

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED THIRTY-THIRD LEGISLATIVE DAY

MAY 12, 1972

9:30 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR,

SPEAKER IN THE CHAIR

H. B. 3795
recalled to 2nd
May 12, 1972

A roll call for attendance was taken and indicated that all were present with the exception of the following:

Representative John B. Brandt - no reason given;
Representative Louis F. Capuzi - no reason given;
Representative Richard A. Carter - no reason given;
Representative Raymond W. Ewell - no reason given;
Representative J. Horace Gardner - death;
Representative Peter C. Granata - no reason given;
Representative Lillian Karmazyn - no reason given;
Representative Henry J. Klosak - illness;
Representative Michael H. McDermott - illness;
Representative Leland H. Rayson - no reason given;
Representative William A. Redmond - no reason given;
Representative Anthony Scariano - no reason given;
Representative Edward J. Shaw - death;
Representative Robert M. Terzich - no reason given;
Representative John W. Thompson - no reason given;
Representative Gale Williams - no reason given;
Representative Michael F. Zlatnik - no reason given.



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

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

Dr. John Johnson: "We pray, Lord God, our Father, as we acknowledge with humble gratitude, the many blessings you have showered upon our Nation and upon our State. Renew now within each one of us a sense of dedication to use those blessings responsibly. Our thanks to You is a heritage of freedom. Let us ever use this freedom with discretion. Ours is a privilege in this State of Educational opportunity. Let us pursue this with a search for truth. Ours is the tradition of individual worth. Let us maintain this with integrity. Ours is the tradition of rule under law. Let us further this as we seek justice under the law for all our citizens. Ours is the heritage of brotherhood. May we be led by your grace to practice genuine brotherhood without prejudice and rancor. Grant that the spirit rule us now in this Assembly as we reason and deliberate together as Representatives of our People. May Your will, Our Gracious God, be done in our midst, that Your blessings may accompany our labors. In the hope of Your mercy, we pray this. Amen."

Hon. W. Robert Blair: "Roll call for attendance. Alright.. in order to get the Journal of Resolution on the way over to the Senate, why the leave of House will go the order of Resolutions solely for the purpose of passing the Adjournment Resolution."



Fredric B. Selcke: "House Joint Resolution 133, 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 Friday, May 12, 1972, they stand adjourned until Monday, May 15, at 2:00 p.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 House Joint Resolution 133 ah.. indicates that we will resume ah.. on Monday at 2:00 O'Clock. Monday, May 15, at 2:00 O'Clock. I move adoption of House Joint Resolution 133."

Hon. W. Robert Blair: "All those in favor of the adoption of the Resolution say 'aye', opposed 'no', the 'ayes' have it and the Resolution is adopted. House Bills Third Reading. 4276."

Fredric B. Selcke: "House Bill 4276, an Act to make appropriation Department of Business and Economic Development. Ah.. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Johnson, Mr. McCormick."

C. L. McCormick: "Ladies and Gentlemen of the House, this House Bill, I don't have the number now. This House Bill is virtually the same Bill that we passed last Session to provide matching funds for E.D.A. program in the Wren Lake conservancy District. It's for ah.. \$1,400,000 dollars and it is.. the passage of this Bill is contingent on us completing the project down at Wren Lake. It means that we will have available to us \$3,500,000 dollars for the completion of that project."



And I certainly appreciate very much your ah.. approval of this Bill and I will say that it had extensive study in sub-committee and full Committee Hearing and it came out, I believe with an unanimous vote."

Hon. W. Robert Blair: "Discussion? Alright.. the question is shall House Bill 4276 pass. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 123 'Ayes', Mann.. 'aye'.. 124... 2 'Nays'. And this Bill having received the constitutional majority is hereby declared passed. House Bill 3795."

Fredric B. Selcke: "House Bill 3795, an Act to amend Section 4 of an Act to provide law in relation private employment Agencies. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative J. J. Wolf."

Jacob J. Wolf: "The Speaker has asked me to have House Bill 3795 brought back to the order of Second reading for the purpose of adding an Amendment."

Rep. Arthur A. Telcser: "Are there any objections? Hearing none, House Bill 3795 will return to the order of Second reading for the purposes of Amendment."

Fredric B. Selcke: "Amendment No. 2, J. J. Wolf, amend House Bill 3795 on page 1, line 31 andsoforth."

Arthur A. Telcser: "The gentleman from Cook, Representative J. J. Wolf."

Jacob J. Wolf: "Ah.. Mr. Speaker and Members of the House, Amendment No. 2 sets up the commencement date of January 1



for the issuance of licensing. It states that the Department shall conduct examinations at least once a month and also lowers the.. reduces the fee.. ah.. the renewal fee from \$10 to \$5 dollars. I move its' adoption."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment No. 2, to House Bill 3795. All those in favor of the adoption, signify by saying 'aye', the opposed 'no', the Amendment is adopted. Are there further Amendments? Third reading. House Bill 3626."

Fredric B. Selcke: "House Bill 3626, a bill for an act to amend 'The Vehicle Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Carroll."

Howard W. Carroll: "Mr. Speaker, we're asking leave to return this Bill from Third to Second for the purposes of tabling the first Amendment."

Rep. Arthur A. Telcser: "Does the gentleman have leave? If there are no objections, House Bill 3626 will be returned to you on the Second reading."

Howard W. Carroll: "Mr. Speaker, we now ask leave to table Amendment No. 1, which is a floor Amendment and replace it with Amendment No. 2."

Rep. Arthur A. Telcser: "The gentleman has moved to table Amendment No. 1, to House Bill 3626. All those in favor of the gentleman's motion signify by saying 'aye', opposed 'no', the Amendment is tabled."



Fredric B. Selcke: "Amendment No. 2, Carroll, amend House Bill 3626 on page 2 by striking lines 9 through 13 and inserting in lieu thereof, andsoforth."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Carroll."

Howard W. Carroll: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House Amendment No. 2 deals with side reflectors. The difference between 2 and 1, was that this now just says there shall be one to the front and one to the rear on each side of the bike rather than mandating it be in the wheel. I move for its' adoption."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment No. 2, to House Bill 3626. All in favor of the adoption, signify by saying 'aye', the opposed 'no'. The Amendment is adopted. Are there further Amendments? Third reading. House Bill 4196."

Fredric B. Selcke: "House Bill 4196, a bill for an act to amend 'The Election Code'. Second reading of the Bill. Or a.. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from DuPage, Representative Philip."

James Philip: "Mr. Speaker, I would like to ask leave to move House Bill 4196 back to Second reading for the purpose of an Amendment."

Rep. Arthur A. Telcser: "Does the gentleman have leave? If there are no objections, House Bill 4196 will be returned to



the order of Second reading."

Fredric B. Selcke: "Amendment No. 1, Philip, amend House Bill 4196 on page 1, line 2 by deleting 'and to repeal Section 8-5.2'; andsoforth."

Rep. Arthur A. Telcser: "The gentleman from DuPage, Representative Philip."

James Philip: "Ah.. what this Amendment does is ah.. takes out the Section that deals with the Representative Committeemen. It was a disagreement we had with the Minority Party and I have bowed to their wishes and I move the adoption of this Amendment."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment No. 1, to House Bill 4196. All in favor of the adoption, signify by saying 'aye', opposed 'no', the Amendment is adopted. Are there further Amendments? Third reading. House Bill 4353. Take that out of the record. The Amendment isn't ready yet. House Bill 2215."

Fredric B. Selcke: "House Bill 2215, an Act to add Section 6.1 andsoforth to an act to establish Illinois Local Governmental Law Enforcement Officers Training Board. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Regner."

David J. Regner: "Ah.. Mr. Speaker, I would like to ask leave of the House to return 2215 to Second reading for an Amendment."



Rep. Arthur A. Telcser: "Are there any objections? Hearing none, House Bill 2215 will return to the order of Second reading for the purposes of Amendment."

Fredric B. Selcke: "Amendment No. 1, Regner, amend House Bill 2215 on page 1, by deleting lines 1 through 4 and inserting in lieu thereof, andsoforth."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Regner."

David J. Regner: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill was the mandatory Illinois Police Training Act. Ah.. after the new Constitution was passed, and the home rule units were established, there were some objections to the wordage. What this Amendment does, it is a.. makes it.. ah.. voluntary for home rule units, and I move for the adoption of Amendment No. 1, to House Bill 2215."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment No. 1, to House Bill 2215. All in favor of the adoption, signify by saying 'aye', the opposed 'no', the Amendment is adopted. Are there further Amendments? Third reading. House Bill 4546."

Fredric B. Selcke: "House Bill 4546, a bill for an act to amend 'The Unemployment Compensation Act'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Katz."

Harold A. Katz: "Ah.. Mr. Speaker, I believe to have this returned to Second reading for the purposes of an Amendment."



Rep. Arthur A. Telcser: "Does the gentleman have leave? Hearing no objections, House Bill 4546 will return to the order of second reading for the purposes of an Amendment."

Rep. Arthur A. Telcser: "Representative Katz, what number is this Amendment?"

Harold A. Katz: "It would be Number 2."

Fredric B. Selcke: "Amendment No. 2, Katz; amend House Bill 4546 on page 4, by deleting line 13 and inserting in lieu thereof the following; andsoforth."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Katz."

Harold A. Katz: "This is a Bill to permit ah.. school districts to provide unemployment compensation benefits. The purpose of Amendment No. 2 is to make clear that substitute teachers are not eligible for unemployment compensation. I would move Amendment No. 2."

Rep. Arthur A. Telcser: "Is there discussion? The gentleman has offered to move the adoption of Amendment No. 2, to House Bill 4546. All in favor of adoption signify by saying 'aye', opposed 'no', the Amendment is adopted. Are there further Amendments? Third reading. House Bill 4291."

Fredric B. Selcke: "House Bill 4291, a bill for an act to amend 'The School Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Glass."

Bradley M. Glass: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4291 would return ah.. to the previous law that existed before last year. The matter of

suspending students for a period not to exceed 7 school days and not require a hearing in a case of such suspensions. Now, I am in the process of a hearing on this Bill and discussing it with other Legislatures. Ah.. the matter of due process was brought up and I asked for an opinion of the O.S.P.I. legal counsel on whether there's any problem in authorizing a 7 day suspension without a hearing. Based on that opinion and cases from other States, we added an Amendment to the Bill that would require notice of any such suspension to the Parents or Guardian and also permit a conference on the request of the Parent or Guardian. This is a Bill which has been broadly supported and requested by, I think, almost every School Board in the State and I ask for a favorable roll call."

Rep. Arthur A. Telcser: "Is there any discussion? The question is shall House Bill 4291 pass? All those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 127 'Ayes', 1 'Nay'. This Bill having received the Constitutional majority is hereby declared passed. Jaffe.. 'aye', Richie Walsh.. 'aye', Fleck.. 'aye', Otis Collins.. 'aye'. House Bill 4631."

Fredric B. Selcke: "House Bill 4631, a Bill for an act to amend 'The Pension Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Murphy."

W. J. Murphy: "Mr. Speaker and Ladies and Gentlemen of the



House, ah.. this Bill is a joint effort of the Illinois Police Association, the Illinois Municipal Retirement Fund and the Sheriffs Association. And it writes the Pension Law for the Sheriffs and the Deputy Sheriffs making it equivalent to the State Police Retirement Act. This has approval of the Pension Committee and I ask for ah.. favorable vote on this Bill."

Rep. Arthur A. Telcser: "Is there any discussion? The question is shall House Bill 4631 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 129 'Ayes', and no 'Nays'. This Bill having received the Constitutional majority is hereby declared passed. House Bill 3796."

Fredric B. Selcke: "House Bill 3796, a bill for an act to amend an act relating to Lake Michigan. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Kleine."

John Henry Kleine: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, 3796 was advanced to Third reading. Representative Simmons found a correctional Amendment and with leave of the House, I would now like to bring it back for Second reading for the introduction of the correctional Amendment and for also for the tabling of the original Amendment No. 2 and the submitting of the new Amendment No. 2."

Rep. Arthur A. Telcser: "Alright.. does the gentleman have leave? If there are no objections, House Bill 3796 will return to the order of Second reading. Representative Kleine,



the Clerk's Office, the Clerk informs me ah.. that he will correct Amendment No. 2. There is no need to table. Is that correct, Mr. Selcke?"

Fredric B. Selcké: "Yes."

Rep. Arthur A. Telcser: "Alright."

Fredric B. Selcke: "Committee Amendment No. 2 amend House Bill 3796 on page 2, line 4 by deleting 'Public Works' andsoforth."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Kleine."

John Henry Kleine: "Ah.. this is simply a correctional Amendment and I move its' adoption."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment No. 2, to House Bill 3796. All in favor of the adoption, signify by saying 'aye', the opposed 'no', the Amendment is adopted. Are there further Amendments?"

Fredric B. Selcke: "Amendment No. 3, Kleine, amend House Bill 3796 on page 2, by inserting immediately after line 21, the following: andsoforth."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Kleine."

John Henry Kleine: "Ah.. Amendment No. 3 is offered in the suggestion of the E.P.A. and I have cleared it with the Leadership on both sides of the aisle. And we will have Amendment No. 4, 5 and 6. This has been a bipartisan effort to make this a fine Bill and I move its' adoption."

Rep. Arthur A. Telcser: "Is there any discussion? The gentle-



man has offered to move the adoption of Amendment No. 3, to House Bill 3796. All in favor of the adoption, signify by saying 'aye', the opposed 'no', and the Amendment is adopted. Are there further Amendments?"

Fredric B. Selcke: "Amendment No. 4, Kleine, amend House Bill 3796, andsoforth."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Kleine."

John Henry Kleine: "Amendment No. 4, Ladies and Gentlemen, is simply ah.. bringing in Sections of the Bill on the penalties and the fines. And ah.. I move its' adoption."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Kleine."

John Henry Kleine: "I, so move the adoption of Amendment No. 4."

Rep. Arthur A. Telcser: "Is there discussion? The gentleman has offered to move the adoption of Amendment No. 4, to House Bill 3796. All in favor of the adoption signify by saying 'aye', opposed 'no', the Amendment is adopted. Are there further Amendments?"

Fredric B. Selcke: "Amendment No. 5, Kleine, amend House Bill 3796 andsoforth."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Kleine."

John Henry Kleine: "Ah.. this Amendment is the suggestion of the E.P.A. and it merely suggests taking out the 'draining of water' and I so move its' adoption."



Rep. Arthur A. Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment No. 5, to House Bill 3796. All in favor of the adoption signify by saying 'aye', the opposed 'no'. The gentleman from Cook, Representative Shea."

Gerald W. Shea: "Are these Committee Amendments or Floor Amendments."

Rep. Arthur A. Telcser: "These are Floor Amendments, Representative Shea."

Gerald W. Shea: "Well.. if they are going to be Floor Amendments, I would like some explanation of what they do."

Rep. Arthur A. Telcser: "Representative Kleine, do you wish to explain them."

John Henry Kleine: "Which Amendments?"

Rep. Arthur A. Telcser: "Representative Shea, which Amendments?"

Gerald W. Shea: "Amendment No. 5, I assume, Representative Kleine."

John Henry Kleine: "Amendment No. 5 merely in that particular section, we move the 'draining of water' which we ah.. in a previous ah.. Committee Amendment have ah.. outlined that the standards of the E.P.A. and the Board will indicate discharges and water pollution. This is merely in other Sections. We just thought that this would clarify and remove any ah..confusion. I have cleared this with Representative Calvo and others of the Committee. I'm sure it's okay."

Rep. Arthur A. Telcser: "Discussion? All those in favor of the adoption of the Amendment say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Are there



further Amendments?"

Fredric B. Selcke: "Amendment No. 6, Kleine, amend House Bill 3796 on page 1, line 4, in the title by inserting before the period the following: 'and to amend an Act therein named in connection therewith'; and on page 1, by inserting immediately after line 6, the following: 'ARTICLE I. andsoforth'."

Rep. Arthur A. Telcser: The gentleman from Lake, Mr. Kleine."

John Henry Kleine: "Amendment No. 6 is the final to this Bill is a clearing to the Department of Public Transportation and merely indicates that the sharing of the responsibility of Lake Michigan now becomes the Department of Transportation, the E.P.A., the Attorney General and the Department of Health. It brings the act in conformance to justify Members on both sides of the aisle in Committee. And this is a final Amendment and I move its' adoption."

Rep. Arthur A. Telcser: "Is there further discussion? All those in favor of the adoption of the Amendment say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Are there further Amendments? Third reading. 4123. Well.. Third reading on that last Bill."

Fredric B. Selcke: "House Bill 4123, a bill for an act to create the Illinois Bi-Centennial Commission. Third reading of the Bill."

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

Paul J. Randolph: "Mr. Speaker, Members of the House, House Bill 4123 creates the Illinois Bi-Centennial Commission and defines its powers and duties. One Second reading, the appropriation was amended down from \$55,000 to \$25,000 dollars



and the Governor appointed eight Members. It was also amended that no more than four of whom shall be of the same political party. So, this is truly a bipartisan commission. This was requested by the American Revolution Bi-Centennial Commission. And President Nixon agreed that the commemoration of the Nation's 200th Anniversary must be a truly National Celebration. The State Commission will be authorized to receive Federal Grants and I urge you to vote favorably for this Bill."

Hon. W. Robert Blair: "Discussion? All those... The gentleman from Cook, Mr. Arrigo."

Victor A. Arrigo: "Will the Sponsor yield to a question? Mr. Randolph, I'm going to vote for this. I think it's remarkable and I'm hoping that it will do a good job. But my question is does the Commission that you have in mind intend to spotlight the role of ethnic groups that participated in the Revolution? Some of the ethnic groups as you know."

Paul J. Randolph: "Yes.. it certainly does. And among the primary purposes for the commemoration, commemorating the Bi-Centennial of the American Revolution, is for the American people to reflect on those ideas that are a significant part of our heritage and to develop projects that will have meaning in the decades to come. The Illinois Bi-Centennial Commission can be a meaningful contributor to these goals."

Victor A. Arrigo: "As you know, there is a growing feeling of ethnicity in the United States. And I believe now that most people that belong to ethnic groups other than those



groups to which our Founding Fathers with the exception of one belonged, would like to see that their role in the founding of America is properly dominionated. And I trust if this Commission is organized that the Speaker and the Majority and Minority Leader will consider placing on that Commission some of the Members of this Body who are Members of an ethnic group. Certainly the role of an Italian friend of Jefferson in the writing of the Declaration of Independence should be dominionated. And I trust that when this Commission is organized, that Illinois will once again lead the United States in its innovations, particularly in the depiction properly of American History."

Hon. W. Robert Blair: "Any further discussion? The question is shall House Bill 4123 pass? All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? The Clerk will take the record. In this question, there are 134 'Ayes' and no 'Nays'. And this Bill have received the Constitutional majority is hereby declared passed. 4269."

Fredric B. Selcke: "House Bill 4269, a bill for an act to amend 'The Wage Deduction Act'. Third reading of the Bill."

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this is a Bill from the Judicial Advisory Council. It's to bring the law in conformity for the Clerks, so that both Laws will be in the same time limit. I move for the adoption."

Hon. W. Robert Blair: "The question is shall the House adopt



the Bill? Shall the House pass the Bill? All those in favor will vote 'aye', opposed 'no'. Have all voted who wished? The Clerk will take the record. 119 'Ayes' and no 'Nays'. And this having received the Constitutional majority is hereby declared passed. 4458."

Fredric B. Selcke: "House Bill 4458, a bill for an act to amend an act relating to the inspecting of animals intended for human food. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Knox, Mr. McMaster."

A. T. McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill No. 4458 has to do with the inspection of animals that are suspected of containing poisonous or deleterious substance in the meat. These animals are intended for human food. This Bill would allow the quarantine of these animals until such time as the... this substance within their body could be cleared up, making the food of the animal more fit for human consumption. This would ah.. serve the purpose of ah.. making ah.. the meat more saleable and certainly increase the ah.. ability of the rural community to ah.. sell livestock for food consumption. I urge your passage and support of this Bill."

Hon. W. Robert Blair: "Discussion? The question is shall House Bill 4458 pass? All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 139 'Ayes', no 'Nays'. This Bill having received the Constitutional majority is hereby declared passed. 4243."



Fredric B. Selcke: "House Bill 4293, a bill for an act to convey land in St. Clair County. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from St. Clair, Mr. Lehman."

Ed Lehman: "Thank you, Mr. Speaker and Members of the House. House Bill 4243 authorizes the Department of Transportation to quit claim .344 acres of land in St. Clair County to the Edgemont Bank and Trust Company. Trust Number 14551 upon payment of \$18,275 dollars effective upon becoming a Law. I hold no opposition to this Bill, Mr. Speaker, and I would appreciate a favorable vote."

Hon. W. Robert Blair: "Is there further discussion? The question is, 'shall House Bill 4243 pass?' All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 124 'Ayes', no 'Nays' and this Bill having received the Constitutional majority is hereby declared passed. J. Y. Carter..aye'. 4459."

Fredric B. Selcke: "House Bill 4459, a bill for an act to amend an act relating to the disposal of dead animals. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Knox, Mr. McMaster."

A. T. McMaster: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, House Bill No. 4459 is to bring the 'Dead Animal Disposal Act' under conformance with the present E.P.A. standards. I urge your support of this Bill."

Hon. W. Robert Blair: "Discussion? The question is, 'shall



House Bill 4459 pass?'. All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? The Clerk will take the record. In this question there are 141 'Ayes', no 'Nays' and this Bill having received the Constitutional majority is hereby declared passed. 4353."

Fredric B. Selcke: "House Bill 4353, a bill for an act to amend 'The Workmen's Occupational Disease Act'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Bureau, Mr. Barry, asked leave to have that Bill returned to the order of Second reading for purposes of an Amendment. Objections? Hearing none, the Bill will be brought back the second time and the Clerk will read the Amendment. What Amendment is this? What Number?"

Tobias Barry: "It's Amendment No. 2."

Hon. W. Robert Blair: "Alright.. the Clerk will read Amendment No. 2."

Fredric B. Selcke: "Amendment No. 2, amend House Bill 4353."

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

Tobias Barry: "It's merely to correct two typographical errors on one Bill only. It doesn't change the substance of the Bill one iota and I recommend its' adoption."

Hon. W. Robert Blair: "Discussion? All those in favor of the adoption of the Amendment say 'aye', the opposed 'no', the 'ayes' have it and the Amendment is adopted. Are there further Amendments? Third reading. 4283."

Fredric B. Selcke: "House Bill 4283, a bill for an act to amend



an act to relocation assistance. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Winnebago, Mr. North."

Frank P. North: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4283 is a Bill for relocation. It was suggested by the Department of Housing and Urban Development. Effective July 1, 1972, H.U.D. could not approve any projects that will result in the displacement of persons unless the applicant can provide satisfactory assurances of compliance with payments required under the uniform relocation assistance in real property acquisition policy of 1970. This Bill will correct that situation. It was initiated to cover the situation, however as limited to the displacement by the acquisition and does not presently cover displacement by Code Enforcement Rehabilitation or Demolition Activities. I know of no opposition to this Bill and I would appreciate your support."

Hon. W. Robert Blair: "Is there further discussion? The question is, 'shall House Bill 4283 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. In this question, there are 131 'Ayes', and no 'Nays' and this Bill having received the Constitutional majority is hereby declared passed. 4116."

Fredric B. Selcke: "House Bill 4116, a bill for an act to amend 'The Revenue Act'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Kane, Mr. Friedland."

John E. Friedland: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The synopsis is correct concerning House



Bill 4116 which reduces to one week a minimum period for which a publication for notice of hearing in a tentative municipal budget ah.. must be published ah.. As Maury Scott pointed out in the Committee hearing of the Bill, this brings it into conformity with the Illinois Municipal Budget Law. I'd appreciate your support."

Hon. W. Robert Blair: "Have all voted who.... Is there any further discussion? The Clerk will take the record. The question is, 'shall this Bill pass?'. All those in favor will vote 'aye', the opposed 'no'.' Have all voted who wished? The Clerk will take the record. In this question, there are 125 'Ayes', and 2 'Nays' and this Bill having received the Constitutional majority is hereby declared passed. 3586."

Fredric B. Selcke: "House Bill 3586, a bill for an act to amend an act relating to payments for State Services, fees or taxes. Third reading of the Bill."

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

Harold A. Katz: "On House Bill 3586 provides that when services are to be paid for that are public services that the notice to the public should specify that the check should be made payable to the Office of the Official rather than the named Official. This Bill was unanimously approved by the Executive Committee and I urge its' approval."

Hon. W. Robert Blair: "Any further discussion? The question is, 'shall House Bill 3586 pass?'. All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished?"



The Clerk will take the record. In this question, there are 138 'Ayes' and no 'Nays' and this Bill having received the Constitutional majority is hereby declared passed. 3557."

Fredric B. Selcke: "House Bill 3557, an act to amend an act relating to regulation of traffic on private roads. Third reading of the Bill."

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

David J. Regner: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, this Bill permits municipalities in Counties to establish and enforce traffic regulations on private property at the request of the owners, in a project or a sub-division having at least 10 residential units. And it also has a provision for the recession of such a request and I ask for a favorable vote."

Hon. W. Robert Blair: "Any Discussion? The question is, 'shall House Bill 3557 pass?'. All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 115 'Ayes', and no 'Nays' and this Bill having received the Constitutional majority is hereby declared passed. 4318."

Fredric B. Selcke: "House Bill 4318, a bill for an act to amend the Township, waterworks and sewage systems act. Third reading of the Bill."

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

Bradley M. Glass: "Thank you, Mr. Speaker, Ladies and Gentlemen. Ah.. this Bill is corrective Legislation and ah.. and presently Waterworks Systems and Sewerage Systems and combined Waterworks Systems are suppose to be covered by the



ah.. Bill which we passed in 1969, but through an oversight in that Legislation, the term 'Waterworks' was omitted. Excuse me, the term 'Sewerage Systems' was omitted and this Legislation ah.. simply adds that language and I request a favorable roll call."

Hon. W. Robert Blair: "Further Discussion? The question is, 'shall House Bill 4318 pass?'. All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 116 'Ayes', and 2 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. 4319."

Fredric B. Selcke: "House Bill 4319, a bill for an act to amend Township, Waterworks and Sewerage Systems Act. Third reading of the Bill."

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

Bradley M. Glass: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4319 would authorize the sale of Revenue.. issuance and sale of Revenue Bonds by Townships at a rate not to exceed 7 percent. Under the present Law ah.. the rate limit is 6 percent and Bonds in the present market cannot be sold at this rate of interest. At the request of the Committee, I put an Amendment on which would limit the 7 percent rate for one year and I request your support for this Bill."

Hon. W. Robert Blair: "Discussion? The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Representative Glass, does this in any way



change the referendum or non-referendum of these particular bond assessment?"

Bradley M. Glass: "No.. Representative Maragos ah.. it does not. This is simply on the sale of the Bill at the rate of interest that can be paid."

Hon. W. Robert Blair: "Any further discussion? The question is 'shall House Bill 4319 pass?'. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 108 'Ayes', and 2 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4481."

Fredric B. Selcke: "House Bill 4481, a bill for an act to amend an act relating to alcoholic liquors. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. D. J. O'Brien."

Daniel J. O'Brien: "Mr. Speaker, Ladies and Gentlemen of the House, this is a Bill to amend the 'Illinois Liquor Control Act'. To codify a practice that has been in existence in many municipalities in Illinois for quite some time, it is practice that has been engaged by the State Liquor Board. That is to request evidence of dram shop insurance before the issuance of a State Liquor License. This Bill... this Amendment to the Liquor Control Act will require such evidence of insurance, will make the revocation or the cancellation of the policy grounds for the cancellation or revocation of the



license, after a hearing, going into why the insurance was cancelled.. the reason for the cancellation of the insurance. I think that the Amendment could have been made to the 'Dram Shop Act' ah.. will necessitate passage of this Bill to afford protection to the public that every dram keeper will have insurance. I'd appreciate a favorable vote."

Hon. W. Robert Blair: "The question is.... The gentleman from Lake, Mr. Matijeovich."

John S. Matijeovich: "Mr. Speaker, I have no question, but I want to speak on this Bill."

Hon. W. Robert Blair: "Alright... go ahead."

John S. Matijeovich: "Mr. Speaker and Members of the House, ah.. I think many of you will recall when we debated the Dram Shop Bill last Session. Ah.. I think that the majority of us recognize the inequities of the Dram Shop Act. And the fact that so many small businessmen ah.. are required to pay very heavy premiums. Now, there's an added danger in this Bill. If any of you know any of your small businessmen who are in the Tavern business, you recognize the fact that very often they can not get Dram Shop Insurance. It's so very high and there are so few that offer the insurance and there is sort of a monopoly of this type of insurance. I think that all this Bill would do would be to encourage that type of monopoly. And actually, it would run people out of business through no fault of their own. And many of you have read, I'm sure, where these insurance companies have offered Dram Shop and all of a sudden they do... insurance and then they've gone under, left the small businessman high



and dry with nothing. I think all this Bill would do is further punish that small Tavern Owner and I think that we as a Legislative Body ought to kill this Bill right now."

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

Webber Borchers: "Mr. Speaker and Members of the House, ah..

I know that in my community ah.. rather elderly people who own the land and the building where Taverns are located. A few years ago one of them inadvertently ah.. did not watch the lease very well and found for a short period of time that they were unprotected. During this time, ah.. an accident occurred ah.. that they had to get their own Lawyer or defend themselves. Now, I agree with Representative Matijevich that there is a certainly amount of ah.. danger to Tavern Owners in this particular Bill. Ah.. however, when I look at the position of the landowner or building owner who may be unprotected, I kind of have a feeling that this is a ah... that the Bill merits ah.. support. Ah.. the advantages overweigh the disadvantages. Now, it looks to me as if as the record develops that ah.. based on the changes we made in the Law this last year, that the action of the Retail Liquor Dealers Association in the State of Illinois would be to insist and demand that the insurance ah.. carriers under the Dram Shop Act would be forced to lower their rates based on the actual loss record. So, I think that this is a Bill that we should support. Although, there are some disadvantages, I think that the overall advantages and the protection of possibly innocent people ah.. that own land



and buildings paramount here. Therefore, I would support this Bill."

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

Bradley M. Glass: "Will the Sponsor yield for a question?"

Hon. W. Robert Blair: "He indicates he will."

Bradley M. Glass: "Representative O'Brien ah.. Dan, is there any rate control in Dram Shop Insurance? In other words, would there be any way for ah.. the Tavern operators to be certain of getting insurance?"

Daniel J. O'Brien: "Under this Amendment, Representative Glass, there is no ah.. rate control. This Amendment has nothing to do with the rates of Insurance. It also has nothing to do with the scope of liability."

Bradley M. Glass: "Thank you."

Hon. W. Robert Blair: "The gentleman from Will, Mr. O'Brien."

George M. O'Brien: "Mr. Speaker and Members of the House, in response to Representative Matijeovich's remarks, I think the heart of the matter is general nature of the unfairness of the Law. The Law doesn't discriminate between the good Tavern Owner and the bad, and as a consequence, if you obtain a glass of Beer in any Tavern at any time of the day, you are subject to a law suit if someone gets hurt later on. That's where the problem lies. As long as you don't eliminate that then I subscribe wholeheartedly to my colleague, Dan O'Brien's measure. Gets some insurance in there, because that's protecting the Tavern Owner and I really think he needs it in face of this unfair legislation."



Hon. W. Robert Blair: "Any further discussion? Does the gentleman care to close? Mr. O'Brien."

Daniel J. O'Brien: "Just briefly, Mr. Speaker, Ladies and Gentlemen of the House, this Amendment to the Liquor Control Act protects the landowner on which a Dram Shop... on which a Tavern is located. It protects the Manager and owner of the good Tavern. And most importantly, it protects the citizen who may be injured as a result of someone who becomes intoxicated in a Dram Shop... in a Tavern. I think its' a good Bill for the Public and a good Bill for the Tavern owners and I would appreciate your support."

Hon. W. Robert Blair: "The question is, 'shall House Bill 4481 pass?'. All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 59 'Ayes' and 40 'Nays' and this Bill having failed to receive a Constitutional majority is hereby declared lost. 4270."

Fredric B. Selcke: "House Bill 4270, a bill for an act to amend 'The Municipal Code'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Wayne, Mr. Blades."

Ben C. Blades: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4270 amends 'The Municipal Code'. Ah.. the municipalities who have their own power and now need additional power for standby or ah.. emergency need to run a transmission line to another source of power, so that they can transmit power from that other source to their local plants for redistribution. They have that authority now, but occasionally, they run into the difficulty of getting a right-of-way



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

Harry Yourell: "Ah.. Ben, are you familiar with Senate Bill 939?"

Ben C. Blades: "No, I am not."

Harry Yourell: "Ah.. well then, we had that Bill in sub-committee and it is somewhat similar to the legislation that we are talking about now. The question that occurs to me or the thought that occurs to me at this point is that during the explanation of the Bill, did I hear correctly when you said that you were going to amend it so that the municipalities that exercise this authority would ah.. when at the time of the ah.. exercise would be put under the control of the regulation of the Commerce Commission?"

Ben C. Blades: "That is correct. It has been amended."

Harry Yourell: "Well.. then to your knowledge is it ah.. legal to ah.. as a power.. ah.. as a private utility company, in effect. Isn't it?"

Gen C. Blades: "What's the question?"

Harry Yourell: "The corporation that has and supplies its own power, for example, is a private utility. Is it not?"

Ben C. Blades: "Yes."

Harry Yourell: "Then.. do you.. do you believe that can come under the control and regulation of the Commerce Commission?"

Ben C. Blades: "Ah... Outside. When they do outside of the City limits of Fairfield for this power of.. of a municipality for this power of eminent domain. Yet, I didn't have that question..."



Harry Yourell: "Ah.. there seems to be some doubt about that, because the same question came up in the debate on ah.. in Committee on Senate Bill 939. And I was just wondering if that is true or not. Thank you."

Hon. W. Robert Blair: "The gentleman from Christian, Mr. Tipsword."

Rolland F. Tipsword: "Would the gentleman yield for a question, please?"

Hon. W. Robert Blair: "Yes."

Rolland F. Tipsword: "Representative Blades, we have a situation that ah.. numerous smaller communities that have had their own power plants. That in this time of increasing use of electrical power, they do not have the ah.. wherewith all to increase their facilities to efficiently to provide the power. Isn't that true? And this is needed for especially those instances?"

Ben C. Blades: "That is exactly the situation and it is a fact that they can buy power from these power companies cheaper than they can manufacture it for themselves."

Rolland F. Tipsword: "That is especially when they're in a system..?"

Ben C. Blades: "That is the purpose of this Bill so they can lay a transmission line to another source of power and transmit it into distribution system."

Rolland F. Tipsword: "Thank you."

Hon. W. Robert Blair: "The gentleman from ah.. Boone, Mr. Cunningham."

Lester Cunningham: "Mr. Speaker, would the Sponsor yield to a



question?"

Hon. W. Robert Blair: "He indicates he will."

Lester Cunningham: "Representative Blades, does this give them the power to ah.. beyond the corporate lines? Would that extend beyond ah.. County lines, too? County boundaries?"

Ben C. Blades: "No, Mr. Cunningham. It does not give the municipality any further authority as far as redistribution is concerned. This is merely, and I put an Amendment on.. another Amendment to, making it clear there that this power could not be redistributed to ah.. various users. It is merely to transfer power from one source of power to another. And it does not give them any additional authority as far as redistribution is concerned."

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

Roman J. Kosinski: "Will the sponsor yield to a question?"

Hon. W. Robert Blair: "Yes, he indicated he'll yield."

Roman J. Kosinski: "Ben, ah.. the need for what this Bill provides is obvious to me. It is to increase facilities to certain areas that are now limited as to what they are getting in electrical power.. Is that correct?"

Ben C. Blades: "That's correct."

Roman J. Kosinski: "At the same in Committee, were there opponents to this other than other electrical agencies, opponents from landowners of eminent domains?"

Ben C. Blades: "Ah.. the ah.. Illinois Agricultural Association modestly opposed it."

Roman J. Kosinski: "In theory or specifically for location?"



for the poles. And this Bill grants the power of eminent domain under the same rules that govern the power companies through the Commerce Commission. This Bill has the support of the municipalities. It has the support of the Electric Co-ops. And I have placed an Amendment at the request of the power companies on the Bill to remove their objection to it, placing these companies under the Commerce Commission not companies, the municipalities under the Commerce Commission ah.. when they go outside to secure this eminent domain. I would appreciate your support and would be glad to answer any questions."

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

Charles J. Fleck: "Representative Blades, you mentioned the power of eminent domain. Now is this to acquire the fee to any property or an easement to construct these power lines?"

Ben C. Blades: "Is could be as much as an easement for property to locate a sub-station. Ah.. it's primarily for the purpose of getting an easement to locate the poles."

Charles J. Fleck: "It's for sub-station and not necessarily lines?"

Ben C. Blades: "It could be, that is correct."

Charles J. Fleck: "It could be both?"

Ben C. Blades: "Yes."

Charles J. Fleck: "Thank you."

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

Harry Yourell: "I'd like to answer... ask the Sponsor a question, please."



Ben C. Blades: "Ah.. it was a matter of trying to protect some of the farmers. Ah.. that the farmers don't like this power of eminent domain. However, that's the only ones that I recall outside of the major power companies, which asked me to put this Amendment on, placing them under the Commerce Commission. I would have rather not had it that way, but it leaves a lot to what they've got now."

Roman J. Kosinski: "And ah.. these farmers who had ah.. essentially resented the idea of eminent domain. Did they resent it in principal or are they going to specifically affected negatively in some way?"

Ben C. Blades: "No, they are not going to be affected negatively. You see the situation is this at the present time. If the power company were building the line or a proposed line, they already have that authority to go and do that, and they have the authority of eminent domain under the Commerce Commission. However, ah.. in many instances, the small municipalities do not want a continual year around source of supply. Therefore, the municipality must stand the cost of the line to lay it to the power company to pick it up. Now, if the situation was reversed, they already have the authority of eminent domain."

Roman J. Kosinski: "And the farmers who complain negatively, are they being served by this new facility?"

Ben C. Blades: "I didn't get the question."

Roman J. Kosinski: "The farmers who complained, are they also going to be served by this new facility?"



Ben C. Blades: "No, they are in all probability being ah.. served by ah.. Electric Co-ops or ah.. a power company at that time. Ah.. it isn't likely that they will be... No there will be no service off of this transmission line, you see."

Roman J. Kosinski: "Thank you, Ben."

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

Webber Borchers: "Will the Sponsor yield to a question?"

Hon. W. Robert Blair: "He indicates he will."

Webber Borchers: "Ah.. I would like to have clear in my own mind that a municipality will be able to buy eminent domain, go outside its' borders to ah.. take from a landowner property for such a station or sub-station. Is that correct?"

Ben C. Blades: "That's what the Bill asks for."

Webber Borchers: "Is it necessarily so, since it's a municipality? That means that it would be serving a community instead of the farmers whose land is taken. Is that so?"

Ben C. Blades: "What's your question?"

Webber Borchers: "A municipality will be serving their own community with their own electric power, so that they are able to... this will give them power to go outside... to ah.. take land outside of the municipal borders. And they will not necessarily, and the fact is that it will be very rare, that they will be serving the farmer whose land is being taken. Is that right?"

Ben C. Blades: "They might well be serving that farmer, if they have that..."



Webber Borchers: "It could happen, but the chances are that it's just a municipality. I want to make another thing clear in my mind. Is it possible for this municipality to ah.. go into an adjoining County? For example, near the Christian County and Macon County Line, for say, Taylorville, and ah.. pick up a ah.. eminent domain. They can go from one County to another. Is that right?"

Ben C. Blades: "Yes, that is correct. The power companies have that authority now."

Webber Borchers: "Well.."

Ben C. Blades: "The major power companies have that authority now, Representative Borchers."

Webber Borchers: "One other question. About what is the average size of the acreage, half acre, acre that would be taken by such an act? Have you an idea?"

Ben C. Blades: "No, what we're talking about... primarily what we're talking about here is not selling off a farm or taking a piece of acreage. It is locating the poles. These meant to locate the poles."

Webber Borchers: "It's mostly..."

Ben C. Blades: "Ah.. that's what we're talking about right now."

Webber Borchers: "It could be a sub-station, possibly?"

Ben C. Blades: "Yes."

Webber Borchers: "In my estimation, if I recollect. As I recollect, that ought to be a small area, maybe a fourth of an acre?"

Ben C. Blades: "A fourth of an acre, a half of an acre, something like that."



Webber Borchers: "And the rest of it is just merely for poles."

Hon. W. Robert Blair: "The gentleman from Knox, Mr. McMaster."

A. T. McMaster: "Will the Sponsor yield for a question?"

Hon. W. Robert Blair: "He indicates he will."

A. T. McMaster: "Ah.. Mr. Blades, you say that this would involve only a small acreage or possibly a location of poles. But is there any restriction on acreage within the Bill?"

Ben C. Blades: "No.. no, there is no restriction on the power companies at this time. What this Bill asks for is the municipalities have the same authority that the power companies have."

A. T. McMaster: "Ah.. this is what bothers me about the Bill, Mr. Blades. Ah.. supposing I farm in a vicinity of a town, they decide they want to come out on my farm and put a sub-station there, put a row of poles across it and perhaps ah.. three poles to each setting. And it's very difficult for a farmer to farm around this set of poles. For one thing, he is losing the right to control his own land in that they can take any unspecified number of acres to build a sub-station and ah.. what is the compensation to this man. Is there any negotiation allowed for compensation for what he loses?"

Ben C. Blades: "Well, certainly. That's why it's placed under the Commerce Commission to give them the power of eminent domain to see that they ah.. negotiate and reach a settlement with the ah..damage that's done. And let me point out to you, the illustration that you gave, the major power company has that authority now."



A. T. McMaster: "Yes.. this is one of the problems, Mr. Blades. The power company already has it and now we're going to extend that power to the municipalities. I ah.. certainly ah.. recognize the problem of the municipalities as far as power supplies and sources are concerned, but certainly I think that the farmer ah.. has some rights too, many of which have already been taken away and now we're going to give away some more rights that we have had."

Ben C. Blades: "I agree with you that the farmer has his rights, but at the same time, I don't think any body can stand in the way of prosperity."

A. T. McMaster: "Prosperity?"

Ben C. Blades: "Or progress."

A. T. McMaster: "Thank you, Mr. Blades."

Hon. W. Robert Blair: "The gentleman from Sangamon, Mr. Londri-
gan."

James T. Londrigan: "Would the Sponsor yield to a question?"

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

James T. Londrigan: "Representative Blades, while I'm generally in support of this Bill, I am somewhat concerned, especially about the Amendment putting it under the control of the Commerce Commission. I see no need for such an Amendment to what is a good Bill. This is a rate regulation agency. What reason is there for putting it under the Commerce Commission, when all they're going to do outside their municipal limits is to have power stations?"

Ben C. Blades: "Well, just to be real rightly honest with you,



I'd rather not had the Amendment on it and I thought that the power companies were not going to oppose me with this Amendment. They felt that the municipalities should be placed under the same restriction that they were under. And really I.. you can't really fall out with that."

Hon. W. Robert Blair: "The gentleman from Peoria, Mr. Tuerk."

Fred J. Tuerk: "Will the Sponsor yield?"

Hon. W. Robert Blair: "He indicates he will."

Fred J. Tuerk: "A moment ago, Representative Blades, there was some reference to Senate Bill 939. You're not familiar with that Bill?"

Ben C. Blades: "No Sir, I am not."

Fred J. Tuerk: "Well, it's quite similar in its effect, but it has a 35 mile limitation on it. Does your Bill call for any mileage limitation at all?"

Ben C. Blades: "No Sir, my Bill does not call for any limitation. I wouldn't be averse to putting a limit on it to coincide with Senate Bill 939 of 35 miles, if it would please any of you. If that would help me to get my Bill through."

Fred J. Tuerk: "Well, my second question would be ah.. why putting it under the Commerce Commission is this going to make it a viable Bill, one that you feel will pass?"

Ben C. Blades: "I felt that when I agreed to that Amendment, I felt that I was removing the objection of the power companies at that time."

Fred J. Tuerk: "I see. Thank you."

Hon. W. Robert Blair: "The gentleman from Rock Island, Representative Pappas."



Peter Pappas: "Mr. Speaker and Ladies and Gentlemen of the House, I'm losing power in my mikes. I move to the previous question."

Rep. Arthur A. Telcser: "The previous question has been moved. All those in favor of the gentleman's motion, signify by saying 'aye', the opposed 'no', the previous question has been moved and the gentleman from Wayne, Representative Blades is recognized to close the debate."

Ben C. Blades: "Mr. Speaker and Ladies and Gentlemen of the House, this situation does occur that the small municipalities who still own their own power system are confronted with at the present time. Many of them over the years have had their utility system and their power system to supply their own power. Ah.. then now, the major power companies can manufacture this power and sell it to these municipalities cheaper than the municipality can manufacture it for itself. With the annual growth of need of power, these municipalities are no longer in the area where they could continue to float bonds and increase their facilities. Therefore, it is necessary for them to seek power to meet the needs that they have at the present time, not on a continual basis, but just on certain times of the year. And this Bill is designed so that they may lay a transmission line, not a redistribution line, but a transmission line to that source of power. Whether it be the Southern Illinois Power Company, the C.I.P.S., Electric Co-operative or whatever it might be, merely that they may go to that source and pick up additional power."



Now, this works both ways. In a case of emergency, they could pick up additional power from the Power Company. Now, if there was another emergency in the other part of the State, or the area where they picked up their power, the City could transmit power to that area. Many of these municipalities have blackouts daily, weekly, monthly. Now, at the present time, as you know with the Hospital facilities that most of them have, there are times when they cannot afford in the public interest to be without a source of power. So, I have ah.. tried to be as fairly and honestly with you as I know how to be in explaining this Bill. That's what we're trying to do. I solicit your support."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 4270 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. The gentleman from Peoria, Representative Day, to explain his vote."

Robert G. Day: "Mr. Speaker, Ladies and Gentlemen of the House, it seems to me that we're going to have to recognize that this Legislature should make it possible for people who live in these small communities to get electric power. Now, if it's not provided by a municipal power company, it will have to be provided by a Public Utility, another company. Either way, you've got to have lines running into the municipality from the main source of power. We have given two public utilities the authority to condemn land for this purpose. This Bill seems to have adequate protection for the rural person who doesn't feel that his land should be condemned, because it specifically says that they can only



use or exercise the power of eminent domain where it is necessary. So, he has the opportunity for a hearing. First of all, to determine whether his land is necessary for this purpose and secondly, he has the opportunity of a hearing to determine what is a fair compensation for the land. And I see no reason why we should discriminate against a municipally operated power company in favor of a public utility. The people in Mr. Blades area preferred to be served by a municipal power company, they should be put on the same basis as a private public utility."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Meyer."

J. Theodore Meyer: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill refers to an eminent domain to quote and unquote the source of power. Ladies and Gentlemen, I submit to you under this Bill a City could go out and condemn not a small corridor, but they could go out and condemn thousands acres for a generating facility Cooling Lake. I don't believe that this is what this Bill is intended for. For that reason, I'm voting 'no'."

Rep. Arthur A. Telcser: "The gentleman from Marion, Representative Stedelin."

Harold D. Stedelin: "Mr. Speaker, Ladies and Gentlemen of the Assembly, there's nothing wrong with this Bill whatsoever. As far as the City going out and condemning thousands of acres, they wouldn't have a need for it and they wouldn't have the money to do it. I happen to know that we're losing



industry in a certain community, because of the lack of power, which will mean that it will be close to another 1,000 people without work. For goodness sakes, give us a little chance go grow. That's all we ask. This won't hurt a thing. Please vote 'yes'."

Rep. Arthur A. Telcser: "The gentleman from Macon, Representative Borchers."

Webber Borchers: "Mr. Speaker and fellow Members of the House, I want to just point out two things. There's nothing stopping a municipality right now from going out 2, 5 miles, 10 miles and buying a quarter of an acre of land in any direction that they want from a farmer for that station. Number two, we have thousands of miles of road networks, paved and unpaved, still in this State. Those power lines are being put right now along every road we've got and I doubt very much that it would much out of the way of any municipality to set.. to give the power of eminent domain and cutting right across a man's field where he's go more troubles with weeds and control, and plowing and all that. They can go right now by all the roads we've got and you all know they can go everywhere in Illinois with these roads."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Kosinski."

Roman J. Kosinski: "Mr. Speaker, may I explain my vote?"

Rep. Arthur A. Telcser: "Proceed."

Roman J. Kosinski: "Mr. Speaker and Gentlemen, it appears to me that we enlarge urban areas. Yet, legislation and the



right to make thick swamps through highly congested communities and this upsets millions of people when we need a roadway. Now, here's a situation where small growing towns, in my mind, need certain additional facilities and we are quibbling about the possibility of easement rights and possibly a few small buildings. I think that we are denying growth to these small villages and I cast a 'yes' vote."

Rep. Arthur A. Telcser: "The gentleman from Kane, Representative Waddell."

R. Bruce Waddell: "Mr. Speaker and Ladies and Gentlemen of the House, in explaining my vote, I think that you are forgetting one thing. Your not denying them this right because they can put in a larger power plant if they want to. What you are saying, in effect, is that a utility could come in and help them out purely on the amount that they want over their normal usage. In other words, this very situation, which was heard the following day and those of us on the Committee were not notified that the meeting was going to be the following morning, so that we could hear this. We find ourselves in a situation where small communities at the bequest of the Town Board now are given the right of eminent domain. I think it's terrible. These communities have been offered power by the Co-ops. They've been offered power by the utilities and here we have a case of proliferation of power of each small community in the State of Illinois. It's a bad Bill."

Rep. Arthur A. Telcser: "The gentleman from Wayne, Representa-



tive Blades, to explain his vote."

Ben C. Blades: "Mr. Speaker, If Mr. Waddell wasn't at the meeting the next morning, it is simply because he wasn't attending his Committee Meetings as he should have, because it was definitely announced in recess for 9:00 O'Clock the next morning. And I'm sorry if he wasn't there to hear the discussion. And I ah.. don't like the inferring there that ah.. he said that there was a little chicanery pull in getting this Bill out of Committee, because that is simply not so. I would ask for a... permission to postpone consideration of the Bill."

Rep. Arthur A. Telcser: "The gentleman has asked leave to have ah.. House Bill 4270 postponed. Does he have leave? Hearing no objections, this Bill is put on the order of postponed consideration. House Bill 4637."

Jack O'Brien: "House Bill 4637, a bill for an act in relation to Public Water Districts. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from St. Clair, Representative Flinn."

Monroe L. Flinn: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4637 amends the Act relating to the Public Water Districts to provide that such district may acquire any part of... of the Public and Water District Works and Systems. Ah.. the purpose of this Bill is to remove some ambiguity in the present law that exists. It clears up the right of one public water company to buy the property of the other. In my District, we have a situation where there are two water



companies and two sewer companies, all intertwined with one another, all lying within the same District. They desire to join together to form one company and one management, one maintenance crew, and so forth, for the purpose of economy. I respectfully ask your support for House Bill 4637."

Rep. Arthur A. Telcser: "Further discussion? The question is, 'shall House Bill 4637 pass?'. All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 111 'Ayes', and 1 'Nay', and this Bill having received the Constitutional majority is hereby declared passed. 4178."

Fredric B. Selcke: "House Bill 4178, a bill for an act to amend 'The Vehicle Code'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Henderson, Mr. Neff."

Clarence E. Neff: "Mr. Speaker and Ladies and Gentlemen of the House, ah.. House Bill 4178 is a motor vehicle law's commission Bill. This Bill was heard thoroughly in the Commission and went into Committee... the Motor Vehicle Law Committee and passed out unanimously. This is a Bill that ah.. straightens up some language in the use of the dealer car plate. Generally speaking, we have no problem on this, but there have been a few areas in the State of Illinois where they have had some problems and some car dealers have been given tickets. Although, none of these tickets have been upheld in Court and there has been no conviction of any of the tickets. All this Bill does is actually ah.. change the language on a dealer car plate as a personal vehicle and as not a demonstrator. I would appreciate the support of this legislation."

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

Henry J. Hyde: "Will the gentleman yield for question? Ah..

Mr. Neff, ah.. would this Bill mean that a dealer can now drive his personal car for personal use and use dealers plates rather than paying the regular fee like the rest of us do?"

Clarence E. Neff: "No, it does not, Representative Hyde. In fact, the way the law is set up and the way that the Secretary of State interprets it, there's no problem whatsoever. But in the State Law, there seems to be some confusion when their driving...and a person driving a demonstrator car. In some areas and a few sections in Chicago, they have been given a ticket on it even though this is using as a demonstrator. And this doesn't change that whatsoever. All it does when it's a demonstrator car being used as a demonstrator, they may use demonstrator license on it."

Henry J. Hyde: "Then, the line in the synopsis, I regret I haven't read the Bill, where it says 'the lease prohibition on dealer owned vehicles used permanently as a personal vehicle'. That is incorrect?"

Clarence E. Neff: "I think that this is ah..this seems to be..."

Hon. W. Robert Blair: "Any further discussion? The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Ah.. Mr. Pappas informs that a dealer may not use dealer plates on a car that is titled. Ah.. Ah.. only on ah.. cars that are available for resale, so that does answer my question and the synopsis is apparently wrong then. Thank you."



Hon. W. Robert Blair: "Any further discussion? The gentleman from Henderson, Mr. Neff, care to close?"

Clarence E. Neff: "I think that if there are no more questions on this, Mr. Speaker, that ah.. ah.. I will ah.. ask for ah.. vote to ah.. pass this Bill"

Hon. W. Robert Blair: "The question is, 'shall House Bill 4178 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Alrighty... take the record. On this question, there are 109 'Ayes', and 5 'Nays', and this Bill having received the constitutional majority is hereby declared passed. 4190."

Fredric B. Selcke: "House Bill 4190, a bill for an act to amend 'The Vehicle Code'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Henderson, Mr. Neff,"

Clarence E. Neff: "Mr. Speaker, Ladies and Gentlemen of the House, this is to correct something ah.. when we passed the transportation ah.. Bill last year. This moved the ah.. school buses from the Superintendent of Education into the Transportation Division and this put these school buses in the second class division where they had to be ah.. tested and ah.. in April and October. What we would like to do is be able to test these buses.. school buses before the starting of a school semester, which we would need to do. This would permit that school buses to be checked or inspected any time. They would still have the two inspections a year and they could inspect them before school started in the fall and also during the Christmas vacation. It would also take them out of that deal where second division trucks and so forth are inspected and they wouldn't have the long waiting there."



Again, this Bill was studied by the Motor Vehicle Laws Commission and was passed out of the regular Committee without any dissenting votes and I would appreciate your support."

Hon. W. Robert Blair: "Discussion? The gentleman from Cook, Mr. Meyer."

J. Theodore Meyer: "The Digest says that it strikes the Section relating to the statutory ah.. inspections and says that the Department will make rules and regulations. Are there any statutory schedules?"

Clarence E. Neff: "Ah.. Representative Meyers, that's a misprint in that there and there is statutory requirements. And they would have require all of those. All this Bill does is sets it so they can be inspected any time during the year instead of April and October."

J. Theodore Meyer: "Then it does strike the twice a year inspection by law."

Clarence E. Neff: "It doesn't strike that, Representative Meyers. It still has to be inspected twice a year. It just changes the dates of when they will be inspected."

Hon. W. Robert Blair: "Further discussion? Would the gentleman care to close?"

Clarence E. Neff: "I would appreciate a favorable vote on this legislation, Mr. Speaker."

Hon. W. Robert Blair: "The question is, shall House Bill 4190 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 92 'Ayes', and 4 'Nays'.



and this Bill having received the Constitutional majority is hereby declared passed. Telcser.. 'aye'. 4104."

Fredric B. Selcke: "House Bill 4104, a bill for an act to amend Section 9 of the 'Safety Glazing Materials Act'. Third reading of the Bill."

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

Peter Pappas: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4104 amends the 'Safety Glazing Materials Act' provides that the Act will applicable to installations made after October 1, 1972. The reason for the change in date is that the manufacturers of tempered glass will not be able to produce enough glass at the present time to meet the requirements of the law and hopefully, the Glazing Committee feels that by October 1, they would give them sufficient time to manufacture enough glass so that the installers can comply with the law. I would move for its' adoption."

Hon. W. Robert Blair: "The gentleman from ah.. Any further discussion? Alright.. the question is, 'shall House Bill 4104 pass?'. All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 103 'Ayes', and 1 'Nay', and this Bill having received the Constitutional majority is hereby declared passed. Hall.. 'aye'. 4206."

Fredric B. Selcke: "House Bill 4206, a bill for an Act to amend the 'Environmental Protection Act'. Third reading of the Bill."



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

J. Glenn Schneider: "Thank you, Mr. Speaker. 4206 is a Bill which was requested by the Governor's Office to be sent through the process once again. It was originally House Bill 785. During the process of Amendment and ah.. deletion of certain items within the Bill, there was apparently an error in journalizing the Bill. Ah.. at the time when the amendatory veto was offered, I submitted one in competition with it. Ah.. we adopted the Governor's Amendatory Veto, as you might imagine. And my Amendatory Veto or my Amendment, however, ah.. appears to be the one that was journalized. In order to have the Bill in its' proper form, ah.. as I said, we sent the Bill again through Committee, and hopefully, to the House and the Senate for passage. It's ah.. basically a corrective measure. I solicit your support on it."

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

Webber Borchers: "Mr. Speaker and fellow Members of the House, I think that we're just going overboard on giving power to these gentlemen in Chicago. Four of them from upper Chicago and one Downstate. Noise can be obnoxious, barking dogs, etc., but the police powers under home rule will take care of it and do take care of it. Why in the world is it necessary for us to give even the power to others, from my point of view from Downstate for someone in Chicago to tell me that my police department can't even regulate the noise in my own community. That somebody can make a noise and they can drag and stick their long nose into somebody's affairs



in Decatur, Illinois or Blue Mound. I just think that we're going overboard in this thing. Now, I'm sure and I'm not going to take the time, that I could very well prove in relation to what I said yesterday... about the relation to burning leaves and smoke the weed. In deed, I ask. But that has nothing to do with todays problem of noise unless you hear the crackling burning of leaves in the fall. Nevertheless, I think that we should draw off some of this stuff. And I think we ought to vote 'no', and cut them down a little bit."

Hon. W. Robert Blair: "Further discussion? The gentleman from DuPage, Mr. Schneider, to close."

J. Glenn Schneider: "Just very briefly, Mr. Speaker. I am very sympathetic with what Mr. Borchers is speaking of. However, most of the restrictive ah.. natures of the Bill have been deleted. That again is the basic judgement. I know that ah.. Webber doesn't agree with it, but the judgement rests with E.P.A., and I prefer to leave it in that form. I'd appreciate your support."

Hon. W. Robert Blair: "The question is, 'shall House Bill 4206 pass?'. All those in favor will vote 'aye', and the opposed 'no'. The gentleman from Vermilion, Mr. Craig."

Robert Craig: "I'd like to ask the Sponsor a question."

Hon. W. Robert Blair: "Alright.. explanation of vote."

Robert Craig: "Say ah.. During corn harvest.. these corn driers which make quite a little bit of noise. How am I going to get that noise controlled on my boundary line? Is this



going to affect that too?"

J. Glenn Schneider: "Bob, on that... ah.. again, when the Bill was originally formed, it has decibel limits and foot dimensions. For example, it had 85 decibels measured on a scale at 50 feet. During the Committee Hearing, and finally at the Amendatory veto, all that was stricken and I think that the E.P.A. is going to have make those types of decisions. And I think that they'll make them on a reasonable level. So, it takes out most of the controversial aspects, which disappointed me. But, nonetheless, I do think that there has to be some kind of controls... beginning controls on the problem of the noise. And I don't think that they're going to be establishing restrictions on corn pickers, and so forth, ah.. that are not possible to live under."

Robert Craig: "Well, I haven't got quite as much confidence in the E.P.A. as some have, but I'd rather for them to work these things out first and then come with their legislation. Because I think that this could be quite a problem, especially in the rural areas that border maybe on a little town or some place like that."

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

Webber Borchers: "Mr. Speaker and fellow Members of the House, in explaining my vote, I sincerely hope that they will try to find out how to make muffled jack hammers for building the buildings. So, no sound will go beyond... a few feet beyond the building that's being erected. I'm sure that it would be the interest of the surrounding people to stop



the construction in Chicago, for example, because it's going too far with the noise output. What Representative Craig says is quite true in relation to farm machinery. There's always nuts in this State. Some of our finest ones are ah.. ah.. nuts that we have are the five men that we've got on that Board. Dictatorial. Arbitrary. It's incredible the stories that I have from over the State of Illinois. I do.. I don't want them to have any more power. I just merely suggest that the... that if this law goes into effect, we should do something about our Police Sirens, our Fire Departments, our Ambulances. Their noise is penetrating. It's very disturbing to me to hear such a vehicle coming behind me and find that I must, by law, turn over to the side of the road. I think that we should stop it all. The whole thing is idiotic, if you want to know what I really think about it."

Hon. W. Robert Blair: "Any further dis... The Clerk will take the record. The gentleman from Cook, Mr. Katz. D. J. O'Brian.. 'aye'. D. J. O'Brien.. 'aye'. The gentleman from Cook, Mr. Katz. For what purpose do you rise? The gentleman from DuPage, Mr. Schneider."

J. Glenn Schneider: "Can I explain my vote, Mr. Speaker?"

Hon. W. Robert Blair: "Alright."

J. Glenn Schneider: "Well, I wanted to respond to what Bob had asked. And that is the question of ah.. absolute limits. The Bill as I said earlier was fraught with the problem. And the reason the E.P.A. opposed it on that grounds was the fact



that they may some day want to establish different kinds of limits, which are more realistic than in ah.. 1972. So, what I think ah.. they are trying to work for is an accommodation of the variety of problems that all of us face, whether we be City, Rural or Downstate. But, I think that it is a ah.. very eminently reasonable request that they have made of me and I was willing to delete it from the Bill itself, aware that many technological changes are taking place in measurements of noises, and so forth. Much of the change will have to come in the manufacturing of items and construction of buildings, and so forth. So, I think that what your doing is prejudging it as I did and presume that ah.. 80 to 85 D.B.A. would be ah.. realistic level to ah.. establish. But, I think, at this point, it is unreasonable and they will not ah.. lock themselves into any specific D.B.A."

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

Michael J. Madigan: "Mr. Speaker, on a point of personal privilege, I would like to take this opportunity to introduce to the House of Representatives, a group of Students from my Legislative District. There is a group of Students in the Gallery to my rear from the Hubbard High School and they are accompanied by the Assistant Principal, Mr. Richard Coes. I would like to point out to the Body, that today, we will pass an agreed Resolution commending the students of Hubbard High School for certain work which they took upon themselves in plastering, painting, washing floors, varnishing, waxing, and wallpapering the school when fund shortages,



budgetary cuts, when the Administrative bottlenecks of the Chicago Board of Education prevented this work from being done by the Board itself. So, the Students are in the rear of the Gallery and I'd like to welcome them."

Hon. W. Robert Blair: "Flinn.. 'aye'. Taylor.. 'aye'.

Laurino.. 'aye'. Yourell.. 'aye'. Have all voted who wished? Wait until I announce the roll, please. How is J. Y. Carter recorded? James Carter."

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

Hon. W. Robert Blair: "Ron Hoffman.. 'aye'. On this question, there are.. J. J. Wolf has changed his vote 'aye'. 93 'Ayes', 30 'Nays', 1 'Present'. The gentleman from Macon, Mr. Borchers request a verification of the roll call. So, the Members will be in their seats. The Clerk will verify."

Fredric B. Selcke: "Arrigo.. Barnes.. Barry.. Berman.. Brandt.. Brenne.. Brinkmeier.. Burditt.. Caldwell.. Calvo.. Capparelli.. Carroll.. Jimmy Carter.. Chapman.. Choate.. Clabaugh.. Colitz.. Otic Sollins.. Phil Collins.. Conolly.. Davis.. DiPrima.. Douglas.. Downes.. Duff.. Dyer.. Epton.. Fleck.. Flinn.. Garmisa.. Giorgi.. Glass.. Graham.. Hall.. Henss.. Hill.. Hirschfeld.. Gene Hoffman.. Ron Hoffman.. Houlihan.. Hyde.. Jacobs.. Jaffe.. Jones.. Katz.. Kleine.. Kosinski.. Laurino.. Lechowicz.. Lehman.. Lenard.. Leon.. Londrigan.. M. Madigan.. Mann.. Maragos.. Matijevich.. McAvoy.. McCormick.. McGah.. McLendon.. McPartlin.. Merlo.. Meyer.. Peter Miller.. Moore.. D. O'Brien.. George O'Brien.. O'Hallaren.. Palmer.. Pappas.. Pierce.. Randolph.. Regner.. Schlickman.. Schneider.. Shea.. Ike Sims.. Smith.. Soderstrom.. Stone.. Taylor.. Teleser..



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

R. Thompson.. Waddell.. Wall.. Harold Washington.. Welsh..
 Frank Wolf.. J. J. Wolf.. B. B. Wolfe.. Yourell.. Mr. Speaker."

Hon. W. Robert Blair: "Schoeberlein.. 'aye'. Alright.. the
 gentleman from Macon, Mr. Borchers. I suggest you go over
 to your seat and use your microphone. Genoa Washington..
 'aye', Sevcik.. 'aye'. How is the gentleman recorded?"

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

Hon. W. Robert Blair: "Take him off the record."

Webber Borchers: "Brinkmeier?"

Hon. W. Robert Blair: "He's in his seat."

Webber Borchers: "Calvo?"

Hon. W. Robert Blair: "He's there."

Webber Borchers: "Capparelli?"

Hon. W. Robert Blair: "He's there."

Webber Borchers: "P. Collins?"

Hon. W. Robert Blair: "No.. Phil Collins? How's he recorded?"

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

Hon. W. Robert Blair: "Take him off the record."

Webber Borchers: "Pierce?"

Hon. W. Robert Blair: "He's there."

Webber Borchers: "DiPrima?"

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

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

Hon. W. Robert Blair: "Take him off the record."

Webber Borchers: "Garmisa?"

Hon. W. Robert Blair: "He's there."

Webber Borchers: "Hill?"



Hon. W. Robert Blair: "He's here."

Webber Borchers: "Londrigan?"

Hon. W. Robert Blair: "He's there."

Webber Borchers: "Lehman?"

Hon. W. Robert Blair: "Lehman or McLendon?"

Webber Borchers: "To tell you the truth, I can't read my writing."

Hon. W. Robert Blair: "Lehman and McLendon are both in their
seats."

Webber Borchers: "Houlihan... O'Hallaren?"

Hon. W. Robert Blair: "Yes.. he's here."

Webber Borchers: "Pierce?... Pierce?"

Hon. W. Robert Blair: "Well.. you tried him once and he's still
there."

Webber Borchers: "Schneider? This is terrible, but I wrote
it so fast. R. Thompson?"

Hon. W. Robert Blair: "He's here."

Webber Borchers: " J. J. Wolf?"

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

Fredric B. Selcke: "The gentleman is recorded as voting 'aye'.
There he is."

Hon. W. Robert Blair: "Alright.. he's there."

Webber Borchers: "That's it."

Hon. W. Robert Blair: "Alright.. on the verification, there are..
The gentleman from Henderson, Mr. Neff, for what purpose do
you rise?"

Clarence E. Neff: "Mr. Speaker, how am I recorded?"

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



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

Clarence E. Neff: "I vote 'no', Mr. Speaker."

Hon. W. Robert Blair: "Record the gentleman, 'no'. 93 'Ayes', and 31 'Nays', this Bill having received the Constitutional majority is hereby declared passed. 1 'Present'. 4506.

The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Mr. Speaker, having voted on the prevailing side of House Bill 4206, I move that we reconsider the vote."

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

Arthur L. Berman: "Lay that motion on the table."

Hon. W. Robert Blair: "All those in favor of the motion on the table, say 'aye', the opposed 'no', the 'ayes' have it and the motion to table prevails."

Fredric B. Selcke: "House Bill 4506, bill for an act to amend 'The Revenue Act'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Sangamon, Mr. Jones."

J. David Jones: "Mr. Speaker and Ladies and Gentlemen of the House, 4506 is really a housekeeping Bill requested by the Department of Local Governmental Affairs, whereby the filing date for those seeking the Homestead Tax Exemption must now file by March the 1st, removes that exemption and they would apply on the same rules as anyone else to appear before the Board of Review. I move its adoption."

Hon. W. Robert Blair: "Further discussion? The question is, 'shall the House pass 4506?'. All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? Take



the record. On this question, there are 117 'Ayes', and 2 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. Walter.. 'aye', Bill Walsh.. 'aye', Hudson.. 'aye', Les Cunningham.. 'aye', Lauterbach.. 'aye', Juckett.. 'aye', Lehman.. 'aye', Harber Hall.. 'aye', Choate.. 'aye', Alsup.. 'aye', Cox.. 'aye', Dan O'Brien.. 'aye'. House Bill 4507."

Fredric B. Selcke: "House Bill 4507, a bill for an act to amend 'The Revenue Act'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Sangamon, Representative Jones."

J. David Jones: "Mr. Speaker and Ladies and Gentlemen of the House, 4507 is another request from the Department of Local Governments. That we remove the requirement that a Disabled Veteran, Homestead Exemption, be certified each year by the Veterans Commission. They must certify, of course, with a County Assessor, but there is no need for this to be an annual requirement. And ah.. I solicit your support of the Bill."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4507 pass?'. All those in favor will signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 140 'Ayes' and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4508."



Fredric B. Selcke: "House Bill 4508, a bill for an act to amend an Act relating to State Fair Agency. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Sangamon, Representative Jones."

J. David Jones: "Mr. Speaker and Ladies and Gentlemen of the House, 4508 creates a seven member bipartisan board to direct the Illinois State Fair and appoint its Managers. The three of each Party and the Dean of Agriculture of a State University as a seventh member. Legislation has been approved by the Governor and the State Fair Advisory Board. And the ah.. Board must be approved by the... appointments must be approved by the Senate. This is a remedial action to take care of the problems of the State Fair and put into proper order. And I solicit your support for this legislation."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Shea."

Gerald W. Shea: "As I read this Bill, again we get back to this twist in what we mean. Ah.. but it seems to me that the Governor could appoint three of the people of his Political belief and three so called man primary voters. Is that correct?"

J. David Jones: "It says that the Governor shall make appointments, three shall be... no more than three shall be of the same Political Party."

Gerald W. Shea: "Well, let's assume that Mr. Walker is Governor next year, he appoint three Democrats and three Independents



and no Republicans. Is that what you have in mind?"

David Jones: "Well, it's to be a bipartisan Board. Is the intent of this, Mr. Shea. Would you suggest that we amend it to include three members of each of the major Political Parties?"

Ed W. Shea: "Three members from each of the Parties who polled the highest in the last General Election.. Something like that."

David Jones: "I think that would be a good idea. Let's work it out."

Arthur A. Telcser: "Do you want that out of the record, Representative Jones? Or are you going to do that in the Senate?"

David Jones: "We'll do it in the Senate."

Arthur A. Telcser: "Is there further discussion? The question is, 'shall House Bill 4508 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 104 'Ayes', and 16 'Nays', and this bill having received the Constitutional majority if hereby declared passed. House Bill 4337."

Eric B. Selcke: "House Bill 4337, a bill for an act to amend the School Code'. Third reading of the Bill."

Arthur A. Telcser: "The gentleman from DuPage, Representative Schneider."

Ernest Schneider: "Thank you, Mr. Speaker. Last year, we passed legislation on House Bill 322 and 323, I believe,

which required education for children, especially the handicapped. However, we did not provide for certification of Instructors on that level. The O.S.P.I. requests me to ah.. submit a Bill which would allow them to establish guidelines for qualifications and certification for individuals in this Area of Special Education. At present, it appears that we do not have adequate personnel and adequate certification in this Area. So, I think that the Bill would ah.. cover those problems sufficiently. So, I solicit your support."

Rep. Arthur A. Telcser: "The gentleman from Adams, Representative McClain."

Elmo McClain: "Will you yield to question, please?"

Rep. Arthur A. Telcser: "He indicates he will."

Elmo McClain: "Ah.. how about a grandfather clause? Did you finally put a grandfather clause in there, like for the head start kids?"

J. Glenn Schneider: "No, there's no grandfather clause, because I think when we discussed it in Committee, I talke to Vito Bianco, and he had thought that the guidelines would include those kind of individuals who had the experience. Because it is important, you know, as long as we don't have the ah.. numbers to go around and heal the problem. It is logical that the O.S.P.I. would establish guidelines which would incorporate the individual who had experience with special education ah.. children. So, I think, ah.. this is what we discussed in Committee and I think ah.. Bianco pretty much indicated that that was the direction of the O.S.P.I. Office."



Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Katz."

Harold A. Katz: "Ah.. Mr. Speaker, would the Sponsor respond to a question?"

Rep. Arthur A. Telcser: "He indicates he will."

Harold A. Katz: "Who would be setting up these qualifications?"

J. Glenn Schneider: "The O.S.P.I. would establish the guidelines and certification requirements from their Department dealing with ah.. special education."

Harold A. Katz: "Well, you're using the initials ah.. would you..?"

J. Glenn Schneider: "Office of Superintendent of Public Instruction, Dr. Bakalis' Office."

Harold A. Katz: "Ah.. is there any procedure provided for hearing as to what the qualifications ought to be or do you..?"

J. Glenn Schneider: "It would have to go before the certification board."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Otis Collins."

Otis G. Collins: "Ah.. Representative Schneider, ah.. what is the present ah.. practice in this particular area?"

J. Glenn Schneider: "There was ah.. no certification. So, I think, what was happening, Otis, was that people were being hired who had some experience to the Kindergarten level.. K through 6. This will not necessarily preempt those people, but will make an effort to ah.. to pay attention to the Area of special handicaps. So, you don't necessarily exclude any



body. But it does mean that the Superintendent's Office will make special interest... efforts rather, to consider their interests as teachers in this field."

Otis G. Collins: "Is this Bill endorsed by the ah.. ah.. by any of the leading Organizations in this particular Area?"

J. Glenn Schneider: "Well, the Association of the Mentally Retarded endorsed the Bill in Committee. Also, various educational groups throughout the State indicated ah.. by signing ah.. proponent slips in Committee that they had endorsed it. I did not speak to them, but the slips were signed in Committee. They did not appear on behalf of the Bill at that time."

Otis G. Collins: "One more question. Are we addressing ourselves to the ah.. area ah.. having to do with the standard Day Care Centers. Or are we addressing ourselves to areas having to do with ah.. ah.. special Day Care Centers, having to do with ah.. special classes of children?"

J. Glenn Schneider: "It does not pertain to my knowledge, Otis, to Day Care Centers. The Bill does not read that way.. It talks about schools."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Glass."

Bradley M. Glass: "Will the Sponsor yield for question?"

Rep. Arthur A. Telcser: "He indicates he will."

Bradley M. Glass: "Ah.. Glenn, I wonder if could expand on one of your answers to Representative Collins. Ah.. now, if I understood what you said. With this provision for a



certificate to be issued to teachers for teaching Children under 6 years of age, I think that you indicated that people who didn't have a certificate could still teach. Is that correct or ah.. would they be prohibited from teaching without a certificate?"

J. Glenn Schneider: "The point of the Bill, Brad, is to establish the proper certification required. So, if there qualified and eligible, then they would have a certificate."

Bradley M. Glass: "But then, if they do not obtain one, they will be prohibited from teaching. Is that right?"

J. Glenn Schneider: "Then, they would be unqualified. That's why... by presumption rate. I don't know at this point what the guidelines are, what the criteria are, but the Department is going to establish those. And I don't think that it's typical that we establish by statute, certification requirements."

Bradley M. Glass: "Thank you."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Meyer."

J. Theodore Meyer: "Thank you, Mr. Speaker. Representative Schneider, I and a group of other parents several years ago established a monetary school for our children. And we went out and hired the Teacher and ah.. bought the building and bought the facilities. Would we now have to have a quote, unquote certified teacher?"

J. Glenn Schneider: "Not to my knowledge."

J. Theodore Meyer: "Why not? Or is the digest wrong?"



J. Glenn Schneider: "Well, let me check the digest. Right.. unless the application is to private schools, ah.. which it is not to my knowledge in this case, then, of course, they're not going to be covered. It doesn't require that private schools have that. Remember, in the debate on the aid to non-public schools, one of the question was ah.. proper certification for teachers in non-public schools. Ah.. at this point, it seems that is not required in my Bill no more than it was required in that Bill at that time."

J. Theodore Meyer: "Briefly, Mr. Speaker. Not having the Bill, but it appears that this would apply to all children. And based upon that reason, I believe that this Bill should be defeated."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Pierce."

Daniel M. Pierce: "Ah.. Mr. Speaker, this Bill is required for this simple reason. Last year, we mandated a special education for children three and four years old, handicapped children, and there was no certification process now. So, we're trying to encourage ah.. young people in our Colleges and Universities to take up early childhood education, but they won't do it. The reason they won't do it is because there is no certificate available to them when they graduate from the University of Illinois or Northern Illinois or Illinois State at Normal. There is no certificate available for early childhood education. All this Bill does is make a certificate available to our teacher of three, four and



five year olds. Now, private schools are not covered and Day Care Centers and Monetary Schools and Nursery Schools and we have them in my town and they are very fine schools. They are not covered by the certification requirements of the statute. You do not have to be certificated... certified ah.. to teach in a ah.. private nursery school and this Bill doesn't require that. I would be concerned with Representative Meyer did. I'm convinced that this Bill does not require that private Nursery School Teachers ah.. be certified. Even, the aid to the non-public school Bill does not cover the pre-school years... the early years. So, I think, what we're going here by providing this certificate and this is Dr. Bakalis' Bill, is encouraging young people in our Colleges and Schools of Education to take up early childhood education, so they can get a certificate... obtain a certificate ah.. when they graduate. It's a good Bill and I don't think it will cause harm ah.. to what Representative Meyer's is concerned with. I would be concerned just has he is, if I thought that it did."

Rep. Arthur A. Telcser: "The gentleman from DuPage, Representative Gene Hoffman."

Gene L. Hoffman: "Mr. Speaker and Representatives of the House, this does not apply to private schools. It amend Section 21-2, actually adds a sub-section to it. It applies only to public schools. It does not apply to private schools. I just want to make sure that this point is well clarified, just to amplify the statements that Representative Pierce just made."



Rep. Arthur A. Telcser: "The Lady from DuPage, Representative Dyer."

Mrs. Robert C. Dyer: "Would the Sponsor yield to a question?"

Rep. Arthur A. Telcser: "He indicates he will."

Mrs. Robert C. Dyer: "Alright.. now I accept that. That answer one of the questions of the private school or the church run school. But, how does this relate then to the use of teachers aids and parent professionals which are certainly needed, particularly with the young children? Is there...or elsewhere in the code a requirement that X Number of teachers in this system have to be certified? I can see where this would self defeating, if you require that everybody who works with children.. grade school children must have a certificate. Ah.. then, your cutting out the lovely teachers aids which are necessary to kids, because they can never have enough money to do it. Excuse me."

J. Glenn Schneider: "Giddy, I wouldn't want to cut out the lovely teacher aids. And ah.. the Bill isn't designed to do that because parent professionals are exactly what you identified them as. They are not teachers. They are not certified. We have parent professionals working in all levels of education doing and handling responsibilities for which they are designated. They are not designated as teachers. They are designated as parent professionals and that's the way it remains. So, it does not cut them out at all."

Mrs. Robert C. Dyer: "To pursue that.. That doesn't answer my total question. My total question is then is there elsewhere in the school code a requirement that you have to



have a designated number of certified teachers in every ah.. pre-school or in every school having early childhood development? That's where you're budget would skyrocket, you see."

J. Glenn Schneider: "I can't answer that question because I.. you know, without being an expert on the 'The School Code', it's pretty difficult for me to respond to that. But the Bill makes no number requirements. Does not exclude parent professional or anything of that sort. I can't.. Does that answer the question? If not, it'll have to be done by research. I don't have any idea of that. Maybe someone who know the Code more thoroughly than I, could respond to that. I think that's a different question, though."

Rep. Arthur A. Telcser: "The gentleman from Ogle, Representative Brinkmeier."

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

Rep. Arthur A. Telcser: "He indicates he will."

Robert E. Brinkmeier: "Ah.. Glen, I have a question regarding the final sentence. I'm sorry... I apologize for not bringing this up in Committee, but apparently, it slipped by. I'm wondering, as I interpret this final sentence, we are actually putting a blank check to the State Teacher's Certification Board and the O.S.P.I. Office because it states there that in the Code shall be approved by the Superintendent of Public Instruction in consultation with the State Teacher's Certification Board. Ah.. as I interpret that ah.. we don't know what those requirements are going to be. But we're actually giving a blank check. Are we not?"



J. Glenn Schneider: "Well, as I mentioned before is that the policy of certification goes to a certification panel and they deal with those kind of requirements. It doesn't become policy to my knowledge that we establish statutory kind of restrictions on certification."

Robert E. Brinkmeier: "Okay.. Thank you."

Rep. Arthur A. Telcser: Is there further discussion? If not, the gentleman from DuPage, Representative Schneider, to close the debate."

J. Glenn Schneider: "Ah.. Thank you, Mr. Speaker. I think we've raised a number of pertinent questions and I hope that ah.. in the discussion, we were able to respond favorably to them. And I ask ah.. for your support on the Bill."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 4337 pass?'. All those in favor signify by voting 'aye' and the opposed by voting 'no'. The gentleman from Cook, Representative Meyer, to explain his vote."

J. Theodore Meyer: "Mr. Speaker, Page 1, line 33, refers to quote, unquote in facilities approved by O.S.P.I. This would apply to every Catholic School, every Monetary School, every Nursery School, every Day Care Center. This is a terrible Bill, Mr. Speaker, and it should be beat."

Rep. Arthur A. Telcser: "The gentleman from Champaign, Representative Clabaugh."

Charles W. Clabaugh: "Mr. Speaker and Members of the House, generally speaking, I don't look with very much favor on issuing more different kinds of certificates. But, non-public schools are not required to have certificated teachers."



They are not covered under 'The School Code' in those places. And, so the statement of the gentleman there, I'mmm... just sure that it is completely in error because you are amending a Section of 'The School Code' that does not apply to the non-public schools. Ah.. you see, two years ago or maybe four, we required that if there were sufficient number of children between three and five years old, that special education programs must be installed for those children. Now undoubtedly, there is a need of a different qualification to be the best teachers ah.. for the ones under five years of age. Now, that does not mean... and it's to that group that these certificates would be issued. People who have special training in that field..that does not mean that a teacher that is now teaching under a certificate.... a special education certificate and to teach special education, you must have a special certificate and one that qualifies you in a particular category of special education. That does not mean that a teacher... that is teaching in the present schools couldn't on her certificate in the three to five year groups. It would mean that if there was a certificate for the three to five year olds.. ah.. children.. that the school administration, who was hiring a teacher ah.. would say 'yes' this teacher. We want her because she is certificated particularly and specifically for these children. I think the Bill is a good Bill and I think it's one that we're going to necessity have in a little while. It doesn't cut anybody out. Now, it does not apply to the teacher



aids. It does not apply to ah.. the facilities, except those that for which certified teachers are required."

Rep. Arthur A. Telcser: "The gentleman from DuPage, Representative Schneider, to explain his vote."

J. Glenn Schneider: "I was looking at Bob Brinkmeier's reference to Bob's question and it appears that ah..we still have this particular question about who's certifies in that Area. In the last line, it says that the requisite hours and the nature of academic and professional courses and practical experience offered as a basis of the Early Childhood Certificate shall be approved by the Superintendent of Public Instruction in consultation with the State Teacher's Certification Board which is pretty much the same way that it applies to all certification of instructors throughout the State. And I think in the case of ah.. Elmo McClain's question as to who is going to be exempted out, practical experience is mentioned as a possible criteria. But I think that we're going to cover just about every Area we could possibly cover. Give plenty of leeway to the establishments and certifications. Thank you."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. On this question, there are 103 'Ayes', and 5 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. Alright.. House Bill 4213."

Fredric B. Selcke: "House Bill 4213, an Act to vacate, extinguish, abandon and release on easement for highway purposes in



Peoria County, Illinois. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Peoria, Mr. Lauterbach."

Wilbur H. Lauterbach: "Mr. Speaker, Ladies and Gentlemen of the House, 4213 vacates the right-of-ways of certain land .133 Acres located in Peoria upon payment to the State of \$4,520 dollars. Some years ago, the State Division of Highways purchased this tract of Land and additional property for Highway purposes and they paid the owner's value at that time. It is now determined that they no longer need this portion of the Land and the owner wishes to repurchase his property. The summoned description of this was prepared by the local State Division of Highways, so there should be no opposition to this legislation. I respectfully ask your favorable vote."

Hon. W. Robert Blair: "Discussion? The question is, shall House Bill 4213 pass?'. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are Okay, so we can keep this moving. All of you who are not on your switches, come up here and add your names ah.. on the roll call, if you want to be on it. There are 97 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority if hereby declared passed. 4176."

Fredric B. Selcke: "House Bill 4176, an Act to amend Section 15-111 of 'The Illinois Vehicle Code'. Third reading of the Bill."



Hon. W. Robert Blair: "The gentleman from Brown, Mr. Markert."

Louis A. Markert: "Mr. Speaker, Members of the House, House Bill 4176 inserts weight limits on tri-axle trucks. It requires power string on trucks with 10,000 pounds or more weight on the steering axel. It allows local authorities to establish weights and speed limits on cement laden trucks and full home rule for home rule cities. Two Amendments were offered or suggested by the State Police. They were both adopted. I think this is good legislation. I ask for your favorable consideration."

Hon. W. Robert Blair: "Discussion? The question is, 'shall House Bill 4176 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. Randolph.. 'aye'. On this question, there are 106 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. If you don't get on that roll call, you're going to have to come up here and have them give me your names. Cause I'm not going to slow down the process for that. 4329."

Fredric B. Selcke: "House Bill 4329.... Wait a minute.. 4329 is not on the calendar."

Hon. W. Robert Blair: "4436."

Fredric B. Selcke: House Bill 4436, a bill for an act to amend an Act relating to metal mines. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Johnson, Mr. McCormick."

C. L. McCormick: "Mr. Speaker, Members of the House, this amends mine inspection act. It increases metal mines in-



spections to one each month. At the present time, the Law specifies once each three months. Ah.. I know of no opposition to this Bill and actually it resulted from our mine accidents down in Hardin County last year and ah.. the Committee unanimously supported the Bill and the Department wants it and I know of no opposition. I would appreciate your vote."

Hon. W. Robert Blair: "Discussion? The question is, 'shall House Bill 4436 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 136 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. 4434."

Fredric B. Selcke: "House Bill 4434, a bill for an act to amend an Act relating to the sale of fireworks. Third reading of the Bill."

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

Don A. Moore: "Mr. Speaker, I would like to have House Bill 4435 considered with 4434. They are companion Bills."

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

Don A. Moore: "Yes, I would like House Bill 4435..."

Hon. W. Robert Blair: "Alright.. does this gentleman have leave? Alright.. read 4435."

Fredric B. Selcke: "House Bill 4435, a bill for an act to amend an Act relating to fireworks. Third reading of the Bill."

Don A. Moore: "Thank you, Mr. Speaker, and Members of the House."



Ah.. these two Bills, Mr. Speaker, amend 'The Fireworks Regulation Act'. And in effect, what they accomplish is to transfer the ah.. responsibility of supervision over fireworks manufacturing, storage and transportation from the Department of Law Enforcement to the Department of Mines and Minerals where there is more experts teaching insofar as explosives are concerned. I know of no objection to the Bill. It come out of the recent ah.. Fireworks Explosion Plant where we killed three people up in my District. And I would appreciate a favorable vote."

Hon. W. Robert Blair: "Any further discussion? The gentleman from Lake, Mr. Matijeovich."

John S. Matijeovich: "Will the gentleman respond to one question, please?"

Hon. W. Robert Blair: "He indicates he will."

John S. Matijeovich: "Ah.. Representative Moore, this sounds like good legislation, but I think that we covered those explosions... I think the people of Illinois ought to have a right to know how your Bills will improve the situation with regard to storage of fireworks or the manufacture of them."

Don A. Moore: "Well, it takes the existing Law as it is now. Ah.. there are provisions in the Bill ah.. which enable local Law Enforcement Agencies, municipalities, and so forth, to also engage in the inspection and supervision of this in addition to the employees of the Department of Mines and Minerals."

Hon. W. Robert Blair: "The gentleman from Vermilion, Mr. Craig."



Robert Craig: "None.. these Bill... I'd like to ask a question of the Sponsor."

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

Robert Craig: "Don, does these here Bills have anything to do with the manufacturing or the storing of fireworks? Say that I am a manufacturer or I store fireworks. Do they pertain to anything of that nature?"

Don A. Moore: "Yes.. the existing 'Fireworks Regulation Act' covers the storage, transportation, and so forth. All we're doing is taking the present Act out of the enforcement provisions of the Department of Law and Enforcement and putting it under the Department of Mines and Minerals. There are no other..in other words, the existing Law that is one the books now, we are transferring from one Department to the other."

Robert Craig: "I had a problem, but I think that I have it worked out with the Mines and Minerals. So, it's just transferring it. Alright.. Thank you."

Hon. W. Robert Blair: "Any further discussion? Does the gentleman care to close?"

Don A. Moore: "I would just appreciate a favorable vote, Mr. Speaker."

Hon. W. Robert: "Alright.. The question is, 'shall these two Bills pass?'. All those in favor will vote 'aye', and the opposed 'no' and the Clerk will take two roll calls. The Clerk will take the record. On this question, there are... On each of these Bills, there is 130 'Ayes', and no 'Nays',



and each of these Bills having received the Constitutional majority are hereby declared passed. 3742."

Fredric B. Selcke: "House Bill 3742, a bill for an act to amend 'The Election Code'. Third reading of the Bill."

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

Aaron Jaffe: "Mr. Speaker and Ladies and Gentlemen, this is a voter registration Bill which is really quite simple and really contains only one line. It says 'that no applicant shall not be required to answer questions or to complete special forms which are not submitted to all applicants'. This ah.. goes to voter registration. In other words, all questions and forms have to be uniformed and I think that this would now comply with Court Rulings and the opinion of the Attorney General. This would prohibit harassment of any group or individual. This Bill came about because of the problems of certain College Students and the problems that they were having of voter registration. Ah.. I think that this makes it uniform for everyone and I really don't think that anyone can really object to anything, because of the fact that, what's good for one is good for all, and there are no ah.. special forms or any special questions that could be asked to any particular individual. And I would request that he.... Ah..firm the vote on this question."

Hon. W. Robert Blair: "Discussion? The question is, 'shall House Bill.... The gentleman from Cook, Mr. Glass."

Bradley M. Glass: "Thank you, Mr. Speaker. Will the Sponsor yield?"



Hon. W. Robert Blair: "He indicates he will."

Bradley M. Glass: "Representative Jaffe, does this apply to Township Elections?"

Aaron Jaffe: "It applies to all Elections, especially Township Elections."

Bradley M. Glass: "Thank you."

Hon. W. Robert Blair: "The gentleman from Boone, Mr. Cunningham."

Lester Cunningham: "Will the Sponsor yield, Mr. Speaker?"

Hon. W. Robert Blair: "He indicates he will."

Lester Cunningham: "Does this ah.. pertain to loyalty oaths?"

Aaron Jaffe: "This has nothing to do with loyalty oaths. All it has to do with is voters registration."

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

Henry J. Hyde: "Assuming that Mr. Jaffe will yield, as I know he will, I'd just like to ask, would this also apply to the challenging procedures. In other words, ah.. to get registered ah.. certain things must be accomplished, but then at that voters challenge, he would be called in and he would be asked, I assume, questions that wouldn't apply ah.. to the ordinary applicant for registration. So, ah.. my question is, 'what impact does your Bill have on challenging procedures which of necessity must require different questions being asked of different applicants?'"

Aaron Jaffe: "It has no effect on challenging procedures. Just upon the voter registration."

Hon. W. Robert Blair: "The gentleman from McLean, Mr. Hall."



Harber H. Hall: "Well ah.. Mr. Speaker, I'm rising to object to the Bill. Simply because we have enacted legislation that puts the responsibility for determining the eligibility of applicants in hands of County Clerks. It is their responsibility and we want them to exercise it and we want all to register... all to register who are ah.. qualified to register. But by the same token, if we say that the County Clerk cannot ask any questions of one that he doesn't ask of all, he is unable, therefore, to really determine if ah.. the applicant meets all of the requirements. Ah.. I think that this is ah.. obviously aimed at permitting any student ah.. on a College Campus who actually is not a resident of that City or town, ah.. to able to say that ah.. is his home of residence even though, in fact, that it is not. And I don't ah.. think that that's what we want to do. Ah.. I think that there are adequate provisions in our statutes for determining the rightful ah.. ah.. place ah.. of all who ah.. seek to register and vote. And therefore, I object and I solicit your 'no' votes in this case."

Hon. W. Robert Blair: "Any further discussion? Would the gentleman care to close? The gentleman from DuPage, Mr. Hudson, have a question?"

George Hudson: "Would the Sponsor yield for one more question?"

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

George Hudson: "Aaron, I'd like to clear me up on this point, if you would please. Supposing an applicant comes in or a prospective registrant and there is some reason to believe



that this particular individual is well... maybe under the influence of drugs or alcohol or whatever the case may be. Now, just to ascertain, he could be asked. Could he not? or could he not? Whether he was in complete control of his faculties and if he were asked such a question, then does that mean that every other applicant has to be asked the same question?"

Aaron Jaffe: "Well.. it's always a pleasure to clear up any point that you have. Ah.. the question is really whether or not the answers are valid and what condition the individual is in. You know.. I really don't see what the problem is with this ah.. particular Bill because it complies with the Federal Court order out of Danville and just makes all things uniform."

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

John C. Hirschfeld: "Well.. now, you have raised a question in my mind, Representative Jaffe. Ah.. how does this Bill differ from the agreed Bill ah.. Representative Dyer and Representative Carroll and Representative Clabaugh and Myself that we passed out of this House, ah.. in the last Session, which is still pending in the Senate. In other words, it had a list of questions which was uniform for the County Clerks to follow and your Bill doesn't seem to say any more than that except for that it would restrict the questions."

Aaron Jaffe: "Well, this is actually consistent with that



particular Bill, because this Bill does not include any qualifications and does not establish any qualifications. All that it says that the qualifications must be uniform and the questions must be uniform and the forms must be uniform."

John C. Hirschfeld: "Well than, let me go one step further, Representative. Ah.. who is going to decide what questions are asked in each of the 102 Counties?"

Aaron Jaffe: "Well, either the statute that provided with the ah.. the Bill that was agreed upon or if that Bill doesn't go through, the County Clerk. The only thing that it says is that ah.. that the questions that he does have, and the forms that he does provide must be uniform. That if you ask one person a question, you must ask them all that question."

John C. Hirschfeld: "Alright.. now Representative, let's take Champaign County, for example, where there have been some problems. If the County Clerk there asks a list of 55 questions to the potential registrant in an attempt to stop him from registering as he has apparently has done in the past. And we go down to someother small County, say Polk County where they only ask five questions of the registrants, would that be uniform under your Bill?"

Aaron Jaffe: "It would be uniform within the County. It leaves it up to the County, unless the agreed Bill that you have over in the Senate is passed. In that event, the qualifications that you would have in that particular Bill would then



be asked of everyone."

John C. Hirschfeld: "In other words, we can have in one County, the question will all be uniform, but there can be 102 different uniform questions systems that are asked. Is that what you're saying?"

Aaron Jaffe: "Yeah... Well, I really think that we're getting far afield at this particular point. We do have that Bill pending over in the Senate ah.. and it would seem to me that it would be up to the County Clerk under this Bill in the event that ah.. the other Bills do not pass. I think that you would find a situation ah.. where ah.. you would have paid for which would tend not to permit the County Clerk to ask 115 questions of each, you know, of each person wanting to register. If, in fact, it was harassment. All this Bill does is try to do away with some harassment. That's all that it does."

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

John S. Matijeovich: "I'd like to speak of the Bill, Mr. Speaker.

Ah.. Representative Jaffe, I think that Representative Hirschfeld has a point here. I'm going to vote for your Bill because of the spirit and intent of with which you have offered it at trying to get at a problem. But in your explanation, you said that it is to prevent harassment. I could foresee, although it would be very remote, the possibility that someone could be ah.. that someone could harass, not only just the young voters, but they could uniform to harass all of the voters whom might be trying to register.



And I think that it is a problem that when you get over to the Senate, you ought to look at an Amendment to try to make sure that it is a truly good Bill and couldn't be used for harassment of anybody whether it be the minority or uniformly all of the registration applicants."

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

Romie J. Palmer: "Will the Sponsor yield?"

Hon. W. Robert Blair: "He indicates he will."

Romie J. Palmer: "What would ah.. would this Bill prohibit the an inquiry directed as to derivation of citizenship for those persons who are born in the foreign countries?"

Aaron Jaffe: "No.. that has nothing to do with it at all, Romie."

Romie J. Palmer: "Would the County Clerk be prohibited from asking questions insofar as the derivation of citizenship?"

Aaron Jaffe: "This doesn't prohibit the County Clerk from asking any questions. All it says is that the questions he does ask must be uniform."

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

Lynn G. Brenne: "Will the Sponsor yield?"

Hon. W. Robert Blair: "He indicates he will."

Lynn G. Brenne: "Ah.. I wonder if the Sponsor has considered the fact that we spent many years attempting to establish uniform eligibility for Citizenship in the various States in the Union. And actually tolerating different questions, even though they be uniform within each County will establish different qualifications for registration in the different parts of the State of Illinois. It seems to me that this is



one of the more backward approaches to a problem. I can agree that he has a problem that he would like to resolve, but I don't believe that this is the right ah.. medium to do so."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Lechowicz."
Thaddeus S. Lechowicz: "Mr. Speaker, I move to the previous question."

Hon. W. Robert Blair: "All those in favor say 'aye', opposed 'no', the 'ayes' have it. The gentleman from Cook, Mr. Jaffe, to close."

Aaron Jaffe: "Mr. Speaker and Ladies and Gentlemen, I really can't understand, you know, the problem of this particular Bill. All that it does is require uniform questions and uniform forms to be provided by the County Clerk in voter registration. It doesn't prohibit the County Clerk from asking any particular question that he wants to as long as he asks everybody that particular question. We're going to try to do away with some of the irregularities that have happened. This Bill is really ah.. not that ah.., you know, controversial, in my mind. And I really don't think anybody has to be afraid of it. All it calls for is uniformity in voter registration. And I would think that we would be derelict in our duty, if we did not pass this Bill into Law."

Hon. W. Robert Blair: "The question is, 'shall House Bill 3742 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are... The gentleman from



Cook, Mr. Jaffe."

Aaron Jaffe: "Absentees, please."

Hon. W. Robert Blair: "The gentleman from Madison, Mr. Calvo."

Horace L. Calvo: "Mr. Speaker, in the interest of saving some time, maybe we could have a new roll call."

Hon. W. Robert Blair: "Alright.. I noticed that there were a number of hands that apparently ah.. didn't get to their switches. Ah.. let's dump that roll call. Alright.. the question is, 'shall House Bill 3742 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted? The Clerk will take the record. The gentleman from Cook, Mr. Jaffe."

Aaron Jaffe: "Can we pull the absentees, Mr. Speaker?"

Hon. W. Robert Blair: "Alright.. the gentleman has requested they pull the absentees. The Clerk will do so."

Fredric B. Selcke: "Arrigo.. Blädes.. Brandt.. Burditt..

Capuzi.. Richard Carter.. Phil Collins.. Conolly.. Bill

Cunningham.. Epton.. Ewell.. Flinn.. Graham.. Granata..

Gene Hoffman.. Houde.. Janczak.. Jones.. Kahoun.. Karmazyn..

Keller.. Kennedy.. Kleine.. Klozak.. Laurino.. Lauterbach..

Lehman.. Ed Madigan.. McAvoy.. McDermott.. McDevitt.. McGah..

McMaster.. Meyer.. Kenney Miller.. Peter Miller.. Moore..

Murphy.. Pappas.. Philip.. Rayson.. Redmond.. Regner..

Scariano.. Sevcik.. Shaw.. Simmons.. Springer.. Taylor..

Terzich.. Jack Thompson.. R. Thompson.. Waddell.. Wall..

R. Walsh.. Washburn.. Genoa Washington.. Williams.. Yourell..

Zlatnik."



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

Aaron Jaffe: "May I put this on consideration postponed?"

Hon. W. Robert Blair: "Does the gentleman have leave? Alright.. placed on postponed consideration. 4278."

Fredric B. Selcke: "House Bill 4278, and Act to amend the 'Illinois Vehicle Code'. Third reading of the Bill."

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

Peter Pappas: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4278 as amended amends the 'Illinois Vehicle Code' with respect to passenger car tires used on cars manufactured after 1948. Defines such tires in terms of safe operating conditions. Establishes and effects uniform standards for such safety. This Act would go into effect January 1, of '73. I move for its' adoption."

Hon. W. Robert Blair: "Is there any discussion? The gentleman from McLean, Mr. Hall."

Harber H. Hall: "Would the Sponsor yield for a question?"

Hon. W. Robert Blair: "He indicates he will."

Harber H. Hall: "Ah.. Pete, I had a Bill ah.. in respect to ah.. the depth of tire tread. Is that included in this Bill?"

Peter Pappas: "Yes, it is Harber. It's 3/32nds on a used car and 2/32nds on ah.. on a owner car."

Harber H. Hall: "Thank you."

Hon. W. Robert Blair: "Is there any further discussion? The gentleman care to close? Alright.. the ah.. the question is, 'shall this Bill pass?'. All those in favor will vote



'aye', and the opposed 'no'. The Clerk will take the record. The Clerk will take the record. On this question, there are 120 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. 4484."

Fredric B. Selcke: "House Bill 4484, a bill for an act to amend an Act relating to the television of athletic contests of State-supported universities. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Kane, Mr. Waddell."

R. Bruce Waddell: "Mr. Speaker and Ladies and Gentlemen of the House, this does just exactly what the Clerk said. Plus the fact that it is backed by the University of Illinois. And I would appreciate a favorable vote."

Hon. W. Robert Blair: "Any further discussion? The question is, 'shall House Bill 4484 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 120 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. For what purpose does the gentleman from Kane, Mr. Schoeberlein, rise?"

Allan L. Schoeberlein: "Mr. Speaker, and Ladies and Gentlemen of the House, at this time, I would like to waive the provisions of Rule 79, because of a certain paper that has been received ah.. from an Association by all Members of the Legislature. And after you waive this Rule.... And this has met with the consent of both Parties, both sides of the House."



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

Clyde L. Choate: "So that I might further explain, Mr. Speaker, what the gentleman's request is. It's a request to waive the appropriate rules of this House for the purpose of discharging a Bill that is now in Committee. Mr. Schoeberlein is the Chairman of the Committee in which the Bill rests. Mrs. Chapman, who will be on the floor shortly, is the Chief Sponsor of the Bill under question. And Mr. Speaker, if I might, I would like to take just moment of the House's time to read a portion of this communication that has brought this action about. This is a circular which was distributed to the Membership by the I.F.T. Capitol News Roundup edited by Oscar Weil. And the first paragraph simply says that the 'I.E.A.', I would assume he means the Illinois Education Association, 'has approached many Legislatures with offers of money, staff assistance and other supports in turn for votes in favor of House Bill 362, 3632, or Senate Bill 1112'. Now, if Mr. Weil was the qualified Lobbyist that he apparently thinks he is, he would have been aware that there is no way for the Members of this House, at this stage of this legislative session, to cast a vote for House Bill 3632. Because it still rests in Committee and the deadline has passed to bring about this Bill to be permitted to be on the floor of this House other than the action that the Chairman of that Committee is asking to be given leave to take this morning. I highly resent Mr. Weil's charges, as a Member of this Legislature. I highly resent the fact that he has said



that an honorable group of teachers throughout this State and their Representatives have been circulating amongst the Members of this House and offering money for something that they might desire as far as legislative action is concerned. He has not only impugned the reputation and the record of every Member of this Legislature, but he has impugned the integrity and the background and the standing in the local communities of every Teacher of this State who is a Member of the Illinois Educational Association. And these peoples are charged with the responsibility of educating the youth of this State and making them the type of citizens that we are going to turn over the reins of Government to in the foreseeable future. And I say to Mr. Weil, and I say this publicly, that he should avail himself of the Rules of this Body and come to the appropriate committee whether it's the Rules Committee or whether it's the Judiciary Committee, whether it's the Educational Committee or the Executive Committee and substantiate the charges that he has circulated throughout this State. And I'm going to say this, Mr. Speaker, that if he does not do this and clarify this matter, I don't never want him to appear as a Lobbyist of any Group before any Committee that I'm attending because I am going to challenge him. And I sustain the request of the distinguished gentleman."

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

Henry J. Hyde: "Well, of course, I associate myself with the remarks of the distinguished Minority Leader, but I would



go just one step further. I think Mr. Weil has a duty to go to the State's Attorney of Sangamon County and present to a Grand Jury the evidence he has of any offer made to any Legislature of money to purchase his vote. And if he fails to do that, ah.. then he is less a citizen and less a man."

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

Thomas J. Hanahan: "Mr. Speaker and Members of the House, I, in no way, will try to defend a letter sent out over the signature of another Member of the House of Labor. But, because I'm against smog, doesn't mean that I'm going to kick the world out of orbit. And, in no way, is the intention of the Minority Leader, I believe, in order to get back at the truths of any statement of any Lobbyist, I don't believe he intends to say to this House or to me that he want to pass a Bill that is opposed by all of Labor, all of the A.F.L. of C.I.O. and all of the International Brotherhood of Teamsters. Now, I could see the Minority Leader asking for redress of any grievance, but I can't see him trying to throw the baby out with the dirty water. The Bill was a bad Bill. It has not been heard in Committee, and I, for one, oppose any action of this House or the granting of any unanimous consent of this House to have a Bill discharged from Committee. A Bill of this nature, which has such great consequences of all the people of the State of Illinois, because of the actions of one Lobbyist. I can't apologize for that Lobbyist. I know of no reason why he would write a



letter like that. But at the same time, I can not go along with the wishes of my Minority Leader in asking for a Committee to be discharged for the action on the floor of this House of a Bill of this consequence. This is a bad Bill. If Representative Eugenia Chapman wanted to hear the Bill, she had plenty an ample time to have the Bill heard. We've been waiting many many months. The Bill was introduced last November. If she want to hear the Bill, let it be posted. I would attend the Hearing Committee. I'm a member of that Committee. I have certainly had enough expertise in this area to know what I'm speaking of. It is in no way going to be a slap in the face of any Lobbyist by discharging a Committee, because he happens to oppose a Bill when all the rest of Labor opposes this Bill. Now, if Eugenia Chapman and the Minority Leader want to have a special hearing in Committee on the Bill, I think that should be granted. But, just for a motion to discharge, I think at this time, is improper and I, for one, object."

Hon. W. Robert Blair: "The gentleman from Madison, Mr. Kennedy."

Leland J. Kennedy: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I believe it's best that ah..maybe hear from a Member of the Labor Law's Commission with reference to Senate Bill 1112, and the Bill in question. I think it's 3632. We are, at this time, preparing Amendments to Senate Bill 1112. We've never heard the Chapman Bill up to this time. But, I believe that it would be unwise to ah.. to do what the Minority Leader and Representative Schoeberlein suggest. The Labor Law's Commission is a Commission made



up of Legislatures and public members while we have no legislative power, we can't force you to take a Bill. We hope to be able to make a recommendation to you before you adjourn, whether it be June the 2nd or June the 9th. We are working on it. We're reading everything. We met last Saturday. We made some progress and I'm not quite sure that I will be able to support... I'm sure that I will not be able to support Allan Schoeberlein's motion."

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, as I understand it, House Bill 3632 was referred to the Committee on Industry and Labor, that the Bill was never called for hearing by the Sponsor. It was never posted. No notice was given. We now have a situation where an opponent of that Bill has engaged in a little overkill. It would seem to me that there is no direct relationship, no propriety ah.. in the kind of response that is being suggested today. I would suggest, Mr. Speaker and Ladies and Gentlemen of the House, that by discharging the Committee and bringing this Bill out onto the floor and putting it on the Calendar, is an act of recrimination. And I should like to suggest that it would be below the dignity of this Body."

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

John S. Matijevich: "Mr. Speaker and Members of the House, I agree with both Representative Schlickman and Hanahan and Kennedy. I detest what I ah.. read in this Newsletter. I



think that it is about time that we try to get at issues like that I'm sure are purely rumor. Maybe we ought to have a Committee of a whole and have ah.. Oscar Weil before us, and find out if he can come up with any evidence to substantiate what he says in this Newsletter. Ah.. I think that the integrity of the House is at stake. Let's get at that issue. But, let's separate it from the Bill itself, because if we do it according to that process, really what we're telling people is that they can come up with the rumor that there have been payoffs. In that way, other Bills can come right on the floor of the House, whether they have merit or not. And I'm not really speaking to this Bill. But, that can happen in other legislation. People will pass or defeat Bills strictly by rumors and I think that can be a dangerous practice. Therefore, I vote against the motion of Representative Schoeberlein."

Hon. W. Robert Blair: "The gentleman from Will, Mr. Houlihan."

John J. Houlihan: "Mr. Speaker, a point of order. Is ah.. Who controls this Bill? Are either of the Sponsors on the floor? Either of the Co-Sponsors on the floor? Representative Chapman and Scariano, Mr. Speaker."

Hon. W. Robert Blair: "Scariano is not here, I don't think, and Chapman is not here. But ah.. rule provides that a Member may move that a Committee may be discharged from consideration of any Bill or Resolution."

John J. Houlihan: "Any member?"

Hon. W. Robert Blair: "Yeah.. it says a Member. It doesn't



say that it has to be a Sponsor. The gentleman from Cook, Mr. Burditt."

George M. Burditt: "Mr. Speaker and Ladies and Gentlemen of the House, certainly we are all very upset by this Article and it is something that we should take drastic action to correct. Ah.. it bothers me that we are following this particular procedure, a little bit, because I'm not sure that that will accomplish what we want to accomplish which is to find precisely what this gentleman had in mind when he made these statements. I wonder, Mr. Speaker and Ladies and Gentlemen of the House, if it wouldn't be ah.. at least as good of a procedure for us to serve this gentleman with a subpoena and to request the Sub-Committee, the Executive Committee or the ah.. Executive Committee itself, to consider this gentleman's statements. Get him in here and let's hear precisely what he has to say and exactly what he's talking about when he made these statements. If that's the sentiment of the House that we should follow that procedure which seems to me to get at the problem. I'd be prepared to move, Mr. Speaker, that a subpoena be issued for this gentleman and would be referred to the Executive Committee for further consideration."

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

Henry J. Hyde: "Well, Mr. Speaker and Ladies and Gentlemen of the House, in taking ah.. little more ah.. at length on this subject, I think it would be appropriate ah.. possibly for the Illinois Legislative Investigation Commission which is



made up of Legislatures and does have statute the subpoena power rather than to get into a problem as to whether or not the Executive Committee does have that power. I believe it does. But, we have other business before us. A lot of business. Ah.. this issue has been raised. I think that if we could have a Resolution drafted this afternoon or today mandating the Legislative Investigating Commission to issue a subpoena for ah.. Mr. Weil and his records and ah.. have him come in and testify under oath and have a public hearing ah.. this issue would be resolved ah.. properly and ah.. in public in the light of day, and yet we wouldn't be side-tracked from our very pressing business here. And ah.. the matter could be resolved that way. I think that that was what the Legislative Investigating Commission was set up to do and information may develop requiring other subpoenas. They have investigators. They're trained. And that would be my suggestion if the House would agree."

Hon. W. Robert Blair: "Alright.. the gentleman from Kane, Mr. Schoeberlein."

Allan L. Schoeberlein: "Ah.. Mr. Speaker, if I may. I believe that I've accomplished what I've set out to do is to protect 175 Members of this House, Key Personnel and others. Anyone can circulate things like this through the mail or otherwise. I don't know if this went through the mail or not. But, you people are as interested in this as well as I am and I believe that we are doing the right thing in what has been suggested. And therefore, Mr. Speaker, at this time,



I withdraw my ah.."

Hon. W. Robert Blair: "Alright.. the gentleman from Kane ah.. has asked to take out of the record his ah.. motion ah.. to take that Bill from the Committee. So, we'll give him leave to do that. Now, the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, pursuant to Rule 39, I move that this House do now resolve itself into a Committee of the Whole to investigate the allegations made in print by Oscar Weil that money was offered to Members of this House for their vote. Mr. Weil is in the Gallery right now. We don't need a subpoena. We invite him down. Once we have resolved ourselves on my motion to take the podium and tell this House exactly what he knows that can substantiate his charges. I so move."

Hon. W. Robert Blair: "Alright.. ah. All those in favor of the Member's motion to ah.. that we resolve ourselves into a Committee as a Whole say 'aye', opposed 'no', the 'ayes' have it and we are now resolved into a Committee of the Whole. Now, pursuant to the Rules, I ah.. apoint Mr. Hyde as the ah.. presiding ah.. as the Chairman ah.. to preside over the Committee of the Whole in conformance with Rule 38B which provides that a Member other than the Speaker shall preside on the Committee of the Whole. Will the Doorkeeper escort Mr. Weil in. I understand he's a outside in the Rotunda."

Henry J. Hyde: "The gentleman from Cook, Mr. Arrigo."

Victor A. Arrigo: "Mr. Chairman, there are many of us in this



Body that are Lawyers and I feel that the scent of the blood-hounds has carried us away and certainly Mr. Weil is entitled to counsel and I think, in all due fairness to Mr. Weil, he should have a right to counsel."

Henry J. Hyde: "I agree with you, Sir. And, if he asks for that right, he shall have it. And, if he wants me to appoint counsel, I will appoint you, Mr. Arrigo, knowing that you are an excellent Lawyer."

Victor A. Arrigo: "I wasn't asking to be appointed Counsel.

But, I think that in all due fairness, Mr. Weil should not be subjected to what I consider a Star Chamber Proceeding."

Henry J. Hyde: "Thank you. Mr. Washington, the gentleman from Cook."

Harold Washington: "Members of the House, I subscribe to everything that Representative Arrigo has said. I voted for the motion of the Committee of the Whole because I think this Body has the right to put itself into whatever form it wants. We now come to the procedural question. Not only is he entitled to counsel but, in all fairness, Mr. Weil is entitled to ample notice. I don't think that if we bring him before this Body and subject him to any question at all, we are providing that notice. I think that we want to get to the heart of this thing. But, I think, in doing so, we want to put ourselves above criticism. We're dealing with the very core, the very basis of due process here. So, in our zeal.. in our righteous and manifest zeal to get to the heart of this, let's not defy or defame or defoul in any way



that cherished right of due process. So, I would suggest that Mr. Weil be given notice to return on another day."

Henry J. Hyde: "The gentlemen from Cook, Mr. Collins."

Otis G. Collins: "Ah.. Mr. Chairman, while I may share the gentleman's concern for the ah.. right to counsel or the rights of Mr. Weil, I think that we merely have resolved ourselves into this Committee to ask him what he meant by his allegations and if he is alleged that money has been passed. To whom and by whom? I don't think that this is such a big thing that he couldn't answer those questions. And if he feels that he should have counsel, I think that he can come in and state that to us and then you could him ample time. Furthermore, I don't see whether he has accepted our invitation as of yet. I would suggest, Mr. Chairman, that perhaps we may have to issue a subpoena after all."

Henry J. Hyde: "Ah.. the Chair would just comment that this is not a criminal or even ah.. an accusatory proceeding. This is an information seeking proceeding. And the gentleman has been invited. He has not been compelled to appear. And ah.. so the questions about him having counsel ah.. and that sort of thing, it seems to me are somewhat irrelevant to the purposes of this inquiry. However, ah.. the gentleman has not seen fit to respond to our invitation. We'll wait a few more moments. But, meanwhile, the gentleman from McHenry, Mr. Hanahan."

Thomas J. Hanahan: "Mr. Chairman, as long as were resolved to the Committee of the Whole, I would like to, at this time,



also to invite the Illinois Education Members, their paid Lobbyists, their financial records and copies of their expenditures in the past primary campaign to many sitting Members of the General Assembly, according their published report that I have a xeroxed copy of, along with the A.F.T., the Lobbyists for the American Federation of Teachers and their financial records in the area of contributions. I say to you, Mr. Chairman, in all fairness, that if you want to resolve this question, then it's a question of ethics and it is question of ethics of Members of this floor. Let's get to the heart of it. But at the same time, let's be very fair and bring the records of the I.E.A. and the A.F.T. to the podium either by subpoena or by request as we have done with American Federation of Teachers Lobbyist... ah... got ah.. Oscar Weil."

Henry J. Hyde: "In response to that the Chair would simply comment that I know of no publicized charges by the I.E.A. or any other ah.. Labor or other Organizations that money has been offered as a vote. I see Mr. Weil is in the Chamber and he ah.. he was hereby formally invited to ah.. come up here and ah.. to ah.. be put under oath, if he so desired and to tell this Committee of the Whole ah.. the substance and the specifics of his printed charge that the I.E.A. has approached many legislators with offers of money. The gentleman from Cook, Mr. Carter."

Richard A. Carter: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, I agree wholeheartedly with everything that



has been said. But I think that the Chair should be mindful, and I'm sure that it has advisors that are capable of, recent Supreme Court decisions that have to go with the privacy of the Press and I speak specifically of what occurred in Boston. Now, we don't know how far this man's immunity can go. As to his sources or anything else. So, before we proceed, I think that we should be in the position to at least be advised on the Constitutionality of what we're doing. Now, by that, I don't mean the Illinois Constitution. I mean the interpretation of the Federal Constitution."

Henry J. Hyde: "The gentleman from Cook, Mr. Washington."

Harold H. Washington: "Ah.. Mr. Chairman and Members of the House, I want to reiterate what I said before. I agreed with putting this Body into a Committee of the Whole. But, I think that the only thing that this Body should address itself to at this point, the only thing, is what procedures we should take to investigate this matter. If we arrive at the conclusion that we should subpoena or invite Mr. Weil and records and that sort of thing, we should do so. I do not think that we should bring Mr. Weil before this Body today. It would be unfair on his face. I think that it would even be unfair to invite him. If you invite him, you put him in a dilemma. I don't what he'd say if he got here. He may want to say it. He may want time. If you force him today to answer 'yes' or 'no', you're not being fair to him. Now true that this is not a criminal matter, but you don't define the question of due process which ultimately is fair



play simply to criminal matters. We could define and I would think or use those concept in everyday life. Certainly a Legislative Body... a Legislative Body which sets up procedures for criminal matters in this State or any other matters, administrative review to adhere to those basic principles. Reflection... Notice... etc., and so on. So, I protest, Mr. Chairman, if we call Mr. Weil here and I think we should address ourselves only to the procedures we should take in terms of investigating the allegations he has made."

Henry J. Hyde: "The gentleman from Will, the Speaker of the House, the Honorable W. Robert Blair."

Hon. W. Robert Blair: "Ah.. Mr. Chairman, in all fairness to Mr. Weil, I think that in his own behalf that he probably should not, even though he voluntarily might want to do so, that he should not appear before the Committee of the Whole without discussing this matter with counsel. So, for that reason, I would move that the Committee of the Whole recess until the hour of 1:00 P.M. next Monday, May the 12th.. or the 15th."

Henry J. Hyde: "Alright.. the motion has been made ah.. that the Committee of the Whole adjourn as the Committee of the Whole til 1:00 P.M. next Monday, May 15th. Ah.. all those in favor of the motion say 'aye', opposed 'nay', and the motion carries and the Committee of the Whole ah.. will resume ah.. at 1:00 P.M., on Monday, May 15th. Ah.. the gentleman from Cook, Mr. Mann."



Robert E. Mann: "Mr. Chairman, the Speaker of this House has just done an exemplary thing. I think it reflects very well on every Member of this House and I applaud him for what he has done."

Hon. W. Robert Blair: "Alright.. we're back into Session now. 4261. House Bills on Third Reading."

Fredric B. Selcke: "House Bill 4261, a bill for an act to amend 'The School Code. Third reading of the Bill."

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

Gene L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, during the last Session of the General Assembly, we passed legislation which provided for the use of a 5 cent levy which we passed a number of years ago be used issued Bonds to pursue 'Life Safety Code' worked. After the legislation was passed and signed by the Governor, Chapman and Cutler came to the conclusion that we had neglected to provide procedures for the abatement of the tax levy in proportion to the amount of the bond levy, so that the bond levy and the tax levy together which was the intent as well as any interest on the bonds would not exceed the 5 cent levy. House Bill 4261 which is a product of the work of the School Problems Commission in conjunction with Chapman and Cutler provides that the... actually provides the abatement procedure which would be followed. And I ask your support."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Matijevich."

John S. Metijevich: "Will the gentleman respond to a question?"



Rep. Arthur A. Telcser: "He indicates he will."

John S. Matijevich: "Has the I.E.A. taken a position on this?"

Gene L. Hoffman: "Not to the best of my knowledge."

Rep. Arthur A. Telcser: "Is there further discussion? The question is, 'shall House Bill 4261 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 97 'Ayes', 1 'No', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 2443."

Fredric B. Selcke: "House Bill 2443, a bill for an act to create the Illinois wholesomeness, milk and dairy products Act. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Burditt."

George M. Burditt: "Mr. Speaker and Ladies and Gentlemen of the House, this is a Bill that modernizes the Illinois Dairy Law. It's been reviewed carefully, helped in the drafting, and all considerations by Producer Organizations and by Marketing Organizations. The Bill in general defines dairy terms, provides for distribution methods, has a pre-emption clause, a reciprocity clause. To the best of my knowledge, there is no opposition to this Bill. It came through the Committee with 11 favorable votes. And I would appreciate your support of the Bill."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 2443 pass?'. All those in favor



will signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 95 'Ayes', and 4 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4547."

Fredric B. Selcke: "House Bill 4547, a bill for an act to amend 'The Election Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Juckett."

Robert S. Juckett: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 4547 is in regard to the registration of voters. It has the approval of the City, Municipal and Township Clerks as well as that of the Clerk of Cook County. And it would provide for a continuous registration of all voters up to the time of 45 days prior to an election held by the County Clerk. The City Clerks in the City Election could register up until 28 days as could the Township people. As of now, the City and Municipal Clerks are opening and closing and opening and closing and it results in great confusion. And I would urge your support of this Bill."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4547 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 111 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4150."



Fredric B. Selcke: "House Bill 4150, a bill for an Act to amend 'The Vehicle Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Winnebago, Representative North."

Frank P. North.: "Mr. Speaker, Ladies and Gentlemen of the House, under the present Illinois Law, the discharge and bankruptcy which includes the discharge as to judgement for the accident involving a vehicle does not relieve the Driver of requirement to make filing of future proof under The Illinois Safe Responsibility Act. The United States Supreme Court made errors on occasion involving statute identical to the Illinois Statute ruled that the discharge was effective and that the State Law was unconstitutional. Secretary of States' Office ah.. has recommended that House Bill 4150 ah.. be adopted to place in conformity to the Supreme Court decision. I appreciate your support."

Rep. Arthur A. Telcser: "Is there any discussion? The Gentleman from Cook, Representative Berman."

Arthur L. Berman: "Would the Sponsor yield? Ah.. Pat, ah.. at the present time before the passage of this Bill, if a person collided with my automobile and injures me and does not have insurance, he could declare bankruptcy. I would get no money, but he still would not be able to drive, if his license had been suspended under the Financial Responsibility Law. Is that correct?"

Frank P. North: "Yes.. under the present system."

Arthur L. Berman: "And what this Bill would do is to say that



because he went bankrupt and he still did not comply with the Financial Responsibility Law, by going bankrupt, he again is entitled to drive on the Highways of this State. Is that what the Law will do?"

Frank P. North: "Ah.. Mr. Speaker, I can't hear the gentleman."

Rep. Arthur A. Telcser: "Would you please repeat that, Mr. Berman."

Arthur L. Berman: "If I understand the Law, that's why I'm asking the question. I want to make sure I do. If this Bill passes, and somebody crashes into my car and injures a member of my family and they don't have insurance and their license is suspended and I sue them and get a judgement against them for the damages and for the injuries, if they declare bankruptcy, not only will they be relieved of the judgement obligation, they would also be reinstated to their license. Is that what this Bill would do?"

Frank P. North: "Yes, that's correct."

Arthur L. Berman: "Well, Mr. Speaker, if I may address myself to the Bill."

Rep. Arthur A. Telcser: "Proceed, Sir."

Arthur L. Berman: "Over the past couple of Sessions, I think that we have seen a progressive eroding of the very strict enforcement of the Financial Responsibility Law. I think that there is a purpose behind bankruptcy laws. And I think also, however, that there is a purpose behind Financial Responsibility Laws. I don't think that a person who avails himself the right to discharge and obligation in the bank-



ruptcy law should automatically be reinstated his full driving privileges when he has failed to prove financial responsibility when under the present law, he has found to be at fault in the accident. Because under the present law, his license can not be taken away unless he has been found after a hearing to be at fault in this accident. And I think that this is a terrible step backwards, Ladies and Gentlemen. I think that unless a person makes restitution to the people that he has injured as a result of driving his automobile when he has failed to be financially responsible, when he has failed to have proper insurance. I don't think that just by going into bankruptcy court, that we ought to pass a law that says that he should be allowed to go behind the wheel of an automobile without again proving his financial responsibility. I think that this is a very bad Bill and I urge a 'no' vote."

Rep. Arthur A. Telcser: "Is there further discussion? The gentleman from Cook, Representative Palmer."

Romie J. Palmer: "Mr. Speaker, Ladies and Gentlemen of the House, I concur with what Representative Berman has said and I would add one further thing. That more than likely, this will encourage the filing of bankruptcies. Ah.. when a bankruptcy is filed of course the person is marked clean somewhat in the Federal District Court. But there are many things that occur after that time which makes a bankruptcy itself, unless it's an absolute necessity, ah.. it makes the bankruptcy itself a bad thing. I ah.. think that it's



a bad Bill. I don't think we should go with it."

Rep. Arthur A. Telcser: "Is there further discussion? If not, the gentleman from Winnebago, Representative North is recognized to close the debate."

Frank P. North: "Well, Mr. Speaker, as far as the procedure now in light of the Supreme Court case, in an Arizona Case, the Office of the Secretary of State, I am informed, has administratively adopted this. And House Bill 4150 will merely put confirmation of the Law according to the Supreme Court decision. So, ah.. I am informed administratively, they have already gone along this course. Now, it's unfortunate that ah.. the Supreme Court ah.. Case, an identical statute to the one that we have in Illinois, was rendered in this decision. Therefore, ah.. this Bill does nothing more than confirm the Supreme Court decision."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 4150 pass?'. All those in favor will signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished. Take the record. On this question, the 'Ayes' are 11, the 'Nays' are 46. And this Bill having failed to receive the constitutional majority is hereby declared lost. Poll the absentees? Representative Hunsicker, for what purpose do you rise, Sir?"

Carl T. Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to introduce about 50 High School Students and their teacher from Livingston County. Their just leaving from up in the back balcony."



Rep. Arthur A. Telcser: "House Bill 4553."

Jack O'Brien: "House Bill 4553."

Rep. Arthur A. Telcser: "Hold it... Take that out of the record. It's House Bill 4533."

Jack O'Brien: "House Bill 4533, a bill for an act to amend the Revenue Act. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Christian, Representative Tipword."

Rolland F. Tipword: "Mr. Speaker and Ladies and Gentlemen, this is Bill that is only ah.. an informational item, and the abstract of the assessment that is furnished to the Department by each of the County Clerks annually. This would provide that hereafter that they would indicate how much of assessments of real estate or for different kinds of real estate such as single family dwellings and multiple dwellings or agricultural property and how much of the assessment is for the personal property as for property of household use or agricultural use. This is not a classification of property for the purposes of taxation. Our constitution prohibits that. This is merely an informational matter so as we proceed in reforming the taxes in this State and as there is new demands on us in different areas of revenue, that there would be information available in the Department and to the General Assembly to know what properties are contributing to the income of the State of Illinois and the Revenues of the State of Illinois so that we know the areas in which there should be ah.. some changes for equality or areas in



which some parts are not producing their just proportion or are over-producing. And this is merely an informational matter for the Department and the General Assembly."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4533 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 121 'Ayes', and 1 'No'. Record Representative Houlihan as voting 'aye' instead of 'no'. And this Bill having received the constitutional majority if hereby declared passed. House Bill 4428."

Jack O'Brien: "House Bill 4428, a bill for an act to amend 'The Vehicle Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Duff."

Brian B. Duff: "Mr. Speaker, House Bill 4428 is responsive to the wishes of many people in Illinois. Ah.. it has the purpose of putting a photograph on the Drivers License in Illinois. It has been editorialized on by both Radio and Press as a Bill who's time has come. The cost of this would be, over a three year period, 35 cents for each, approximately 35 cents for each one. It would be phased out over a three year period on renewal. Ah.. some of the value that is involved in it, would be for example, ah.. the fact that the Drivers License has become many things to our society. It is used for identification in cashing checks. Or in the case of young people, often times in proving age and identi-



fication when buying liquor. The license is important to the Police in identifying and apprehending suspects. If the license is stolen or lost in Illinois, it can and has been used for forgery or fraud. We believe that these hazards could be greatly reduced if the picture of the Driver were embossed on the license as it is done in twenty-two other States. The both candidates from both parties for the Secretary of State this year are ah.. approving of the idea of having the pictures on the Drivers License. The present Secretary of States thinks that's an idea that will accomplish. We have amended this Bill in accordance with some of his suggestions. I would appreciate the favorable consideration of this Body."

Rep. Arthur A. Telcser: "The gentleman from McLean, Representative Bradley."

Gerald A. Bradley: "Mr. Speaker, Ladies and Gentlemen of the House, I wonder if the gentleman would yield for one question?"

Rep. Arthur A. Telcser: "He indicates he will."

Gerald A. Bradley: "Representative Duff, I think that it is a good piece of legislation and I intend to vote for it. But, I notices that you asked that the pictures be taken in color and with the extensive use of wigs by the women, would they be required to have more than one picture taken?"

Brian B. Duff: "No, they wouldn't."

Gerald A. Bradley: "Thank you."

Rep. Arthur A. Telcser: "Is there further discussion? Does the gentleman wish to close the debate? The question is,



'shall House Bill 4428 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 118 'Ayes', and 1 'Nay', and this Bill having received the constitutional majority is hereby declared passed. House Bill 4327."

Jack O'Brien: "House Bill 4327, a bill for an act to amend Sections of an Act revising a law in relation to private employment agencies. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Glass."

Bradley M. Glass: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 4327 applies to ah.. domestic service only. This is a Bill that is similar to one that ah.. we heard last spring that was ah.. held in Committee and it needed some technical changes which have now been made. In essence to the problem, the Bill seeks to combat where a domestic person is placed in employment and is required to pay a fee to the employment agency based on a percentage ah.. of the salary of the employee. I know of a specific instance which brought about this Bill. Where a domestic employee, as a matter of fact, a housekeeper paid a... was required to pay a fee to the employment agency of 5 percent of her salary and that has now gone on for four and one half years. So, therefore, the Bill would correct that by limiting the time in which a fee could be computed to one year. In other words, it would permit a fee to be charged based only on the first



year's salary. It does apply, as I mentioned earlier, to persons in domestic service which means household work in the home of the employer including working as a maid, cook, butler, gardner, chauffeur, housekeeper or babysitter. It went through Committee without opposition and I urge a favorable role call."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Shea."

Gerald W. Shea: "Brad, what I'm afraid of it's going to look like it's the intent of this General Assembly that an Employment Agency should charge 5 percent of the first year's salary. And whether the person works one week, one month or six months, you're going to say, 'look the fee for this job is X and you've got to pay it the first day that you go to work and get a judgement note for it'. And it also might look that this General Assembly is setting schedules ah.. for Employment Agencies. I could just see it now, some poor man or woman getting this type of occupations, having somebody say now look, the General Assembly said that we get 5 percent of a year's salary."

Bradley M. Glass: "Well, in response to that Jerry. As originally drafted, this Bill did have a 5 percent figure in it. However, that has been removed and the Bill now merely states that the fee charged shall be a single fee for each placement and shall be based upon an applicant's compensation or salary for a period not to exceed one year. So, the purpose of the Bill, and I believe the effect, is to place this



limitation on the fee in order to prevent ah.. exorbitant fees from being charged as specifically was in a the case that was referred to me. And before this matter came to my attention, legal opinions have been solicited as to whether this was presently legal. It was believed by the Counsel and consulted that there was no law presently that would prohibit this type of fee. In other words, the continuing fee. So, the effect of this Bill is not to set any ah.. rates or ah.. percentages, whatsoever, but merely limits the period over which such a fee could be charged to ah.. prohibit ah.. the continuing ah.. fee from being possible."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative J. J. Wolf."

Jacob J. Wolf: "Mr. Speaker, to help shed a little more light on there, the law currently requires employment agencies to file their scheduled fees with the Department of Labor. So, I don't think that there is any intent on the part of the Sponsor to set or limit the fees. All that the law says is that they have a particular fee for the particular type of job and must be uniform and filed with the Department of Labor. I think that this is a needed Bill and I would hope that the Members would support it."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Harold Washington."

Harold Washington: "Will the Sponsor yield for a question?"

Rep. Arthur A. Telcser: "He indicated he will."

Harold Washington: "Well, Representative Glass, I think that



Representative Shea has brought up a very good point. Now, does the Department of Labor at present to determine whether a fee is extensive or not. Or if they don't have that power, does your Bill give it to them?"

Bradley M. Glass: "I don't whether the Department has that power, Harold. The Bill doesn't give them any new power. It merely requires that whatever the fee is charged for placing an applicant into domestic service, shall be a single fee for each placement and based on the applicant's compensation for a period not to exceed one year. It doesn't get into specifics. In fact, I think that was ah.. some of the opposition to it when I introduced a similar Bill last year. I've tried to correct that problem and I think ah.. what I'm trying to do here is to prohibit the situation that apparently can exist, and at least in one specific case that I know of, did exist where this Housekeeper was paying and may still be paying ah.. 5 percent of her salary out of each check and that's gone on for four and a half years ah.. and ah.. and the persons paid over \$2,000 dollars. So, I hope we can eliminate that from being possible. And I don't think ah.. by this Bill, we are setting any rates. And Representative Wolf said, 'whatever rates are involved would have to be filed with the Department'."

Harold Washington: "I'm certainly in sympathy with what you're trying to do, Representative Glass. But, I understand that the Department does have the power, at least someone over here said so. And if that is true, I have no problem with



this Bill."

Rep. Arthur A. Telcser: "Is there further discussion? The gentleman from Cook, Representative Glass, to close the debate."

Bradley M. Glass: "Well, in brief, to eliminate some of Representative Washington's fears, I would just say that ah.. that there was a representative from the Department present at the hearing and it came out of the Committee unanimously and I don't believe ah.. that we'd get into any problems in that regard. I specifically stayed away from any rate setting requirements. I think it is a needed Bill and I urge your support."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 4327 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 101 'Ayes', and no 'Nays', and this Bill having received the constitutional majority is hereby declared passed. House Bill 4551."

Jack O'Brien: "House Bill 4551, a bill for an act to amend 'The School Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Shea."

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill was completely amended on Second Reading. It provides for a method whereby the Chicago Board of Education can change its fiscal year. Ah.. the next fiscal year will be an eight month fiscal year and then after that, starting in September of '73, the Board will have two six months



budgets in each fiscal year. I ask for favorable support of the House."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4551 pass?'. All those... I'm sorry. The gentleman from Cook, Representative Brenne."

Lynn G. Brenne: "Ah.. may I ask a question of the Sponsor?"

Rep. Arthur A. Telcser: "He indicates he'll yield."

Lynn G. Brenne: "Does this mean that there would be two separate tax bills along with these two separate levies? Or would there continue to be a single tax bill?"

Gerald W. Shea: "It would not change the way that the tax bills went out at all. It would be just one levy per year."

Lynn G. Brenne: "One tax bill but two levies?"

Gerald W. Shea: "Yeah.. I mean that's... you're right. Two levies. One Bill."

Lynne G. Brenne: "Thank you."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 4551 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 118 'Ayes', and 1 'Nay', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 3793."

Jack O'Brien: "House Bill 3793, a bill for an act to amend the 'Illinois Public Aid Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Shea."



Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this would permit direct payments by the Department of Public Aid to supplier of services rather than payment to the Cook County Department of Public Aid and then payment to the suppliers and vendors. It was amended on Second Reading to meet any objections of Director Weaver and the Department. As far as I know, one of the staff on the Republican side checked with the Director this morning, the Bill is now in the shape that's acceptable to the Department. And I would move for passage of House Bill 3793."

Rep. Arthur A. Telcser: "Okay, is there any discussion? The question is, 'shall House Bill 3793 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 120 'Ayes', no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4541."

Jack O'Brien: "House Bill 4541, a bill for an act to amend the 'Pension Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Winnebago, Representative North."

Frank P. North: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4541 amend the 'Illinois Pension Code' with relating to Firemen's Pension Fund in municipalities under 500,000. What this does is provide a minimum widow's pension of \$150.00 dollars a month regardless of when the fire fighter died prior to the enactment of this Amendment. This



patterned after the Chicago Firemen's Pension which provides a minimum of \$150.00 dollars. I know of no opposition to this, Mr. Speaker,"

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4541 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 124 'Ayes', and 1 'Nay', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4168."

Jack O'Brien: "House Bill 4168, a bill for an act to amend 'The School Code'. Third Reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Carroll."

Howard W. Carroll: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4168 is ah.. deals with those that are physically handicapped, especially the blind and other physically disabled people. We have passed in previous Sessions, what is known as the White Cane Law, and in our new Constitution of 1970, it prohibits any discrimination against people because of handicap. There seem to be a lack to fill this into 'The School Code'. This Bill is in attempt to do that. We do, at this time, have some 44 blind teachers in this State who are teaching, who are duly qualified and certified, but 'The School Code' might've prohibited their continuing teaching. All we say is that they can not be discriminated against if they are otherwise qualified. I



ask for favorable vote."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Juckett."

Robert S. Juckett: "Mr. Speaker, will the Sponsor yield to a question?"

Rep. Arthur A. Telcser: "He indicates he will."

Robert S. Juckett: "How would this ah.. Law compare with the series of Bill we passed last year in regard to the physically and mentally handicapped wherein we provided that if they were capable of carrying out the provision of their job that they could not be discriminated against?"

Howard W. Carroll: "Bob, it's my understanding that apparently what happened is that series there was nothing specifically in 'The School Code'. And this was the attempt to do basically the same thing."

Robert S. Juckett: "Well, we passed it as a State Policy."

Howard W. Carroll: "And there seem to be an area within 'The School Code'. The O.S.P.I. has looked this over as well as the various feature groups has suggested the Bill."

Rep. Arthur A. Telcser: "Is there further discussion? The question is, 'shall House Bill 4168 pass?'. All those in favor will signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 116 'Ayes', and 1 'Nay', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4169."

Fredric B. Selcke: House Bill 4169, an Act to amend Section 5



of 'An Act in relation to criminal identification and investigation'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Carroll."

Howard W. Carroll: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4169 deals in the area of expunging of a record ah.. when a person has been arrested for a misdemeanor or a municipal ordinance violation where there has been no finding by a court where the State or City has decided not to proceed in the case. Apparently, when this Bill was written, there was confusion as to whether or prior arrest for a minor traffic violation, minor meaning none of the serious, drunken driving, reckless or any of those, or even a prior parking ticket might be a bar to expunging the record. We want it clear by saying, and apparently some of the circuits have followed that. So, this would merely adds a Section that says that convictions for moving and non-moving traffic violation other than serious ones will not, in itself, be a bar to expunging of the record. I ask for a favorable vote."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Fleck."

Charles J. Fleck: "Will the Sponsor yield for a question? Howie, what are considered the serious violations that are not a part of the Bill?"

Howard W. Carroll: "Charlie, the serious ones which I mentioned



specifically in the Act itself are 6303 which is driving on a suspended or revoked. 11401, 501, 503, and 504 which are your various reckless driving actions and driving while intoxicated."

Rep. Arthur A. Telcser: "Is there further discussion? The question is, 'shall House Bill 4169 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 118 'Ayes' and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4363."

Fredric B. Selcke: "House Bill 4363, a bill for an act to amend the 'State Employees Group Insurance Act'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Johnson, Representative McCormick."

C. L. McCormick: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, this is an Amendment to our 2601 which we passed last year so that any favorable benefit funds that come back as a result of a group insurance program would be deposited in this new category to provide better ah.. coverage or a cheaper rate for our State Employees Group Insurance. Now, this has been looked over by ah.. the Advisory Council of the State Employees Insurance Group, the Auditor's Office, the Treasurer's Office, the Department of Insurance and I know of no objection to this Bill. I'd appreciate your favorable vote."



Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4363 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 121 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4359. Representative Lehman, for what purpose do you rise, Sir?"

Edward Lehman: "For a point of personal privilege. In the absence of my seat-mate, due to an important meeting he had to make, I would like to introduce a group of School Children from St. Gall's School in Representative McAvoy's District Right here."

Rep. Arthur A. Telcser: "House Bill 4359."

Fredric B. Selcke: "House Bill 4359, an Act to amend an Act relating to the Department of Mental Health. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from McLean, Representative Hall."

Harber H. Hall: "Ah.. Mr. Speaker, I would ask leave of the House to have House Bill 4359 and 4360 considered simultaneously. They're related Bills."

Rep. Arthur A. Telcser: "Are there any objections? Hearing none, will the Clerk please read House Bill 4360."

Fredric B. Selcke: "House Bill 4360, a bill for an Act to amend an Act relating to State Finance. Third reading of the Bill."



Rep. Arthur A. Telcser: "The gentleman from McLean, Representative Hall."

Harber H. Hall: "Ladies and Gentlemen of the House, these two Bills have been introduced by the Department of Mental Health. Pursuant to an Audit Commission Study of their handling of records and monies ah.. in three of the Chicago Institutes under their control. House Bill 4359 combines the Pediatric Institute and the Psychiatric Institute and the Institute for Juvenile Research under a common title within the Department of Mental Health. That is all that this particular Bill does. Now, 4360, because of income earned in some of the Mental Health Institutions by buying through the work, the labor and the materials at those Institutes, they sell some properties and up until this time, they have put it into one fund and use that fund as a contingency for expenses at the Institute. The Auditors and Audit Commission felt that they should do away with that fund, called the Welfare Fund, and put in into the State Treasury under different Fund and appropriate all the expenses of those Institutes in Chicago. Ah.. the Department of Mental Health agreed with this and they ah.. drafted and introduced these two Bills and I would ask the support of the House for them."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Douglas."

Bruce L. Douglas: "Harber, I'm sorry. I'm not sure that I heard everything that you said. But, if necessary, you might



repeat for me. What effect, if any, does this have on the administration of these Institutions? Does this merge administrations in any way or overlap responsibilities?"

Harber H. Hall: "No, it does not. It just simply means that ah.. under 4359, we will refer, henceforth to the Illinois Mental Health Institute and they, in turn, include and consist of the Illinois Institute of Psychiatric... the Illinois Psychiatric Institute, the Illinois State Pediatric Institute and the Institute for Juvenile Research. Now, these are still separate operating entities but they will come under the one designation of the Illinois Mental Health Institutes of Chicago. You will have fiscally one coordinated office in the operation of their ah.. fiscal matters for the individual Institutes."

Bruce L. Douglas: "Well, ah.. does this change the budgetary arrangements in any way? When you say under one fiscal arrangement, could you explain what that means? Do they each have their own budgets or is that not now the case, anyhow?"

Harber H. Hall: "Yes, they do have their individual budgets and they will be audited separately. But, they will not ah.. have the Welfare Fund. They will not... any incomes, any or all of them derive from the sale of products or ah.. any of the materials they make. They will not put into a separate Welfare Fund. They will put it into a Fund controlled in the State Treasury and they will be required to appropriate monies to be spent from that rather than to just ah.. have a



revolving Fund over which they along had control."

Bruce L. Douglas: "To your knowledge, do the people at each of these Institutions, concur with this Bill? The administrations?"

Harber H. Hall: "Yes, ah.. there was no objection to it. The Department themselves introduced it. They recognized the administrative problems that they were having in control of these Funds and introduced these Bills themselves."

Bruce L. Douglas: "Alright. Thank you."

Rep. Arthur A. Telcser: "Is there further discussion? The gentleman from Logan, Representative Madigan."

Edward R. Madigan: "Well, Mr. Speaker and Ladies and Gentlemen of the House, with all due respect to my colleague and my future Senator, I do feel impelled to point out to the House that these Bills or Bills similar to this have been introduced in the Legislature every Session that I have been a Member, and they've always been defeated in Committee. Not, I don't know how my future Senator got them this far this time, but I congratulate him for having done that. But, the fact remains, that they are very bad bills, and I would urge that all of the Members look at this very closely before they vote upon them."

Rep. Arthur A. Telcser: "Is there further discussion? Does the gentleman wish to close the debate? Does he wish to respond to his Congressman or what?"

Harber H. Hall: "It's hard to argue with anyone that has gone as far and is going as far as the Gentleman who last spoke.



We would ah.. like to have a verification of his statement that they have had trouble previously, but we could wait another day for that. And I ah.. again ask for support for these two Bills."

Rep. Arthur A. Telcser: "The question is, 'shall House Bills 4359 and 60 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. We'll take two records. On these Representative Hall, for what purpose do you rise, Sir.?"

Harber H. Hall: "Ah.. Mr. Speaker, I would like to explain my vote."

Rep. Arthur A. Telcser: "Proceed, Sir."

Harber H. Hall: "Mr. Speaker, Ladies and Gentlemen of the House, I don't know that Representative Madigan ah.. really had serious objections to these Bills. But, if he did, I didn't hear him specify why. Ah.. I would say this, that ah..every Member of the Audit Commission on both sides of this aisle and on both sides of the Rotunda ah.. would support these Bills. And I have never heard from any individual concerned with any of the Institutes or the Institutions in the State or having any other interest in this type of legislation. I've never heard any objection to these. This is good legislation. It's intended to strenghten the operation of the Mental Health Department. And I would suggest ah.. that ah.. we think about this and see if we can assist in passing it. I urge more 'aye' votes for them."

Rep. Arthur A. Telcser: "Have all voted who wished? Repr-



sentative Phil Collins, for what purpose do you rise, Sir?"

Phillip W. Collins: "Ah.. Mr. Speaker, we were told that these were bad Bills, but why? I don't understand the oppositions to these Bills. If you look at the Sponsorship, you'll find that its' bipartisan support by every Member of the Legislative Audit Commission. These are Bills that came out of the Legislative Auditing Commission unanimously, bipartisan, and representing both Houses. Ah.. the Department of Mental Health is in support of these Bills. In fact, they request them of us. Ah.. I'm really at a loss as to why there aren't enough votes on the Board to pass these Bills and I would urge the Membership to take another look. And I see that the Democratic Members of the Audit Commission are off the floor, but Representatives McPartlin and Arrigo are co-sponsors and I'm sure that they would rise to speak for these Bills, if they were to return to the floor. And I would ah.. urge the Membership to reconsider and ah..help us to pass these Bills."

Rep. Arthur A. Telcser: "The gentleman from Moultrie, Representative Stone."

Paul Stone: "Mr. Speaker, how am I recorded?"

Rep. Arthur A. Telcser: "How is the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'no'."

Paul Stone: "May I please change that to 'aye'?"

Rep. Arthur A. Telcser: "Record the gentleman as voting 'aye'."

Well, let's take a new roll call. We'll save a lot of time, I think. All those in favor signify by voting 'aye', the



opposed by voting 'no'. The gentleman from Cook, Representative Juckett."

Robert S. Juckett: "Mr. Speaker, several of the Representatives have asked the reason why this may or may not be a bad Bill. All that I can indicate is that they join together the Reed Zone Center, the Chicago State Hospital and the Mental Health Center, and they are, by far, one of the worst conglomerates that have ever been created. They tried to do it for efficiency purposes and all that happens are that patients get mashed up, patients are disregarded, and you are putting together creatures and buildings that are not supposed to be together. You've got I.J.R. which is Illinois Juvenile Research, you got the Pediatrics, and you've got one other facility. I don't know what one it is. And if it's just for the sole purpose of unit buying, etc., I think that they are forgetting the patient and the purpose for which these buildings and these facilities are created. It has not been shown a good reason why they should be joined together. And I think that the Congressman was correct and I think that we ought to follow his lead."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Douglas."

Bruce L. Douglas: "Mr. Speaker, I remain very uncomfortable with ah.. this Bill and in reading it, I'm not sure that ah.. Mr. Hall has given us the whole story. I think that Representative Juckett has brought up some very valid points. I know these three Institutions very well. I've worked in each



and each is separate, The Illinois State Psychiatric Institute, The Pediatric Institute, The Institute for Juvenile Research. They all have different functions and according to the way that the Bill is written, they would be merged under one... one administrative Institute where there would be the exercise of Executive and Administrative Supervision which goes far beyond, which I believe, you said, Harber. And I would urge that ah.. you be cautious about voting for this, until we have more information. And while there are enough votes up there, I see no reason why we couldn't delay this until one further day until we have more information. And I also want to know why Representative Madigan said what he was saying. I wasn't sure whether he was joking or that he was sincere. I think we need more information we make what may seem to be a very minor judgement which may actually be a very major decision that would effect the future of all three of these Institutions. And I will not vote on this, and urge that other follow suit until we have more information."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. There will be two records taken. On these questions, there are 104 'Ayes', and 4 'Nays', and these Bills having received the Constitutional majority are hereby declared passed. House Bill 4438. Record Representative McDevitt as..voting...'aye' on those last two votes."

Fredric B. Selcke: "House Bill 4438, an Act to amend an Act in relation to minimum fair wage standards for women and minors.



Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Stark, Representative Nowlan."

James D. Nowlan: "Mr. Speaker, I request leave to have House Bill 4439 considered with this as they are companion measures."

Rep. Arthur A. Telcser: "Are there any objections? Hearing none, will the Clerk please read House Bill 4439."

Fredric B. Selcke: "House Bill 4439, a bill for an to amend the 'Minimum Wage Law'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Stark, Representative Nowlan."

James D. Nowlan: "Mr. Speaker and Members of the House, House Bill 4439 simply reduces the differential in the 'Illinois Minimum Wage Act' from 19 years to 18 years and 4438 ah.. simply redefines the minor to ah.. change that to 18 years in conformity with the proposal in 4439. Last year, we determined that there was to be an 'Illinois Minimum Wage Law'. The Commission on Youth has recommended that ah.. the differential be reduced from 19 years to 18 years of age inasmuch as that is determined in many other areas to be the age of majority. The Committee of Chairman Schoeberlein recommended this House do pass with a unanimous vote and I ask your favorable consideration for the proposal."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman from Madison, Representative Walters."

Robert J. Walters: "Would the Sponsor yield for a question?"



Rep. Arthur A. Telcser: "He indicates he will."

Robert J. Walters: "Representative Nowlan, if we pass these two measures for the women. Does this do away with HJR*13? We won't have to pass that equal Amendments right?"

James D. Nowlan: "I certainly want to keep this proposal separate from other concerns which you might have. And I don't think that in any way this impinges upon the deliberation on that larger measure."

Rep. Arthur A. Telcser: "Is there further discussion? Does the Gentleman wish to close the debate? The question is, 'shall House Bills 4438 and 39 pass?'. All those in favor will signify by voting 'aye', the opposed by voting 'no'. The Clerk will take two roll calls. Have all voted who wished? Take the records. Two roll calls. On these questions, there are 125 'Ayes', and no 'Nays', and these Bills having received the Constitutional majority are hereby declared passed. House Bill 4375."

Fredric B. Selcke: "House Bill 4375, ah.."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Duff."

Brian B. Duff: "Mr. Speaker, I would like to have permission to hear 4375, 76, 77, 78, 79, 80, 81, and 82. They're all the same series."

Rep. Arthur A. Telcser: "Are there any objections? Hearing none, will the Clerk please read the Bills the gentleman stated."

Fredric B. Selcke: "House Bill 4375, a bill for an Act to



amend the safety inspections and education Act. Third reading of the Bill. House Bill 4376, a bill for an to amend the 'Minimum Wage Law'. Third reading of the Bill. House Bill 4377, a bill for an Act to amend the high rise apartment buildings Act. Third reading of the Bill. House Bill 4379, a bill for an act to amend the wage deductions for the benefit of creditors Act. Third reading of the Bill. 4381, a bill for an Act to amend the mass gatherings Act. Third reading of the Bill. 4382, a bill for an Act to amend the 'Snowmobile Registration and Safety Act'. Third reading of the Bill."

Brian B. Duff: "Ah.. Mr. Speaker, these Bills are conformity Bills. Each of of them is the result of the work of the Council on the Diagnosis and the Evaluation of criminal defendants. And ah.. what they do, very briefly, is amend these Bills to be in conformity with the new Code of Corrections that has now passed both the House and the Senate. And that is the total extent of the Bill. They are House-keeping Bills to bring these other Act into conformity. I would appreciate a favorable vote."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall these Bills pass?'. The Clerk will take one roll call and photostat the rest. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On these questions, there are 121 'Ayes', and 3 'Nays', and these Bills having received the Constitutional majority are hereby



declared passed. For what purpose does... Representative Phil Collins is voting 'aye'. For what purpose does the gentleman from Stark, Representative Nowlan, rise?"

James D. Nowlan: "Mr. Speaker and Members, several weeks ago, I had the privilege of addressing several classes at Wheeling High School in District #214 in Wheeling Township, and today, the choral group from that High School which lies in the District of Representatives Chapman, Regner and Schlickman, have been entertaining us in the Rotunda and they are with us in the Gallery behind me, and I believe that we should Thank them for providing the Employees and Members with their entertainment, which was excellent and for joining us today."

Rep. Arthur A. Telcser: "House Bill 4307."

Fredric B. Selcke: "House Bill 4307, a Act to amend Section 17 of 'An Act in relation to water supply, drainage, sewage, pollution and flood control in certain counties'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from DuPage, Representative Gene Hoffman."

Gene L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I want to thank you for warning me by calling the Bill number. Ah.. House Bill 4307 extends the 7 percent interest date from January 1 ah.. '72 to July 1, 1973. As you remember, we passed these interest extension Bills ah.. from 6 to 7 percent. This has a cut off date. The market has not changed enough, and therefore, I ask your support."



Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4307 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 122 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4124."

Fredric B. Selcke: "House Bill 4124, a bill for an Act to amend the 'Use Tax Act'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Lee, Representative Shapiro."

David C. Shapiro: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4124 seeks to correct an equity in the 'Use Tax Act', which discriminates against Illinois Manufacturers. The present Tax places an Illinois manufacturer price disadvantage when selling to Contractors, who subsequently, use their material out of State. For example, under the present Law, and Illinois Contractor buying from an Illinois Manufacturer for temporary storage in Illinois and subsequent out of State incurs a 5 percent Illinois Tax Liability subject to a current tax paid to another State. If the out of State Tax is, say 3 percent, the net Illinois Tax is 2 percent. However, if the Illinois Contractor were to buy the material from an out of State supplier, he qualifies for the temporary storage and the subsequent use outside of Illinois exemption, which is in the Use Tax but not in the Illinois Retailers Occupational Tax Act. The Contractor,



therefore, pays only 3 percent a saving of 2 percent, if he purchases the material out of State by dealing with out of State suppliers. I would ask for a favorable vote on this Bill to correct discrimination against Illinois Manufacturers on a small basis."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Maragos."

Samuel C. Maragos: "Representative Shapiro, ah.. would you yield to a question?"

David C. Shapiro: "Yes."

Samuel C. Maragos: "I don't recall when you testified before the Revenue Committee if you said that the Department of Revenue was in favor of this Amendment... of this Bill or not?"

David C. Shapiro: "Ah.. the Department of Revenue is not opposed to the Bill. They are neutral on the Bill. They stated that as far as loss of Revenue is concerned, there would be little or none. And the fact that some of these people may return to this State to purchase their materials could lead to an increase in Revenue."

Samuel C. Maragos: "That's what my recollection was, but I wanted to make sure. Thank you."

Rep. Arthur A. Telcser: "Is there further discussion? The question is, 'shall House Bill 4124 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 103 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby de-



clared passed. House Bill 4326."

Fredric B. Selcke: "House Bill 4326, a bill for an act to amend 'The School Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The Lady from Cook, Representative Chapman."

Eugenia S. Chapman: "Mr. Speaker, Ladies and Gentlemen, this is a Bill which will save money for the Taxpayers by providing for Annual Reports to the Governor by the Superintendent of Public Instruction rather than biennial reports which are presently required under the Law. In order to the biennial report, it has required putting together two annual reports. So, even though the savings is not great, it does represent a savings and it is in line with our new annual budgetary procedure and with the new Constitution. I respectfully ask for your support for this measure."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4326 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 117 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 3557. Let's take it out of the record. It's been moved already. House Bill 4466."

Fredric B. Selcke: "House Bill 4466, a bill for an act to amend 'The School Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from DuPage, Representative Hoffman."



Gene L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4466 and 4467 are related Bills, but I will take them separately. These Bills came out of Hearings of the School Problems Commission in reference to the Transportation formula which has been in effect for the last three years. We found in our Hearings that a number of Districts who had limited its assessed evaluation could not even raise the 20 percent necessary to meet the 80 percent ah.. matching fund from the State. What this Bill does is basically two things. Number one, it provides that the State will pay the difference between what a 7 percent levy will raise for transportation in that particular District. It also provides that those Districts who had built up a deficit in a transportation fund, due to the difference between the 80 percent and whatever they were able to levy, would be paid for this year and the previous years. That particular Bill ah.. is in the Appropriations Committee right now related to that which has about a \$500,000 dollars appropriation on it for the year, or for the three year period. I would appreciate your support."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman from Cook, Representative Shea."

Gerald W. Shea: "Gene, from we can determine, the School Districts Downstate are about what? 7.6 Million Dollars short their transportation funds?"

Gene L. Hoffman: "The amount of money that the School Districts are short are related to a variety of things. This particular



Bill pertains only to those Districts who have not been able to through the matching tax effort raise the difference between the 80 percent and the 100 percent. So, that in fact, the money that I'm talking about, Jerry, refers only to the difference between, let's say a District which could raise 10 percent and the 80 percent, it would only deal with the deficient raise by that. The deficit in transportation funds ah.. of various Districts across the State are caused by a variety of things. One of the reasons for it is that a number of Districts have decided on their own to do things in this area of transportation for which the State will not reimburse. We do no... or I do not believe that those School District should be treated ah.. any differently than those School Districts who have been fruitful and have done what ah.. what they have really been able to do within the confines of the directions of the State."

Gerald W. Shea: "Although, as I understand the proposal, your allowing School Districts to issue non-referendum bonds beyond any statutory limit to meet the makeup?"

Gene L. Hoffman: "That is not correct. House Bill 4467, which you referred, we eliminated by Amendment the 5 percent Constitutional limit. But the bonds to pay the claims fall within the statutory limits which we set last year to take the place of the Constitutional Limitation which was eliminated."

Gerald W. Shea: "You raised it from the statutory 5 percent to... or the Constitutional 5 percent, as I understand it, to 6 percent for single Districts and 12 percent for unit



Districts. Is that right?"

Gene L. Hoffman: "That's by... that's by referendum."

Gerald W. Shea: "That's by referendum?"

Gene L. Hoffman: "The total, I mean any way they can go."

Gerald W. Shea: "That's the total indebtedness allowed by statute. Right?"

Gene L. Hoffman: "That's correct."

Gerald W. Shea: "Alright... Now, the indebtedness created by these bonds. Where does it fall within that limit?"

Gene L. Hoffman: "I'm sorry. Inside the 6 percent for single Districts and 12 for units."

Gerald W. Shea: "Alright.. so.."

Gene L. Hoffman: "That would inside that."

Gerald W. Shea: "It would have to be inside the 6 and 12, but they can be issued without referendum? Can't they?"

Gene L. Hoffman: "They have a back door referendum on them.

If you would look at Section 19-8, we have added this to the ability to make payments for teachers orders or any other claims against the District. And then we added the payment of the deficit in the transportation fund which would come out of the bond an interest fund as opposed to where it had come before out of the education fund. It's a great deal resistance to take the, you know, the transferring from the education fund to the transportation fund. And we're taking it out of the transportation fund and allowing to go into the bond and interest fund as well."

Gerald W. Shea: "The net effect, as I see this, is that we're



trying to alleviate any burden on the education fund and we're going to end up increasing local property taxes in some Districts. Is that right?"

Gene L. Hoffman: "I don't believe so."

Gerald W. Shea: "You don't think this will cause an increase in taxes in Districts that have to sell bonds?"

Gene L. Hoffman: "I don't think so. No."

Gerald W. Shea: "Well, how are the bonds going to be paid for is not out of a property tax levy?"

Gene L. Hoffman: "They are going to be paid out of.. out of the Bond and .. out of the Bond and Interest Fund. Now, the Bond and Interest Fund... the Building Fund and the Educational Fund all come from the same sources. Now, whether you levy the Tax in the Bond and Interest Fund or if you would levy the Tax in the Building Fund or if you levy the Tax in the Education Fund, it all has to come from the same source. There is going to be no increase, regardless from which of the Funds. They all come from the same source. So, whether you levy that Tax in the Building Fund or levy that Tax in the Interest Fund or you levy the Tax in the Education Fund, the impact would be the same."

Gerald W. Shea: "Yeah.. an increase in Taxes."

Gene L. Hoffman: "An increase in the Tax.. the total Tax?"

Gerald W. Shea: "That's right."

Gene L. Hoffman: "There's going... Alright, you take it from the Building Fund, if you raise the Education Fund, you raise the Building Fund and you raise the Interest Fund, YES."



That's were it going to have to come. That's right. Now, that's correct."

Gerald W. Shea: "There's going to be an increase in property Taxes?"

Gene L. Hoffman: "In the areas where they levy the bond. And it gives them the option to do that. They don't have to do it. The option is there. There's no requirement that they do this. And this is merely applicable to that deficit that is being created by the difference between the two, Jerry."

Gerald W. Shea: "Alright.. Are these administration sponsored Bills?"

Gene L. Hoffman: "No, these came out of the area of the School Problems Commission."

Gerald W. Shea: "Alright."

Rep. Arthur A. Telcser: "The gentleman from Champaign, Representative Clabaugh."

Charles W. Clabaugh: "I'd like for the Clerk to tell us what Bill he has on call. We're explaining House Bill 4467."

Rep. Arthur A. Telcser: "We're on 4466. Representative Hoffman, do you wish to respond to that?"

Gene L. Hoffman: "We were discussing 4467, but they are related and they cam out of... both of these Bills came out of the area of the School Problems Commission. So, we were discussing 67 and we are on 66, but they are related."

Rep. Arthur A. Telcser: "Is there further discussion? The question is, 'shall House Bill 4466 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'."



Have all voted who wished? The gentleman from Champaign, Representative Clabaugh, to explain his vote."

Charles W. Clabaugh: "If I caused any confusion there, it was because some of the Members were confused on it, Mr. Speaker, because they had 66 under call and 67 both. But the explanation was on 67 and we were looking at 66. Now, I think that the Sponsor. Did you explain 66, Gene?"

Gene L. Hoffman: "Yes."

Charles W. Clabaugh: "He was explaining the difference to some of the Members here and I think that you are making a mistake here by not voting first on 66. Now, we adopted a new formula for State School Transportation and we require it of the School Districts. This legislature requires certain School Districts to ah.. furnish transportation for pupils and we have the formula for doing this. Now, in these cases, where the 80 percent limit was on, the 12 cent rate just wouldn't pay some of these poor Districts that extra 20 percent. It just wouldn't pay it. And those School Districts have no other place to get it. We said in the last Session that you can't take it from the Educational Fund. And so, we suggested this time that we remove that 80 percent ah.. that the State will pay and say the State will pay the difference from whatever the transportation costs are after they have levied all we allow them to levy and that's 12 cents. Now, that's House Bill 4466. And I don't see any reason at all, since this Legislature sets the formula. We set the percent of Taxes that they can levy for it, and it



just won't make the difference. So, I think that it's up to the Legislature to bridge over and make it possible for these Districts to raise that amount of money. Now, 67 follows along because there are some \$500,000 dollars that several... a few of the Districts are in debt. There is no way to pay it at all and we have already in Section 19-8 and 19-9 provided that if a District simply doesn't have the money to pay its' teachers according to Contract that they may issue Bonds to make those payments and many Districts have done it. Now, they are subject to a back bill referendum. But, I know of no case where it has been turned down. Now, we have merely added to the transportation over-costs to the teachers orders of which they can levy the Bonds. And you simply holding some School Districts into a situation that they can't possibly get out of, because they have obeyed the Law as we have laid it out. And I think that we should have the extra votes there. I can't tell you where some of those Districts are, but obviously, there are some Members from those Districts that are refusing to let their Districts get out of that trouble."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. The gentleman from DuPage, Representative Hoffman."

Gene L. Hoffman: "Mr. Speaker, I'd like leave to postpone consideration on this Bill."

Rep. Arthur A. Telcser: "Does the gentleman have leave? Hearing no objections, House Bill 4466 will put on the order of postponed consideration."



Gene L. Hoffman: "I do not wish to call 4467 under the present circumstances."

Rep. Arthur A. Telcser: "Understandable. House Bill 4105."

Fredric B. Selcke: "House Bill 4105, a bill for an Act to amend 'The Vehicle Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Schlickman."

Eugene F. Schlickman: "Mr. Speaker, and Ladies and Gentlemen of the House, House Bills 4105 through 4106 are companion Bills and I would ask for leave to discuss them as a package."

Rep. Arthur A. Telcser: "Are there any objections? Hearing none, will the Clerk please read House Bill 4106."

Fredric B. Selcke: "House Bill 4106, a bill for an Act to amend 'The Municipal Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Schlickman."

Eugene F. Schlickman: "Mr. Speaker, and Ladies and Gentlemen of the House, this series of Bills allows the municipalities in Counties to contract the Department of Complex Owners for regulation of complex parking areas in the same way that contracting is now allowed with Hospital, School Board and Shopping Center Owners. In 1969, the Legislature passed Bills allowing municipalities in Counties to enter into contract with owners of Shopping Centers and regulate the parking of automobiles and the traffic and parking areas owned by Shopping Centers. In 1971, we extended this principle to include the Contracts for the regulation of traffic or parking



on School or Hospital property. By House Bill 4105 through 4108, we simply extend this principle ah.. existing principle ah.. to apartment complexes. Increasingly, in the Chicago metropolitan Area, apartment complexes are being constructed and the health, safety, welfare and morals of the public require that municipalities in Counties have this authority. The Bills were reported out of Committee. They have had added to them the standard home rule exemption. I respectfully solicit your support."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4105 and 4106 pass?'. All those in favor will signify by voting 'aye', and the opposed by voting 'no'. The Clerk will take two Roll Calls. Have all voted who wished? Take the record. On these questions, the 'Ayes' are 105, the 'Nays' are 1, and these Bills having received the Constitutional majority are hereby declared passed. House Bill 4107. Representative Schlickman, you had only asked for the two Bills."

Fredric B. Selcke: "House Bill 4107, a bill for an Act to amend an Act relating to Counties. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Schlickman."

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, I ask for leave to have House Bills 4105 through 4108 to be considered as a package."

Rep. Arthur A. Telcser: "The Clerk informs me you answered 4105 and 4106. Do you wish to those severed and waived



together?"

Eugene F. Schlickman: "Please."

Rep. Arthur A. Telcser: "Read 4108."

Fredric B. Selcke: "House Bill 4108, an Act to amend Section 2 of 'An Act in relation to the regulation of motor vehicle traffic. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Schlickman."

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, 4107 is a companion. I would ask leave to have 4107 and 4108 considered together."

Rep. Arthur A. Telcser: "You've already received that leave and it has been read a third time."

Eugene F. Schlickman: "Mr. Speaker, Ladies and Gentlemen of the House, House Bills 4107 and 4108 are companion to 4105 and 4106. I've already explained them and I would solicit your support."

Rep. Arthur A. Telcser: "Is there further discussion? The question is, 'shall these Bills pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. There will be two Roll Calls. Have all voted who wished? Take the record. On these questions, there are 102 'Ayes', and no 'Nays', and these Bills having received the Constitutional majority are hereby declared passed. House Bill 4343."

Fredric B. Selcke: "House Bill 4343, a bill for an act to amend an Act in relation to Garnishment. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representa-



tive Carroll."

Howard W. Carroll: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4343 deals with the concept of notice and due process before your property is taken. There have been several attempts in the past Sessions of the Legislature to get at the concept of confession of judgement. This is not an attempt directly at confessions. It is recognized that the objections that have been raised that business would come to a standstill if confessions of judgements were done away with. This also recognizes the arguments that have been raised that ah.. a confession is invalid unless the judgement creditor has the ability to freeze the asset. of the judgement debtor before the judgement debtor finds out about it. What we have done by this Bill, however, is said that once that affidavit and garnishment is filed and once the judgement creditor has frozen the asset of the judgement debtor, that there must be service of process ah.. in effect the confirming hearing on the underlying confession and confessed judgement before the property can be turned over by the garnishee or by the bank to the judgement creditor. This is in line with the recent Supreme Court.. the United States' Supreme Court Case in Connecticut. That deals with the area of a lack of due process in the taking of properties. I ask for your favorable vote."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Hyde."



Henry J. Hyde: "Will the gentleman yield?"

Rep. Arthur A. Telcser: "He indicates he will."

Henry J. Hyde: "Ah.. Mr. Carroll, doesn't this effectively destroy confession notes. Ah.. as I read the synopsis, and I realize that may be inadequate, you can not execute on a judgement unless you have trial de nolo? Is that correct?"

Howard W. Carroll: "Representative Hyde, what the Bill says... No, it does not effectively do away with confessions, confession notes or leases. What it says, however, is a judgement by confession of any kind, be it a note, lease or anything else, is obtained, you will file your affidavit and garnishment as you do today which effectively freezes the asset. However, before that asset will turned over, before the bank gives the money to the landlord, there must be service of process with an attempt to a trial de nolo or through a wage deduction order."

Henry J. Hyde: "It's the trial de nolo that concerns me. You come in and try the issues on the confession as to whether the money is owed or not?"

Howard W. Carroll: "There can be a... if there is a defense as there would be in the case if you went back to open up the judgement."

Henry J. Hyde: "Well, you do that in the confirming process. Don't you."

Howard W. Carroll: "You could do that in a confirming process."

Henry J. Hyde: "Well, what I'm getting at is for every little \$30. dollar credit that's extended to a wage earner... ah..



the inhibition of the credit ah.. if the creditor has to come into Court ah.. and prove his case. Ah.. aren't you objectively destroying the judgement notes?"

Howard W. Carroll: "No, Representative Hyde, first of all, as to wage deductions, you know that there are specific provisions on that confirming judgements."

Henry J. Hyde: "That's right."

Howard W. Carroll: "Now however, there is nothing to say that the creditor could not wait until the man gets his check and takes it to the bank. And doesn't have to freeze certain parts of anything given to the family. However, as to your specific question, there is nothing that says that the actual trial could not be ex parte. The only point is that a person before his property is deprived of him had the right to know that he has a right to go into court. There's nothing that say he has to be there or that it has to an adversary proceedings. He can be a default judgement."

Henry J. Hyde: "Well sure, your putting the creditor through the paces of having to go to court and to prove his case."

Howard W. Carroll: "Well, he is in court in the first place and he should have to prove his case. In addition to that, the Supreme Court in Lynchfield's Household Finance Corporation, and this is the U.S. Supreme Court, not our own Supreme Court, decided March 23rd of this year in a Connecticut statute dealing with garnishments where there have not been a judicial process where the person has received notice in between have said that these violate the due process pro-



visions of the Federal Constitution."

Henry J. Hyde: "Are you satisfied that the credit business will not be impeded by this?"

Howard W. Carroll: "I'm satisfied that they have been protected. That it does not do away with confessions and that they have frozen the asset. They will be required the one additional step of notifying the person before they take his money."

Rep. Arthur A. Telcser: "The gentleman from Champaign, Representative Hirschfeld."

John C. Hirschfeld: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think that this Bill is absurd. Ah.. whether he say it... it may not be doing away with the confessions of judgement, I'll grant you that. But it's no impedant to the confession of judgement, it's no longer worthwhile. Now ah.. judgement ah.. debtor got the same rights as he always has and that is to file a motion to open the judgement. If he files a motion to open the judgement and prepared the necessary affidavit under the Law of the State of Illinois and can prove his point, that judgement will be open and he'll have a trial de nolo in the issues. To say that a creditor has got to come in here, and in effect, be bored in his execution and put through a trial de nolo, it just one more attempt to try to make the creditors spend unnecessary Attorney's fees and Court Cost to prove up a valid judgement. The judgement is presumed valid when he takes a confession and if the debtor has any objections, he can go to an Attorney or on his own if it happens to be a small



claim and file motion to open the judgement supporting the affidavit. I think that this Bill is just one more step to knock down our complacent judgement act in the State of Illinois. And should solidly defeated."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Maragos."

Samuel C. Maragos: "Mr. Speaker and Members of the House, I rise in support of this legislation, because it is needed, especially for the small wage earner who is not being taxed through the wage earner process, but is being put through a confession of judgement when he wants to get some credit, or on a lease, or an apartment building when he wants to leave. And there's many times that a few of those of you who have had any practice in the neighborhoods will realize there's been many abuses of this process of confession of judgement. Where a man skips, finishes his lease or maybe a landlord feels he owes some money for some reason or another, he'll confess judgement against him without any due process. And before the man knows it, he's got a judgement of a couple of hundred dollars. Now, it's easy for us to say that he has a right to come into court within 30 days or any other period to set aside that judgement. But you forget one thing, if he has a judgement for \$150. dollars or \$200. dollars, it would cost a man that much to try to open it up. So, in effect, he may have a victory if he wins the case, but it will be still out-of-pocket money. This,



This puts the onus on the creditor to say that he can not have this judgement. He can tie up the property, but he can't have the money available, but can not have the full money turned over to him as an invested right until he has proven or until the.. for the second time, the debtor does not come in and contest it. You can rest assured that if a debtor owes the money, he's not going to be foolish enough to go into Court and fight it, and he has his leeway....ah.. if it's illegal, a very unfair procedure by which he has been assessed. In many States..like ourselves..we are one of the few State in the Midwest that have ah.. confession of judgements. Many other States haven't those and get along without it. Indiana, Wisconsin and many others and they seem to still have plenty of good credit rating. However, in this State, we're not saying to abolish the confession of judgement, but make sure that the small man who doesn't have money or the time to go into Court to spend this type of money for the amount of the judgement, in fact, can't be fully protected and I think that we should give this Bill our support."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Kosinski."

Roman J. Kosinski: "Ah.. will the Sponsor yield to a question, please?"

Rep. Arthur A. Telcser: "He indicates he will."

Roman J. Kosinski: "Howie, it's always a pleasure. Howie, of course, I'm always in great sympathy with the consumer and



the debtor, but it does appear to me that over a period of time in this House, much of our legislation has been in his behalf for his protection with no concern for the small business. Now, I wonder if this Bill isn't somewhat self-defeating, in a sense. Because I, as a representative of small businesses are now plagued with so many costs of maintaining credit, that I would inclined, if these costs should increase, to decrease the amount of credit that I would extend to the consumer. Thereby, limiting his ability to purchase. How do you respond to this, Howie?"

Howard W. Carroll: "Ah.. Representative Kosinski, may I only respond by saying that it was with full understanding of the problems of the credit industry, with full understanding of the problems of the small businessman, with full understanding of not to eliminate confession of judgements, but yet, to allow the person, the person who buys, the person who leases to know what's happening in a Court proceedings that this Bill was put into this form. It was with the understanding of arguments presented in the last Sessions as to why this is needed in this State that it was put in this form."

Roman J. Kosinski: "But, it was my understanding, Howie, by other learned Attorneys on this floor that there would be an increase in cost involved in terms of the creditor getting his money. Is this true?"

Howard W. Carroll: "Cost of which? By Contract are put on to the amount of the judgement at the time it's entered. The



debtor ends up paying for that if he feels that he has a right to his day in court."

Roman J. Kosinski: "Well, did I misunderstand? I think that it was Mr. Hyde that inferred that there would greater costs to the.. to the.."

Hon. W. Robert Blair: "Just a moment, please. For what purpose does the gentleman from Cook, Mr. Kipley, rise?"

Edward L. Kipley: "Ah.. Mr. Speaker, on a point of parliamentary procedure, it seems to me that there are no questions being asked. It's just a dialogue going back and forth between two Members of the floor of the House. And I don't think that is proper at this time."

Hon. W. Robert Blair: "Alright.. that's an objection which we have sustained before. So, I would suggest that you bring your dialogue to a close and go to the merits in your debate. Any further discussion? Would the gentleman care to close?"

Howard W. Carroll: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, as you're all aware, we're one of four States that still allows confession of judgements. We are say by this Bill that we are still going to allow confessions. You may go, have a contract or a lease that allows confession of judgements. You can take that confessed judgement, go to court and get your judgement and go in and start your garnishment proceedings. You can freeze the asset of the debtor. All of this is done without that debtor, that constituent of yours having any knowledge of these proceedings. Having any knowledge that you are about to take his bank account



or any other asset you can find. All we are saying is that we are willing to help the creditors of this State freeze the asset. We're willing to allow them to continue to get confessed judgements to continue to attach the property. But, before that property will be turned over by a bank or any one else who holds that property to this creditor, before he allowed to do that, we should at least require him to advise.. to advise the debtor that his property is about to be taken. That's all we're asking by this. There is nothing that requires the banks today to tell you that they are about to turn over your bank account. There is nothing unless you know today that these proceedings are going on, so that you can go into Court and open them up. If you happen to know about it, you'll go and open it up, if you have a defense. All that we've said by this, is give them the notice, let them come in if they have a meritorious defense and let them prove it. Let your constituents and mine know that someone is about to take their property. Give them the due process that the Supreme Court on March 23rd of this year in a Connecticut Case said that they must be entitled to have in these garnishment type proceedings. I ask for your favorable vote."

Hon. W. Robert Blair: "Alright.. the question is, 'shall House Bill 4343 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. The gentleman asks leave to postpone consideration. Alright.. Senate Bills first reading.



Senate Bill 1321."

Fredric B. Selcke: "Senate Bill 1321. First reading of the Bill."

Hon. W. Robert Blair: "1338."

Fredric B. Selcke: "Senate Bill 1338. First reading of the Bill."

Hon. W. Robert Blair: "1358."

Fredric B. Selcke: "Senate 1358. First reading of the Bill."

Hon. W. Robert Blair: "Consent Calendar. Third reading."

Fredric B. Selcke: "House Bill 1324. Third reading of the Bill.

House Bill 3719. Third reading of the Bill. House Bill 4109.

Third reading of the Bill. House Bill 4117. Third reading of the Bill. 4118. Third reading of the Bill. 4119.

Third reading of the Bill. 4122. Third reading of the Bill.

4157. Third reading of the Bill. 4346. Third reading of

the Bill. 4371. Third reading of the Bill. 4385. Third

reading of the Bill. 4431. Third reading of the Bill.

4432. Third reading of the Bill. 4450. Third reading of

the Bill. 4461 is taken... 4461. Third reading of the Bill.

4476. Third reading of the Bill. 4490. Third reading of

the Bill. 4503. Third reading of the Bill. 4509. Third

reading of the Bill. 4536. Third reading of the Bill.

4577. Third reading of the Bill."

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

Henry J. Hyde: "Mr. Speaker, I move passage of those Bills ah.. that the Clerk just read on the Consent Calendar, Third reading, Third day."



Hon. W. Robert Blair: "Discussion? The gentleman from Cook, Mr. Caldwell."

Lewis A. H. Caldwell: "I was listening to the numbers and I was trying to find out if ah.. All the Bills aren't on there. Are they?"

Hon. W. Robert Blair: "Well, all that we have on the Calendar is on there."

Lewis A. H. Caldwell: "Okay."

Hon. W. Robert Blair: "It's on the Calendar there. You can look at it. Further discussion? Alright.. the question is, 'shall these Bills pass?'. All those in favor will vote 'aye', and the opposed 'no'. Everybody... The gentleman from Cook, Mr. Caldwell."

Lewis A. H. Caldwell: "Mr. Speaker, I'd like to take one moment to introduce the eighth Grade Class from the Parish School in my District. They are up here to my right."

Hon. W. Robert Blair: "Take the record. On this question, there are 113 'Ayes', and no 'Nays', and each of these Bills is hereby declared passed by the Constitutional majority. Alright.. with leave of the House, go back to Senate Bills first reading. Senate Bill 1279."

Fredric B. Selcke: "Senate Bill 1279. First reading of the Bill."

Hon. W. Robert Blair: "Alright.. with leave of the House, we go to House Bills Second reading, First legislative day. House Bill 4317. The Chair recognizes the gentleman from Cook, Mr. Carroll, who has a motion in regard to that."



Howard W. Carroll: "Thank you, Mr. Speaker, I move now to suspend Rule 6 and any other appropriate Rule which that Bill that was on the Consent Calendar, once being removed, goes to the order of Second reading, First Legislative Day. This particular Bill, 4317, was on the Consent Calendar from 11 to 12 days. And yesterday, it was removed, which puts it on our Calendar on Second reading, First Legislative Day. I ask that it be advanced to Second Reading, be read a second time so that it can be advanced to Third so that I have a hearing on the Bill this Session."

Hon. W. Robert Blair: "Does the gentleman have leave? This has been the Rule, so that it can be put on Second Reading, Second Day. Alright.. leave having been given, read 4317 a second time."

Fredric B. Selcke: "House Bill 4317, Second reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Alright.. Third reading. We're on House Bills Second Reading: 3746."

Fredric B. Selcke: "House Bill 3746, 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. 4128."

Fredric B. Selcke: "House Bill 4128, a bill for an Act in relation to littering. Second reading of the Bill. Three Committee Amendments. Committee Amendment No. 1 amend House Bill 41..."



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

Charles J. Fleck: "Mr. Speaker, Ladies and Gentlemen of the House, Committee Amendment No. 1 was placed on the Bill under the advice of the Department of Conservation delete littering from 'watercraft and water vessel'. I move the adoption of Committee Amendment No. 1."

Hon. W. Robert Blair: "Any discussion? All those in favor of the adoption of Committee No. 1 say 'aye', opposed 'no', the 'ayes' have it and the Amendment's adopted. Are there further Amendments?"

Fredric B. Selcke: "Committee Amendment No. 2, amend House Bill 4128 on page 1, andso...."

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

Charles J. Fleck: "Mr. Speaker, Ladies and Gentlemen of the House, Committee Amendment No. 2 is a modest appropriation of \$10,000 to the Department of Transportation to provide litter receptacles in areas under its' jurisdiction. And I move the adoption of Committee Amendment No. 2."

Hon. W. Robert Blair: "Discussion? All those in favor of the adoption of the Amendment say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Fredric B. Selcke: "Committee Amendment No. 3, amend House Bill 4128 on page 5, line 8, andsoforth."

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

Charles J. Fleck: "Mr. Speaker, Ladies and Gentlemen of the House, Committee Amendment No. 3, removes the authority of



the Pollution Control Board to adopt the State Ecology Symbol. This is under the urging of the Board. And I move the adoption of Committee Amendment No. 3."

Hon. W. Robert Blair: "Alright.. now are going to move to table that Amendment? That's an appropriation Amendment. It was called back into Committee if it doesn't come off because that was the basis upon which you marked that out yesterday."

Charles J. Fleck: "I would like to table Amendment No. 2 and move the adoption of Amendment No. 3."

Hon. W. Robert Blair: "Alright.. We've adopted 1. We've adopted 2. Now, the gentleman is asking leave to table Amendment No. 2. Alright.. Does the gentleman have leave? Alright.. He tables No. 2, but he offers No. 3. The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Mr. Speaker, I rise on a point of personal privilege, and to inform the House that they are surrounded by Members of the 30th District. Ah.. there are two Schools from the Area. I would like the honor of introducing the one School and Representative Collins will have the honor of introducing the other School. And, of course, our Senior Colleague here, Representative Henry Lenard is the one who knows both schools very well. I would like to introduce at this time the Members of the Clay School and Mrs. Roberta Francisco, the Advisor. Would you please rise on the Democratic side of the Balcony."

Hon. W. Robert Blair: "The balconies are not partisan, Sam."

Samuel C. Maragos: "I know the ah.. the.. Mr. Collins will give



his announcement."

Hon. W. Robert Blair: "Oh.. I..am..sorry.." The gentleman from Cook, Mr. Fleck."

Charles J. Fleck: "Mr. Speaker, was House Bill 4128 advanced to Third reading?"

Hon. W. Robert Blair: "Alright.. Discussion? All those in favor of the adoption of the Amendment say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Are there further Amendments? Third reading. 4645."

Fredric B. Selcke: "House Bill 46.... Where is it? House Bill 4645, a bill for an Act to amend Section 4 of an 'Act to Township Zoning'. Second reading of the Bill. One Committee Amendment. Amend House Bill..."

Hon. W. Robert Blair: "The Gentleman from Cook, Mr. McPartlin."

Robert F. McPartlin: "Mr. Speaker and Members of the House, Amendment No. 1 removes the Township Fees for the location of a generating station. I would move for the adoption of Amend... Committee Amendment No. 1."

Hon. W. Robert Blair: "Discussion? All those in favor of the adoption of the Amendment say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Are there further Amendments? Third reading. 4646."

Fredric B. Selcke: "House Bill 4646, a bill for an act to add Section 50a to 'An Act concerning Public Utilities'. Second reading of the Bill. One Committee Amendment. Amend House Bill 4646 by striking all of Page 2."

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



Robert F. McPartlin: "Ah.. Mr. Speaker, Amendment No. 1 removes Sections that authorize work during daylight hours only. I would move for the adoption of Committee Amendment No. 1."

Hon. W. Robert Blair: "Discussion? All those in favor of the adoption of the Amendment say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Are there further Amendments? Constitutional Amendment. First Reading. H.J.R.C. Amendment 13."

Fredric B. Selcke: "House Joint Resolution Constitutional Amendment 13. First reading."

Hon. W. Robert Blair: "H.J.R.C.A. #15."

Fredric B. Selcke: "H.J.R. Constitutional Amendment 15. First reading."

Hon. W. Robert Blair: "Committee Reports and Messages."

Fredric B. Selcke: "Committee Reports. Mr. Randolph, from the on Revenue, to which House Bill 3648 was referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bill, as amended, do not pass. Mr. Randolph, from the Committee on Revenue, to which House Bill 566 was referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bill, as amended, do pass. Mr. Randolph, from the Committee on Revenue, to which House Bill 4295 was referred, reported the same back with the amendments thereto, with the recommendation that the amendments be adopted and the bill. What does that



mean? Bill be re-referred to Appropriations. Mr. Randolph, from the Committee on Revenue, to which House Bill 4644 was referred, reported the same back with the recommendation that the bill do pass. Mr. Blades, from the Committee on Conservation and Water Resources, to which House Joint Resolution 129 was reported and referred the same back with the recommendation that the resolution do not adopt."

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

Fredric B. Selcke: "A message from the Senate by Mr. Wright, Secretary: Mr. Speaker - I am directed to inform the House of Representatives that the Senate has refused to recede from their amendments to a bill of the following title, to House Bill 518. Action taken by the Senate, May 4, 1972. By Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of bills of the following title, House Bill 3633, 3634, 3635. Passed by the Senate, May 11, 1972, Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House. Senate Bill 1381. Passed May 11, 1972, Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has passed the bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House. Senate Bill 1373, 1380, 1384; 85, 86, 87, 1392, 1411, 1412, 1436,



1449, 1454, 1458, 1471, 1487, 1504, 1512, 1517, 1530 and 1532. Passed by the Senate, May 11, 1972, Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a bill of the following title.

House Bill 3030, together with the following amendment thereto, in the adoption of which I am instructed to ask the concurrence of the House. Passed by the Senate, May 11, 1972, Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a bill of the following title. House Bill 3544, together with the following amendment, in the adoption of which I am instructed to ask the concurrence of the House. Passed by the Senate, May 11, 1972, Kenneth Wright, Secretary. No further Messages."

Hon. W. Robert Blair: "Alright.. ah.. in order to comply with the Constitution, we have to get back to Constitutional Amendment First reading and have that H.J.R.C.A. *15 read in full."

Fredric B. Selcke: "Okay."

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

Gerald W. Shea: "Mr. Speaker, the Joint Rules of the two Houses and I refer you to House Joint Rule 4. Prohibits the introduction of a Constitutional Amendment to the State Constitution after April. Now, I would like, if I might, a ruling from the Chair on the date that this... this Con-



stitutional Amendment to the State Constitution was introduced and how that complies with the Joint Rules."

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

George W. Lindberg: "Ah.. Mr. Speaker, I think that you'll find that the Journal will reflect the Resolution to the Constitutional Amendment No. 15 was indeed introduced before the last day for the introduction of Constitutional Amendments. It has been through Committee and it is now on the order of First reading..ah.. before this House."

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

Henry J. Hyde: "Mr. Speaker, I would also like to urge the same point with reference to the Constitutional Amendment *13, the so called Equal Rights Amendment, that April 1st, was not observed in the filing of that Resolution."

Hon. W. Robert Blair: "Alright.. the Clerk advises that ah.. with respect to H.J.R.C. *15 that is was introduced on April 24th. Which...would be later than that which is provided for under Joint Rule 4, which says 'that no resolution providing for a Constitutional Amendment shall be introduced in the House or the Senate after April the 1st in any regular Session'. The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Well, Mr. Speaker, I would like to have a ruling as to whether this is a regular Session in that regard."

Hon. W. Robert Blair: "Well ah.. this rule was ah.. was actually adapted and adopted prior to the time that the new Consti-



tution was adopted. I would take it to mean that regular Session means a Session that ah.. is a continuous Session in much of the sense that the first six months of the biennium ah.. is a regular Session. This is a regular Session interpretation. For what purpose does the gentleman from Cook, Mr. Fleck, rise?"

Charles J. Fleck: "A parliamentary inquiry, Mr. Speaker. I have in front of me a copy of the Journal of the State Senate which convened on October 16, 1907, wherein, the Senate suspended the Joint Rules of the House and the Senate, proceeded with business of which a Joint Resolution of adjournment for the House and Senate did not provide for. I would ask that for a parliamentary ruling whether as the Senate did in 1907, the House of Representatives at this time may suspend the Joint Rules and proceed with the introduction and the passage of a particular resolution at hand."

Hon. W. Robert Blair: "Well, ah.. if ah.. such a motion is placed before the floor ah.., the Chair will consider it at that time. Right now, the gentleman from Cook, Mr. Shea, has raised a question up whether this H.J.R.C.A. *15 ah.. complies with the provision of House Rule 4. And the Chair's ruling with regard to that is that it does not ah.. as that rule is on the books. Now ah.. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "I would like to hear the Speaker repeat those words with reference to *13, as well."

Hon. W. Robert Blair: "Well, now with regard to *13. That's



a ratification ah.. rather than the ah.. a resolution providing for a Constitutional Amendment. It's a resolution ah.. that provides for the ratification of a Constitutional Amendment which has passed the United States Congress. And for that reason, I would that that H.J.R. 4 is not applicable to ah.. H.J.R.C.A. *13."

Henry J. Hyde: "Well, if I may respectfully quote the rule, no resolution providing for a Constitutional Amendment. I interpret *13 as a Resolution which does provide for amending the Federal Constitution. And I appreciate the sophistication of the distinction, but I respectfully submit ah.. or let's put it this way, if that is the Speaker's ruling, I will respectfully dissent, therefrom."

Hon. W. Robert Blair: "Well, I certainly understand the thrust of ah.. of your remarks. Ah.. but ah.. a literal interpretation says and I agree that it is a Resolution and the point of interpretation is that this says providing for a Constitutional Amendment. What this really provides for is a ratification of an Amendment to the U.S. Constitution. And I think that there is a distinction between a proposal that is a Resolution for an Amendment and one that provides for ratification of an Amendment. The gentleman from Cook, Mr. Phil Collins."

Phillip W. Collins: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, forgive me for interrupting, but I would like to introduce ah.. the Students, Parents and Faculty of St. George School from the 30th District in Chicago, represented



by Representative Maragos, Lenard and Myself. They're in the Gallery here and I would like to ask the Members to greet them."

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

James Y. Carter: "Ah.. Mr. Speaker, I would like a point of clarification from the Chair, if I could? I have just been handed an Amendment to House Bill 4557 and 4558, which the way I read it, would combine those two Bills. Although, I'm not certain. Ah.. this is the first time I've seen these Amendments, the first time Ralph Hanley has ever showed up with them. Now, I want to know this. If for some reason, it would be agreeable..."

Hon. W. Robert Blair: "Ah.. you know... we have a matter pending on the floor which we should resolve before we..."

James Y. Carter: "Well, you resolve that and then I will continue my inquiry."

Hon. W. Robert Blair: "I will certainly recognize you at the appropriate time. Ah.. now Mr. Lindberg, we're back on ah.. the.. I guess the ah.. *15 and ah.. and the question is on the introduction."

George W. Lindberg: "Well, Mr. Speaker ah.. Representative Shea has questioned the introduction of this Bill and, of course, ah.. I think it comes to late. The Bill was introduced and was accepted by the Clerk of the House. It was assigned by the Speaker to the Committee. It was called by the Chairman. It was heard. No objection was made in the Committee Hearing and I don't think we're at a proper pro-



cedure on our Calendar for an objection to be sustained to the introduction of a Bill. The Bill has... The Resolution has been introduced and we're now at the point of First reading and there are no rules.. joint rules relating to whether a Bill can be read ah.. first, second or third time. It's already in the House."

Hon. W. Robert Blair: "Well, I don't really consider that H.J... or that the Joint Rule 4 or no.. that Joint Rule 4 is one that is susceptible of being waived because the time... or the objection no being timely raised. The gentleman from Cook, Mr. Juckett."

Robert S. Juckett: "Mr. Speaker and Ladies and Gentlemen of the House, the distinguished Assistant Minority Leader raised the objection in the Executive Committee when this Resolution was being heard. And I, as Chairman, ruled that the House Committee was operating under the House Rules. And if there was a conflict between the House and the House Joint Rules that we would proceed under the House Rules and if there was a valid objection, it could only be raised in the Senate. And as long as the House Rules apply, we could proceed and we could hear, and we could further the business on this particular Resolution."

Hon. W. Robert Blair: "Well, to the extend that there is a conflict between the House Rules and the Joint Rules, it would be the Chairs' ruling that the Joint Rules would, where they effect a specific matter, such as question of introduction in the House or Senate after April 1, in any



regular Session of a Constitutional Amendment that the House Rules would be superseded by the Joint Rules. The gentlemen from McHenry, Mr. Lindberg."

George W. Lindberg: "Well, Mr. Speaker, I know that everyone is anxious to ah.. get out of here and I won't pursue it any further, except I'm submitting a written motion pursuant to the decision ah.. referred to by Representative Fleck, that the House ah.. suspend Joint Rule 4 to permit the introduction of the First reading of this Resolution for Constitutional Amendment No. 15, setting the precedent established by the Senate in 1907. And I would ask for a ruling ah.. on that particular issue, Mr. Speaker."

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

Gerald W. Shea: "At the time the Parliamentarian is checking that, he might also, I ask the Chair to look at Section 2 of Article 14 called Constitution Revision. It asks ah.. to look at Section 2a wherein, and I'm quoting a particular part. 'The General Election next occurring at least six months after such legislative approval', which makes it impossible for this Body to consider, and approve in both Houses and get on the ballot in the '72 Election."

Hon. W. Robert Blair: "Well, I don't.... With regard to that particular point, I don't think that limits the situation because if it were to pass within the six month period while it would not be able to be on the General Election this Fall it would be able to be on the General Election in 1974, unless ah.. it was removed, I think by a majority vote, at



a later date under the Constitution."

Gerald W. Shea: "It says 'that the General Election next occurring'."

Hon. W. Robert Blair: "That... That... next occurring after the six months and so you take the date of final passage and the one next occurring after the six months would expire would be in November, 1974. Alright.. with the regard to the question of... on the gentleman's motion to suspend Joint Rule 4 with reference to H.J.R.C.A. *15 to be read now the first time and without having to rely upon Supreme Court decisions will be the Chair's ruling that that is a proper motion. And that it can't be entertained. State your point. The gentleman from Lake, Mr. Matejevich."

John S. Matejevich: "It may not be a point of order by a point of inquiry. Mr. Chairman, does that mean that only one Body can suspend a Joint Rule or would it have to be further suspended in the Senate?"

Hon. W. Robert Blair: "I'll have to re-read my interpretation. You have to start with the suspension of the Joint Rules someplace and that would be either in the House or the Senate. And ah.. we can start it here and if it were to be suspended here and than if the matter were then to go over into the Senate, they would have to address themselves to a suspension of the Joint Rule, too. It's a practical matter. I would think that would be the only way that it could work out. Yes, the gentleman has so moved with regard to the suspension. The gentleman from Cook, Mr. Harold Washington."



Harold Washington: "A Parliamentary inquiry, Mr. Speaker.

Having ruled now, does that mean that H.J.R. goes to Committee?"

Hon. W. Robert Blair: "No, it's been there. The H.J.R. *15 has been in Committee and is now out on the Calendar, First reading."

Harold Washington: "But, I interpreted the ruling to mean something that the Joint Rules were waived and the Bill could be introduced. But the Bill has already been introduced, been to Committee, and is back on the floor. Now, does ruling operate abinitio? Does he just file it today and send it to Exec.. or what?"

Hon. W. Robert Blair: "Well, I consider it to be a ah.. a motion which will ah..render ah.. this defect ah.. harmless."

Harold Washington: "Impune, you mean?"

Hon. W. Robert Blair: "Yes."

Harold Washington: "Procedure defects prior to this?"

Hon. W. Robert Blair: "Yes... Yes, I think that the gentleman's objection is a timely one concerning ah.. Joint Rule 4. It's the first time the Chair has had occasion to rule on that, because the question hasn't been raised prior ah.. to this time. And ah.. the Resolution has progressed through the normal House Procedures. And ah.. so ah.. Now, we're concerned with the question of the introduction having been a valid one. And if the rule is suspended, then that introduction would have been valid. Therefore, the actions of the House that followed subsequent to that would also



be valid. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Does it take 89 affirmative votes to suspend a Joint Rule?"

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

George W. Lindberg: "Ah.. Mr. Speaker, I would like to have the opportunity to do some research on this matter over the weekend. I wonder if we might have leave to take it out of the record."

Hon. W. Robert Blair: "Alright.. Ah..Does the gentleman have leave? And what we'll do is put it.. We'll leave it on the order of First reading, but with the gentleman's ah.. question ah.. the objection still being valid as things now stand. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Is it my understanding that it takes 89 votes to suspend the Joint Rules as far as the House goes?"

Hon. W. Robert Blair: "When... That question ah.. has to be answered, the Chair should be prepared. Alright.. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Could you kind of run that one by me real quick again?"

Hon. W. Robert Blair: "That's what I did the first time. The agreed resolutions. Do you have those? Well now, the gentleman from Cook, Mr. Carter, was on some point."

James Y. Carter: "Well, Mr. Speaker, I don't have a point. I'm making a.... Well, maybe it is a point. I'm requesting some information from the Speaker. And ah.. I'm sorry, that I interrupted you, but this thing rather upset me. So, I



was not aware that this other debate was going on. So, I apologize for that. But, if you remember, I had House Bills 4557, 4558 and 4559 in. They were amended and presently those Amendments ah.. are in the Bill Room. Now, the way I read this Amendment, and I could be wrong, it would consolidate House Bills 4557, and 4558. Now, my inquiry to the Chair is this. I'm perfectly aware of the fact that under the Rules of the House that I can bring that back to second reading for the purpose of an Amendment on Monday. But where am I, Mr. Speaker, in the event the Printer doesn't get that Amendment back because it's a rather lengthy Amendment? Or can I move to suspend the Rules for that one particular Bill or those particular Bills. I'm in a bind."

Hon. W. Robert Blair: "Right.. and ah.. there's going to be a motion to ah.. to extend on non-exempt Bills one day until Monday and at that time, I would suggest, we can go to those Bills that are on Third reading. If you desire to have them brought back to second reading for the purposes of whatever Amendment you have, the Chair will certainly entertain that."

James Y. Carter: "I am perfectly satisfied, Mr. Speaker, with the Amendments that we have. But this is one that the Department of Transportation brought over here that I haven't had a chance to even look at. Well, I would like...."

Hon. W. Robert Blair: "Well, look at it over the weekend."

James Y. Carter: "Okay. Then on Monday, I'll ask you, if the Printer doesn't get it out, to let me have Tuesday."

Hon. W. Robert Blair: "Well, you can reserve your motion there,



however you want to handle it."

James Y. Carter: "Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Your welcome. Agreed Resolutions."

Fredric B. Selcke: "House Resolutions..."

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

Robert E. Brinkmeier: "Mr. Speaker, Members of the House, I would like to have unanimous consent to be recorded as voting 'aye' on House Bill 4218 yesterday. It will not change the outcome of the vote. In a matter of fact, there's not a dissenting vote."

Hon. W. Robert Blair: "Alright... Is there objection? The gentleman's request will be granted. Going to do the Agreed Resolutions?"

Fredric B. Selcke: "House Resolution 608, Collins, et.al. House Resolution 609, Colitz, et.al. House Resolution 610, Tipsword, et. al. House Resolution 614, Choate. House Resolution 615, Hirschfeld. House Resolution 616, McAvoy. House Resolution 617, Schisler. House Resolution 618, Schneider, et.al. House Resolution 620, O'Brien, et.al. House Resolution 621, Tipsword, et.al. House Resolution 622, Granata, et.al. House Resolution 623, Granata, et.al. House Resolution 624, Collins, et.al. House Resolution 625, Collins, et.al. House Resolution 626, Maragos, et.al. House Resolution 627, Hirschfeld, et.al. House Joint Resolution 130, Fary, et.al. House Joint Resolution 131, Ed Madigan, et.al. House Joint Resolution 132, Douglas, et.al."



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

Henry J. Hyde: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, The Agreed Resolution 608 is a memorial to Reverend Thomas J. Brennan of Notre Dame. 609 urges restoration of Funds for Music, Art and Physical Ed in the Chicago Public Schools. 610 congratulates the Citizens of Morrisonville for their contributions to the State of Illinois upon their 100th Anniversary. House Resolution 614 congratulates the ah.. Honorable Harry S. Truman, 33rd President of the United States upon his 88th Birthday. House Resolution 615 congratulates Christine Benton of Champaign for her heroic effort in saving a ah.. human life. House Resolution 616 congratulates Scout Bevignani on his attainment of the Eagle Scout rank. House Resolution 617 commends Mr. Emma Sieben and Miss Beulah Rock, for their 43 and 35 years of faithful service to the community of Yates City, Illinois. House Resolution 618 commends Gil Dodds on his 25th Anniversary of his record mile run. House Resolution 620 commends and congratulates the West View Junior High School Band of Romeoville. House Resolution 621 congratulates the citizens of Cowden as they prepare for their Centennial. House Resolution 622 is a memorial resolution to David Chesrow of Chicago. House Resolution 623 is a memorial to Frank Colucci of Chicago. House Resolution 130 ah.. Is Mr. Fary present?

Fredric B. Selcke: "No... No.."

Henry J. Hyde: "Well, House Joint Resolution 130 ah.. is a very ah.. fine resolution and ah.. I think it honors ah.. Tavern



Day or Tavern Week. We'll give that a little better explanation in a minute. House Joint Resolution 131 highly and sincerely commends the students of Hubbard High School for their cleanup drive. House Joint Resolution 132 ah.. memorializes the Illinois Legislative Investigating Commission to undertake an investigation of the Automobile Repair Industry. House Resolution 624 congratulates Marion Skoronski. House Resolution 625 congratulates Samuel L. Nowinson. House Resolution 626 is a memorial to Alex Janoski. And ah.. that completes the ah..Agreed Resolutions except to return to House Resolution 130 which is... House Joint Resolution which is an expression of thankfulness to all the Tavern Owners ah.. in the State of Illinois. I move the adoption of the Agreed Resolutions. One more? House Resolution 627. I'm sorry House 27 will go to Committee. House Resolution 627 is an Agreed Resolution and it creates a Special House Committee known as the House Alcoholism Study Committee. And ah..I move the adoption of the Agreed Resolutions."

Hon. W. Robert Blair: "Alright.. All those in favor of the adoption of the Agreed Resolutions say 'aye', opposed 'no', the 'ayes' prevail and the Agreed Resolutions are adopted. Are there further Resolutions?"

Fredric B. Selcke: "Further Resolutions.. House Resolution 612, Harold Washington, et.al. House Resolution 613, Jaffe, et.al. House Resolution 619, Rayson, Jaffe, et.al."

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



Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, I'll ask leave to take House Joint Resolution 132 which ah.. requests the Illinois Investigating Commission to undertake an investigation of the Automobile Repair Industry out of the list of Agreed Resolutions and ask that it be assigned to Committee."

Hon. W. Robert Blair: "Alright.. Does the gentleman have leave? That one was inadvertently read in the Agreed Resolutions List. Okay. Having leave, then we'll pull that out of the Agreed Resolutions and ah.. it having been read, it'll be on the Speakers' Table until it is assigned. Now, have you read the rest of the Resolutions? Alright.. just two Bills for introduction and that will be it."

Fredric B. Selcke: "House Bill 4662, Harpstrite, appropriation of \$5,500 dollars to the Collinsville Chamber of Commerce. First reading of the Bill. House Bill 4663, Gene Hoffman, appropriate \$787,800,000 dollars from the common school fund to the Superintendent of Public Instruction. First reading of the Bill."

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

Henry J. Hyde: "Mr. Speaker, and Ladies and Gentlemen of the House, I'd like to, at this time, move to suspend ah.. the provisions of Rule 32c and 32d to permit ah.. non-exempt Bills ah.. to be heard on Monday rather than today."

Hon. W. Robert Blair: "Alright.. Hearing no objection, the Rules will be suspended for the purpose of extending the date for passage of House Bills until ah.. Monday, May 15. The gentle-



man from Cook, Mr. Berman."

Arthur L. Berman: "Mr. Speaker, I think that it has been our precedent in the past to run a roll call on these waivers. Ah.. on the rules, and I think that we would be safer that way. I'm sure..."

Hon. W. Robert Blair: "Alright.. I'm sure that's true... that's true and we will take a roll call vote. All those in favor of the motion to suspend will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 104 'Ayes', and no 'Nays', and the ah.. motion prevails. Now, the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "I now move, Mr. Speaker that this House do stand adjourned for purposes of a plenary Session till 2:00 P.M. on Monday, May 15 and until 1:00 P.M. on Monday, May 15 for the Committee of the Whole."

Hon. W. Robert Blair: "Alright.. All those in favor of the adjournment motion say 'aye', opposed 'no', the 'ayes' have it and we're adjourned."

Adjournment at 2:00 O'Clock P.M.

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