

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED TWENTY-FOURTH LEGISLATIVE DAY

APRIL 26, 1972

12:00 O'CLOCK NOON

THE HONORABLE W. ROBERT BLAIR, SPEAKER

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 John G. Fary - legislative business;
- Representative J. Horace Gardner - death;
- Representative Henry J. Klosak - illness;
- Representative Edward J. Shaw - death;
- Representative John W. Thompson - no reason given.

**GENERAL ASSEMBLY**

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

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

Hon. W. Robert Blair: "The House will be in order and the doorkeeper will see that those persons that are not entitled to the floor are removed therefrom. The invocation this afternoon will be by Dr. Johnson."

Dr. John Johnson: "We pray. Almighty God we confess to you to be the creator and preserver of all things. Furthermore we acknowledge that you have made all things well. Help us always to behold your goodness and your creation. Forgive us when we waste your gifts and neglect the proper care and use of your gifts. Create about this day a spirit of thanksgiving which recognizes your hands of all of our blessings, your love in our daily care, your watchfulness in our daily protection, your providence in our daily necessities and your faithfulness in your wondrous acts of mercy. And then teach us O Lord that to give thanks in this spirit is to believe that you are a God that does all things well and who would work through us and our service now and in this legislature to bless our state and all who enjoy life and liberty as its citizens. Hear us Almighty God because you are also a most merciful God. In the name of our saviour. Amen."

Hon. W. Robert Blair: "Roll call for attendance. The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Ah, Mr. Speaker, with leave of the Speaker and the House, I would like to request a twenty minute re-



cess for the purpose of a Democratic conference which I understand the Speaker has given us room 212?"

Hon. W. Robert Blair: "Right."

Clyde L. Choate: "Then I would urge all members of the Democratic party to come to Room 212 immediately so we can be back on the floor of the House in approximately twenty minutes."

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

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, we Republicans will not meet in a conference, so we will be at ease for the next twenty minutes and convene upon the return of the Democrats at . . ."

Hon. W. Robert Blair: "At at 12:30 P.M. All right, we'll we'll be . . .for what purpose does the gentleman from Cook, Mr. Granata, rise?"

Peter C. Granata: "Mr. Speaker, . . ."

Hon. W. Robert Blair: "Yes?"

Peter C. Granata: "Before everybody departs. Before everybody departs, I want to make a motion."

Hon. W. Robert Blair: "Okay."

Peter C. Granata: "I want to move at this time that House Bills 4089 and 4098 that were in Appropriations Committee yesterday be reconsidered and held in the committee for the next meeting."

Hon. W. Robert Blair: "Is there leave? All right, hearing no objection, that action will be entered."

Recess at 12:10 O'Clock P.M.



Return at 12:30 O'Clock P.M.

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

Hon. W. Robert Blair: "Committee reports."

Fredric B. Selcke: "Mr. Hunsicker, from the Committee on Agriculture, to which House Bill 4152 was referred, reported the same back with the recommendation that the bill do pass. Mr. Sevcik, from the Personnel and Veterans Affairs - Division of Executive Committee, to which was referred House Joint Resolution 120, reported the same back with the recommendation that the resolution be adopted. Mr. Regner, from the Committee on Appropriations, to which House Bills 4082, 4090, 4101, 4120 and 4121 were referred, reported the same back with the recommendation that the bills do pass. Mr. Regner, from the Committee on Appropriations, to which House Bills 4088, 4092, 4097 and 4200 were referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bills, as amended, do pass. Mr. Neff, from the Committee on Transportation, to which House Bills 179, 181, 182 and 187 were referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bills, as amended, do pass."

Hon. W. Robert Blair: "Messages from the Senate."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

Fredric B. Selcke: "Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit: Senate Bill 1359. Passed by the Senate, April 25, 1972. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representative that the Senate has concurred with the House in the passage of a bill of the following title, to-wit: House Bill 3636. Passed by the Senate, April 25, 1972. Kenneth Wright, Secretary. No further committee reports."

Hon. W. Robert Blair: "All right, with leave of the House, we'll go to Resolutions so we can get that adjournment resolution on its way over to the Senate."

Fredric B. Selcke: "House Joint Resolution 126, Hyde. 'Resolved by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, the Senate concurring herein, that when the two Houses adjourn on Thursday, April 27, 1972, they stand adjourned until Tuesday, May 2, 1972, at 11:00 o'clock A.M., C.D.S.T.'"

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

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, this is the adjournment resolution if I could have your attention. Ah, tomorrow there will be a perfunctory session and we will when we adjourn tomorrow really at the perfunctory session for the purpose of this resolution, we will resume on Tuesday, May 2nd at 11:00 A.M., that's Tues-



day at 11:00 A.M., so the House Joint Resolution does provide that when we adjourn Thursday, April 27th, which is tomorrow, which will be only perfunctory, we'll come back Tuesday, May 2nd at 11:00 A.M. Mr. Speaker, I now move adoption of House Joint Resolution 126."

Hon. W. Robert Blair: "Any further discussion? All those in favor of the adoption of the House Joint Resolution say 'Yeas', the opposed 'No', the 'Yeas' have it and the resolution is adopted. Introduction and first reading of House Bills."

Fredric B. Selcke: "House Bill 4614, Blair, et.al. An act creating the capital development board act of 1972. First reading of the bill. House Bill 4615, Blair, et.al. Makes an appropriation to the State Treasurer. First reading of the bill. House Bill 4616, Blair, et.al. Establishes in the State Treasury the capital development board. First reading of the bill. House Bill 4617, Blair. Creates the capital development board. First reading of the bill. House Bill 4618, Stone. Makes an appropriation of \$195,-820,000.00 from the common school fund to the Superintendent of Public Instruction for the Teachers' Retirement System. First reading of the bill. House Bill 4619, McPartlin. Amends 'The township zoning act'. First reading of the bill. House Bill 4620, McPartlin. An act concerning public utilities. First reading of the bill. House Bill 4621, McDevitt. Amends 'The Homestead Exemption Act'. First reading of the bill."



7.  
Hon. W. Robert Blair: "The gentleman from DuPage, Mr. Schneider."

J. Glenn Schneider: "Mr. Speaker, with leave of the House, I'd like to table House Joint Resolution 51. I am the chief sponsor. That's right."

Hon. W. Robert Blair: "Is there objection? All right, the gentleman has leave to table that motion. For what purpose does the gentleman from Lee, Mr. Shapiro, rise?"

David C. Shapiro: "Mr. Speaker and Ladies and Gentlemen of the House, I would ask leave to table House Bill 4100, of which I am the chief sponsor."

Hon. W. Robert Blair: "All right, does the gentleman have leave? All right, that bill will be tabled."

Fredric B. Selcke: "House Bill 4622, Fennessey, et.al. An act authorizing and directing the Department of Transportation to design and construct flood control, drainage and appurtenant improvements in and along Rat Run Creek at Seneca in LaSalle County and making an appropriation therefor. First reading of the bill."

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

Joseph Fennessey: "Mr. Speaker, I'd ask leave of the House to be added as co-sponsor to House Bill 4184. I've talked to the Sponsor of this bill and he's agreeable."

Hon. W. Robert Blair: "Does the gentleman have leave? All right, the Journal will so indicate that you're added as a co-sponsor. The gentleman from Rock Island, Mr. Pappas."





Pete Pappas: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, I would ask leave to have the Motor Vehicle Committee which is scheduled to meet at 2:00 P.M. this afternoon in Room 508 to have that meeting moved up to immediately after adjournment. I have checked cleared it with the leadership on both sides of the aisle."

Hon. W. Robert Blair: "All right, does the gentleman have leave? All right. The gentleman from Cook, Mr. Epton."

Bernard E. Epton: "Mr. Speaker, Ladies and Gentlemen of the House, I would also like to have leave of the House to move the I hope the members will on the Public Welfare Committee will listen to this. The Public Welfare Committee is moving from 4:00 P.M. to 2:00 P.M. The meeting will be at 2:00 P.M. and it will be at the Armory Conference Room. If you will enter the Armory directly across the street from the Capitol Building and go into the Armory main floor, turn right and walk directly into the Conference Room. A page will be there to direct you. We have cleared this with both sides of the aisle and we'd like leave for the Public Welfare Committee to meet at 2:00 P.M. in the Armory Conference Room."

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

Clyde L. Choate: "Well, Mr. Speaker, I I talked to Representative Pappas about moving up the Motor Vehicle Laws Commission and agreed to same as he very adequately stated to the floor of this House, however if we start moving all of these committees up to different hours, as an example, Public Welfare



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

which has just been requested moving it to 2:00 P.M., there are members on this side of the aisle that have a meeting on Constitutional Implementation that also have a meeting on Public Welfare Committee, and inasmuch as it's in some back room of the Armory, I don't know how in the world that we can expect the membership to attend meetings being held at the same time when they're on both of them."

Hon. W. Robert Blair: "All right, the Chair is advised that Public Welfare normally meets at 2:00 P.M. and it was so wrongly posted before, so that there is not a conflict, I take it between that committee and Constitutional Implementation."

Clyde L. Choate: "Well, there is a Constitutional Implementation meeting at the same time and there is a conflict, Mr. Speaker, without your knowing it, ah simply because of replacements on committees and I thought it was at 4:00 P.M. as posted on the board. I can correct this one instance, but I don't think that we should move any other committees around."

Hon. W. Robert Blair: "Oh, yeah, I ah I had assumed that Representative Epton had cleared this his request with you and I ask him to do that now. Ah, but I did want to pass on that piece of information that Public Welfare at the standing time meets at 2:00 P.M. on Wednesdays. The gentleman from Cook, Mr. Epton."

Bernard E. Epton: "Mr. Speaker, I did clear this with Representative Davis who is the Senior Member on our committee,



however, I certainly would go over to the . . ."

Hon. W. Robert Blair: "I would suggest you talk with the  
Minority Leader."

Bernard E. Epton: "I just. . ."

Hon. W. Robert Blair: "The gentleman from Macon, Mr. Bor-  
chers."

Webber Borchers: "Ah, I'd like to table House Bills 1721,  
1722, 1723 and 1724. I'm the sponsor of the bills."

Hon. W. Robert Blair: "Does the gentleman have leave? Those  
will be tabled, tabled. The gentleman from Lake, Mr. Kleine."

John Henry Kleine: "Mr. Speaker, I'd like to announce that  
the ah Environmental Committee which was scheduled to meet  
in 212 at 1:30 P.M., because of the conference will meet  
at 2:05 P.M. in Room 212."

Hon. W. Robert Blair: "Ah, that has been cleared with the  
Minority Leader?"

John Henry Kleine: "Ah, Mr. Speaker, it has not, our normal  
ah. . ."

Hon. W. Robert Blair: "Well, I suggest you do that."

John Henry Kleine: "All right."

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

David J. Regner: "Mr. Speaker, Ladies and Gentlemen of the  
House, last week when we sent Sub-Committee notices out to  
the Appropriations' Committee, the mails didn't travel too  
well. So I'd like to make an announcement that Sub-Com-  
mittees Two and Five of the House Appropriations' Committee  
will meet next Tuesday morning at 9:00 A.M."



Hon. W. Robert Blair: "Do you want to repeat that, I'm not sure they were listening."

David J. Regner: "Ah, Sub-Committee Two and Sub-Committee Five of the House Appropriations' Committee will meet at 9:00 A.M. next Tuesday morning. The meeting notices will be mailed out, but I did want to make the announcement in case some got lost in the mails or something."

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

Carl T. Hunsicker: "Mr. Speaker, I should like to announce that anyone that has any bills before the Agriculture Committee who wants them posted for next week to get their name on my desk and the number of the bill by 3:00 P.M. so that I can report it to the Committee Clerk. While I'm on my feet if I may, I would also like to say that since I was the only member of this honorable body who voted against the ethics bill last January and in view of the fact that it was declared unconstitutional yesterday by Circuit Judge Covelli, in the future I offer my services to the lawyers in the House on the constitutionality of proposed legislation."

Hon. W. Robert Blair: "Any help we can get in that area will be appreciated. The gentleman from Kane, Mr. Schoeberlein."

Allen L. Schoeberlein: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, especially those on the Industry and Labor Committee, we will meet at 4:00 P.M. in M-4. Be on time so that we can get to North and South and East and West at an



early hour, about 7:00 P.M. or 8:00 P.M."

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

Bernard B. Wolfe: "Ah, Mr. Speaker, if I may have leave of the House with respect to House Bill 4392, ah certain members have asked to be added as co-sponsors and I'm the chief sponsor and have no objection and they are Representative Juckett, R. J. Welch, H. Carroll and W. Laurino on House Bill 4392."

Hon. W. Robert Blair: "All right, I suggest that in order to have that accomplished quicker that you send a written work up to the Clerk. All right, we'll ah for what purpose does the gentleman from Wayne, Mr. Blades, rise?"

Ben C. Blades: "Mr. Speaker, at the appropriate time I would like to ask the unanimous consent of the House for suspension of Rule 17 so that I might hear House Bill 4453. . . in the Conservation. . ."

Hon. W. Robert Blair: "let's see if we can't get a little order in the chamber, with the aisle over here around the Minority Leader, would that there's people behind you there ah ah if we could just get the noise quieted down a little bit, the gentleman's asking for suspension of the rules and House. . ."

Ben C. Blades: "House Bill 4453 was assigned to my committee yesterday, I didn't have time to have the proper posting and I would like to hear it in the committee meeting next Monday."



Hon. W. Robert Blair: "All right, has that been cleared?"

Ben C. Blades: "No, I. . ."

Hon. W. Robert Blair: "All right, this is a problem on these bills that were assigned yesterday which is the first time they could have been assigned after being introduced on Monday about posting for next week. Okay. The gentlemen from Lawrence, Mr. Cunningham."

Roscoe D. Cunningham: "Mr. Speaker, House Bill 3773 and 3775 are companion bills. The first was noticed before the Environment Committee for this date, but through inadvertence of sponsor, the second bill was not listed. We request the unanimous consent of the House that it be likewise heard this afternoon and such is acceptable to Chairman Kleine."

Hon. W. Robert Blair: "Well, wait until I finish with this. Oh, on this, the gentleman from Union, Mr. Choate."

Clyde L. Choate: "Mr. Speaker, I would think that it would facilitate matters greatly if the membership making these motions on the floor of the House would take this into consideration the suggestion that the Speaker made and that's to talk to the leadership on both sides of the aisle so that we'll know exactly what the bills are, what the contents and context are of them and maybe we can resolve these things but under no circumstances can we just agree to things of this nature and not know what in the world we're doing. There's motions flying around all over the floor of the House by come over and talk to me, Roscoe."

Hon. W. Robert Blair: "All right, eh, to the House Bills third



reading with leave of the House, ah House Bill 2684."

Fredric B. Selcke: "House Bill 2684. An act to amend Sections 1.7 and 6 of 'The Illinois Horse Racing Act'. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Regner, asks leave to return that bill to the order of second reading. Hearing no objection, why the bill will be moved back to second reading now. The gentlemen from Cook, Mr. Regner."

David J. Regner: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, yesterday when we were working on amendments to this bill, I believe it was in the printed digest and I certainly should have believed our policeman, Representative Simmons, when he called it to my attention that it was in error, that Amendment Number One was adopted last fall, that I said it wasn't. I would now like to ask to move to table Amendment Number One to House Bill 2684, as it is in conflict with Amendment Number Three."

Hon. W. Robert Blair: "The gentleman from McHenry desire to be heard concerning this matter? The motion is to table Amendment Number One."

Thomas J. Hanahan: "Representative Regner, who are you working with on this it's a very controversial bill that lies here and I haven't followed any workings on this bill since then. Who are you working with on the agreement of statements on Amendment Number One?"

David J. Regner: "Ah, Representatives Krause and Lechowicz."



Thomas J. Hanahan: "All right, thank you."

Hon. W. Robert Blair: "Good bi-partisan effort. All right, is there objection? All right, the gentleman have leave to table Amendment Number One tabled. All right, now, is that all? Third reading. The gentleman from Wayne, Mr. Blades."

Ben C. Blades: "Mr. Speaker, I have cleared this matter with the other side of the aisle, I would respectfully request the unanimous consent of the House to suspend Rule 17 in order that House Bill 4453 might be heard before the Conservation Committee next Monday in while I'm suspending the rule there's the proper posting of the rule, I didn't get the bill in time."

Hon. W. Robert Blair: "All right, the gentleman have leave? All right, it will be granted. Ah, the gentleman from Lawrence, Mr. Cunningham."

Roscoe D. Cunningham: "Mr. Speaker, I made peace with the Minority Leader and the Majority Leader and I hope that both of them will be supporters of the bill, but they indicated that they have no objection to waiving the notice on 3775, so we renew our motion that we might have the unanimous consent of the House to be heard at 1:30 P.M., Room 212."

Hon. W. Robert Blair: "Does the gentleman have leave? All right, the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, Mr. Speaker, ah, Mr. Speaker, Ladies and Gentlemen of the House, so that we may have hearings on Monday on bills that were just filed and avoid the pro-





blem with posting, I now move that we suspend the provisions of Rule 17 so that bills that were filed just recently may be posted for hearing in the Monday committees."

Hon. W. Robert Blair: "Posted through today?"

Henry J. Hyde: "That is my motion."

Hon. W. Robert Blair: "Through today. All right, the gentleman from Cook, Mr. Mann."

Robert E. Mann: "Ah, I'd like to ask the Majority Leader would that include bills that we would hear next Tuesday?"

Henry J. Hyde: "I don't think it's necessary, I think we're within the time for next Tuesday."

Robert E. Mann: "I was advised by a Committee Chairman that I would need leave of the House for a bill for next Tuesday, is that correct Mr. Speaker?"

Hon. W. Robert Blair: "Well, there's a six and a half day notice provision in the rules and there would not need to be a suspension of that rule for postings next Tuesday if the Chairman responds to your request to post it."

Robert E. Mann: "Thank you, Mr. Speaker."

Hon. W. Robert Blair: "All right, all those in favor of the gentleman's motion say 'Yeas', the opposed 'No', all right now those of you who have bills that are in House Committees that meet on Monday and if you desire to have those set for next week, you should contact the Chairman of those committees so that they can get them posted through today for next Monday. House Bills third reading. House Bill 3602."

Fredric B. Selcke: "House Bill 3602. A bill for an act to



amend Section 32 of 'An Act codifying the powers and duties of the Department of Mental Health, and repealing certain Acts herein named'. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Champaign, Mr. Hirschfeld."

John C. Hirschfeld: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to address the House's attention to this bill, particularly in light of the recent scandal that occurred at the Elgin State Hospital in Elgin, Illinois. In the Spring of 1971, I introduced House Bill 1946 which passed this House 144 to nothing, which would have required the Department of Mental Health to bring its state institutions up to standard. This bill was taken over in the Senate. We had a very difficult time getting it out of the Senate Committee, but thanks to Representative Dan O'Brien, we did get it out and when it hit the Senate floor, the Department of Mental Health opposed the bill and I was able to receive 29 Democrat votes, no Republican votes and was unable to pass the bill due to the absence of one Democrat on that day. Now, the reason for defeating the bill at that time was because we were told that to require the State of Illinois, particularly the Department of Mental Health to bring its state institutions up to standard would cost too much money, so we went back and we redrafted a bill which is this bill, House Bill 3602 which requires the Department of Mental Health to report to this legislature and let us know which state institutions are meeting stan-



dards and which are not, which state institutions have been authorized to accept federal grants and which are not, and the reasons why this has not occurred and also to make suggestions and recommendations as to when this will occur. Now, Ladies and Gentlemen of the House, there is no appropriation in this bill but it seems to me that if the House and the Senate, in particular, can appropriate millions of dollars in this state for every other project, including highways and I do not object to this, then surely this House and this Senate can pass this bill during this short session so that we can next year, 1973, appropriate sufficient funds from the State of Illinois so that the few the very small few minority of people in this state whom God has not endowed with the same mental and physical stability that most of us are blessed with, can have a decent and satisfying existence in our state institutions, the same as they are given in the private institutions of this state. And I would request an overwhelming vote so that this time when we go back to the Senate we can get some decent action from that side of the rotunda. Thank you very much."

Hon. W. Robert Blair: "Discussion? The question is shall House Bill 3602 pass? 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 no 'Nays' and this bill having received the required vote is hereby declared passed. 1797."



Fredric B. Selcke: "House Bill 1797. A bill for an act to regulate the practice of public accounting and to repeal certain acts therein named. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Marion, Mr. Stedelin. Discussion?"

Harold D. Stedelin: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1797 is jointly sponsored by Representative Blades, Representative Hart and myself. It was okayed by the Department of Registration and Education and passed the committee on Registration and Education with no opposition. It merely strikes the six years and the bill now reads three years within six years and it strikes the six years that they just happen to have the three years at the university examination. I know of no opposition and I would appreciate your support."

Hon. W. Robert Blair: "Is there discussion? The question is shall House Bill 1797 pass? All those in favor will vote 'Yeas' and the opposed 'No'. Have have all voted who wish? The Clerk will take the record. On this question, there are 153 'Yeas', 1 'Nay' and this bill having received the constitutional majority is hereby declared passed. 4315."

Fredric B. Selcke: "House Bill 4315. A bill for an act to amend Section 4a of 'An Act authorizing the formation of River Conservancy Districts and giving such districts power to effectuate river and flood control, drainage, irrigation, conservation, sanitation, navigation, recreation, development of water supplies, sewerage systems and the protection



of fish life'. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Franklin, Mr. Hart."

Richard O. Hart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This bill makes no change in the substantive law, it merely combines two sections of the statute which were passed in the last session in the nature of a statutory revisory bill. If there are any questions about it, I'd be glad to answer them, otherwise, I would appreciate your support."

Hon. W. Robert Blair: "Any further discussion? All right, the question is shall House Bill 4315 pass? 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, Duff, 'Yeas', Janczak, 'Yeas', and J. J. Wolf, 'Yeas', Harber Hall, 'Yeas', Phil Collins, 'Yeas', Scariano, 'Yeas'. On this question, there are 142 'Yeas' and no 'Nays' and this bill having received the constitutional majority is hereby declared passed. 2385."

Fredric B. Selcke: "House Bill 2385. An act to amend Section 2 of an act to provide for the payment of further compensation for State's Attorneys in Cook County. Third reading of the bill."

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

Romie J. Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, I would like the leave of the House to return this bill, 2385, for the purpose of putting on an amendment."

Hon. W. Robert Blair: "All right, does the gentleman have



leave? Proceed."

Romie J. Palmer: "The amendment is on the desk."

Fredric B. Selcke: "Amendment Number One, Palmer. Amend House Bill 2385 on page 1 by deleting lines 12 and 13 and inserting in lieu thereof the following: 'as will make his salary amount to \$42,200.00 per annum. Such sums shall'."

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

Romie J. Palmer: "This amendment conforms to the Senate Bill wherein the State's Attorneys salary in Cook County is set according to the bill at \$42,200.00 per year. I ask for your favorable adoption of the amendment."

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

Thomas J. Hanahan: "Mr. Speaker, I didn't. . ."

Hon. W. Robert Blair: "All right, let's go. . ."

Thomas J. Hanahan: ". . .hear one word the Speaker said."

Hon. W. Robert Blair: "Get the noise level down. Go ahead."

Thomas J. Hanahan: "Mr. Speaker, I didn't hear one word the gentleman said."

Hon. W. Robert Blair: "Mr. Palmer."

Romie J. Palmer: "This bill is part of a package of state's attorneys bills. It has to do with the salary of the state's attorney of Cook County. It conforms to the Senate bill wherein the salary of the State's Attorney is set at \$42,200.00 in Cook County, per year."

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



Thomas J. Hanahan: "Did you say that the salary of the State's Attorney will be at \$42,000.00 a year?"

Romie J. Palmer: "Yes, that's the way it is said in the Senate bill."

Thomas J. Hanahan: "What is the present salary of the State's Attorney in Cook County?"

Romie J. Palmer: "\$35,000.00."

Thomas J. Hanahan: "And what is the salary of the Attorney General of the State of Illinois?"

Romie J. Palmer: "It's \$35,000.00 also."

Thomas J. Hanahan: "What's the salary of the Secretary of State?"

Romie J. Palmer: "\$30,000.00, sir."

Thomas J. Hanahan: "I think, Mr. Speaker, that this amendment is here to raise one individual salary in the state at a time for considering other salary increases is improper at this time until some research is done to establish a picture of the total salaries. I think this is inconceivable to raise one man's salary to \$42,000.00 a year when other state elected officials have been receiving \$30,000.00 a year and are elected state wide and not just in one county."

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

Gerald W. Shea: "I wonder if the sponsor would yield to a question?"

Hon. W. Robert Blair: "Yes, he indicates he will."

Gerald W. Shea: "Ah, Romie, in your in the proposed amendment it talked about striking lines 12 and 13 and in looking at



the bill it looks like it should be lines 14 and 15. Or 13 and 14, I'm sorry."

Romie J. Palmer: "The point raised is good and I would ask the Clerk."

Gerald W. Shea: "Why don't you amend it on its face, I'm sure it would be all right, to amend it on the face."

Romie J. Palmer: "To amend it on the face, by line 3 of the amendment, the reading of the words '12 and 13' and insert in lieu thereof '13 and 14'."

Fredric B. Selcke: "Yeah, okay."

Hon. W. Robert Blair: "Is there any further discussion?"

All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments? Third reading. Senate Bills. The gentleman from Cook, Mr. Epton."

Bernard E. Epton: "Mr. Speaker, Ladies and Gentlemen of the House, while we're momentarily allu, I cleared with the Minority Leader, Representative Choate, who indicated that it would be perfectly all right for us to for the Welfare Committee to meet at 2:00 P.M. in the Armory Conference Room, so again I remind the members of the Public Welfare Committee that the meeting will by agreed be at 2:00 P.M. in the Armory Conference Room, providing leave of the House, of course, is given."

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

Paul J. Randolph: "Ah, Mr. Speaker and Members of the House,





the Revenue Committee scheduled for 1:00 P.M. today will meet immediately after adjournment of the House on the floor of the House."

Hon. W. Robert Blair: "All right. Senate Bills third reading. The gentleman from Morgan, Mr. Rose."

Thomas J. Rose: "Mr. Speaker and Members of the House, the Committee on Constitutional Implementation will meet on the floor of the House, immediately following the Revenue Committee meeting."

Hon. W. Robert Blair: "All right, Senate Bills third reading. Senate Bill 837."

Fredric B. Selcke: "Senate Bill 837. An act to amend Section 1 of an act fixing and providing for payment of the salary for State's Attorneys in their assistance and defining their duties and providing for the appointing of assistants and provide for the collection and disposition of. . ."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. O'Hallaren."

Bernard J. O'Hallaren: "Mr. . . ."

Fredric B. Selcke: "Third reading of the bill."

Bernard J. O'Hallaren: ". . .Speaker, Ladies and Gentlemen of the House, I'd like leave of the House to take Senate Bill 837 back from third reading to second reading for the purpose of tabling an amendment."

Hon. W. Robert Blair: "All right, does the gentleman have leave? All right, second reading. The gentleman from Cook, Mr. O'Hallaren."

Bernard J. O'Hallaren: "The reason for this Mr. Speaker and



Ladies and Gentlemen of the House, is that there are two amendments to this particular bill and they are virtually the same and I talked to members of the House on both sides of the aisle and all we're doing is deleting this one because of the purpose and I'd like leave of the House to do so."

Hon. W. Robert Blair: "All right, now you want to table Amendment Number One? All those in favor of the motion say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is tabled. Now, is there any further action desired by the gentleman? Third reading. All right, with leave of the House, we'll be back at House Bills second reading, House Bill 3688."

Fredric B. Selcke: "House Bill 3688. A bill for an act to amend and resections to 'The Illinois Horse Racing Act'. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 4124."

Fredric B. Selcke: "House Bill 4124. A bill for an act to amend 'The Use Tax Act'. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 3783."

Fredric B. Selcke: "House Bill 3783. A bill for an act to add Section 3.1 to an act to encourage and promote the establishment of public libraries in cities, villages and townships in this state. Second reading of the bill. No



committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 3788."

Fredric B. Selcke: "House Bill 3788. A bill for an act to amend 'The Municipal Code'. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 3789."

Fredric B. Selcke: "House Bill 3789. A bill for an act to amend Section 2 of 'The Hotel Operation and Occupation Tax Act'. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 4105."

Fredric B. Selcke: "House Bill 4105. A bill for an act to amend 'The Vehicle Code'. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor?"

Fredric B. Selcke: "Amendment Number One, Schlickman. Amend House Bill 4105 on page 3 by adding after line 17 the following: 'Section 2. . .'"

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment Number One is a committee suggested amendment. It simply adds to the bill the standard exemption of home rule units. I move for its adoption."



Hon. W. Robert Blair: "Any further discussion? All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments? Third reading. 4106."

Fredric B. Selcke: "House Bill 4106. A bill for an act to amend 'The Municipal Code'. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor?"

Fredric B. Selcke: "Amendment Number One, Schlickman. Amend House Bill 4106 on page 1, by adding after line 19 the following: 'Section 2. This amendatory act of 1972 does not apply to any municipality which is a home rule unit.'"

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment Number One to House Bill 4106 is identical to the Amendment Number One to House Bill 4105. It also is was suggested by the committee and it's the standard exemption of home rule units. I move for its adoption."

Hon. W. Robert Blair: "Discussion? All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments? Third reading. 4116."

Fredric B. Selcke: "House Bill 4116. A bill for an act to amend Section 195.5 of the 'Revenue Act of 1939'. Second



reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. With leave of the House, we'll go to concurrences House Bill 2198. The gentleman from Rock Island, Mr. Henss."

Donald A. Henss: "Mr. Speaker and Ladies and Gentlemen, House Bill 2198 and 2199 are companion bills. I ask leave to have them considered together and voted on roll call."

Hon. W. Robert Blair: "Is there leave? Okay, ah read 2199."

Fredric B. Selcke: "House. . ."

Hon. W. Robert Blair: "All right, proceed, you have leave to discuss both of those bills."

Donald A. Henss: "These two bills, Mr. Speaker and Ladies and Gentlemen of the House, provide for the keeping of financial records of the state, local government and school districts and making them available for public inspection. This is the same as is required under our new constitution and the Senate amendments changed the style of the bill essentially, but do not change it in substance, and therefore I move to concur with the Senate amendment."

Hon. W. Robert Blair: "Is there discusson? All right, that's let's for the record take a separate vote here, huh? The gentleman from Bureau, Mr. Barry, have a question?"

Tobias Barry: "Yes, if Mr. Henss would yield, I'd like the sense of the amendment from the Senate, I don't have it."

Hon. W. Robert Blair: "The gentleman from Rock Island, Mr. Henss."



Donald A. Henss: "The amendment actually does not change the substance of the bill. I talked to the people who drafted it. At least part involved with the drafting of it and along with personnel who drafted it originally for us for our sub-committee. The reason given for the redrafting is simply that they did not like what they had done originally and that it wasn't too artful and that it wasn't typed in correctly with the language of the constitution. As I read it, it makes absolutely no change in the substance of the bill. It's simply an amendment of style."

Hon. W. Robert Blair: "All right, then, ah, let's take a separate vote. The question is shall the House concur in Senate Amendment Number One to House Bill 2198? 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 126 'Yeas' and no 'Nays' and Lechowicz, 'Yeas', DiPrima, 'Yeas', Terzich, 'Yeas', Bartulis, 'Yeas', Douglas, 'Yeas', Brandt, 'Yeas', McDermott, 'Yeas', Graham, 'Yeas', Sims, 'Yeas', Smith, 'Yeas', Lauterbach, 'Yeas', Pierce, 'Yeas'. On this question, there are 136 'Yeas', no 'Nays' and the House concurs with Senate Amendment Number One to House Bill 2198. Now, the question is with regard to House Bill 2199. Shall the House concur in Senate Amendment Number One. All those in favor will vote 'Yeas' and the opposed 'No'. Scariano, Scariano, 'Yeas', oh, on 2198. Terzich, 'Yeas', Berman, 'Yeas'. The Clerk will take the record. On this question, there



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

are 155 'Yeas' and no 'Nays' and the House concurs in the Senate Amendment Number One to House Bill 2199. All right, with leave of the House, we'll go back and pick up some committee reports."

Fredric B. Selcke: "Mr. Henss, from the Committee on Higher Education - Division of Education, to which Senate Bill 691 was referred, reported the same back with the recommendation that the bill do pass and that it be re-referred to the Committee on Appropriations. Mr. Henss, from the Committee on Higher Education - Division of Education, to which House Bills 4192 and 4209 were referred, reported the same back with the recommendation that the bills do pass. Mr. McDevitt, from the Committee on Judiciary - Division I, to which House Bills 1064 and 4132 were referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bills, as amended, do pass. Mr. McDevitt, from the Committee on Judiciary - Division I, to which House Bills 3749 and 3802 were referred, reported the same back with the recommendation that the bills do pass. Mr. McDevitt, from the Committee on Judiciary - Division I, to which was referred House Resolution 456, offered by Mr. R. K. Hoffman on November 4, 1971, reported the same back with the recommendation that the resolution be adopted."

Hon. W. Robert Blair: "Introduction and first reading of House Bills."

Fredric B. Selcke: "House Bill 3623, Neff. Appropriates



\$14,600.00 to the Board of Governors of State Colleges and Universities. First reading of the bill. House Bill 4624, Chapman. Amends 'The School Code'. First reading of the bill. House Bill 4625, Tuerk. A bill for an act authorizing the Department of Transportation to enter into agreements, acquire land or an interest therein and make engineering surveys and studies on Dry Run Creek watershed in Peoria County and makes an appropriation of \$50,000.00. First reading of the bill. House Bill 4626, Tuerk. Appropriates \$25,575.00 to the Department of Conservation. First reading of the bill. House Bill 4627, McClain. Amends 'The School Code'. First reading of the bill."

Hon. W. Robert Blair: "All right, Senate Bills third reading. Senate Bill 81."

Fredric B. Selcke: "Senate Bill 81. A bill for an act to amend Sections 1-103 and so forth of an act in relation to ethical standards in state government. Third reading of the bill."

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

George M. Burditt: "Mr. Speaker, Ladies and Gentlemen of the House, as I'm sure you all know, the Circuit Court of Cook County yesterday held the Ethics Bill which had been passed by this legislature unconstitutional. Senate Bill 81 is another bill which has been thoroughly considered by the Senate and passed and is now over in the House on third reading. The bill was considered very carefully by the Executive Committee and this House adopted on second reading





a comprehensive amendment to Senate Bill 81 which puts it in final form and in my opinion excellent form, a bill which we, as legislators, can be proud to support. I might point out for the benefit of the judiciary that this bill also does cover the judiciary. Since this is such an important matter, Mr. Speaker, and Ladies and Gentlemen of the House and since it's a very complex subject, I thought that I might take just a minute to explain the details of Senate Bill 81 since it is another comprehensive ethics bill. I might say in starting that we all owe a very deep debt of gratitude to Representative Juckett and members of his staff who worked so hard in preparing this amendment for all of us. The bill is extensive in that it applies to just about everyone in government. The requirement is that a verified statement of economic interest and a supplemental detailed disclosure be made. In other words, this is a two-step procedure."

Hon. W. Robert Blair: "Ah, one moment, please. For what purpose does the gentleman from Cook, Mr. Shea, rise?"

Gerald W. Shea: "Ah, can I ask the sponsor one question?"

Hon. W. Robert Blair: "Well, does the sponsor care to yield to this at this time and give his explanation later?"

George M. Burditt: "I'd be glad to yield to anyone's questions, Mr. Speaker."

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

Gerald W. Shea: "George, this is a comprehensive bill, we've worked quite hard on it, but it amends the old ethics act."



Now, if you refer to the court ruling that's on appeal as I understood what happened on that, is that both the new and the old ethics act were held unconstitutional. Now, if you're talking about a bill to amend an act that's been held unconstitutional, I I just wonder if we're just blown against the wind here? Ah, cause all were going to do, I understand at least the statement I read this morning that the Governor and the Attorney General have both talked about appealing the act and until we get some kind of ruling out of the Supreme Court, where do we stand legally, assuming the minute we pass this bill the Senate concurs in it and the Governor signs it, the sections that are being amended are not the current law because of the second ethics act, we're amendment something that is no longer the law, something that sooner or later might be challenged. If you can explain to me the legal, you know, where we are amending this this bill as I read it attempts to amend a bill that in the October or early part of the session of this year we rewrote completely."

Hon. W. Robert Blair: "Does he care to answer those questions?"

George M. Burditt: "Ah, Mr. Speaker, I'd be glad to answer those one questions."

Hon. W. Robert Blair: "Yes, and its component parts."

George M. Burditt: "Component, yes. Let me say several things about it, Jerry. First of all, insofar as the opinion itself is concerned, I have not read it in detail. I can tell you, though, that this amendment is so comprehensive



that I would expect that this amendment would correct the constitutional defect. It is designed to be a comprehensive amendment and to be a complete package all in itself and if parts of the other statute have been held unconstitutional, I would suspect that that would be corrected by this bill, because it is in itself a complete package. It does not hinge on other parts of the statute which may be unconstitutional, so I'm not concerned about that point. A far greater concern it seems to me is the fact that this legislature should let the people of the State of Illinois and also the judiciary, but particularly the people of the State of Illinois know that we are serious about ethics legislation, that we feel that the ethics of legislators in particular and all other governmental officials are such that we can stand disclosure, we're for disclosure and we want the people and the voters of this state to know that we're for a strong ethics bill. So, assuming in answer to another one of the gentleman's sub-parts of his question, assume that the decision by the Circuit Court of Cook County is appealed and this bill is held unconstitutional, subsequently, I assume that that will be done promptly and by the time we get this bill through the House, back over to the Senate for consideration by their committee structure and by passage in the Senate and when they put their amendments on it and send it back here, we've got to go through a further process on it, by that time hopefully we will have a reviewing by one of the higher courts. If we



have a ruling, then obviously we will know the bill is unconstitutional, then we can continue to correct this bill if the old bill is constitutional, then we can always hold this bill either here or on the Governor's desk before it is signed, but one way or the other, it seems to me that this field of ethics is so important that we ought to go and let the people of the State of Illinois know that we are working toward ethics legislation and we're vigorously doing it inspite of what the judiciary says. Now, Mr. Speaker, if I can proceed with the explanation of the bill.

Hon. W. Robert Blair: "Well, all right. The gentleman indicated does the gentleman have a other than a question, he said that he would yield in his explanation for one question. He hadn't finished his explanation and I'm sure when he finishes that if you desire to ask him further questions, that he'll be glad to yield to them. But rather than interrupt him, why we'll let him proceed now until he is finished with his discussion and then the floor will be open as always. Continue."

George M. Burditt: "First, Mr. Speaker, let me describe who must file the specified statement. First of all, every candidate for or holder of a state office and each member of their commission or board created by the constitution, every person appointed by the Governor, every person who is paid \$20,000.00 or more and every person holding a position of trust, so as you can see, it is a very extensive requirement covering just about everyone who is in any kind of an



elected or appointed office or position of trust. Now, the statement must be filed of course in form prescribed by the Board. It is a dual disclosure, it is a two-step disclosure. The first step is the public disclosure and the second of which, of course, is the confidential disclosure. The penalties are threefold. A person who is a candidate for office who fails to file is ineligible for the office and an office holder who fails to file forfeits the office and anyone is also subject to a potential fine of \$5,000.00 or imprisonment for not to exceed a year or both. Now, sir, if I may, let me talk about the contents of the filing, as this is extremely important. The economic entities are classified into three different classes. The first class is every economic entity which transacts business aggregating the volume of \$1,000.00 or more per year with any state agency. The second class is every economic entity regardless of its form which employs or is a member of an organization which employs a lobbyist. And the third class is every economic entity which has business in the state. A fireman can only be classified as a class three economic entity. Now, the public disclosure statement and this is the first step of public disclosure by all of us as legislators and by all of the people covered by it, the public disclosure must include first of all every economic interest in class one, the legal name and the value of the interest and the amount of any acquisitions or dispositions in class one economic interest and the legal name of the entity in-



## GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

volved in the acquisition or disposition. The second part of the public disclosure is and again in each economic interest in which a class two economic entity is involved, the legal name and whether the name is more than \$1,000.00. And third as to each economic interest in question class three the type of economic activity only and whether it is \$1,000.00 or more, so the first one is the legal name and the value, the second is the legal name and whether it is \$1,000.00 or more and the third one is the type of economic interest. Also required is a statement of any interest in a debt obligation to a public entity, like a Toll Road Bond or a Skyway Bond. The ah confidential disclosure, the supplemental disclosure and this is one which is submitted and not opened under normal circumstances, must include the legal name of the economic entity, the legal the value of every economic interest and the statement of acquisition and dispositions within the last year. The entity must also include a balance sheet at the very strong point, quite obviously. Now, the acts contains definitions of economic interest, it has a similar provision in Article IVB relating to local governments, which requires a statement of economic interest in relation to local governments, which are very similar to the economic interest disclosures that are required for state office holders. The act is administered by a Board of Ethics for units of local government and school districts and also by a board of ethics on the statewide basis and it is very important, just let me read



you one sentence. It has created a Board of Ethics composed of nine members as follows: The President Pro Tempore and the Minority Leader of the Senate; the Speaker and the Minority Leader of the House; and five public members, one appointed by each of the legislative members therein designated above and one appointed by the Governor with the advice and consent of the Senate. The Public Members will not be the office holders. Mr. Speaker, this bill has received a great deal of consideration in committee, we've all been thinking and talking about this bill and this subject this entire session and I therefore ask for your favorable support for Senate Bill 81."

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

Gerald W. Shea: "George, as you know I and other members of this House were on a Conference Committee that worked out the bill that finally passed this House almost unanimously. And I think that every member of that Conference Committee put in long and hard hours trying to get a bill together that would do what we did think was the right thing. I am sure myself and every member of this body has no objection to telling the people exactly where they stand and I ask you these questions not in any attempt to slow down anything on this bill, but George, I would like the parliamentarian to look at this bill and tell me if it is in its correct form to be passed and I as I say, you're amending sections that are no longer in existence, you're adding members to boards that no longer exist and I just, if we



could get a ruling from him if it's in its proper form, this attempt to amend the old ethics act and that was an amended or repealed by the passage of the new ethics act. And all I'd like to do is sit down with you and see if it's in proper form. If not, we can get it in proper form pretty quick."

Hon. W. Robert Blair: "The Chair would rule, Representative Shea, that the bill is indeed in proper form and can be considered by the House."

Gerald W. Shea: "Ah, would you tell you all I'm asking you the bill is in proper form, all I'm saying is that the sections it is amending and repealing are no longer the laws of the State of Illinois."

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

Bernard B. Wolfe: "Ah, first a point of order, Mr. Speaker, and that is is there a copy of the bill as amended on the desks of all the members of the House?"

Hon. W. Robert Blair: "I. . ."

Bernard B. Wolfe: "Because I don't find one on my desk and I spent long hours with Representative Juckett in working over the amendment and I would like to see what the final draft of the amendment consists of and I would certainly appreciate having a copy of the amended bill. . ."

Hon. W. Robert Blair: "To answer your question, it has been distributed, if you took it home with you at the close of the last session, that's to see, but it was distributed to





on the members' desks and in compliance with the rules."

Bernard B. Wolfe: "Now, may I speak on the bill, on Senate Bill 81?"

Hon. W. Robert Blair: "Yes."

Bernard B. Wolfe: "Two statements made by you, George, destroys the efficacy of Senate Bill 81 just as 3700 was destroyed in its initial stages. And I'm going to point out your statement that the full aspects of the bill covering everyone with the subject matter of Judge Covelli's opinion. Now, in addition to five other points by the court in connection with the bill. I brought the attention of this House a Supreme Court case in California that ruled on the question now before this body and I stated at that time that the action taken of repent at leisure is not good law making and never has been. And this apparently is a rehash of that particular aspect of attempting to do 'quickly what must be done in a slow, deliberated way', so that we get meaningful constitutional legislation covering the subject. Now, this House is aware of two facts so that we are concerned about this entire problem, House Bill 362 passed by the Executive Committee of this House on a favorable vote now sits in the Appropriations' Committee and that seems to create a Governmental Ethics Study Commission to look into this very problem of constitutionality or existing law on the statute books and any new changes which might be recommended by that commission. The reporting date on that bill is the first meeting of this body in January



1973. I would respectfully ask the House members and I'm going to quote from this opinion, the City of Carmel by the Sea, which was a Supreme Court case out of California and I'm quoting from the updated opinion. 'Supreme Court reversed the judgment of the trial court quoting that the attempted regulations undertook an overbroad intrusion into the right of privacy, and this was Judge Covelli's opinion, and thereby invalidly restricted the right to seek or hold public office or employment.' Now, the court recognizes the lawful and proper legislative purposes that are kept by the statutes of forms of public matter which might bring about a conflict of interest, but it took the view that the prevention of such conflicts could be achieved more narrowly and concisely drawn legislation, I'm going to repeat that, by more narrowly and concisely drawn legislation. Now, this was one of the thrusts of Judge Covelli's opinion. What remains on our statute books today is the original governmental ethics act amended by House Bill 3700 and this still stands on the statute books until the Supreme Court either reverses or supports Judge Covelli's opinion. Anything we do to amend that statute must include the amendment that became effective by law by the Governor's signature with respect to the existing governmental act and those changes eliminated an ethics board, those changes created additional sections and created additional coverages which Judge Covelli said there's a conflict in government when you're attempting to have one bill cover the legislature,



## GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

the judiciary and the executive branches, you are violating the separation of powers and this is what I said six months ago. And we are again violating the separation of powers if we adopt Senate Bill 81. If this House is really serious about considering meaningful legislation, it would seem to me that in a deliberative fashion, we look at both House Bill 362 which is suspended in Appropriations and my motion to amend the rules of this House to include some meaningful conflict of interest rules, ethics rules in this House and as the constitution provides at this time. As I would respectfully ask the sponsors to hold the bill so that some of us who did work on it can take a look at it again and see if we can't put it in shape where it'll do something that would be meaningful in the area of this legislation."

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

Henry J. Hyde: "Mr. Speaker, ladies and gentlemen of the House, each age has its unique characteristics. We had the Gay 90's and the Roaring 20's and the Sexy 60's and the 70's it appears are turning out to be the age of judicial activism, judicial absolutism, you might even say judicial despotism, where you have judges, especially federal judges running the country in concert with the A.C.L.U. and other groups. You have one judge overruling the City Council and the State Legislature and Public Housing, you have judges reapportioning and even in one state producing the size of a legislature. You have judges overturning crime carrying laws that have been the law and



the will of the people for many years and now you have a judge saying that you legislators didn't write the bill good enough, because you didn't include campaign financing that's called judicial legislation, you also have judges saying you don't dare regulate us because of separation of powers. You do give us our salaries, but that's all, we'll regulate ourselves. You may not peek under the robes that we wear. We have judges saying that there's been an invasion of privacy if you require a spouse or a number of your family to declare their assets, but I suspect the judge neglected to read the bill, because the bill doesn't require a spouse or members of an immediate family to declare anything. It requires the person required to file the form to declare those assets in the member of his family's name over which they have control, so I'm at a loss, I just am dismayed at Judge Covelli's failure to understand that elementary point. And I rather suspect the court was looking around for a reason to void this good law. Now, I think anyone assumes that the Assistant Minority Leader did that the ethics bill is no longer the law, they make that assumption at their peril, because the trial court's decision is anything but final, the Illinois Supreme Court will have a speedy opportunity to pass on this and I would think to consider that the law is in effect and for all time unconstitutional to be of rather careless conduct. But if the separation of powers is to assume the sanctity that the phrase does not appear in the constitution, the wall of se-



paration between church and state is done and the judges then the judiciary and the executive, which is not claiming this privilege of abuse from the law. Oliver Wendell Holmes once said no man is above the law, no man is below the law, but I guess that just we legislators are subject to the law. They are not going to be legislated and no one is going to guide their conduct. The people are sick and they're fed up with stories of corruption, whether real or legend, there's been enough of them so that they have lost confidence in their institution and this includes the court, this includes the executive as well as the legislators. And so this is a ringing affirmation by this legislature that we are for ethics legislation and we'll not be dismayed by Judge Covelli sitting in Chicago ruling otherwise and I think one of the Democratic candidates for President has a pretty interesting phrase. Send them a message. Whether we pass this bill, we'll be sending a message that either we must have and we insist on ethics legislation and I strongly support Senate Bill 81."

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

W. J. Murphy: "Mr. Speaker, I don't want to peek under any robes, I just want to move the previous question."

Hon. W. Robert Blair: "All those in favor of the motion say, if not debateable, all those in favor of the motion will say 'Yeas', opposed 'No', the 'Yeas' have it and the previous question's been moved. The gentleman, for what purpose does the gentleman from Cook, Mr. Jaffe, rise?"



Aaron Jaffe: "A parliamentary inquiry."

Hon. W. Robert Blair: "Yes, state your . . ."

Aaron Jaffe: "The synopsis say that this bill is effective December 1, 1971. I would like to know how we're going to handle the bill that's effective at the end of last year?"

Hon. W. Robert Blair: "Well, I don't think that's a parliamentary inquiry. The gentleman from Cook, Mr. Burditt, to close."

George M. Burditt: "Mr. Speaker and Ladies and Gentlemen of the House, I'm sure that all of you are well aware of all the issues involved in ethics legislation. For me to summarize any further would be carrying coals to Newcastle, the gentleman I point out to you that this is our chance to assert the power of the legislature and to let the judiciary to take note of the legislature and that it is interested in ethics legislation. This is an excellent bill as the distinguished Assistant Minority Leader said he personally worked on it as did a number of members on our side of the aisle and I respectfully ask for your support to Senate Bill 81."

Hon. W. Robert Blair: "The question is shall Senate Bill 81 pass? All those in favor will vote 'Yeas' and the opposed 'No'. The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I've seen many grandstand plays in this legislature in my 26 years here, but this just about tops them all. I voted probably for every piece of ethics leg-



islation produced in this legislature. I have consistently stood on the floor of this House and said that I can subscribe and abide by any legislation as well if not better than any other person that it might affect and I'll be frank with you, I'm going to vote for this bill. But I think that if you want to reassert the legislative arm of government such as the Majority Leader has since said, and I agree with him that we should, that you're making it look ridiculous by not sitting down in a Conference Committee and not ironing out the headaches which exists as far as I'm able to ascertain in this bill. The effective date that was requested as a parliamentary question that was denied. The fact that you're amending a law that supposedly has been held unconstitutional. I say to you that the public has said about this legislature not the fact that you are or are not passing ethics legislation, but why do you keep passing unconstitutional ethics legislation and you're running a danger here again today of the court challenging you right to the keys and saying that again the legislature has faced failure in its duties to enact feasible and representative ethics legislation. You know it and I know it. There would have been nothing wrong and those who are the sponsors of this legislation saying to those of us who might be interested in this type of legislation the board calling it, lets sit down and see if we can once and for all come up with a bill that will be held constitutional as far as the courts of this land are concerned and you know



it and I know it. This is what should have been done and further legislation could have said what you're saying, that yes, we paid attention to a question that has been battled about by both major political parties, by all of the news media, yes, by many of the peoples of the great state of Illinois and we would not have found ourselves in the position of probably having to confront the courts as future dates. I vote 'Yeas'."

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

Tobias Barry: "Mr. Speaker and Ladies and Gentlemen of the House, I want to vote 'Present' and I suggest that the news media pick up a copy of this bill and read the last line which suggested the act takes effect December 1, 1971. Present, please."

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

Richard A. Walsh: "Mr. Speaker, in the name of ethics, I would like to be recorded as 'Present' on this matter."

Hon. W. Robert Blair: "Record the gentleman as 'Present'. Mr. Burditt, the gentleman from Cook."

George M. Burditt: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, I don't want anyone to worry about the effective date, because quite obviously that's a valid question in everybody's mind, even though it's not a proper parliamentary inquiry. Let me point out this is an amendment to Senate Bill 81. This amendment now has to go back over to the Senate for consideration, and it is quite obvious the





first thing the Senate is going to do is change the effective date of this act, so there is no possibility of this act taking effect December 1, 1971. So I respectfully suggest to you that the Senate is going to consider this and they'll change the effective date."

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

Clyde L. Choate: "Exactly what I'm talking about, George, if you want this House and this legislature to look responsible why didn't you as in the past when we talked about 3700 call it back to second reading and correct the inequities here in this House of Representatives."

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

George M. Burditt: "Ah, Mr. Speaker, that's the whole purpose of the Conference Committee to point out any differences between the two versions of the bill passed by the two Houses. We have that difference here and it'll be ironed out in a conference committee to do that virtually every day of the session. There's nothing unique about that, this is a good bill and it ought to pass, ah, we've done an immense amount of work by both sides of the aisle on this bill while we were here in November, the amendment was debated in full on second reading and is on third reading now and I see no reason for delaying it further when we have to go through the Conference Committee step under any circumstances."

Hon. W. Robert Blair: "The gentleman from Christian, Mr. Tip-sword."



Rolland F. Tipsword: "Mr. Speaker, I rise to explain my vote."

Hon. W. Robert Blair: "Proceed."

Rolland F. Tipsword: "As all of you can see, I'm voting 'Yes' on this bill, but I would like to explain that I'm voting 'Yes' for this bill for with reluctance, not because the bill as I originally recall it when it came to this House was not one that would merit my vote. But because at this time I'm voting on it strictly in the dark because now I do not know what errors there may be because of this lapse of time and untimely constitutionality of this that has been handed down by the great fountain of wisdom that has just placed a sentence upon our last ethics legislation yesterday. I would like to take a look at that. I wish that we could iron out our own errors in this House. We do not know that there is going to be a conference committee on this bill and maybe it will be rushed through the Senate in the same manner that it is through this House, I don't want to appear to be opposing ethics legislation, I was a part of that committee which prepared the other ethics bill before this House as our other members that are standing in this body at the present time, I want to see good ethics legislation and strong ethics legislation passed by this General Assembly. I'm very sorry that I have to vote 'Yes' for this simply because it is ethics and voting for it in the dark. I wish that we could clear it up here. I would also like to congratulate the Majority



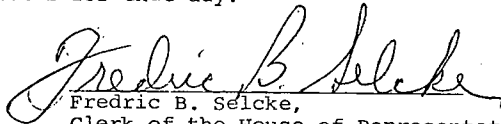
Leader and the Minority Leader for their very excellent remarks about the opinions that have been handed down by the Supreme Court and I hope we keep this in mind when we are seeing these bills come up again."

Hon. W. Robert Blair: "The gentleman from Franklin, Mr. Hart."

Richard O. Hart: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, it's getting to be a little embarrassing to have to go back to your district and explain why the court keeps overturning. . . ."



Due to power failure, the verbatim transcript of the One Hundred Twenty-fifth Legislative Day of the Seventy-seventh General Assembly, April 26, 1972, from the debate and explanation of vote on Senate Bill 81 through the debate of House Resolution 589 was not obtained. In lieu thereof, we are attaching hereto, such information as was secured from the Journal for that day.



Fredric B. Selcke,  
Clerk of the House of Representatives



Contents of the House session missed due to power failure are as follows according to the House Journal:

And the question being, shall the main question be now put? It was decided in the affirmative. The question then being, shall this bill pass? Pending the vote on said bill, on motion of Mr. Burditt, further consideration on Senate Bill 81 be postponed. By unanimous consent, on motion of Mr. Burditt, Senate Bill 81 was recalled from the order of third reading to the order of second reading for the purpose of amendment and held in that order.

Motions. Mr. William D. Walsh submitted the following:

'Motion. Pursuant to paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House concur with the Senate in the specific recommendation for change to Senate Bill 1188 as set forth in the Governor's message of January 17, 1972. Date: April 26, 1972.

Signed, William D. Walsh.' Suspension of Rules. Mr. Roscoe D. Cunningham asked and obtained unanimous consent to suspend Rule 17 in order that House Bill 3775 might be heard in the Committee on Cities and Villages - Division of Municipal Corporations today. Mr. Blades asked and obtained unanimous consent to suspend Rule 17 in order that House Bill 4453 might be heard in the Committee on Appropriations today. Mr. Hyde moved to suspend Rule 17 for the posting of bills to be heard through Monday, May 1st. The motion prevailed; and the rule was suspended. Speaker's table. The Speaker took from his table and laid before



the House, House Joint Resolution 121 which was submitted on April 11th, and pursuant to Rule 53 (a) the resolution was adopted. Ordered that the Clerk inform the Senate thereof and ask their concurrence therein. House Joint Resolutions. Constitutional Amendments. Messrs. Neff, Brinkmeier, Epton, Scariano, Mann, McLendon, Carrigan, Shapiro, McCormick, Schlickman, Schoeberlein, Hunsicker, Soderstrom, Cox, Gene L. Hoffman, Mrs. Dyer, Messrs. Nowlan, Arrigo, Genoa S. Washington, Williams, Campbell, Schneider, Graham, Wall, Friedland, Borchers, Lehman, Burditt, Philip and Rayson submitted the following which was ordered printed and to lie on the Speaker's table: LRB4024-77R2/1kd House Joint Resolution Constitution Amendment 17. Resolved By the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this State at the general election next occurring at least six months after the adoption of this resolution a proposition to amend Article III, Section 1, 2, 3, 6, 8, 9, 10 and 14 of Article IV, and Article XIV of the Constitution to read as follows: Article III, Suffrage and Elections. Section 1. Elector Qualifications. The first-line Representatives of the People of the State of Illinois, Electors who vote, shall be: (a) a United States citizen; (b) neither convicted of a felony, nor therefor or otherwise under an uncompleted sentence to a correctional institution or jail, a disqualification not effective after



the termination of such sentence; (c) beyond nonage and protected immaturity, and not seriously incapacitated by dotage or psychosis, all as defined by the General Assembly by law; (d) a resident of Illinois for at least six months when voting in State and local elections; and (e) for all elections, registered as an Elector in the election precinct of the Elector's residence for at least thirty days.

Section 2. Elections. All elections shall be free and equal.

Section 3. Election Laws. The General Assembly by law shall define residence for voting purposes, insure secrecy of voting and the integrity of the election process, and facilitate registration and voting by all qualified persons. Laws governing Elector registration shall be general and uniform.

Section 4. Board of Elections. An Illinois State Board of Elections shall have general supervision over the administration of the registration and election laws throughout the State. The General Assembly by law shall determine the size, the manner of the selection, and the compensation of the Board. No political party shall have a majority of the members of the board.

Section 5. General Election. As used in all Articles of the Constitution, except Article VII - Local Government, 'general election' means the biennial election at which Representatives in the General Assembly are elected. Such elections shall be held on the first Tuesday following the first Monday of November in even numbered years or on such other day as may be provided by law.

Article IV. The



Legislature. Section 1. Power and Structure. The legislative power is vested in a General Assembly consisting of a Senate and a House of Representatives elected for the People of the State of Illinois by their Electors from 63 General Assembly Districts. Section 2. Composition of the Legislature. (a) All Senators shall be elected in non-presidential election years, except to fill a vacancy. One Senator shall be elected from each General Assembly District in 1974 and each fourth year thereafter. (b) Three Representatives shall be elected from each General Assembly District for terms of two years. In elections for Representatives, including those for nomination, each Elector may cast all of his vote for one candidate, or one-half of his vote for each of two candidates, or one-third of his vote to each of three candidates. The number of candidates to be elected receiving the highest number of votes shall be declared elected. (c) To be a member of the General Assembly a person must be a qualified Elector of Illinois. No person shall have a seat in the General Assembly who holds a public office (other than in the Militia, Defense Reserves, or Notary Public) or employment, or a commission or contract under the State of Illinois or any other governmental entity, or is eligible to accept or to renew such an office, or employment, or contract or commission, less than one year after the end of such General Assembly term, with the exception that these disqualifications, other than the first one mentioned, viz., holding public office, shall not apply





to any member of the 78th General Assembly or any previous General Assembly. No member of the General Assembly during the term for which he was elected or to which he succeeded, and for one year thereafter, shall be appointed to a public office or employment which shall have been created, or the compensation for which shall have been increased by the General Assembly during that term. (d) Vacancies. Each member and member-elect of the General Assembly, and each Delegate and each Delegate-elect to a Constitutional Convention, being the latest expression of the will of their Electors, shall keep on file with the Governor, and with the Secretary of State and Chief Clerk of his House, the name, address and telephone number of a person of his political party, qualified to be a Member or Delegate in his place, who, in the case of the death of such Member or Delegate, or Member-elect or Delegate-elect, shall forthwith be sworn in as the deceased's successor with the same voting powers on roll-calls of the whole house until the vacancy is filled by election. Section 3. Redistricting. (a) Congressional Districts and General Assembly Districts shall be compact, contiguous, and substantially equal in the number of their inhabitants. Each decennial redistricting shall include a set of standby districts for the election of Senators by District Minority. Representation for use in the case of a possible invalidity of the single Senator districts. (b) Congressional Districts. In the year next following each decennial United States Census of



Population, the General Assembly, by law, shall readjust the boundaries of Congressional districts to reduce inequalities in the number of inhabitants. If there has been a change in the number of Representatives in the Congress of the United States to which Illinois is entitled, the General Assembly shall reapportion the State for the correct number of districts. (c) General Assembly Districts. In the year next following each United States Census of Population, General Assembly Districts shall be redistricted as directed in (a) of this Section, by the Board to Redistrict General Assembly Districts composed of three members, the Attorney General of Illinois as Chairman, and the Chairman of the State Central Committee of each of the two political parties that polled the highest votes for Governor of Illinois in the next preceding election for that office. The General Assembly shall provide reasonable compensation to the members of this Redistricting Board and shall facilitate this Board's functioning by providing it with access to the State's resources of space, equipment, Bureaus, Councils, Data Centers, libraries and other resources needed by this Board. This Board to Redistrict General Assembly Districts shall complete its work and file a tentative redistricting plan for the State on or before April 15, with the Secretary of State in Springfield and Chicago. After this Board to Redistrict General Assembly Districts has given effect to corrections and amendments, if any, it shall file its final report during the fourth week of May



whereupon the reported redistricting shall become law.

Section 6. Organization. (a) A quorum in each house shall be a number sufficient to effect a legislative enactment.

(b) On the first day of the January session of the General Assembly in odd-numbered years, the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate

to elect from its membership a President of the Senate as presiding officer. (c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader of

either house is a member of the numerically strongest political party other than the party to which the Speaker or the President belongs, as the case may be. (d) Each house

(the House of Representatives by a majority vote of both members elected and of their Elector votes) shall determine the rules of its proceedings, judge the elections, returns and qualifications of its members and choose its officers.

No member may be expelled by either house, except by a vote of two-thirds of the members of the house, and in the House of Representatives also by Representatives elected by two-thirds of all the State's Electors who had voted for an elected Representative. A member may be expelled only once for the same offense. Each house may punish by imprisonment any person, not a member, guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond twenty-four hours at



any one time unless the person persists in disorderly or contemptuous behavior. Section 8. Passage of Bills. (a) The enacting clause of the laws of this state shall be: 'Be it enacted by the People of the State of Illinois, represented in the General Assembly.' (b) The General Assembly shall enact laws only by bill. Bills may originate in either house, but may be agreed to, amended or rejected by the other. (c) No bill shall become a law without the concurrence of a majority of the Senators elected and of Representatives elected by a majority of all the State's Electors who had voted for an elected Representative of the current General Assembly. Final passage of a bill shall be by recorded vote. In the Senate at the request of two members, and in the House at the request of five members, a record vote may be taken on any other occasion. A record vote is a vote by yeas and nays and entered on the journal. (d) A bill shall be read by title on three different days in each house. A bill and each amendment thereto shall be reproduced and placed on the desk of each member before final passage. Bills, except bills for appropriations and for the codification, revision or rearrangement of laws, shall be confined to one subject. Appropriations bills shall be limited to the subject of appropriations. A bill expressly amending a law shall set forth completely the sections amended. The Speaker of the House of Representatives and the President of the Senate shall sign each bill that passes both houses to certify that the procedural require-



ments for passage have been met. Section 9. Veto procedure.

(a) Each bill passed by the General Assembly shall be presented to the Governor within 30 calendar days after its passage. The foregoing requirement shall be judicially enforceable. If the Governor approves the bill, he shall sign it and it shall become law. (b) If the Governor does not approve the bill, he shall veto it by returning it with his objections to the house in which it originated. Any bill not so returned by the Governor within 60 calendar days after it is presented to him shall become law. If recess or adjournment of the General Assembly prevents the return of a bill, the bill and the Governor's objections shall be filed with the Secretary of State within such 60 calendar days. The Secretary of State shall return the bill and objections to the originating house promptly upon the next meeting of the same General Assembly at which the bill can be considered. (c) The house to which a vetoed bill is returned shall immediately enter the Governor's objections upon its journal. If within 15 calendar days after such entry that house by a record vote of three-fifths of the Senators elected or Representatives elected by three-fifths of all the State's Electors who had voted for an elected Representative, as the case may be, passes the vetoed bill, it shall be delivered immediately to the second house. If within 15 calendar days after such delivery the second house by a similar three-fifths record vote, as the case may be, passes the vetoed bill, it shall



become law. (d) The Governor may reduce or veto any item of appropriations in a bill presented to him. Portions of a bill not reduced or vetoed shall become law. An item vetoed shall be returned to the house in which it originated and may become law in the same manner as a vetoed bill. An item reduced in amount shall be returned to the house in which it originated and may be restored to its original amount in the same manner as it could be in a vetoed bill except that the required record votes may be by majority votes in the Senate and by Representatives elected by a majority of all the State's Electors who voted for an elected Representative. If a reduced item is not so restored, it shall become law in the reduced amount. (e) The Governor may return a bill together with specific recommendations for changes to the house in which it originated. The bill shall be reconsidered in the same manner as a vetoed bill but the specific recommendations may be accepted by a record vote of a majority of the Senators elected and of Representatives elected by a majority of all the State's Electors who had voted for an elected Representative. Such bill shall be presented again to the Governor and if he certifies that such acceptance conforms to his specific recommendations, the bill shall become law. If he does not so certify, he shall return it as a vetoed bill to the house in which it originated. Section 10. Effective Date of Laws. The General Assembly shall provide by law for a uniform date for laws passed prior to July 1 of a calendar year. The



General Assembly may provide for a different effective date in any law passed prior to July 1. A bill passed after June 30 shall not become effective prior to July 1 of the next calendar year unless the General Assembly by a record vote of three-fifths of the Senators elected and Representatives elected by three-fifths of all the State's Electors who had voted for an elected Representative specifies an earlier effective date. Section 14. Impeachment. The House of Representatives has the sole power to conduct investigations to determine the existence of cause for impeachment and by the record votes of both a majority of the Representatives elected, and of Representatives elected by a majority of all the State's Electors who voted for the elected Representatives, to impeach Executive and Judicial officers. Impeachments shall be tried by the Senate. When sitting for the purpose, Senators shall be upon oath or affirmation to do justice according to law. If the Governor be tried, the Chief Justice of the Supreme Court shall preside. No person shall be convicted without the concurrence of two-thirds of the Senators elected. Judgment shall not extend beyond removal from office and disqualification to hold any public office of this State. An impeached officer, whether convicted or acquitted, shall be liable to prosecution, trial, judgment, and punishment according to law. Article XIV. Constitution Revision. Section 1. Revision by Convention. (a) Whenever three-fifths of the Senators elected and Representatives elected



by three-fifths of all the Electors of the State who voted in the preceding general election for an elected Representative so direct, the question of whether a Constitution Convention should be called shall be submitted to the Electors at the general election next occurring at least six months after such legislative direction. (b) If the question of whether a Convention shall be called is not submitted during any twenty-year period, the Secretary of State shall submit such question at the general election in the twentieth year following the last submission. (c) The vote on whether to call a Convention shall be on a separate ballot. A convention shall be called if approved by three-fifths of those voting on the question or a majority of those voting in the election. (d) The General Assembly, at the session following approval by the Electors, by law shall provide for the Convention for the election of two delegates from each General Assembly District; designate the time and place of the Convention's first meeting which shall be within three months after the election of delegates; fix and provide for the pay of delegates and officers; and provide for expenses necessarily incurred by the Convention. (e) To be eligible to be a Delegate to a Constitution Convention a person must have the same eligibility requirements as those for members of the General Assembly. Vacancies shall be filled as are those of the General Assembly and specified in Article IV, Section 1, (d) Vacancies. (f) The Convention shall prepare such revision of or amendments





to the Constitution as it deems necessary. Any proposed revision or amendments approved by a majority of the delegates elected shall be submitted to the Electors in such manner as the Convention determines, at an election designated or called by the Convention occurring not less than two nor more than six months after the Convention's adjournment. Any revision or amendments proposed by the Convention shall be published with explanations, as the Convention provides, at least one month preceding the election.

(g) The vote on the proposed revision or amendments shall be on a separate ballot. Any proposed revision or amendments shall become effective, as the Convention provides, if approved by a majority of those voting on the question, provided that those voting on the question are at least one-fifth of those voting in the election. Section 2.

Amendments Proposed By the General Assembly. (a) Amendments to this Constitution may be initiated in either house of the General Assembly. Proposed amendments shall be entered in full on the journals of each house, and read by title and summary on three different days in each house and a printed or reproduced final copy shall be on each member's desk before the vote is taken on its final passage. Proposed amendments approved by three-fifths of the Senators elected, and by Representatives elected by three-fifths of all the State's Electors who in the previous general election voted for an elected Representative, shall be submitted to the Electors at the general election next oc-



curing, at least six months after such legislative proposal, unless withdrawn by a record majority vote of Senators elected and of Representatives elected by a majority of all the State's Electors who had voted for an elected Representative. (b) Amendments proposed by the General Assembly shall be published with explanations, as provided by law, at least one month preceding the vote thereon by the Electors. The vote on the proposed amendment or amendments shall be on a separate ballot. A proposed amendment shall become effective as the amendment provides if approved by either three-fifths of the Electors voting on the question, provided they are at least as many as 10% of the Electors voting in that election or if it is approved by a majority of the Electors voting in the election. (c) No amendment shall be proposed or submitted under this Section from the time a Constitution Convention is to be called until after the Electors have voted on the revisions or amendments, if any, proposed by such Convention. Section 3. Elector Initiative for Legislature Article. Amendments to Article IV of this Constitution and limited to the procedures of Article IV may be proposed by a petition signed by at least 100,000 Electors of the State of Illinois. A petition shall contain the text of the proposed amendment and the date of the general election at which the proposed amendment is to be submitted. This petition shall have been signed by the petitioning Electors not more than twenty-four months preceding that general election and



shall be filed with the Secretary of State at least six months before that general election. The procedure for determining the validity and sufficiency of such a petition shall be provided by law. If the petition is valid and sufficient, the proposed amendment shall be submitted to the Electors at that General Election and shall become a part of the Illinois State Constitution if approved by either three-fifths of the Electors voting on the proposed amendment, provided they are at least as many as 10% of the Electors voting in that election; or is approved by a majority of the Electors voting at the election. Section 4. Prospective Amendments to the Constitution of the United States. The affirmative vote of three-fifths of the Senators elected and Representatives elected by three-fifths of all the State's Electors who had voted for an elected Representative shall be required: (1) to make application to the Congress, two-thirds of the several States concurring, to call a Convention for proposing amendments which shall be part of the Constitution of the United States; or (2) to ratify a proposed amendment to the Constitution of the United States; or (3) to call a State Convention to ratify or to reject a proposed amendment to the Constitution of the United States. The General Assembly shall not take action on any proposed amendment to the Constitution of the United States unless the House of Representatives and the entire Senate have been elected at least one month after the proposed amendment has been submitted for ratifi-



cation. The requirements of this Section shall govern to the extent that they are not inconsistent with the United Constitution. Schedule. The foregoing amendments to the Constitution take effect January 10, 1973, except that the increase in the number of General Assembly Districts from 59 to 63 becomes effective with the redistricting following the 1980 census.' Resolutions. The House proceeding on the order of resolutions. Pursuant to Rule 53 (a) the following resolutions were offered and adopted, unless otherwise stated: Messrs. Katz and Pierce offered the following resolution: House Joint Resolution 125. 'Whereas, May 2, 1972 (the day following Law Day, an annual observance celebrated with appropriate ceremonies throughout our nation), marks the 6th anniversary of Morrie Brickman's syndicated and world famous cartoon strip 'The Small Society'; and Whereas, Morrie was born, reared in Chicago and attended public schools in that city; and Whereas, His cartoon is carried in over 300 daily newspapers, including 35 foreign publications; and Whereas, He directs, in the fashion of Mozart and Shakespeare, each reader's second sense by each lampoon in detailing in single episodes the simple lives of Mensch and wife and their family against a background of social and legal relationships with others and themselves as contrasted with an apparently more concrete and harmonious world; each verbal 'backing', each side-lining comment and each delineation in the drawing fortify this tragic-comic theme as the reader is swept to an after-



math of compassion and hope; and Whereas, 'The Small Society' continues to warm wits in unravelling 'chains' in the brain of Mr. and Mrs. Common Sense; and Whereas, This wonderful approach to reason across avenues of misunderstanding, flare-ups and intolerance in the world is needed today more than ever before if this nation or any nation can compose a crown of peace for itself; therefore, be it Resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, the Senate concurring herein, that we congratulate Illinois born and schooled Morrie Brickman, creator of the cartoon strip, 'The Small Society', on this occasion of his 6th year of innovative journalism through social cartooning; and that we applaud his intensely humane effort to extend in picture, story and character the cross-sections and cares of a crying and laughing America in an uneven and war-torn world; and be it further resolved, that a suitable copy of this preamble and resolution be forwarded to Mr. Brickman.' Ordered that the Clerk inform the Senate thereof and ask their concurrence therein. Messrs. Yourell and Palmer offered the following resolution: House Resolution No. 579. 'Whereas, Elmer L. Hanegan accepted mandatory retirement January 14, 1972, his 65th birthday; and Whereas, Mr. Hanegan accepted this retirement from a long and amazingly varied career of public service, including, election as Village Clerk of Oak Lawn, Illinois in 1942 and 1945, and as Village Treasurer of Oak Lawn for 10 years from 1943 to 1953; and Whereas,



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Mr. Hanegan also served as Cook County Constable for 20 years from 1942 to 1962 and was appointed Deputy Sheriff of Cook County in 1945 and served in that capacity for 6 1/2 years; and Whereas, Mr. Hanegan also served as a Secretary of State Investigator, Chief of Police of Chicago Ridge and as a Cook County Forest Preserve Ranger; and Whereas, Mr. Hanegan also served for the past 12 years as Chairman of the Death Benefit Committee of the Illinois Police Association; and Whereas, Mr. Hanegan also served as Secretary of the Police Pension Fund of Chicago Ridge and still holds that position, therefore be it Resolved by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we commend Elmer L. Hanegan for his 30 years of dedicated public service; that we congratulate him on his retirement; that we offer him our deepest thanks for his enduring efforts to make this state a better place in which to live; and that we wish he and his wife, Anna, many happy years 'in retirement'; and be it further resolved, that a suitable copy of this resolution be presented to Mr. Elmer L. Hanegan.' Messrs. Tuerk, Day, Carrigan, and Lauterbach offered the following resolution: House Resolution 580. 'Whereas, The House of Representatives is deeply grieved to learn of the tragic death of Mr. N. Curtis Cation of Peoria, the victim of a beating and robbery who died as a result of that assault; and Whereas, The House of Representatives deplores the criminal violence that has become a tragic hallmark of our times, we deplore the



## GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

act that took the life of this most worthy man; and Whereas, Mr. Cation had retired after 49 years of distinguished service in the banking profession, he began his career with the old Central National Bank of Peoria, and subsequently entered the service of the Commercial National Bank where he became Vice-President; and Whereas, He felt a deep, personal commitment to civic causes, he was a former commissioner of Creve Coeur Council, Boy Scouts of America, he was a member of the original organizational committee of the Advanced Youth Group of the Y.M.C.A., he had given long service in many capacities to the Peoria County Chapter of the American Red Cross, he was a member of the Peoria Board of Education and President of that Board in 1947; and Whereas, His commitments also included active membership in the Mohammed Temple, Shrine, he was a past commander and a past state commander of the Illinois American Legion, he was an elder in the First Presbyterian Church in which he was also very active; and Whereas, He leaves a proud heritage to mourn his passing, a son, Paul C. Cation of Peoria, and two grandchildren, he will also be mourned by the legion of his friends, colleagues, and associates; now therefore, be it resolved by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we extend to his son Paul C. Cation our deepest and heartfelt sympathies in the hour of his bereavement; that we join with his friends, colleagues, and associates in mourning the loss of this most upstanding citizen and civic



leader; and that a suitable copy of this preamble and resolution be forwarded to his son, Paul C. Cation of Peoria, for acceptance by him on behalf of the bereaved family'. Messrs. Tuerk, Day, Carrigan and Lauterbach offered the following resolutions: House Resolution 581. 'Whereas, This body was saddened to learn of the death on April 7 in Florida, of Peoria's nationally known furniture dealer, public benefactor and ecologist, Louis B. Cohen; and Whereas, Born on November 21, 1894 in Peoria, Illinois, Mr. Cohen devoted himself to the physical, spiritual and well-being of his community to the pride and satisfaction of all its residents; in addition he aided countless citizens through individual periods of trouble and distress; and Whereas, Mr. Cohen spent his youthful years working in his father's second hand furniture store in Peoria, and as a Peoria High School student he still found the time to captain its baseball team, he excelled as a catcher, and he also played scholastic football; and Whereas, Mr. Cohen was always considered by furniture industry executives and businessmen as a pioneer in the field of furniture merchandising and upon his return from the Army after World War I, Louis assumed ownership and management of his father's expanding business, he took over the adjacent building, obtained sound financial backing and bought out the Reliable Furniture Company, he also instituted far-reaching business policies and practices for the Cohen Furniture Company; and Whereas, in 1951 his Company was named furniture store





of the year by the Brand Names Foundation, and in 1954 Mr. Cohen was named one of 10 'All-American Merchants' by the National Retail Furniture Association; and Whereas, He was an enthusiast of competitive athletics, over a period of 28 years his sponsored teams won 5 championships, in addition he became a charter member of Peoria's Sunday Morning Baseball League and sponsored a Cohen Company team from the league's inception; and Whereas, Mr. Cohen was insistent upon the hiring of the handicapped as a sound business practice, he also became a major contributor to Peoria community charities, welfare agencies and hospitals, also he was active in the Creve Coeur Club, the American Legion, Anshai Emeth Temple and Peoria Shrine, and he personally donated Lake Robinet to the Tapawingo Girl Scout Camp near Metamora; and Whereas, Mr. Cohen was a great outdoorsman, he was a member of the Old Timer's Baseball Association and Ducks Unlimited, and his attraction to ecology found expression in his activities as a gentleman farmer and owner of a dog stock farm in Laura, Illinois; and Whereas, He was a director of vital economic institutions, including the Association of Commerce and the Commercial Bank in Peoria, and at the time of his death he was board Chairman of the Cohen Furniture Company; and Whereas, He leaves a proud heritage to mourn his passing in the persons of his wife, Ruth, one son, Robert, one daughter, Mrs. Inette Goldstein, and six grandchildren; therefore, be it Resolved, by the House of Representatives of the Seventy-seventh General



Assembly of the State of Illinois, that we express our profound sorrow upon the death of Louis B. Cohen, a pioneer of many talents who unselfishly devoted his time and resources to the improvement and flourishing of the community of Peoria and Illinois; that we express our heartfelt sympathy to the members of his bereaved family; and that a suitable copy of this preamble and resolution be forwarded to his widow, Mrs. Ruth Cohen.' Messrs. Tuerk, Day, Lauterbach and Carrigan offered the following resolution: House Resolution 582. 'Whereas, The House joins family and friends in mourning the loss March 30, 1972, of Roy M. Abel; and Whereas, Mr. Abel, a lifelong Peorian, was born October 24, 1910, a son of Perry Von and Mary Swabador Abel, married Bonnie Brooks in Macon, Illinois, in November, 1946; and Whereas, He attended Tyng School and was a graduate of Peoria Manual High School and the Caterpillar apprentice training program; and Whereas, A real estate broker since 1947, Mr. Abel was a member of Epworth United Methodist Church, Illinois State Amvets, Saturday Night Supper Club, Clarence Baker Lodge 1114, AF and AM, and former member of Bartonville Lodge 1172; and Whereas, Peoria County Republican Chairman, Precinct 31 committeeman for 12 years and ward captain of the 4th ward for six years, Mr. Abel is survived by his wife, Bonnie, and a daughter, Sabrasue; four brothers, Bert and Perry, Jr., of Peoria, Harry of DuQuoin and Charles of Quincy and a sister, Mrs. Alma Halsted of Peoria; therefore be it Resolved, by the House of Represent-



atives of the Seventy-seventh General Assembly of the State of Illinois, that we mourn the passing of Roy M. Abel and extend our sympathies to his family; and be it further resolved, that a copy of this resolution be presented to his widow.' Messrs. Tuerk, Day, Carrigan and Lauterbach offered the following resolution: House Resolution 583. "Whereas, The House joins family and friends in mourning the April 6, 1972, passing of Frank W. Lehnhausen of 3213 North Avalon, Peoria; and Whereas, Mr. Lehnhausen was born March 23, 1896, in Lostant, Illinois, to John and Katherine Weber Lehnhausen and married Lorene Kilpatrick on September 28, 1946 in Arcadia, California; and Whereas, He was a member of St. Philomena's Catholic Church, American Legion Post 2, The 40 et 8, the Senior Bowling League and the Greater Peoria Rose Society where he has over the years won many prizes for his roses, including the Founder's Trophy and the Godmother's Trophy at the first rose show in September of 1957; and Whereas, He was preceded in death by his son, Clark, and he is survived by his widow, a son, Robert J., three brothers, Jack of Peoria, Joseph of Fairview and Harold of Los Angeles, California; two sisters, Mrs. Sam Decker of Peoria and Mrs. Frank Phoels of Arcadia, California; eight grandchildren and two great grand-children; therefore, be it Resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we extend our sympathies to the family and friends of Frank W. Lehnhausen;



and be it further Resolved, that a suitable copy of this resolution be presented to his widow and to his son, former Mayor of Peoria and now Director of the Illinois Department of Local Government Affairs, Robert J. Lehnhausen.' Messrs. Terzich, M. J. Madigan, Capparelli, McDermott, Fary, Smith, Kosinski, F. C. Wolf, Leon and Lechowicz offered the following resolution: House Resolution 584. 'Whereas, Under the direction of Dr. John T. Rettaliata, President of both the Illinois Institute of Technology and the Institute of Gas Technology and Dr. Henry R. Linden, Executive Vice-President and Director of the Institute of Gas Technology, the Institute of Gas Technology with the financial assistance of the American Gas Association and the United States Department of the Interior's Office of Coal Research has developed and operated the first large-scale pilot plant for producing a substitute for natural gas from coal; and Whereas, The Depletion of American natural gas reserves has reached a critical stage; and Whereas, This development places at the disposal of the gas industry and its customers supplies based on the bast coal reserves of this nation and begins an entirely new industry; and Whereas, This great technological breakthrough has been achieved in the highest tradition of American science and industry's service to the public; and Whereas, This development offers the possibility of converting our most abundant source of energy into our cleanest source of energy; therefore, be it resolved, by the House of Representatives of the Seventy-



seventh General Assembly of the State of Illinois, that we commend and congratulate the team at the Institute of Gas Technology on this remarkable achievement; and be it further resolved, that a suitable copy of this resolution be presented to the Gas Institute.' Mr. Kipley offered the following resolution: House Resolution 585. 'Whereas, the Falcons of Thornridge High School, Dolton, Illinois, brought home the Championship honors in winning the Illinois State Basketball title; and Whereas, Thornridge High School, first opened in September, 1960 with an enrollment of 1100 students, now has an enrollment of over 5200 students; and Whereas, The Falcons won all 33 games on their march to the crown; and Whereas, This was the second consecutive year that Thornridge High School won a regional, sectional, super-sectional or a state championship; and Whereas, This great team, coached by Ron Ferguson and his assistant, Dave Leqdan, and manned by Quinn Buckner, Mike Bonczyk, Boyd Batts, Greg Rose, Ernie Dunn, Bill Gatlin, Bill Redman, Keith Hutchison, Joe King, Fred Knutsen, Ken Kremer and Dave Anderson, showed the great measure of skill, determination and sportsmanship which is the mark of Champions; and Whereas, The Falcons' feats in cage circles brought pride to all of the citizens of the City of Dolton; therefore, be it Resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we take pride in the achievement of the Falcons of Thornridge High School, Dolton, Illinois, in winning the Illinois High



School Basketball Tournament Championship, that we commend the fine coaches and all of the individual players who, playing for the good of their team, made the success possible; and that we salute the staff and student body of Thornridge High School which cheered their team on all season up to the ultimate victory; and be it further resolved that a suitable copy of this preamble and resolution be forwarded to the Falcons of Thornridge High School, Dolton, Illinois.' Mr. Brenne offered the following resolution: House Resolution No. 586. 'Whereas, the strength of our nation has been built on the untiring service of those persons who give of themselves to help their fellow citizens; and Whereas, the State of Illinois looks upon the American Legion with pride and respect; and Whereas, the Legislature holds the members of this organization and their achievements in high esteem; and Whereas, Frank Rooney has devoted fifty years of dedicated service to the American Legion, holding high offices at Post, County, Department and 40/8 levels; and Whereas, Frank Rooney has proven himself to be one of those truly patriotic citizens who, throughout the history of our country, has given of themselves to help make our nation great; therefore, be it resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we express our deepest thanks and best wishes to Comrade Frank Rooney for his service to the American Legion and the State of Illinois, that a copy of this House Resolution be



transmitted to Mr. Frank Rooney and to Park Forest Post No. 1198 of the American Legion.' Messrs. Shea, Lechowicz, Choate, Davis, Pierce, Craig, Leon, McPartlin, Downes, Daniel J. O'Brien, Garmisa, Capparelli, Houlihan, Kosinski, M. J. Madigan, Brandt, McDermott, R. L. Thompson, Arrigo, Laurino, Colitz, Terzich, Ropa, Frank C. Wolf, Giorgi and Merlo offered the following resolution: House Resolution 587. 'Whereas, The House of Representatives is deeply grieved to learn of the death of Mrs. Martha Sain of Cook County; and Whereas, Mrs. Sain was a lifetime resident of Chicago and her late husband, Frank G. Sain, rendered valuable assistance to the people of Chicago as Sheriff of Cook County; and Whereas, Martha Sain was a loving and cheerful woman and an inspiration to all who were privileged to know her; and Whereas, Mrs. Sain was the devoted mother of Frank C. Sain, Kenneth W. Sain, administrative assistant to Mayor Daley of Chicago, and of the late Rose Marie Sain; and Whereas, She leaves as a proud heritage to mourn her passing her two surviving children and six grandchildren, she will also be sorely missed by the legion of her friends therefore, be it Resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we extend our most sincere sympathies to the members of the bereaved family; that we join with her many friends in mourning the loss of this fine woman; and that a suitable copy of this preamble and resolution be forwarded to Mr. Kenneth W. Sain for acceptance by him on behalf of



all the members of the bereaved family.' Mr. Springer offered the following resolution: House Resolution 588. 'Whereas, The House of Representatives is deeply grieved to learn of the death of Mr. Herb Gerdemann of Chester, Illinois, who died in his home March 24, 1972; and Whereas, Herb Gerdemann, a vocational instructor at Menard Penitentiary, was editor of the 'Menard Times', a newspaper published by Menard Penitentiary which, under his most able and dedicated leadership had been repeatedly acclaimed for its excellence among prison publications; and Whereas, Mr. Gerdemann had extensive newspaper and editorial experience, he was owner and publisher of his own newspaper at Hermann, Missouri, an editor of the Herald Tribune, and he also served with great distinction on the staff of the Southern Illinoisan; and Whereas, He was active in civic and fraternal affairs and in the Southern Illinois Press Association; therefore, be it resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we join his associates and many friends, and all those to whom he extended the ever-present helping hand, in mourning the loss of this fine citizen, dedicated journalist and teacher, 'Mr. Herb Gerdemann of Chester, Illinois.' Messrs. Scariano, Epton, Houlihan, H. Washington, Barnes, Davis, Mann, Rayson, Schneider, and Ewell offered the following resolution: House Resolution 589. 'Whereas, In a display of corporate arrogance reminiscent of 'Robber Baron' capitalism, the Illinois Central





Railroad, having taken a cavalier attitude toward repeated commuter pleas for urgently needed improvements on the Illinois Central Commuter line, and having treated such pleas with the full spectrum of negative responses ranging from swift dispatch to benign neglect, responded, after many months of such urging, by petitioning the Illinois Commerce Commission for a 7% commuter fare increase; and Whereas, The Illinois Commerce Commission in total abdication of its regulatory responsibility has inexplicably granted the requested 7% fare increase in an action which has been described as rewarding 'the neglect and failure to keep the property up to present day standards'; and Whereas, The commuters disturbance with the quality of Illinois Central commuter service is a heavily documented account of late trains, obsolete timetables, dirty unheated cars, dirty windows, filthy stations, poor lighting, car doors that do not close, road beds that are hazardous and strewn with the uncollected refuse and accumulated rubbish of half a century; and Whereas, The Illinois Central Railroad has contended that these deplorable conditions exist, in part, because there is no fund to pay for the needed improvements, which is no argument at all, but Illinois Central has received huge sums of money from the sale of downtown properties, from the sale of land and air rights, and this money, which should have been credited to its commuter service has been funneled into its freight operations, leaving the unanswered question, 'why is Illinois Central in the



commuter business at all?'; and Whereas, Here again the Illinois Commerce Commission has abandoned its responsibility and has not explored these hard questions regarding the Illinois Central Railroad, in fact the only sign of life from the Commerce Commission in recent months has been its acquiescence in Illinois Central's request for a fare increase; and Whereas, On behalf of the commuting public of Metropolitan Chicago, it is highly desirable, it is necessary to investigate the recent actions of the Illinois Commerce Commission in its grant of a 7% fare increase to the Illinois Central Railroad, to investigate thoroughly and completely all aspects of the relationship between the Illinois Commerce Commission and the Illinois Central Railroad and also between the Illinois Commerce Commission and the other commuter services in the Chicago South Suburban areas, including the Rock Island Railroad; therefore, be it Resolved by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois that there is created a committee consisting of five members of the House of Representatives, three members to be appointed by the Speaker and two members to be appointed by the House Minority Leader, for the purpose of investigating the Illinois Commerce Commission, its approval of a fare increase to Illinois Central Railroad and all aspects of its relationships with the railroad commuter services of the South Suburban Area. The committee shall select from its membership a chairman and such other officers as it deems



necessary. The committee shall hold hearings at such places in the State as it deems proper, for the purpose of obtaining advice and suggestions from interested citizens or groups. The Committee shall report on its findings to the House of Representatives not later than May 30, 1972.'

Messrs. Brinkmeier, Barry and Anderson offered the following resolution: House Resolution 590. 'Whereas, Miss Lillian Hinders is retiring after completion of 50 years of faithful and distinguished service as a teacher at Shannon Elementary School where she has taught first grade since 1940; and Whereas, Miss Hinders was honored when she was selected Carroll County Teacher of the year for 1970-1971; and Whereas, She is a dedicated, charming person whose presence at Shannon, Elementary School will be sorely missed by her colleagues, friends and associates; therefore be it resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we extend our warmest and most sincere congratulations to Miss Lillian Hinders on the occasion of her retirement from active teaching; that we highly commend her for the years of faithful and meritorious service she has given in behalf of the people of Carroll County; and be it further Resolved, that a suitable copy of this preamble and resolution be forwarded to Miss Lillian Hinders of Carroll County, Illinois.' Messrs. Caldwell, H. Washington, Barnes, McLendon, and O. G. Collins offered the following resolution which was ordered to lie on the Speaker's table: House Resolution



## GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

591. 'Whereas, The recent escalation of the air war by American forces in Vietnam has caused consternation, unrest, and destruction of homes, livelihoods, and lives to a considerable segment of the population of Vietnam; and Whereas, This devastation to a nation of Asian people has resulted from 22 tons of bombs for each square mile of land in Vietnam or 300 pounds for each citizen, before this most recent re-escalation and has resulted in a nation where one-third of the population are refugees in their own homeland and more than one million Vietnamese have been killed, roughly 300 each day for the past 10 years; and Whereas, Many see the Vietnam War as a racist adventure pitting minority groups against each other internally in Vietnam, supported by armed forces composed heavily of minority group members from Illinois; and Whereas, The racist nature of the conflict has not been lost on American forces but has created widespread unrest among American troops engaged in the conflict; and Whereas, This racist conflict has further resulted in 55,000 American deaths, 350,000 American wounded, 75,000 young Americans either deserted from the services or in exile from their homeland, 60,000 to 100,000 heroin and drug addicts, and no accurate count on prisoners of war; and Whereas, The returning war veteran is faced with an unemployment rate of 21%, cities deteriorating from delayed massive housing construction, deferred maintenance, and neglect; and Whereas, The minority Black, Indian, Puerto Rican, Chicano and Asian-American veterans return to inner



cities where the problems are compounded by failing school systems, lack of housing, an unemployment rate double the national average; and open hostility and discrimination from trade unions and potential employers; and Whereas, Domestic problems cry out for a massive reallocation of human resources to attack domestic problems, such as high unemployment, inflation, a large balance of payments deficit, and an unstable economy in general; and Whereas, We are leaving our children a legacy of unconcern for human lives and constant exposure to noise, ugliness, and garbage in the street, thereby conditioning them to accept such as the normal state of affairs; and Whereas, The expenditures for the Vietnam War are directly related to the inability to conquer the problems of the inner cities of this nation and of Illinois in particular; and Whereas, Pentagon statistics reveal that more than \$200 billion have been spent on the Vietnam War, and \$33 billion attributable to the air war alone; money enough has been expended on the 6,000 aircraft in Vietnam to build 8 million new homes at \$25,000.00 each or to build complete school systems, from kindergarten through junior college, providing salaries, land, buildings, and equipment for 260 communities; and Whereas, the City Council of the City of Chicago has passed a resolution calling for total withdrawal of troops from Vietnam; therefore be it Resolved, by the House of Representatives of the seventy-seventh General Assembly of the State of Illinois, that this General Assembly urges the Congress of the United



## GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

States to bring an immediate halt to the bombing war, and to set a date certain for the withdrawal of all American land, sea, and air forces from Indo-China; and be it further Resolved, that a copy of this resolution be transmitted by the Office of the Secretary of the State of Illinois to the Clerk of the House of Representatives of the United States, to the Secretary of the Senate of the United States, to the President of the United States, and to each member of Congress from this State.'

**GENERAL ASSEMBLY**

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Henry J. Hyde: ". . . . .of engineers to more adequately serve the critical drainage and flood control needs of the people in East St. Louis and American bottoms area. I now move adoption of the agreed resolutions."

Hon. W. Robert Blair: "All right, any discussion? All those in favor of the adoption of the agreed resolutions say 'Yeas', the opposed 'No', the 'Yeas' have it and the agreed resolutions are adopted. Further resolutions?"

Fredric B. Selcke: "House Resolution 589, Scariano, et.al. House Resolution 591, Caldwell, et.al. House Joint Resolution Constitutional Amendment 17, Neff, et.al."

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

Anthony Scariano: "Mr. Speaker, I ask unanimous consent that there be considered immediately and that there be adopted House Resolution 589 and I'd like to address myself as to what that resolution does."

Hon. W. Robert Blair: "All right, just a moment. All right, the gentleman has moved to suspend the provisions of Rule 53 for the purpose of consideration of . . .for what purpose whose, for what purpose does the gentleman from Livingston, Mr. Hunsicker, for what purpose do you rise?"

Carl T. Hunsicker: "What does this resolution do?"

Hon. W. Robert Blair: "Oh, I was just stating where we are from a parliamentary standpoint, just a minute. The gentleman has moved under the provisions of Rule 93 (a) to suspend Rule 53 (a), is that correct?"



Anthony Scariano: "I thought I ask for unanimous consent first, Mr. Speaker. . ."

Hon. W. Robert Blair: "And there was objection and now you are under 93 (a)."

Anthony Scariano: "Asking for suspension of the rules."

Hon. W. Robert Blair: "All right. Ah, the gentleman is asking for suspension of Rule 53 (a) so his motion his proposal may be considered at this time. Now, the motions to suspend are not debatable, but nonetheless, the gentleman from Livingston, Mr. Hunsicker has asked what the content is and if the gentleman would care to take just a few minutes to explain that, ah, . . ."

Anthony Scariano: "I'd be very glad to because I think that the members should know what they're voting on. This calls for a five member committee to be appointed by the Speaker of the House, three on your side and two on ours to investigate the recent granting of a fair increase to the Illinois Central Railroad for its commuter operations in the Chicago and in the suburban areas where the Illinois Central operates. A 7% increase was granted, whereas passengers themselves are limited to no more than 5.5% increase in wages, the Illinois Commerce Commission has seen fit to give a 7% commuter fare increase despite the fact that the railroad and the commerce commission both have agreed that the service is abominable, that there is an documented account of late trains, obsolete time tables, dirty and unheated cars, dirty windows, filthy stations, poor lighting, car





doors that don't close, road beds that are hazardous, and strewn with the uncollected refuse and accumulated rubbish of about a half a century, railroad cars that go back to 1926 despite the fact that heavy subsidies are being given by the federal government to the Illinois Central to buy new cars and despite the fact that tens of millions of dollars have been obtained by the Illinois Central Railroad for the sale of valuable property downtown and for the sale of valuable air rights, none of which money is going into commuter operations and passengers are being treated with less respect than cattle. I think that this calls for an investigation by this House as to just exactly what is going on with respect to the Illinois Central Railroad and the Illinois Commerce Commission."

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

Henry J. Hyde: "Well, Mr. Speaker, I do not know the facts to the fact as asserted in this House resolution. I will say that the resolution contains colorful language such as corporate arrogance, Robber Baron capitalism and it accuses the Illinois Commerce Commission of totally not partially, but totally abdicating its regulatory responsibility in granting a fair increase and so I would say that common sense dictates that this sort of resolution go to the Executive Committee or some other appropriate committee where the validity of the assertions made are indeed strong and volatiland explanatory can be explored and then I'm sure if. . . ."



Hon. W. Robert Blair: "One, one, one, one, one, one, one, one, one moment, please. Gen-, and I'm going to listen to it, but I couldn't get the Majority leader stopped. Go ahead."

Anthony Scariano: "Mr. Speaker, you don't have any trouble at all getting anybody on this side to stop when you want them to stop. I don't know why that infirmity should exist when it comes to people on the other side."

Hon. W. Robert Blair: "Is that your question?"

Anthony Scariano: "No, my question is I thought you ruled that this was a non-debatable motion and I would suspect that the Majority Leader is debating the motion."

Hon. W. Robert Blair: "Well, it was, but it is, well, . . . you talked on it and so . . ."

Anthony Scariano: "I did. . ."

Hon. W. Robert Blair: "You did and I don't think it would be fair to just let you talk on it and nobody else. All right, is the Majority Leader about finished?"

Henry J. Hyde: "Well, I do agree, personally I think it is an awkward rule that permits the gentleman to debate and then stop other debate, but nevertheless, this is controversial and I ask that the proper procedure be followed, that it be sent to a committee and I would urge the members on this side of the aisle because of the procedure on this bill to vote 'No'."

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

Anthony Scariano: "I think it's only fair to say that I just



used only the most restrained language I was capable of using in this resolution."

Hon. W. Robert Blair: "All right, the question is shall Rule 53 be suspended? All those in favor will vote 'Yeas' and the opposed 'No'. This takes 89 or two-thirds of those voting for suspension. Have all voted who wished? The Clerk will take the record. On this question, there are 64 'Yeas' and 61 'Nays' and the motion fails. For what purpose does the gentleman from Cook, Mr. Scariano, rise?"

Anthony Scariano: "Did I hear the Speaker make a committee assignment on this resolution?"

Hon. W. Robert Blair: "No. All right, with leave of the House, one bill, introduction and first reading."

Fredric B. Selcke: "House Bill 4627, McClain. Amends 'The School Code'. First reading of the bill."

Hon. W. Robert Blair: "Is that it? The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "All right, Gen-, Ladies and Gentlemen and Mr. Speaker, in reverse order of significance, there will be a perfunctory tomorrow at 9:30 A.M. and I now move, Mr. Speaker, that this House do adjourn for effective purposes until. . ."

Hon. W. Robert Blair: "11:00."

Henry J. Hyde: ". . . 11:00 A.M. on next Tuesday."

Hon. W. Robert Blair: "All those in favor of the motion to adjourn say 'Yeas', the opposed 'No', the 'Yeas' have it and we stand adjourned."



Adjournment at 2:36 O'Clock P.M.

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