of Interest bill here today, and yet we are countless in the greatest possible controversy, an effort to serve two masters simultaneously, and though we do not have an income tax disclosure in the bill, and it would seem that income tax disclosure would be the heart of any meaningful legislation, and I recall back on the 28th of October, exactly 26 of you joined with me in income tax disclosure bill, and though in many particulars this bill is very much like an automobile without a motor in it, all these reservations that I have limited to mention to you, I think the time has come to disabuse the news media and anyone that's concerned about the matter that ethics are not the monopoly of one or two, that we all have some concern about ethics, and I think for these reasons that we should all rally around the cause that we're doing at this instance and vote 'Yeas' in the hope that this toothless wonder will grow up to be something that we can be proud, and while we're giving credit to



everyone, for their. . ."

Hon. W. Robert Blair: "And I'll give it to you, and you're through, your red light's on."

Roscoe D. Cunningham: "Yes, I'll be through in a minute. . ."

Hon. W. Robert Blair: "Turn his mike off right now. Have all said everything they want to say? Take the vote. On this question, there are 170 'Yeas', and 1 'Nay' and this matter having received the vote required by the constitution, is hereby declared passed. The gentleman from Vermilion, Mr. Craig, for what purpose do you rise?"

Robert Craig: "I'd like to be recorded 'Present'."

Hon. W. Robert Blair: "Record the gentleman from Vermilion 'Present'. The gentleman from Cook, Mr. Granata."

Peter C. Granata: "Having voted on the prevailing side, I move the reconsider the vote by which this bill was passed."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Palmer."

Romie J. Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, I move that the previous question lie upon the table."

Hon. W. Robert Blair: "All those in favor of the motion say 'Yeas', the opposed 'No', the 'Yeas' have it and the motion to table prevails. The gentleman from Cook, Mr. Hyde, for what purpose do you rise?"

Henry J. Hyde: "Mr. Speaker, a point of personal privilege. I have been sitting here mulling over the remarks of the distinguished gentleman from down state, I forget the county, my good friend Roscoe Cunningham, and I don't think those should be the final statements on this bill. Because as a



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

member on the Conference Committee Report, Conference Committee, and who prepared this report, and as one who spent a lot of time on this and who helped set up the Ethics in Government Commission, ah, I don't feel quite comfortable sitting here having this referred to as a toothless bill at all. I would like to point out if I may that this is a disclosure bill, not a conflict of interest bill and that if everybody who owns race track stock of a value over \$5,000.00 has been operating under this bill that fact would have been disclosed under oath and a public record and the penalties under this are very severe, that the capital gains if you make a capital gain over \$5,000.00 which would involve the acquiring of stock at a low figure and then selling it at a high figure, that fact would have been disclosed. Now, it's not for this legislature to tell the people in any district who they should vote for or whether they should throw their vote away or not. But it is for this legislature to compel disclosure and let the voters make up their own mind in a democracy. Now, to file your income tax return doesn't tell anybody anything, 'cause you can own a lot of assets that you don't get income from now. Disclosure is what the voters are entitled to. Disclosure is what this bill provides and I think it's an excellent bill and I did not hear from the gentleman during any of our hearings nor get any correspondence from him that would improve this bill and I think it's an excellent bill and it will be effective and I don't want his remarks to go un-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

answered. Thank you."

Hon. W. Robert Blair: "The gentleman from Christian, Mr. Tipsword, for what purpose do you rise?"

Rolland F. Tipsword: "Mr. Speaker, I rise on a point of personal privilege, if I might, please."

Hon. W. Robert Blair: "State your point."

Rolland F. Tipsword: "My point, Mr. Speaker, relates to a newspaper article that appeared in a local newspaper on November the 6, 1971, in regard to one of our colleagues upon the floor of this House, a colleague from my own district, Representative Borchers. Regrettably this article, I think, it was, I hope it was not intentional, but it referred to my colleague as to an injury that he had sustained in his past life and indicated that the members of this body did not hold him in the greatest respect. I know that there is no member of this body that does not hold each and every other member of this body in the greatest of respect. We differ from time to time, we differ violently on issues that may come upon this floor and Representative Borchers and I have differed on issues that have come before this floor, but he is a respected member of this body, I regret that this article appeared in the newspaper here in Springfield on the date in question, I believe November 6, 1971, I would hope that it could be righted and I would like to state to Representative Borchers in my own personal behalf and I'm sure on behalf of every other member of this body that the items that are stated in there in regard to members



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

of this body ridiculing him or mimicking him in any manner are certainly not true and you have our apologies for the article having appeared, Representative Borchers."

Hon. W. Robert Blair: "The gentleman from Macon, Mr. Borchers."

Webber Borchers: "Mr. Speaker, Fellow Members of the House, I want to thank you. Actually, ah, I'm a wounded soul, I was wounded in the artillery crossing the Moselle and it did bother me that when I read that members here which I didn't know and didn't believe when they were mimicking me when sometimes my ankle hurts where I was wounded, and I want to thank you Representative Tipsword and Members of this House for what you have just done. Thank you."

Hon. W. Robert Blair: "All right, with leave of the House, we'll go to Committee Reports. Messages from the Senate."

Fredric B. Selcke: "Messages from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Conference Committee Report, Conference Committee Report on House Bill 3700. Adopted by the Senate, January 13, 1972, Kenneth Wright, Secretary."

Hon. W. Robert Blair: "Yeah, all right, now with leave of the House, we'll go to vetoes, amendatory vetoes motions and House Bill 1684 and Mr. Miller and he has made an explanation when we got involved with the question about whether it would require a simple constitutional majority or three-fifths, and we've resolved that now, and that that will be three, will be 89, constitutional majority, now,



the gentleman from Whiteside, Mr. Miller."

Kenneth W. Miller: "Well, Mr. Speaker, and Members of the House, I believe I explained this fully to you about an hour ago, it's simply make the bill effective immediately upon its becoming law. This was not in the version as it was passed by the Senate last fall. It's very important that this be passed at this time and I solicit your unanimous support."

Hon. W. Robert Blair: "Is there discussion? The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "What is this the effective date on this particular bill, is that right Mr. Miller?"

Kenneth W. Miller: "That's right."

Hon. W. Robert Blair: "All right, the question is shall the House adopt the amendment. All those in favor vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 166 'Yeas' and no 'Nays' and this amendment having received the constitutional majority is hereby declared passed.

House Bill 1951. The gentleman from Peoria, Mr. Tuerk."

Fred J. Tuerk: "Mr. Speaker and Members of the House, House Bill 1951 established the 7% limitation on interest of issuance of general obligation of revenue bonds for certain purposes related to park districts. The Senate did amend, the bill which made a cutoff date of July 1, 1972, when we concurred in that amendment unanimously back in November, we overlooked the fact that it didn't have an effective date,



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

so what the amendatory veto does is provide that this shall become effective upon its becoming a law and at this point I would make the motion that the House concur in this amendatory veto."

Hon. W. Robert Blair: "Is there discussion? The question is shall the House adopt the amendment with respect to House Bill 1951. All those in favor shall vote 'Yeas', the opposed 'No', the gentleman from Cook, Mr. Lechowicz?"

Thaddeus S. Lechowicz: "Thank you, Mr. Speaker, will the sponsor yield, I know it's a little bit out of order, but will the sponsor yield for a question?"

Hon. W. Robert Blair: "In seeing his explanation of his vote, I think he will."

Thaddeus S. Lechowicz: "Representative does this effect the Chicago Park District at all as far as the amount of bonds that they may have outstanding and awaiting sale?"

Fred J. Tuerk: "No."

Hon. W. Robert Blair: "The gentleman from Peoria, Mr. Tuerk, to explain his vote."

Fred J. Tuerk: "No."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question there are 152 'Yeas' and 32 'Nays' and the amendment is adopted. All right, is the Lady from Cook, Mrs. Chapman back there? I can't see. All right, House Bill 2368, the gentleman from Kane, Mr. Waddell."

R. Bruce Waddell: "Mr. Speaker, Ladies and Gentlemen of the



House, Bill 2368 we have here merely an error in the construction. It is to delete three words, 'for electronic data', and to previously explain the previous portion to that was to bonding for and you can not bond a machine, and therefore, that simple change is in there and I so move that that simple change be made."

Hon. W. Robert Blair: "All right, is there any discussion? The gentleman from Bureau, Mr. Barry."

Tobias Barry: "Question of the sponsor please."

Hon. W. Robert Blair: "He indicates he'll yield."

Tobias Barry: "Ah, Representative I see that the amendment proposed suggests that sub-paragraph (c) is deleted, which sub-paragraph suggests that the director shall require proper utilization of state property and I see no reason for deleting that particular paragraph. Can you explain, please?"

R. Bruce Waddell: "No, I do not know about that deletion."

Tobias Barry: "Well, I think probably it's an error and I suggest that this bill be held until we return again, because I certainly think it would be in error to cause the director not to require this proper utilization of state property be made, and I think it's probably an error in your amendment and for that reason I would ask that you hold your bill."

Hon. W. Robert Blair: "All right, we'll, the gentleman from Kane, Mr. Waddell."

R. Bruce Waddell: "Can we take this out of the record, sir?"



Hon. W. Robert Blair: "Well, we can, sir, but the 15 days started running from yesterday when these were journalized, and if not acted upon by this time, why. . ."

R. Bruce Waddell: "Just for a minute sir."

Hon. W. Robert Blair: "I understand. Tony, you want to go with 2373? 2373, the gentleman from Kane, Mr. Waddell."

R. Bruce Waddell: "On House Bill 2373, it merely indicates the date that this act shall take effect upon its becoming law, and that's all there is to that, and I so move to make a motion to adopt this amendment."

Hon. W. Robert Blair: "Is there discussion with regard to this amendment? All right, the question is shall the House adopt the amendment to House Bill 2373. All those in favor will vote 'Yeas'; the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 157 'Yeas' and no 'Nays' and the amendment is adopted. 3653. On that last amendment, Craig 'Yeas'. The gentleman from Boone, Mr. . . Choate, 'Yeas' on that last one. All right, the gentleman from Boone, Mr. Cunningham, with regard to the his motion on House Bill 3653."

Lester Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3653 it merely adds to the protection of this election bill, so therefore, Mr. Speaker, I move that the House accept the specific recommendation of change to House Bill 3653."

Hon. W. Robert Blair: "All right, is there discussion? The question is shall the House adopt the amendment? All those



in favor vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 157 'Yeas' and no 'Nays' and the amendment is adopted. Schneider, you want to talk? For what purpose does the gentleman from DuPage, Mr. Schneider rise?"

J. Glenn Schneider: "Parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "State your point."

J. Glenn Schneider: "During the period from our adjournment sometime this week until our next meeting time, will it be possible to file bills for assignment to committees?"

Hon. W. Robert Blair: "No, they have to be introduced and read a first time before they can be referred to committee and then set. So, you have to get them introduced now and read a first time. All right, the Lady from DuPage, Mrs. Dyer is going to handle House Bill 2209 for Mrs. Chapman."

Mrs. 'Giddy' Dyer: "Ah. . ."

Hon. W. Robert Blair: "For her motion then with regard to House Bill 2209."

Mrs. 'Giddy' Dyer: "All right."

Hon. W. Robert Blair: "The lady from DuPage, Mrs. Dyer."

Mrs. 'Giddy' Dyer: "All right, Mr. Speaker and Ladies and Gentlemen of the House, in the absence of the Chief Sponsor of House Bill 2209, Mrs. Chapman, I would, as a Co-Sponsor, I would like to move that the House accept the amendatory veto of 2209. We feel that it does not harm the intent of the bill and simply conforms the language, and I would urge an affirmative vote on this motion."



Hon. W. Robert Blair: "All right, is there discussion on this motion? The question is shall. . .the question is shall the House adopt the amendment with respect to House Bill 2209. All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 151 'Yeas' and 1 'Nay' and the House adopts the amendment. Now, back to House Bill 2368, the gentleman from Kane, Mr. Waddell."

R. Bruce Waddell: "Ah. . ."

Hon. W. Robert Blair: "What purpose does the. . .William Walsh, 'No', last amendment. The gentleman from Kane, Mr. Waddell."

R. Bruce Waddell: "Mr. Speaker, Ladies and Gentlemen of the House, at last the difficulty has been decided and I now so move that the change be made as read."

Hon. W. Robert Blair: "The gentleman from Bureau, Mr. Barry."

Tobias Barry: "I think we might just explain that the section that I questioned had been taken out of the law and wrongly printed in the bill, so there really is no question."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Richard Walsh."

Richard A. Walsh: "Mr. Speaker, I don't know if we're on the bill that we just took a roll call on or not, but in any event, I'd like to be recorded as voting 'No', on that last roll call."

Hon. W. Robert Blair: "Well, we're not and you may."

Richard A. Walsh: "Thank you."



Hon. W. Robert Blair: "All right, is there any further discussion? The question is shall the House adopt the amendment with respect to House Bill 2368. All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 157 'Yeas' and no 'Nays' and the amendment is adopted. All right, with leave of the House, we'll go to messages from the Senate."

Fredric B. Selcke: "Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that pursuant to the recommendations of the Governor, the Senate has adopted amendatory provisions to a bill of the following title and the adoption of which I am instructed to ask concurrence of the House. Senate Bill 589, action taken by the Senate, January 13, 1972, Kenneth Wright, Secretary."

Hon. W. Robert Blair: "All right, the gentleman from Franklin Mr. Hart, for what purpose do you rise?"

Richard O. Hart: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, I move now that we suspend the appropriate rule which I believe is Section 12-96 on the one day provision for these amendatory vetoes concurrences to be on the desk of the membership in order that we may proceed to concur not to concur with the Governor's amendatory veto which has been adopted by the Senate, I guess."

Hon. W. Robert Blair: "All right, does the gentleman have unanimous consent to suspend the provisions of Rule 96 so



that it will not be necessary to have the motion which he is making printed and on the calendar one day before the matter is heard?"

Voice: "Leave."

Hon. W. Robert Blair: "All right, ah, the gentleman may proceed with his motion."

Richard O. Hart: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 589 amends 'The Social Workers Act' and provided for an extension of the time in which persons could apply to take the examination. The Governor pointed out in his amendatory veto message that this bill also revealed Section 51d containing the authority for the State to issue certificates of registration on the basis of reciprocity to registrants from other states. The Department of Registration and Education presently has reciprocity agreements with at least six other states and this provision is needed to continue these reciprocal agreements. Ah, the Governor suggests the deletion of that paragraph was a drafting error which is correct and it can be corrected by incorporating its provisions in a new Section numbered 5.2, so I would move that we concur with the Senate in the adoption of the amendatory veto message and the language incorporated in the suggested amendment."

Hon. W. Robert Blair: "All right, is there discussion? The question is shall the House concur in the Senate action in connection with the amendment to Senate Bill 589. All those in favor will vote 'Yeas' and the opposed 'No'. Have



all voted who wished? The Clerk will take the record. On this question there are 150 'Yeas' and no 'Nays' and the House concurs in the Senate action. All right, with leave of the House, we'll go to resolutions. I'll be back."

Fredric B. Selcke: "House Joint Resolution 116, Hyde. Resolved by the House of Representatives, 77th General Assembly, State of Illinois, the Senate concurring herein, that when the two Houses adjourn on Thursday, January 13, 1972, they stand adjourned until Wednesday, March 1, 1972 at 11:30 O'Clock A.M. when they will convene in joint session in the hall of the House of Representatives for the sole purpose of hearing the Governor of the State of Illinois deliver his Budget Message for the year beginning July 1, 1972, thereafter, they will immediately stand adjourned until Monday, April 10, 1972 at 1:00 O'Clock P.M."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen, let me explain, and this is of great interest to all of our members. The several things contained in this joint resolution. First of all, it says when we adjourn Thursday, January 13, that is today, we will stand adjourned until Wednesday, March 1, at 11:30 A.M. and that is a joint session for the sole purpose of hearing the Governor deliver his Budget Message. Then we will adjourn immediately after until Monday, April 10, 1972 at 1:00 P.M. Now, that means we're going to adjourn tonight, hopefully we will and that we will come in on March 1, only to hear the Governor's budget



message and then we will adjourn or be adjourned until April 10th at 1:00 P.M. I now move adoption of House Joint Resolution 116."

Hon. W. Robert Blair: "All right, all those in favor of the adoption of the resolution say 'Yeas', the opposed 'No', the resolution is adopted. Now, I wanted to get that on its way over to the Senate. Now, with leave of the House, we will come back to vetoes ah under total vetoes appears House Bill 2485 on which the Chair recognizes the gentleman from Cook, Mr. Simmons, desires to ah be heard."

Arthur E. Simmons: "Ah, Mr. Speaker, I wanted to not to hear that bill you read isn't on the calendar, the one I wanted to. . ."

Hon. W. Robert Blair: "Oh, . . .I'm sorry, strike that. For what purpose does the gentleman from Cook, Mr. Simmons rise?"

Arthur E. Simmons: "I'd like to ask for unanimous consent to have the Rule paragraph 96, Section 12 waived so that I might move to pass a bill to veto the Governor to the contrary. Now, pending."

Hon. W. Robert Blair: "Well, what's the bill, we need to know?"

Arthur E. Simmons: "2485."

Hon. W. Robert Blair: "Well, that's what I thought. Ah, all right, the gentleman's asked for unanimous consent to suspend the provisions of Rule 96 so that he may move to override the veto of the Governor with respect to House Bill 2485. Ah, is there leave?"



Voice: "Leave."

Hon. W. Robert Blair: "Okay, leave having been granted, the gentleman may now proceed with respect to his motion."

Arthur E. Simmons: "Well, Mr. Speaker, House Bill 2485 affects everybody here. It has to do with the method of filing your candidacy for the House of Representatives. And it does place incumbents and the non-incumbents second. And I believe that this question should be resolved if it is to be resolved finally by the Supreme Court, and therefore, I would like to move that this bill be adopted with 107 votes."

Hon. W. Robert Blair: "All right, discussion? The gentleman from Cook, Mr. Berman."

Arthur L. Berman: "Ah, a point of parliamentary inquiry. If we override the veto what affect does the bill have on the March election?"

Arthur E. Simmons: "Well, ah. . ."

Hon. W. Robert Blair: "Wait a minute, he's asked for parliamentary inquiry. We are consulting Mr. Scariano, as soon as we are finished, we will consult you. Can you tell me Mr. Simmons, does it have a paragraph in it that it becomes effective upon its becoming a law?"

Arthur E. Simmons: "Yes, but it also has a clause in the bill that says not less than 61 days prior to the date of a primary, the State Electoral Board shall certify to the County Clerk for each county the names and so forth, so I believe that it will be too late when this bill is finally passed to affect this Spring's election."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Hon. W. Robert Blair: "All right, the, all right, answering your inquiry, it appears that it would become effective upon both Houses overriding the veto that the 61 day provision that Mr. Simmons referred to is still within the time that we're talking about and the State Electoral Board as we look at it would have to then redo what has been done concerning the filings, the lot drawing, etc. All right. The gentleman from Cook, Mr. Simmons."

Arthur E. Simmons: "Well, Mr. Speaker, I would like to have a vote on this measure. Now, whether or not it would cause havoc with the present machinery, I don't know. It would seem to me that if it's going to work a hardship, that they might be able to go into court and hold up the effective date of this law and leave the setup the way they are, but if not, if there is time and it's practical to do it, they could have it effected now, so I would ask for a roll call on the passage of this bill. I think it's an important bill and I for one, at least, would like to have the question answered once and for all."

Hon. W. Robert Blair: "All right, the gentleman from Cook, Mr. Rayson."

Leland H. Rayson: "Well, Mr. Speaker, in due respect to the gentleman's motion, I do feel that it shouldn't be supported at this time, at this late hour. When there are technical problems, too. It would appear to be ineffective for the March primary. The constitutional arguments raised heretofore by Mr. Mann and others are still as valid as they were



then and I feel it's just going to create new chaos and create a new imagery of political blatancy in tinkering with it, with the machinery. I for one can say that I wasn't a beneficiary of the existing long number too, on the ballot, but that's the way the ball bounces, and I suggest that the motion should not be supported, certainly at this time."

Hon. W. Robert Blair: "Any further discussion? All right, does the gentleman care to close?"

Arthur E. Simmons: "I'd like to get as many votes, preferably 107 on this motion."

Hon. W. Robert Blair: "All right, the question is shall the bill pass over the veto of the Governor. All those in favor shall vote 'Yeas' and the opposed 'No', and this requires 107 votes. The gentleman from Cook, Mr. Mann."

Robert E. Mann: "Ah, thank you Mr. Speaker and Members of the House, if you will recall during the debate on this matter, I indicated that I thought it was in conflict with a bill, with a suit that I had filed with the late Secretary Powell and also one that Bernard Weisberg had filed, and subsequently my position on this was confirmed by an Attorney General ruling in which he pointed out that if seniority status to incumbents would be inconsistent with the law, and the Attorney General advised the Governor of the State of Illinois that it would be inconsistent with the law and I think that having this legal decision on the books and then the decision of the Attorney General and then the veto of the Governor of the State of Illinois, frankly we look a



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

little silly with all due respect to my colleague, Art Simmons, we look a little silly flying in the face of the legal authority, flying in the face of the position of the Attorney General and flying in the face of the Governor, and I ask for a 'No' vote."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Ewell."

Raymond W. Ewell: "Mr. Speaker, Ladies and Gentlemen, I think that this vote represents the height of hypocrisy. We've had a majority of 170 people stand up and say that we believe in ethics, yet at the very first turn we make a very unethical move. This is ethics, and what we're talking about is whether or not we are willing to suffer a little when the suffering is called for. I think that anybody who voted for the ethics bill, who said I believe in ethics, I believe in disclosure, now they have their very first chance and they're voting their very first interest. I think this is very unethical in regards to anybody else who is not a member of the assembly. I think it is very unfair and I would suggest that we all vote 'No'."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Duff."

Brian B. Duff: "Mr. Speaker, I rise to explain my vote. I think everybody in this House knows the sponsor of this bill and the man that is speaking for it isn't even running for reelection. I think the man has put forth an idea because he believes that people that have been incumbents in office perhaps have experience. I think he is literally speaking for a deep seated feeling for the members of this House,



which has nothing to do with unethical conduct. I think the remarks of the previous speaker were totally uncalled for in this regard. I vote 'Yeas'."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. The gen-. . . Yourell, Yourell, 'Yeas', Corbett, 'Yeas', Murphy, 'Yeas', Harber Hall, 'Yeas', Ah, Hoffman, Ron Hoffman, 'Yeas', Colitz, 'Yeas', Mann, . . . for what purpose do you rise?"

Robert E. Mann: "Mr. Speaker, I just wanted to indicate that I'll ask for a verification of the roll call."

Hon. W. Robert Blair: "Boyle, 'Yeas', Hyde 'No', Washburn, 'No', Conolly, 'No', Conolly. All right, do we have a vote? On this question, 110 'Yeas' and 27 'Nays'. Now, there has been a verification of the roll call requested, members will be in their seat, and the Clerk will verify the affirmative votes, first."

Fredric B. Selcke: "Alsup, Anderson, Arrigo, Barry, Berman, Borchers, Boyle, Bradley, Brandt, Brinkmeier, Brummet, Caldwell, Calvo, Campbell, Capparelli, Capuzi, Carrigan, Carroll, Jimmy Carter, Richard Carter, Choate, Colitz, Otis Collins, Phil Collins, Corbett, Cox, Craig, W. Cunningham, Davis, DiPrima, Duff, Dyer, Epton, Fary, Fennessey, Flinn, Friedland, Garmisa, Graham, Granata, Hall."

Hon. W. Robert Blair: "For what purpose does the gentleman from . . ."

Voice: "He went to answer a telephone call."

Hon. W. Robert Blair: "All right."



Fredric B. Selcke: "Hamilton, Hanahan, Harpstrite, Ron Hoffman, Hunsicker, Jacobs, Kahoun, Karmazyn, Keller, Kipley, Kosinski, Krause, Laurino, Lauterbach, Lechowicz, Lehman, Lenard, Leon, Ed Madigan, M. Madigan, Maragos, Markert, McCormick, McDermott, McDevitt, McGah, McLendon, McPartlin, Kenny Miller, Peter Miller, Moore, Murphy, Neff, North, D. O'Brien, G. O'Brien, O'Hallaren, Palmer, Pappas, Philip, Redmond, Regner, Ropa, Schisler, Sevcik, Shea, Simmons, Timothy Simms, Ike Sims, Smith, Soderstrom, Springer, Stedelin, Stone, Taylor, Jack Thompson, R. Thompson, Tipsword, Tuerk, VonBoeckman, R. Walsh, W. Walsh, Walters, Harond Washington, Welsh, Williams, Frank Wolf, J. J. Wolf, Yourell."

Hon. W. Robert Blair: "Are there questions of the affirmative vote? The gentleman from Cook, Representative Mann."

Robert E. Mann: "Ah. . ."

Hon. W. Robert Blair: "Representative Cunningham, for what purpose do you rise, sir?"

Fredric B. Selcke: "Les Cunningham."

Hon. W. Robert Blair: "Les Cunningham."

Lester Cunningham: "How am I recorded, sir?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as not voting."

Lester Cunningham: "Vote me 'Yeas', I was out of the. . ."

Hon. W. Robert Blair: "Record the gentleman as voting 'Yeas'. Now, let's get back to Representative Mann on the verification."



Robert E. Mann: "Mr. Speaker, ah, is Representative Arrigo, how is he recorded, is he here?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'Yeas'."

Hon. W. Robert Blair: "Is Representative Arrigo on the floor? Take him off the record. Representative Terzich, for what purpose do you rise, sir?"

Robert M. Terzich: "Mr. Speaker, how am I recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as not voting."

Robert M. Terzich: "Record me 'Yeas', please."

Hon. W. Robert Blair: "Record the gentleman as voting 'Yeas'. Representative Schoeberlein, for what purpose do you rise, sir?"

Allan L. Schoeberlein: "How am I recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as not voting."

Allan L. Schoeberlein: "Vote me 'Yeas', please."

Hon. W. Robert Blair: "Record the gentleman as voting 'Yeas'. Representative Mann, you have further questions, sir?"

Robert E. Mann: "Ah, how is Representative Alsup recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'Yeas'."

Hon. W. Robert Blair: "Is Representative Alsup on the floor? All right, I don't see him, take him off the roll call."

Robert E. Mann: "Ah, how is Representative Brandt recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'Yeas'."



Hon. W. Robert Blair: "I don't see the gentleman on the floor, take him off the roll call."

Robert E. Mann: "How is Representative Brinkmeier recorded?"

Hon. W. Robert Blair: "Representative Alsup has just returned, will you put him back on the roll call. Representative Brinkmeier, how is he recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'Yeas'."

Hon. W. Robert Blair: "Is Representative Brinkmeier on the floor? Take him off the roll call."

Robert E. Mann: "How is Representative Carrigan recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'Yeas'."

Hon. W. Robert Blair: "Ah, I don't see the gentleman on the floor, take him off the roll call."

Robert E. Mann: "How is Representative Karmazyn recorded?"

Hon. W. Robert Blair: "How is the lady recorded?"

Fredric B. Selcke: "The lady is recorded as voting 'Yeas'."

Hon. W. Robert Blair: "Take her off the roll call."

Robert E. Mann: "How is Representative McLendon recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'Yeas'."

Hon. W. Robert Blair: "Take him off of the roll call."

Robert E. Mann: "How is Representative Moore recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded, Repres-



entative Don Moore recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'Yeas'."

Hon. W. Robert Blair: "Is the gentleman on the floor? Take him off the roll call."

Robert E. Mann: "How is the gentleman, Representative Schisler recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'Yeas'."

Hon. W. Robert Blair: "I don't see him on the floor, take him off the roll call. Representative Wall, for what purpose do you rise, sir?"

John F. Wall: "'Yeas'."

Hon. W. Robert Blair: "Record Representative Wall as voting 'Yeas', has the gentleman voted, Representative. . ."

John F. Wall: "Vote me 'Yeas'."

Hon. W. Robert Blair: "Record the gentleman as voting 'Yeas'. Representative McAvoy, for what purpose do you rise, sir?"

Walter McAvoy: "How am I recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as not voting."

Walter McAvoy: "'Yeas'."

Hon. W. Robert Blair: "Record the gentleman as voting 'Yeas'. Representative Mann, do you have further questions?"

Robert E. Mann: "Ah, how is Representative Timothy Simms recorded?"



Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting
'Yeas'."

Hon. W. Robert Blair: "Is Representative Simms on the floor?
Take him off of the roll call. No, not you Ike, Tim.
You're in a wrong pew. Representative Mann."

Robert E. Mann: "How is Representative O'Hallaren recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting
'Yeas'."

Hon. W. Robert Blair: "Is he on the floor. . ."

Robert E. Mann: "He's, Bern is here, sorry, Bern is here.
I'm sorry, put him back on. Ah, how is Representative
Richard Carter recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded? He's
on the floor, Representative Mann. It really makes no
difference. Are there any further questions, Representative
Mann?"

Robert E. Mann: "Ah, how is Representative Edward Madigan
recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The ah gentleman is recorded as voting
'Yeas'."

Hon. W. Robert Blair: "Take him off of the roll call."

Robert E. Mann: "How is Representative Bernard McDevitt re-
corded?"

Hon. W. Robert Blair: "How is the gentleman. . .he's on the



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

floor, Representative Mann. Representative Genoa Washington, for what purpose do you rise, sir?"

Genoa S. Washington: "Mr. Speaker, how am I recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as not voting."

Genoa Washington: "Please vote me 'Yeas'."

Hon. W. Robert Blair: "Record the gentleman as voting 'Yeas'."

Are there further questions of the affirmative roll call?

Ah, Representative Merlo, for what purpose do you rise, sir?"

John Merlo: "How am I recorded?"

Hon. W. Robert Blair: "How is Representative Merlo recorded?"

Fredric B. Selcke: "The gentleman is recorded as not voting."

John Merlo: "Vote me 'Yeas'."

Hon. W. Robert Blair: "Record the gentleman as voting 'Yeas'."

Are there further questions? Representative Londrigan, for what purpose do you rise, sir?"

James T. Londrigan: "How am I recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as not voting."

James T. Londrigan: "'Yeas'."

Hon. W. Robert Blair: "Record the gentleman as voting 'Yeas'."

Representative McClain, for what purpose do you rise, sir?"

Elmo McClain: "How am I recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as not voting."

Elmo McClain: "'Yeas'."



Hon. W. Robert Blair: "Record the gentleman as voting 'Yeas'. On this question the 'Yeas' are 109, the 'Nays' are 27, and the House passes House Bill 2485, the Governor's veto notwithstanding. The gentleman from Cook, Representative Simmons."

Arthur E. Simmons: "Mr. Speaker, having voted on the prevailing side, I move that the vote by which this bill, this veto was overridden be reconsidered."

Hon. W. Robert Blair: "The gentleman from Cook, Representative R. Carter."

Richard A. Carter: "Mr. Speaker, I move that motion lie on the table."

Hon. W. Robert Blair: "All those in favor of the gentleman's motion to table signify by saying 'Yeas', the opposed 'No', the gentleman's motion to table prevails. With leave of the House, we'll go in to introduction and first reading of House Bills."

Fredric B. Selcke: "House Bill 3782, Tipword. A bill for an act to make an appropriation to the Department of Transportation. First reading of the bill. House Bill 3783, Randolph, et.al. Add a section to an act relating to the establishment of free public libraries. First reading of the bill. House Bill 3784, J. J. Wolf, amends the 'Private Employment Agencies Act'. First reading of the bill. House Bill 3785, Burditt. Amends 'The Economic Poison Law'. First reading of the bill. House Bill 3786, Barry. An act transferring and conveying certain state owned property



in Bureau County, the Village of Sheffield. First reading of the bill. House Bill 3787, Barry. An act transferring and conveying certain state owned property in Bureau County, the City of Princeton. First reading of the bill. House Bill 3788, Randolph. Amends 'The Municipal Code'. First reading of the bill. House Bill 3789, Randolph. Amends 'The Hotel Operators Occupational Tax.' First reading of the bill. House Bill 3790, Brummet, An act releasing highway easement in Fayette County. First reading of the bill. House Bill 3791, Markert. Amends 'The Motor Fuel Tax Law'. First reading of the bill. House Bill 3792, Burditt. Amends 'The Unemployment Compensation Act'. First reading of the bill. House Bill 3793, Shea. Amends 'Illinois Public Aid Code'. First reading of the bill. House Bill 3794, Berman. Supplemental appropriation to the Superintendent of Public Instruction. First reading of the bill. House Bill 3795, J. J. Wolf. Amends 'The Privates Employment Agencies Act.' First reading of the bill. House Bill 3796, Kleine. 3796, Kleine. A bill for an act to regulate and control and prevent all shore scraping, construction, dumping, excavating and so forth. First reading of the bill. House Bill 3797, Terzich, et.al. Amends 'The Illinois Blood Bank Act'. First reading of the bill. House Bill 3798, Terzich, et.al. Amends 'The Illinois Insurance Code'. First reading of the bill. House Bill 3799, Ewell. Amends 'The Medical Practice Act'. First reading of the bill. House Bill 3800, William Cun-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

ningham. Amends 'The Dram Shop Act'. First reading of the bill. House Bill 3801, Day. Amends 'The Revenue Act'. First reading of the bill. House Bill 3802, Day. Amends 'The Wage Assignment Act'. First reading of the bill. House Bill 3803, Dyer. Amends 'The Municipal Code'. First reading of the bill. House Bill 3804, Capparelli. Creates a commission to expedite road repairs. First reading of the bill. House Bill 3805, Scariano. Amends 'The School Code'. First reading of the bill. House Bill 3806 through 4068, McGah, et.al. Bills relating to the constitutional implementation. First reading of the bill."

Hon. W. Robert Blair: "All right, on the, all right, on the calendar under vetoes, total vetoes motions appears a motion with respect to House Bill 3623, on which the Chair recognizes the gentleman from Franklin, Mr. Hart."

Richard O. Hart: "Mr. Speaker, and Ladies and Gentlemen of the House, I would like to call attention to the membership that House Bill 3623 provides a method to let the people have the role in the selection of the judges in the State of Illinois and I would hope that some of you would be interested in this bill. It implements the 1970 Constitution from by providing that judges initially run for election in the regular party primary and on the general election in November. Governor Ogilvie vetoed this bill and a companion bill that was sponsored by Representative George Lindberg, which was almost identical. Both of the bills passed this House without a dissenting vote and passed the Senate



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

the Senate by a vote of 37 to nothing. In the Governor's veto message he stated that judges should be elected on a non-partisan basis. In my opinion this is not practical or realistic. I've personally have never heard of a non-partisan election worth running for that did not end up with a Democrat running against a Republican and what is wrong with that. I believe that the Governor has been misinformed about the contents of this bill. We need to provide the votes to override his veto so that the people and not the Illinois Supreme Court can select our judges. From what I have learned, I do not believe that this legislature would pass legislation to provide for separate non-partisan elections for judicial officers or to fill vacancies. We used to have if you'll recall, separate partisan elections to to elect judges and in most cases only a very small percentage of the electorate turned out every, so only a very small percentage of the people actually had a voice in the election of the judges. House Bill 3623 was placed the candidates to the judiciary on the primary and the general election ballot where people could make their choice as they do for most other elected officials. I feel that this issue of how we're going to elect judges is one of the most important issues facing us in this coming year and this provides an opportunity to confirm our previous position which we adopted without a dissenting vote from both houses of the General Assembly that we prefer to have judges elected in the regular election on a partisan basis. House Bill



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

3623 would provide this. I would ask you to please vote to override the veto of House Bill 3623, I believe it to be the best of all alternatives for the initial selection of all judges."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Burditt."

George M. Burditt: "Mr. Speaker and Ladies and Gentlemen of the House, with great respect for the gentleman that just spoke, I would rise to ask the House to support the Governor's veto, and let me just read two quick paragraphs out of the Governor's veto message. The Governor says 'this is a bill that is a step backwards in the long struggle for an independent judiciary selected on the basis of merit. If this enactment becomes law it could become a fatal setback for it would make permanent the present system of choosing candidates for judges as candidates of a political party. By drawing political candidates into the party primary slatemaking and the party primary election process, this bill would intensify the practice of treating the judiciary as part of the party structure. It would intensify the practice of regarding the judiciary as functioning within the structure and regarding judges as being obligated to their party for judiciary office.' For those reasons, Mr. Speaker and Ladies and Gentlemen of the House, seem to me to be very cogent. We seem to be doing our very best in terms of ethics to preserve the integrity of our legislative branch of government and we should also do that with our judicial branch of government. Upholding



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

the Governor's veto would give us that opportunity. I might say also as an alternative and there is a very viable alternative, a bill has been introduced which is a Bar Association recommended bill to provide for the non-partisan election of judges and that bill will be considered when this legislation reconvenes on April 10th, so Mr. Speaker and Ladies and Gentlemen of the House, I urge you to uphold the Governor's veto and to vote 'No' on this motion."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this bill provided a method for filling judicial vacancies. As I understand the law at thus juncture, the only method we have for filling judicial vacancies is that in November there will be an election to fill vacancies by judges of the Circuit Court, judges of the Appellate Court, and the only method to put candidates on there would be by filing petitions as required under Section 10 of the 'Election Code' for independent candidates. Now, I would think that that method would be more partisan and get judges more involved in politics or candidates for that office than it would be by being in a party primary. And I think that this is a good bill and I would ask for the support of the House to override the veto."

Hon. W. Robert Blair: "Is there any further discussion? The gentleman from Franklin, Mr. Hart, to close."

Richard O. Hart: "Thank you, Mr. Speaker. Ah, first with



reference to the merit selection that the Governor mentioned in his veto message, I would just point out to the membership that under the Illinois Constitution, the merit selection plan is not possible. Now, I'm heard some rumors that there's going to be a constitutional amendment suggested to this body to incorporate the merit selection of judges and then if it passes this House, then of course, it would go then to the people for adoption by referendum, but the point of it is that there isn't any way now for the people to elect judges and this bill would provide it, and Ladies and Gentlemen of the legislature, spoke otherwise, and I believe that that we thoroughly considered this measure when we voted on it in September, it was not a dissenting vote and I'm going to for one go on record right now as being opposed to the non-partisan election of judges, because I don't think its realistic. I think its ridiculous. You'll remember the last time we went and established a non-partisan election, it was for the constitutional convention, and in my area, and I think in most of the other areas, it ended up with Democrats running against Republicans, for the constitutional convention. The Mayor of the City of Benton is elected on a non-partisan basis, but in my memory, its always ended up with a Democrat running against a Republican. And I don't see anything wrong with that in the judiciary, because after all, I would much prefer to let the people elect the judges than to have somebody appoint them, whether it be a group, the Governor or



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

whatelse, but at least for now if we don't override the veto, the Illinois Supreme Court is going to do the selecting of all of our judges where vacancies occur, and if you would rather put the selection of judges in the hands of the Illinois Supreme Court, than in the hands of the people you should vote to override, to sustain the veto if you would rather then have the people elect the judges than the Illinois Supreme Court, then you should go with my motion to override the veto, because these are the only present alternatives."

Hon. W. Robert Blair: "All right, the question is shall the motion pass? All those. . . to override the veto of the Governor with respect to House Bill 3623? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? Merlo, Merlo 'Yeas'. Have all voted who wished? The Clerk will take the record. On this question there are 113 'Yeas' and 18 'Nays' and Katz 'No', and the ah ah motion to override prevails. The gentleman from Franklin, Mr. Hart."

Richard O. Hart: "Mr. Speaker, having voted on the prevailing side, by which this motion was adopted, I move that the motion be reconsidered."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Yourell."

Harry Yourell: "Mr. Speaker, I move that motion lie on the table."

Hon. W. Robert Blair: "All right, all in favor of the motion to table say 'Yeas', the opposed 'No', the 'Yeas' have it



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

and the motion to lay it on the table prevails. Introduction and first reading of House Bills."

Fredric B. Selcke: "House Bill 4069, Craig, et.al. A bill for an act to amend 'The Illinois Vehicle Code'. First reading of the bill. House Bill 4070, Katz, et.al. Amends 'The Environmental Protection Act'. First reading of the bill. House Bill 4071, . . ."

Hon. W. Robert Blair: "All right, all right, we're going to go to agreed resolutions now, but I want everybody here to stay, because they're still acting on some matters or attempting to act on some matters in the Senate, one of which could get back here, one of which could be the House Bill respecting the Personal Property Act. I'm just telling you about that now. The ah, so, we'll go to these resolutions so we can get all of this business that we have here out of the way while we wait to see what happens over there. Agreed resolutions."

Fredric B. Selcke: "House Resolution 509, Alsup, et.al. House Resolution 510, Peter Miller, et.al. House Resolution 511, Londrigan, et.al. House Resolution 512, Jones. House Resolution 513, Jones, et.al. House Resolution 515, Karmazyn. House Resolution 516, Choate, et.al. House Resolution 517, Choate, et.al. House Resolution 518, Choate, et.al. House Resolution 519, Douglas, et.al. House Resolution 520, McAvoy. House Resolution 521, Harpstrite. House Resolution 522, Keller, et.al. House Resolution 523, Lindberg. House Resolution 524, Harold Wash-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

ington. House Resolution 525, Terzich, et.al. House Resolution 526, Elwood Graham. House Resolution 527, Hyde. House Joint Resolution 114, Sevcik. House Joint Resolution 115, Sevcik."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, the agreed resolutions, 509 commends the citizens of the Village of Latham on the Village's centennial. Latham, I'm sorry, I was just corrected by a native. House Resolution 510, Peter Miller, et.al. asks Senators Percy and Stevenson to investigate the lack of security conditions which allowed Charles Oren Mensik first of all to be assigned to an honor farm and then to walk away. House Resolution 511, commends Don J. McGrath, the supervisor of printing for the Illinois Department of General Services upon his retirement. House Resolution 512, congratulates the staff and directors of Disney World upon its opening in Florida. House Resolution 513 is a memorial to Judge J. Earl Major, a former United States Judge for the Southern District of Illinois. House Resolution 514 congratulates Miss Emily Loats on her 100th birthday. House Resolution 515 is a memorial to Sergeant Clarence J. Elsues of the Chicago Police Department. House Resolution 516 is a memorial to Mrs. Margaret C. Downes, the wife of Representative John P. Downes. House Resolution 517 is a memorial to Dr. Carl Meyer, District County Hospital and Chicago's Busiest surgeon in his life time. House Resolution 518 is a



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

memorial to Springfield's Utility Commissioner, John H. Hunter, who died suddenly this morning. House Resolution 519 extends the deadline for the filing of the report of the American Indian Problems Committee. House Resolution 520 congratulates George and Margaret Lefair on their 69th wedding anniversary. House Resolution 521 extends the deadline for filing the report of the rural telephone service study committee. House Resolution 522 congratulates the city of Mt. Vernon and the general tire company on their recent agreement to locate the new general tire company plant in Mt. Vernon. House Resolution 523 congratulates Carl and Frieda Schultz of Hebron on the occasion of their 60th wedding anniversary. House Resolution 524 extends the deadline for filing the report of the House Contract Compliance Committee. House Resolution 525 congratulates Tallman Federal Savings and Loan of Chicago on the 50th anniversary of its founding. That was by Mr. Terzich and it's three pages long. House Resolution 526 extends the deadline for filing the report of the Committee on Minority Groups Employment in State Government. House Resolution 527 resolves that a committee of five members be appointed by the Speaker to approve the journals of the House from journal 87 through journal 113 and the names that I have if I may read them for you, Mr. Speaker, Mr. Jones, Mr. Gibbs, Mr. Rose, Mr. Londrigan and Mr. Tipsword. House Joint Resolution 114 directs the Illinois Legislative Investigating Commission to investigate illicit use of credit



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

cards and other credit devices. House Resolution 115 directs the Illinois Legislative Investigating Committee to present its report on City Savings Corporation of Chicago to the General Assembly under the Illinois Congressional Delegation. I now move adoption of the agreed resolutions, Mr. Speaker."

Hon. W. Robert Blair: "All those in favor of the motion to adopt the agreed resolution list say 'Yeas', the opposed 'No', the 'Yeas' have it and the agreed resolutions are adopted. Further resolutions?"

Fredric B. Selcke: "House Joint Resolution 113, Stone, et.al. House Joint Resolution Constitutional Amendment 11, Fleck."

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Palmer rise?"

Romie J. Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, the Sub-Committee of the Judiciary to study the Office of States Attorney will meet in Room M-4 after adjournment, immediately after adjournment, today."

Hon. W. Robert Blair: "All right, with the late report from the other side is that they have now retired for 15 minutes of conference to discuss the personal property tax matter, so we have finished our work here, so I suggest that we remain at ease here until we see what develops in that situation, but I'd stay right here, because I understand that if they come back and act on that that they can bring it over here quickly on a message and because it's a House Bill we can concur then and in the Senate amendments if that



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

is what we choose to do. So, stay let's be at ease, stay around the House floor here until we wait to hear from the Senate."

Romie J. Palmer: "It might be advisable that the that this committee, the Sub-Committee meet now down in Room M-4, perhaps we can save some time, it won't take too long. The members of the committee are Joseph Gibbs, Roscoe Cunningham, Robert Day, Kenneth Boyle, Aaron Jaffe, Rolland Tipsword, Raymond Ewell, and myself."

Hon. W. Robert Blair: "The the report is that the Democrats are still in conference over there and so we'll you know, well, you know, I know you'll want to stay here to hear the results, and , yes, Mr. Granata."

Peter C. Granata: "That reminds me of a story that Capuzi told me flying to Europe."

Hon. W. Robert Blair: "We ought to hear that."

Peter C. Granata: "The Pilot got up and said ladies and gentlemen, I've got some good news and I've got some bad news. First the bad news, we're lost, and now the good news, we are on time. So. . ."

Hon. W. Robert Blair: "I think that's a good story. I think it'd be more appropriate if it were told in the Senate. I think the House knows where it is. We appreciate, we appreciate your staying here until we got to this position, but we're just able to get the Senate to adopt the House Joint Resolution on adjournment and we didn't want to call the House in to adjourn until the Senate had adopted the



HJR. Now, we ah, I'll recognize the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, Mr. Speaker, pursuant to House Joint Resolution 116 which has been previously adopted by this House and adopted by the Senate, I now move that we stand adjourned until Thursday, January, I'm sorry, until Wednesday, March 1, 1972 at 11:30 O'Clock A.M. for a joint session in the hall of the House of Representatives for the sole purpose of hearing the Governor of the State of Illinois deliver his budget message for the year beginning July 1, 1972 and that thereafter we immediately stand adjourned until Monday, April 10, 1972 at 1:00 O'Clock P.M. I so move."

Hon. W. Robert Blair: "All those in favor say 'Yeas', the opposed 'No', the 'Yeas' have it and the House stands adjourned."

Adjourn at 9:35 O'Clock P.M.

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