

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED THIRTY-NINTH LEGISLATIVE DAY

MAY 22, 1972

11:00 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

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

- Representative John B. Brandt - illness;
- Representative James Y. Carter - illness;
- Representative Eugenia S. Chapman - official business;
- Representative Giddy Dyer - official business;
- Representative J. Horace Gardner - death;
- Representative Henry J. Klosek - illness;
- Representative George W. Lindberg - illness;
- Representative Michael H. McDermott - illness;
- Representative James Pate Philip - illness;
- Representative William A. Redmond - no reason given;
- Representative Edward J. Shaw - death;
- Representative John W. Thompson - no reason given;

GENERAL ASSEMBLY

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

Dr. John Johnson: "We pray. O God our Help in ages past, our Hope for years to come, hear us now as we seek your guiding and sustaining power for the week that lies before us. It will be a busy week. Important decisions will demand careful and fatiguing consideration on our part. Be a reservoir of strength, a haven of refuge, and the source of comfort and renewing zeal at the close of each day. Protect us in our several duties and grant us the wisdom to use purposefully the time and opportunities you have given us. Protect, be with, and guide our President and other world leaders during these days of summit conferences. Be present at their tables of deliberation so that their decisions and discussions might tend to the promotion of world peace and the relaxing of international tensions. We bring our petition before you in the Name of the Prince of Peace. And now upon the death of the sister of Mr. Ivan Petefish, be a God of comfort to all who mourn and let each death remind us to walk with you the days of our lives, that by your grace, we may live with you eternally. Amen."

Hon. W. Robert Blair: "Roll Call for Attendance. The gentleman from Cook, Mr. Downes."

John P. Downes: "Mr. Speaker and Ladies and Gentlemen of the House, can the record show that Representative McDermott absent because of illness?"

Hon. W. Robert Blair: "The record will so indicate. James



Carter.. Y. Carter included? Okay. The gentleman from Cook, Mr. Burditt."

George M. Burditt: "Ah.. Mr. Speaker, could the records show that Mrs. Dyer and Mrs. Chapman are both in Washington on official business and request to be excused today? However, the ah.. Minority Leader has asked me to announce that they both will be back before the Session's over."

Hon. W. Robert Blair: "Alright.. The Journal will so indicate. The ah.. gentleman from Kane, Mr. Hill."

John Jerome Hill: "Mr. Speaker, Ladies and Gentlemen of the House, in behalf of Representative Schoeberlein, Friedland and Myself, I would like to introduce a Girl Scout Troop #271 from Aurora, Illinois. They're in the Gallery up here to my right. Mrs. Robert Hehlman is the Leader."

Hon. W. Robert Blair: "4132. Oh! I'm sorry. Third Reading. House Bill 4132."

Jack O'Brien: "House Bill 4132, a Bill for an Act to amend an Act relating fire protection in apartment buildings. Third Reading of the Bill."

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

John Merlo: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, on Friday, January the 14th, for a period of five hours, a complete power failure occurred which affected a hundred and fifty blocks of an area which included the densely populated high-rise area of Sheridan Road and the Lake Front. An estimated one hundred thousand residents were affected. Again, on April 23rd at Fort City, a power failure



occurred which affected twenty-five square blocks for a period of twenty-five minutes. The area affected included 63rd to 87th Street, Kedzie to Cicero. In the Sun Times, dated Monday, May 15th, carried the story entitled, Storm Cuts Power. A thunderstorm that Sunday afternoon caused severe power failures in the City and Suburbs. Ironic, indeed, for one of the areas affected is the area in which the building that I reside in is located. The area affected was Belmont to Diversey and Racine to the Lake. During the power failure, many high-rise tenants were trapped in stalled elevators which necessitated the assignment of forty-five firemen to release the high-rise residents trapped in the elevators. Fortunately, no lives were lost. Many people called to tell me about the terrible experience they had while being stranded in stalled elevators or isolated in apartment which became frigid in the three degree weather that prevailed at the time. One of my constituents, Mrs. Ann Schwartz felt, because of the seriousness that was experienced, she would elect to be identified and would be willing to testify. Miss Schwartz had a heart attack. She was trapped in the elevator for a hour and fifteen minutes and could not make contact with anyone in the building. At some point, she became unconscious. And, when the firemen arrived, they were forced to break down the elevator door to take Mrs. Schwartz, unconscious, to her apartment. The high-rise tenant is so dependent upon electricity that it is no longer possible just to extend sympathy while power is being



restored. Something more has to be done. Because of this and because of the experience suffered by many of our constituents, Representative Telcser, Representative Thompson and I introduced House Bill 4132 which would require all high-rise buildings to install emergency standby power equipment for operating elevators during an emergency. This Bill was supported by Joseph Patton, who is the Assistant Fire Marshall of the State of Illinois. Also, I have here a letter by Robert May, the Director of the Division of Fire Prevention. I just want to read one paragraph. 'Dear Representative Merlo: I have read your letter of January 19th, 1972, which great interest. And, I can assure you that my Office will support any legislation that would contribute to the greater safety of the Citizens of the State of Illinois. The specific Area that you mentioned regarding elevated equipment buildings is one of importance. The availability of emergency standby power equipment for the operation of elevators would be a definite asset toward greater safety for occupants of such buildings'. This Bill received a ten to one majority in the Judiciary. And, I ask your favorable consideration."

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, undoubtedly, the objective and contents of this Bill are.. are meritorious. I do wonder, though, about the legislature continuing to assume this role of a super City



Council. And, with the new home rule authority that the City of Chicago, the County of Cook and municipalities over twenty-five thousand have in the State, I wonder why we shouldn't leave this sort of matter to our local officials that do have the authority to engage in this kind of regulation. And, I'm wondering if the Sponsor would yield ah.. to my inquiry and comment about the propriety of the Legislature involving itself in something which, I think, more properly should be handled by a muni.. by a municipal governing body."

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

John Merlo: "Well, first of all Mr... Representative Schlickman, I certainly want this Bill to apply to every municipality in the State, even those that don't come under home rule. And, I'm sure that you recall that ah.. there were many Bills that were submitted where the home rule concept ah.. has been reversed according to the opinion of many of us Legislators that sit here. So, I'm just hoping, of course, that this legislation will be a start, perhaps, to ah.. to more or less project to the municipalities the need for such legislation. Certainly, our Courts have not tried ah.. many of these cases where it involved the implication of the home rule concept and ah.. I hope until that time that we will give this a favorable vote so that it could be determined in the future."

Eugene F. Schlickman: "What is Amendment No. 1?"

John Merlo: "The.. Amendment No. 1, Representative Schlickman, the Bill was originally drawn whereby it stated 'that it was



in the event of fire and emergencies'. And, the Bill or the Amendment read, 'that it would only direct itself to where emergencies existed because of lack of power, electrical power within the building'. The reason for the change was, of course, is that the fire authorities felt that fire should be excluded completely from the Bill, basically because they don't advocate the use of elevators during the course of a fire. Because in many instances, the elevator, of course, would be a trap in many instances where they don't have this fire.. or this emergency power. So, that was the reason of the Amendment. And, it has only to do with where there is a breakdown of electrical power within the building."

Eugene F. Schlickman: "Well, Mr. Speaker, if I may address myself, not to the merits of the Bill, but rather to the propriety of the Legislature involving itself into what, I think, more properly should be the subject of municipal action?"

Hon. W. Robert Blair: "Proceed."

Eugene F. Schlickman: "It seems to me that, while the contents are meritorious, that this kind of legislation, it's the kind of legislation which the Const.. the Delegates to the Constitutional Convention by the development of Article VII, Local Government and by the dividing of home rule to municipalities, felt more effectively, it could be handled at a local level. And, on that basis, not the merits, I do ah.. raise the question of this Bill passing."

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

Romie J. Palmer: "If the ah.. Sponsor will yield for a question?"



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

Romie J. Palmer: "John, why hasn't the City Council of the City of Chicago acted on this?"

John Merlo: "I have ah.. no idea of why they haven't, Romie. But, I can just tell you this. There are thirty-five States that do have regulations and ah.. and codes that affect the electrical power failure and the use of a standby emergency power. I might say that even the State of Illinois does have ah.. regulations and a code that directs itself to hospitals and nursing homes. And, what we're doing initially is extending it to where it would affect apartment buildings."

Romie J. Palmer: "Well, is there any question... Is there any question in your mind that the City of Chicago does not have the power to ah.. to act in this particular area?"

John Merlo: "I.. I couldn't answer that, Romie. I wouldn't know."

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

Arthur A. Telcser: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of my Colleague, Representative Merlo and the piece of legislation which he has introduced in reference to auxiliary power in high-rises. Following upon the remarks of ah.. the prior Speaker, it seems to me that the new 1970 Constitution with its home rule provisions notwithstanding, those of us serving in the Legislature do, indeed, still retain and must have a responsibility to those



citizens who reside in municipalities where local governments have not acted properly. Far be it from me to question why the City Council in the City of Chicago has not acted in a responsible fashion in reference to this terrible problem which exists particularly in the high-rise area in my District. But, I say to you that this is a good piece of legislation. It's one that's desperately needed. And, if the City Council does not want to act to protect the citizens of the City of Chicago, then certainly, we are mandated to do so. So, based upon this rationale, I would hope that every Member of this House would cast an 'aye' vote for House Bill 4132."

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

John Merlo: "Well, Mr. Speaker, all I can tell you is that there are thirty-five States that already have regulations and codes that affect this very subject. And, of course, I know that many of you have received a letter which was sent by the Joint Properties Committee over the signature of Nelson Forest. And, some of the members of that Committee, I might mention, are the Chicago Real Estate Board, The Apartment Council of Metropolitan Chicago and the Home Builders Association. But, I want to tell you this, that these are the same interests, the same developers and operators of high-rise buildings that oppose the very Bills that this Body here passed out in the Sessions in the past. And, I refer, of course, to the prior Bills that we had ah.. those



that asked for the posting of notices as to what to do in the event of fire, those that refer themselves to the alert and alarm system in these buildings. And also those that affected interests in paying down a security desposit. These are the same people that continually cry crocodile tears that tell you that they will be put out of business. But, I've heard the pile drivers and I continue to hear the pile drivers and watch the Lake Front in Chicago become a canyon of steel and mortar. And, I invite you to come over and look at our District and see what's occurring along Lake Shore Drive and Sheridan Road. I recognize that there is a cost factor that concerns us but, I compare with the safety of people in high-rises. Cost is secondary in importance. Must tragedy always precede legislation? I ask your support of this Bill."

Hon. W. Robert Blair: "Alright.. The question is, 'shall House Bill 4132 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The gentleman from ah.. Peoria, Mr. Day."

Robert G. Day: "Mr. Speaker, for the reasons stated by Representative Schlickman, I would like to be recorded as voting 'present'."

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

Fred J. Tuerk: "Mr. Speaker, I want to be recorded as 'present' for other reasons. Thank you."

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

Have all voted who wished? The Clerk will take the record.



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

John Merlo: "Mr. Speaker, might I ask leave to postpone consideration, please?"

Hon. W. Robert Blair: "Alright.. The gentleman have leave? Place it on postponed consideration. 4.. House Bill 4455."

Fredric B. Selcke: "House Bill 4455, an Act to amend the 'Illinois Insurance Code'. Third Reading of the Bill."

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

Peter J. Miller: "Mr. Speaker, Ladies and Gentlemen of the House, this is ah.. the last Bill that I have the privilege of having this Session for the Department of Insurance. It's a merely Bill. It merely allows companies that are paying privilege tax of less than 25 dollars per month instead of paying it quarterly to pay it annually. It's a good Bill and ah.. the Department requested the Bill. I ask your favorable consideration, Mr. Speaker."

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

Bernard J. O'Hallaren: "Will the Speaker.. Will the Sponsor yield for a question? Pete, can you ah.. I didn't quite hear everything with a little bit of confusion. Could you explain to me what this Bill actually does?"

Peter J. Miller: "Well, I.. You know that ah.. companies that are paying the privilege tax pay ah.. a year in advance ah.. at 25 dollars per month based on the business they get the previous year. And, if it's less than 5,000, it will be



less than 25 dollars a month. And, therefore, instead of paying it every quarterly, they will allowed to pay it annually. It saves ah.. the company all the bookkeeping and the staffs and work. And, the Department wants to allow them to pay it annually instead of quarterly."

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

Arthur L. Berman: "Would the Sponsor yield to a question?"

Ah.. Pete, ah.. the original Bill say that if there tax is 5,000 dollars, they'd only have to pay it annually. Was that changed by the Amendment?"

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

Peter J. Miller: "Well, I.. I.. I mentioned the 5,000 dollars mark if the preceding year was less than \$5,000. When it was less than \$5,000."

Arthur L. Berman: "Well, what.. what did the Amendment do?"

Peter J. Miller: "Well, the Amendment on changed.... The Amendment to the Bill changed some ah.. ah.. verbiage by striking part of.. the words, 'part of' on ah.. line 15 of the Bill. That had.. had nothing to do with the substance of the Bill. It corrected legis.. ah.. language. That's what the Amendment did. But, it does precisely what I said. It ah.. allows them to pay it annually instead of quarterly. That's what the Department.."

Arthur L. Berman: "Well..."

Peter J. Miller: "Explained and the Bill came out of the Committee without a dissenting vote. And, the.. the Assistant



Director was there to explain it."

Arthur L. Berman: "Well ah.., I have one other question.

Actually, what we're doing here is letting them save the ah.. ah.., in effect, the interest on what would amount up to 5,000 dollars ah.. in tax. Instead of paying it quarterly, ah.. the Insurance Companies are going to be able to use this money for the whole year instead of remitting it to the State ah.. quarterly. What..."

Peter J. Miller: "Well, that's true. That's true except that the amount is so small, there isn't much involved."

Arthur L. Berman: "Well, we're talking about 5,000 dollars in tax. Aren't we?"

Peter J. Miller: "It's less than \$5,000."

Arthur L. Berman: "Well, it could be \$4,999."

Peter J. Miller: "Yes, it could be. Well, the Department feels that they should be given the right to pay it annually. And ah.., I don't know how much of a loss there would be. If you want me to find out, I'll take the Bill out of the record and find out."

Arthur L. Berman: "And, also, Pete, find out how many companies this applies to. Would you, please?"

Peter J. Miller: "I ah.. would be happy to. I'll take it out of the.. I'll have.. I.. I'll take postponement this morning and bring it back this afternoon, Mr. Speaker. And, I'll get the answers for Representative Berman."

Arthur L. Berman: "Thank you, Pete."

Hon. W. Robert Blair: "Alright.. The.. Does the gentleman have



it out of the record? The gentleman from Kane,
 ein, for what purpose do you rise?"

erlein: "A point of personal privilege, Sir."

clair: "Proceed."

erlein: "Ah.. what is wrong with the issuance
 ls? Today, we get the ninth of May. I'm try-
 ine what happened on the twelfth. Today is the

. And, todays Journals that we have are the
 ls wrong in the printing so we know what's

this House and we can make a check-back. What

o is an item in the newspaper critizing the

is House, the department in the House, the Mem-
 thing else on a certain day, the 12th of May.

to do a little checking on that particular

not find it. And, I remember when ah.. ah..

was here. He made quite a hassle on this

better printing service. And, I don't be-

should be more than five days behind on the

ah.. Journals. And, I was just wondering

unk outfit is doing the printing?"

c: "Alright ah.., Inasmuch as the Clerk

ary responsibility with regard to the ah..

alendar and the Journal, I'll ask him to

elf to your inquiry."

"Thank you, Mr. Speaker. Well, the problem

re that ah.. we have ah.. a problem with

o has this job. And, that's Phillip's

Brothers Printing Company. Now, these people got the job by bid. We have, and when I say we, I mean my Office has repeatedly called Phillips Brothers asking them to expedite the printing of the Journal. It used to be that we would get the Journal back the next day. But, we don't do that any more. And, our repeated efforts ah.. at contacting Phillips has proved to no avail. I have complained to the Division of Printing in General Services about it. And, I've told them that when ah.. ah.. when the printing is let out for bid this Fall, I was going to be sure that the specifications require that the Journal be back within a certain specified minimum time. Whether it can be back the next day or not, I don't know. But, it should be back ah.. in two days at the most and we should get them back in numerical sequence which we don't do now. Now, we overcame that problem at our last... on our Bills. We used to not get the Bills in numerical sequence. However, in the last bidding, the Secretary of the Senate and Myself inserted those specifications. And, now we get the Bills back in numerical sequence. And, hopefully, we can do that we our Journals when we have our next bidding."

Hon. W. Robert Blair: "The ah.. Well, House Bill 3795."

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

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

John Jacob Wolf: "Well, Mr. Speaker, Members of the House,

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ah.. House Bill 3795 is a companion bill to 3784 ah.. that we passed last week. This provides for the licensing of the employment agency counsellors. Now, under the current situation, all a counsellor must do is to pay a 5 dollar fee ah.. and he becomes automatically licensed. There is an extremely high rate of turnover ah.. among employment agency counsellors. There's about eight thousand licenses issued annually only of which about fifteen-hundred are renewals. Now, most of these employment agency counsellors work on commissions and, to coin a phrase, they often hustle ah.. potential employees by misrepresentation. Ah.. this particular Bill would provide that an employment agency counsellor would have to take an examination based on the Law before obtaining their license."

Hon. W. Robert Blair: "Discussion? The question is, 'shall House Bill 3795 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 102 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. 4388."

Fredric B. Selcke: "House Bill 4388, an Act to provide for, license and regulate mobile homes and mobile home parks and to repeal an Act herein named. Third Reading of the Bill."

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

John S. Matijeviceh: "Mr. Speaker and Members of the House, ah.. House Bill 4388 ah.. was introduced to allow that the Fire Marshall shall have the authority for the adoption of rules



and regulations ah.. relating to ah.. fire ah.. fighting equipment at mobile homes in mobile home parks. Ah.. it was introduced because in the last Session of the Legislature, we did enact a very comprehensive ah.. Act. But, in it, a last minute Amendment was offered in the Senate ah.. and concurred in which said, 'that fire extinguishers shall be placed at each end of the mobile home in a mobile home park'. Ah.. And, many of us felt that this was an added expense. It probably is unconstitutional and we feel that the rules and regulations should be adopted by the Fire Marshall. I don't know of any opposition to this Bill. Ah.. I would ah.. urge you to vote in favor of House Bill 4388."

Hon. W. Robert Blair: "Further discussion? The gentleman from Cook, Mr. Bluthardt."

Edward E. Bluthardt: "Would the Sponsor yield for a question?"

Ah.. John, would this Bill in any way affect the.. the ah.. the non-home rule communities that.. that have the certification to regulate mobile home courts?"

John S. Matijevich: "Ah.. If it would, Ed, they are presently regulated by the Bill that we passed last Session. And, therefore, that's why I've got this Bill ah.. to counteract what we did last Session. The Bill that we ah.. ah.. passed last Session did ah.. relate to ah.. non-home rule units."

Edward E. Bluthardt: "But, it still provided for the regulation by ah.. local municipalities where a ah.. certification was ah.. obtained from the State. Didn't it?"

John S. Matijevich: "Well, this doesn't change that at all."



Edward E. Bluthardt: "This doesn't change that at all?"

John S. Matijevec: "No."

Edward E. Bluthardt: "Alright.. Thank you."

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

Romie J. Palmer: "Will the Sponsor yield for a question?"

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

Romie J. Palmer: "John, I note that ah.. And, you're taking out the two fire extinguishers, one at each end. Is that correct? And ah.., according to the synopsis, what will be required as such apparatus that may be.. that might comply with the State Law and Regulations? Ah.. what present Law and State Regulations or what the last State Law and Regulations that applied to this or, if there were none, what does the ah.. State Fire Marshall or.. or you as the Sponsor of this Bill ah.. comprehend that ah.. should be ah.. used for fire fighting equipment?"

John S. Matijevec: "I.. I would comprehend ah.. Romie, to be ah.. constitutional, that the Fire Marshall would ah.. adopt rules and regulations as to the mobile home park. I think that it would probably ah.. be unconstitutional that they would demand that within the mobile.. mobile ah.. ah.. home ah.. trailer, if you want to call them, the mobile home unit that they must ah.. have fire extinguishers within those units. I think ah.. relative to the.. to the search of those premises that was mentioned in Committee that our present Law is probably unconstitutional. But, I think that ah.. the ah.. the regulations... There's no Law relative to



it. I think that the digest is probably improper in that. But, there would be rules and regulations developed by the Fire Marshall. The ah.. Department of Public Health ah.. felt that this wasn't within their ah.. purview that it ought to be within the ah.. Fire Marshall's purview. And, also the reason for this Bill that ah.., as of May 1st, the Department of Public Health was supposed to send notices to each ah.. mobile home owner that, according to the Law, they had to have a fire extinguisher at each end of.. of their unit. And, many people were ah.. felt that this ah.. was improper. It was an added expense. Ah.. we don't require that for individual homeowners and there's no ah.. statistics to show that the.. that there are any more fires, for example, in.. in the mobile homes than there are in the residential units."

Romie J. Palmer: "Well, my question also is ah.., with this deletion ah.. would the municipalities, ah.. could they then ah.. legislate in this particular field, insofar as requirements of fire equipment? I.. I know.. I know that many.. many ordinances require this."

John S. Matijevich: "Well, it.. it wouldn't apply to Cook County ah.. at all. And, this... If you read the digest ah.., at least ah.., I'm not sure that it was in this one, but it.. it didn't relate to home rule units of Government at all."

Romie J. Palmer: "Well, with this deletion, would Cook County, as the only home rule County unit in the State, be able to dictate then to the non-home rule unit municipalities in



Cook County what fire equipment should be used in those trailers?"

John S. Matijevich: "To the non-home rule units?"

Romie J. Palmer: "That's right. Within Cook County."

John S. Matijevich: "Well, I don't think they could. That's my opinion, Romie."

Hon. W. Robert Blair: "The gentleman from ah.. Adams, Mr. McClain."

Elmo McClain: "Will the Sponsor yield to a question?"

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

Elmo McClain: "Ah.. you mean now that every trailer won't have to have, with your Bill, it won't have to have two fire extinguishers in it?"

John S. Matijevich: "That's right."

Elmo McClain: "Well, I want to compliment you. They were getting ready to bring planes and have a big airlift in Quincy. They'll bring them in by the barrels. And, it's about the most asinine thing I ever heard of in my life. They couldn't get them on the trains. So, they're bringing them in by plane. I want to compliment you for putting in the Bill. And, also to have such good co-sponsors."

Hon. W. Robert Blair: "Further ah.. discussion? The gentleman care to close? Alright.. The question is, 'shall House Bill 4388 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 106 'Ayes', and 1 'Nay', and this Bill having received a Constitutional



majority is hereby declared passed. 4144."

Fredric B. Selcke: "House Bill..."

Hon. W. Robert Blair: "Take them out of the record. Oh! Okay.

What.. What number is that ah.., Mr. North? 4149.. Alright..

4149."

Fredric B. Selcke: "House Bill 4149, a Bill for an Act to amend 'The Vehicle Code'. 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 4149 deals with the Court decision on the Safety Responsibility Law. Prior to July 1st, 1972, administration of the Illinois Safety Responsibility Act was shared jointly by the Secretary of State and the Division of Highways. Legislation passed transferring the majority of that responsibility to this Office. And, also transferring certain code employees to the Office of the Secretary of State. That transfer was deferred for one year at the Secretary of State's request. Since that time, the United States Supreme Court decision involving Georgia's Statute identical to the Illinois Law found that the major portion of that action was unconstitutional. And, as to the remaining portion, hearing were necessary before the suspension of a Drivers License. The Office of the Secretary of State immediately implemented the administration of the Act to conform with the Supreme Court decision. A further effect of that decision is that the transferring of personnel is no longer required. House Bill 4149 conforms the Illinois



Law. I urge your favorable adoption."

Hon. W. Robert Blair: "Is there any discussion? The question is, 'shall House Bill 4149 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', and no 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. 2415."

Fredric B. Selcke: "House Bill 2415, a Bill for an Act to amend 'The Election Code'. Third Reading of the Bill."

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

Bruce L. Douglas: "Mr. Speaker and Members of the House, this is a very simple Bill that ah.. that needs very little explanation. That those of us who feel that slight modifications in the time in which polling places should be open would be desirable would vote for and those who feel otherwise would probably hesitate to do so. The original Bill intended to open polling places longer into the evening hours. But, as many know, this creates problems of paying judges, of objections from judges and there are those who are opposed to it for other reasons. The Bill, as it is presently amended, would change the time that polling places would be open from 6:00 A.M. to 6:00 P.M. to 6:30 A.M. to 6:30 P.M. We have modified this to meet the needs we feel of those rural Illinois as well as those in the urban and suburban communities, who feel that the extra half an hour late in the evening will give people a chance to get back to their homes to vote. I would solicit your favorable vote."



Thank you."

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

Harry Yourell: "Ah.. Thank you, Mr. Speaker. Ah.. I'm not going to ask the Sponsor of this Bill any questions. I'm just going to comment on the Bill. I think that this is a Bill that was introduced because this is one area where the Sponsor has not attempted to amend present legislation. I don't think moving the time that the polling places are open thirty minutes is going to make one damn bit of difference. And, I think, all we're doing is cluttering up the statutes because somebody is going to come in next year and he's going to change it to 7 to 7, then 7:30 to 7:30 and there's absolutely no reason, that I can see, to ah.. change these polling places ah.. open for thirty lousy minutes. And, I suggest that you all vote 'no' on this Bill."

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, a number of years ago, the Legislature created the Election Laws Commission. After a number of years, this Election Laws Commission has caused to be introduced a new codification of our Election Code. Ah.. that codification has been introduced in the Senate. And, it seems to me that with these Amendments to the existing Election Code ah.. we should defer action on them until we see the products of the Election Laws Commission. With specific reference to this

Bill and the subject matter, it's my understanding that the proposed Election Code would retain the 6:00 A.M. opening hour and extend the closing hour to 7:00 P.M., which, I believe at least in our Area, makes more sense."

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

John P. Downes: "Mr. Speaker, Ladies and Gentlemen of the House, being a Member of the Election Commission, I highly recommend what the previous Speaker said. I think that the Commission is about ready to report on the whole new Code to the House and the Senate. And, I think, we're just wasting time passing Bills until the recommendation from the Commission is submitted to both the House and the Senate. And, I agree with the previous Speaker."

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

A. T. McMaster: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, I, too, am a Member of the Election Laws Commission. The new Election Code has been introduced in the Senate. And, I'm quite sure that have addressed ourselves to ah.. the hours of polls being open in it. And, if not, it is certainly more reasonable in my estimation to propose an Amendment to the new Election Code that will be coming before us in a very short number of days rather than ah.. putting this Bill through Election Laws, and then comes along the Election Code which would, perhaps, need to be amended to conform with this Bill. I have nothin against the hours involved, 6:30 to 6:30. It is not ah.., in my mind, objection-



did speak against the hours of 7 to 7 in ah..
 Committee. But, I feel that we, as rural people,
 with the 6:30 to 6:30. However, I do feel that
 address this type of Amendment to the new Election
 or than as a separate Bill. Thank you."

ert Blair: "The gentle... Ah.. Alright.. The gentle-
 cook, Mr. Douglas, to close."

uglas: "Ah.. Mr. Speaker, in light of the comments
 reference to the Election Code which did not come
 this Bill was heard in Committee. Ah.. incidently,
 in its original form, those of us who proposed this
 it would have accomplished a great deal more. Frankly,
 lined to agree with those who feel ah.., even as
 tative Yourell said, 'this business of cluttering
 books', I don't think that's quite accurate. But, it
 is just a minor change. And, what I would like to
 ck leave of the House to withdraw the Bill. And, I
 ck with the changes in the Election Code. And then,
 I understand, there will be recommendations for changes
 Election Code, I will then make recommendations in
 per picture to make these Amendments. And, I'd like
 to withdraw the Bill."

"Leave.. Leave.."

ert Blair: "Alright.. The gentleman has leave to
 out of the record. 1488."

Belcke: "House Bill 1488, a Bill for an Act to amend
 ical Service Plan Act'. Third Reading of the Bill."

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

Brian B. Duff: "Mr. Speaker, request to return the Bill to Second Reading for the purposes of an Amendment. Ah.. Mr. Speaker, can I take this out of the record for a moment, please?"

Hon. W. Robert Blair: "Ah.. Yes.. Take it out of the record. 4403."

Fredric B. Selcke: "House Bill 4403, an Act in relation to the deposit of certain funds in the custody of the County Treasurer. Third Reading of the Bill."

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

Harold A. Katz: "Ah.. this is a Bill that was unanimously recommended by the County and Township Committee in the House. The purpose of the Bill is to require that County Treasurers deposit funds with the interest to go to the benefit of the County. I would urge the adoption and passage of this Bill."

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

Eugene F. Schlickman: "Would the Sponsor yield to a question?"

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

Eugene F. Schlickman: "I noticed that according to the Digest, that the interest that accrues from these Accounts would be used for County Jail purposes. Ah.. is that correct or would it....?"

Harold A. Katz: "Ah.. it is no longer correct, Mr. Schlickman. I put it in for that purpose thinking that there was ah.. no better use for funds than to improve the quality of the



jails.. However, it was the feeling of the County and Township Committee, that while that might be true in Cook, it would not be true in some of the other Counties Downstate. And so, an Amendment was adopted which provides that the interest that accrued will go to the ah.. General Corporate Fund of the County."

Eugene F. Schlickman: "Thank you."

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

Rolland F. Tipsword: "Ah.. Mr. Katz, ah.. just for my own information, does this apply to all Counties in the State or has it eliminated the home rule Counties?"

Harold A. Katz: "No, it applies to all Counties in the State. In Committee, an Amendment was added that, and over my position, that would have eliminated coverage to home rule Counties. Ah.. on the floor, however, when it came, that Amendment was tabled and so it is in the form in which I originally put it. It seemed to me that eliminating the home rule Counties would ah.. eliminate the County of Cook, ah.. where there is more than ah.. about thirteen million dollars in money that, we hope, may be invested in interest-bearing accounts. However, as I say, that Amendment was tabled. And, in its present form, it applies to all Counties?"

Rolland F. Tipsword: "What is the status of this... What would this Bill do with regard to ah.. funds such as ah.. funds held for payment of judgements and eminent domain and that sort of thing? Do they have to be invested or...?"

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Harold A. Katz: "Ah.. yes.. There would be an obligation on the ah.. Treasurer to invest those funds that are being held by the Treasury. In the case of eminent domain funds, the reason they are held is that, at that particular moment, ah.. no person has established that they are entitled to the funds. There is some defect in title or something like that so that that person does not have a present interest in the funds. As it now is, the fund simply sits and does not draw any interest. That certainly doesn't benefit anybody unless it is possibly the bank. It certainly doesn't benefit the person who is eventually and ultimately going to be entitled to it nor does it benefit the County. This would require that the County Treasurer invest those funds at interest until such time as an individual has established that he is presently entitled to receive those eminent domain funds."

Rolland F. Tipword: "Is this Bill essentially then.. essentially the same Bill as.. as introduced, I believe, by Representative Hyde and a Bill introduced by Representative Shea, ah.. with the exception.. with the exception that it ah.. it provides that the interest here apparently goes into a fund for the County Jail purposes? Is that...?"

Harold A. Katz: "Well,.. Well, that latter provision has been deleted. It is essentially the same ah.. as the Bills that you mentioned. Ah.. it would do ah.. what their Bills would do to require the County Treasurers to invest funds at interest."

Rolland F. Tipword: "And, it is intended for the same purpose



then."

Gold A. Katz: "And, it is intended for exactly the same purpose. That is correct."

William F. Tipword: "Thank you, Mr. Katz."

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

Nobias Barry: "Will the Sponsor yield to a question?"

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

Nobias Barry: "Ah.. Harold, hasn't Shea's Bill 4648 already passed to the same effect and gone over to the Senate?"

Harold A. Katz: "Well, I'm not sure. Ah.. I know that ah..

Henry Hyde's Bill has passed and gone over to the Senate.

Ah.. I'm not sure about ah.. Mr. Shea's Bill. But, the

House has already passed a Bill along the same line as.. as this Bill."

Nobias Barry: "Thank you."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. Schlickman, for what purpose do you rise?"

Eugene F. Schlickman: "Mr. Speaker, for a parliamentary inquiry."

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

Eugene F. Schlickman: "Mr. Speaker, House Bill 4403 applies to all Units of Local Government whether they are home rule or non-home rule. It's not pre-emptive in nature. It's regulatory. I ah.. inquire, Mr. Speaker, as to the vote that would be required to pass this Bill."

Hon. W. Robert Blair: "Well, rather than making a ruling with regard to that matter now, I would like.. I would ask the

from cook, Mr. Katz, ah.. that we take this ah..
 of the record while we resolve that question. I
 do that."

Blackman: "It would be perfectly agreeable to do
 speaker."

Blair: "Alright.. Take it out. 773."

Blackman: "House Bill 773, an Act to amend the 'Pro-
 Third Reading of the Bill."

Blair: "The gentleman from Lake, Mr. Pierce."

Pierce: "Ah.. Mr. Speaker, Ladies and Gentlemen of
 House Bill 773 was approved by the House Judiciary
 in the month of March of 1971. It is a short form
 Bill of the Illinois State Bar Association and
 Chicago Bar Association joint program. What it..
 intends to do is in estates, not exceeding \$60,000
 and parties consent and where no minors are involved,
 provide a short form of probate that will save the widow
 legatee's money in cost of administration. The..
 probate will still be filed in the Probate Court. The
 won't lose any fees, but there will be some savings
 cost of administration where no executor or admini-
 strator will be appointed. And, there will be some savings
 in handling fees and in legal fees. Now, there was ob-
 jection to this Bill on the floor when it was first called
 for. It was postponed. That was last year in the regu-
 lar session. Since that time, Representative Ken Miller
 and I have spent some time on it and an Amendment was

put on the Bill last week as ah.. approved by Representative Miller and Myself and Morton.. Mort Barner, the President of the Illinois State Bar Association, who had been President of the.. Chairman of the Probate Committee when they recommended the Bill. This is one of the few times that I can recall that in a Bar Program where they've recommended a Bill which would actually work in detriment of the Attorneys in that it will probably result in some reduction in Attorney's fees in simple estates of under \$60,000. Right now, there is a ah.. Right now, you are to avoid Probate in small estates under \$5,000. This will, in the area of between \$5,000 and \$60,000, allow the widow to save cost of administration where they are no claims, where there are no contests and where all the parties agree. I, therefore, request a fav.. a favorable vote on House Bill 773."

Hon. W. Robert Blair: "Further discussion? Ah.. the gentleman from ah.. Champaign.. or Moultrie, Mr. Stone."

Paul Stone: "Ah.. Mr. Speaker, Ladies and Gentlemen, I.. I have heard... Mr. Speaker, Ladies and Gentlemen, I have been on the floor many, many times and I have heard Bills mumbled through. But, I've never heard a more expert job of mumbing a Bill through that was done by the.. the.. by the gentleman who just spoke. It's my impression that this is a very, very bad Bill that was turned down in the last Session. And, I'm.. I'm of the opinion that it hasn't been improved very much since then. I tried desperately to.. to listen to see how it had been improved, if it had. I was unable to



hear because of the mumbling and the other noise on the floor. I still believe it's a bad Bill and I think that we should do the same thing to it that we did last Spring when we considered it before."

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

Joseph P. McGah: "Ah.. Mr. Speaker, will the Sponsor yield for a question or two? Ah.. Dan, ah.. just reading the Digest here, ah.. you talk about ah.. the claims may be paid or provided for. It's my... It's my impression that the purpose of Probate is to give claimants an opportunity to file claims against the estate. And, I don't how anybody could know what claims might be filed in the future, ah.. which we have the seven month period for. Now, how.. how would that be handled under your Bill?"

Paul Stone: "Well,... Well, there is publication under this Bill ah.. ah.. Mr. McGah. And, this is a permissive feature. It would only take effect, of course, for the Attorney for the estate and ah.. the widower would want the short form Probate. It provides in the Bill that it could only go into effect if there is no unpaid claim against the estate or a claim that is known to the petitioner with the amount known by him to be due to each of them are listed in the petition. And, then the money due to those claims has to be ah.. deposited ah.. with the.. with the Court. Now, there has to be an affidavit to the effect that there will be no... that there are no unpaid claims filed by the widower. Of course, if there should be a claim that pops up later, just as in



any estate that may be closed early, the claim could then follow.. the claimant could then follow the ah.. the money to the widow and make the claim against the ah.. widow."

Joseph F. McGah: "Ah.. Mr. Speaker, could I speak briefly to the Bill?"

Hon. W. Robert Blair: "Proceed."

Joseph F. McGah: "I ah.. agree with the ah.. previous Speaker from Moultrie that this seem to be a particularly bad Bill and ah.. especially in this area of claims. Anybody can file an affidavit stating that, to the best of their knowledge, there are no claims against the estate. But, very often, the person that would be called upon to file this affidavit wouldn't really know whether there would be any claims or not. Many.. Many widows don't know ah.. ah.. very much about their husbands business. And ah.., the protection of the seven months ah.. period of Probate has always been for claimants. I think that this is particularly bad. And, it might be able to be reworked in some way in the future. But, I don't think that a Bill number this low should be passed out. I urge its defeat. Thank you."

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

Webber Borchers: "Mr. Speaker and Fellow Members of the House, I personally feel that this is a very excellent Bill. It's going to save a lot of families who can't afford ah.. ah.. 3, 2, 1,000 dollar Attorney fees which is a lot of money, if they can agree. Now ah.., it's going to be very interesting to watch the ah.. the votes of our Attorney friends on

this particular Bill. We can watch it with ah.. a good deal of interest. And, I hope, perhaps, amusement. I might point out facetiously that the passage of this Bill may aid us in solving the shortage of Doctors. And, a lot of young men may now more likely look with favor on the Medical Profession than the Legal Profession."

Hon. W. Robert Blair: "The gentleman from Whiteside, Mr. Miller."

Kenneth W. Miller: "Well, Mr. Speaker, and.. and Members.. and Members of the.. Mr. Speaker.. Is it on? Mr. Speaker and Members of the House, I think if you'll recall when this Bill was first up before this Body, that I was one of those that seriously objected to this Bill. After that time, I have studied the matter more thoroughly. I have conferred with some of the most eminent authorities in this field. And, I have now reconsidered my position, Mr. Speaker. What this Bill actually does or the effect of it is that now we have three ways that we can handle an estate. One is under the present Small Claims Act which has to do with cases where there is no real estate and there is a small amount of money. And, I believe the figure now is \$5,000. Now, that can be handled without an administration. This Bill seeks to put in two forms of Court Administration. One is like we have known for many, many years, the formal administration proceedings taking seven months or longer to complete the administration. This proposal, under House Bill 773, is still a third situation where an estate can be administered by the Court. This is a shorter proceeding, however, in cer-



tain types of cases. This provides that up to \$60,000 in assets in an estate, where there is personal property or real estate, that a petition must still be filed with the Court, a Will must be probated, if any, an executor or an administrator must be appointed, proof of heirship must be taken and there must be a publication as to the creditors. But, it does provide, Ladies and Gentlemen, that where the petition originally filed with the Court sets forth that all heirs are adults, that there are no unpaid claims to the knowledge of the petitioner, that the Court may use a shorter proceeding and have the ah.. estate closed in a much shorter length of time. This is an optional situation. It's not mandatory in any way, shape or form. And, in my judgement, in some of those estates in which there are adults only and there's a small amount of.. of assets such as a house and maybe 4, 5, 10,000 dollars in personal property such as a deposit in a bank and a car, this would facilitate the situation, Mr. Speaker. And, I think, rather than being a Lawyer's Bill, this is a People's Bill and it will simplify the procedure. And, I urge passage of this Bill."

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

Romie J. Palmer: "Ah.. Will Mr. Pierce answer a question.. ah.. yield for a question? Danny, ah.. let's assume that there's real estate involved and all of the conditions that this Bill envisions ah.. are met, will the Title Company guarantee the Title to the Real Estate, say within three months after the filing of the petition or will it, in the letter of



opinion or will in the letter of opinion, it will state that it's subject to claims that may pop up within, say, seven years from the date of death?"

Daniel M. Pierce: "Well, I can't predict what our Supreme Court and the field of Real Estate, known as the Title Company, will do in all cases. But, I know that in other cases, they have required bonds or deposits to see if the ah.. heirs or legatees want to sell Real Estate within the ah.. within the traditional claim period, they might require that part of the purchase price be set aside for potential claims. They don't have to under this Bill. But, we know.. we know often that is the case, that the Title Company puts on more stringent ah.. conditions until the Courts themselves have ruled on the ah.. effect of the Bill as against ah..ah.. claimants. Now,.. Now, claimants who have liens against the Real Estate, of course, those liens will in no way be.. be wiped out. It's only where there's a ah.. a claim that has not been reduced to a lien against Real Estate ah.. where the Title Company might, I suppose, require that some kind of a ah.. a deposit or bond be placed on the property or accept the affidavit as they do in many cases, especially in smaller estates ah.. of the ah.. of the widow or the Attorney that there are no claims. But, I can't really predict what the Title Company will do. I will say that they will do the most conservative thing as they usually do, unless there's some Law Firm that they deal with all the time and give a special rate to."

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Palmer: "Well, what about Federal Estate Tax and Inheritance Tax? Now, my point is this that some- when you have non-probate of a Will or whether.. there is Real Estate and it's not being administered, the Chicago Title and Trust Company will require that you put up a bond equal to two percent of the.. of the ah.. value of the Real Estate in order to waive claims in- cluding the State Inheritance Tax and Federal Estate Tax. ah..? Have.. Do you have any assurance from the Title Company that they will not do that in this particular case? They may that they may require a deposit. Ah.. it sounds like. But, are we really helping ourselves if you've got, say, \$59,000 worth of assets?"

M. Pierce: "I'm not sure what the Title Company will do. You're talking about where there's Real Estate.. where there's Real Estate involved.."

Palmer: "Most of the cases under this Bill, to be under \$60,000 would probably be personal estate and Real Estate other than maybe a joint.. a joint tenancy that wouldn't be part of the Probate Estate anyway."

M. Pierce: "I.. I agree with you that there might be Real Estate a necessity for.. for a deposit. The Bill provide that there are no, of course, there's probably Federal Estate Tax due if the estate is under \$60,000."

Palmer: "That's right."

M. Pierce: "Unless you buy life insurance or something else. But, maybe Federal Taxes due, liens andsoforth,

ah.. that may have been filed. The Title Company might require some security on Real Estate but the vast majority of cases here will be cases ah... where there is no Real Estate in the smaller.. in the smaller estates or that there's joint tenancy Real Estate that would be outside the Probate with or without this particular ah.. Bill."

Romie J. Palmer: "One final question. What is the remedy of the unknown creditor to the widow ah.. for monies that, perhaps, ah.. have been ah.. ah.. borrowed or loaned to the ah.. deceased after the time.. after the estate is closed under this procedure?"

Daniel M. Pierce: "He could file the ah.. assets. He.. He could go after the person who made the false ah.. petition or false affidavit for claims or he could ah.. file the assets. There would be publication. There will be the same.. the same claims publication. Any claimant who objected then, of course, the short form could not be used. Or any claimant who filed a claim would automatically stop the short form from being used. And, I suppose, within.. within thirty days of the order, allowing the short form, the Court could reopen again, if a claim came in and.. and assist on a regular Probate procedure. There's.. There's a slight risk to the claimants here. But, remember the claimants are mostly finance companies, mostly loan companies that are on the ball and follow.. and follow deaths. What we're trying to help here is the widow in a small estate. And, in todays world of inflation, a.. a.. a widow that is left, under \$60,000,



... really have a.. a ah.. a small estate, because the in-
 .. that is not going to keep her ah.. in.. in food or
 .. for a very long period."

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

Mr. Barry: "Will the Sponsor yield to a question? Dan, how
 .. this affect ah.. the availability of an insurance
 policy in a wrongful death.. action as compared to ah.. what
 the Law is now in that general field, either in a small
 estate or in a regular estate? How much time would you have
 .. file suit against the estate.. the kind of estate that
 .. propose?"

Mr. M. Pierce: "You talking about life insurance?"

Mr. Barry: "No. I'm talking liability insurance. How much
 .. do you propose, under your Bill, that that estate would
 .. remain open and the.. and, therefore, the availability of
 .. liability policy.. liability policy on the deceased would be a-
 .. ble for a claim of injuries against him?"

Mr. M. Pierce: "Of course, I don't believe that this Bill
 .. change the statute of limitations in any way on the
 .. itself. I think by ah.. by ah.. filing in Court or..
 .. notifying the judge or even the petitioner that there was
 .. potential claim for personal injuries would fore-
 .. the use of the short form ah.. Probate because that
 .. of course, would be against the deceased in the ah..
 .. Now, what it would do under your pure no-fault
 .. I can't predict because there, the claim would be

own insurance company and probably wouldn't
 if your Bill became Law that you're pushing

all, obviously, pure no-fault is dead for the
 I respectfully suggest to you that your new
 probate ah.. may or may not shorten the two
 limitations for injuries, because the cases
 Court from time to time have said that the
 probate and, therefore, the closing of the
 non-inventory policies, as the case may be,
 two year statute of limitations. So, we're
 issue by passing your Bill, is my point."

"I don't think that the Bill does that,
 sorry. But, I see your concern and.. and I
 be remedied by informing the Court of the
 claim. I think that anyone who has received
 Attorney's Lien would have to.. couldn't file
 required in this case, that there were no claims
 against the estate. Just.. Just the notice of
 when which.. which I'm sure you send out very
 but, sometimes I've heard some Lawyers ah..
 the way to the hospital, ah.. would foreclose
 short form probate."

MR. COLES: "The gentleman from ah.. Coles, Mr. Cox."

MR. SPEAKER: "Mr. Speaker, I move the previous question."

MR. COLES: "All those in favor say 'aye', opposed
 have it and the previous question has been

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moved.. The gentleman from Lake, Mr. Pierce, to close."

Daniel M. Pierce: "Well, to summarize. This is.. This is strictly a permissive ah.. alternative way of have a short form Probate. The Legal Profession and the Courts have been under great criticism throughout our Country for the high cost imposed, especially in small estates, upon widows or firms and other legatees. The year the Probate Committee of both the Illinois State Bar and the Chicago Bar, responding to that justified criticism, has tried to come up with an alternative ah.. to allow the 'saving of expenses in simple estates where.. where there are no claims, no minors, and so on. Now, the Attorney handling the estate, and this is administered in Court, would.. would naturally not allow the petitioner to file a false affidavit or a false statement. And, I think, the only possible risk is here to.. to a few slow claimants, that could still follow the assets to the legatee. But, these claimants are, for the most part, ah.. finance companies, loan companies, banks that are on the ball and watch these deaths very carefully. I think here we are doing something that will aid the widow, that will aid the orphan, that is permissive, that will not deprive the Court of the right to look into the estate because these are filed in Court. There is no administration. These are Court administered estates, but ah..they're short form estates that will allow quicker distribution in simple estates. Really, what we're doing is.. is in some ways, raising the small affidavit, the small estate affidavit from \$5,000 to



\$10,000. But, in that inbetween area, requiring you to go to Court, requiring you to file a petition and affidavit in Court, that there are no claims, that there are no minor and so on, requiring publication for claims and allowing claimants to come in and defeat.. and defeat this. Another method that might be used, if this Bills fails, I suppose, would be to raise a small estate affidavit from 5 to 20 or \$25,000. That's another possibility, but there would be less safeguards there than there are in this Bill. We would have to file a petition in Court and we would have to publish for claims. I think that this is a good Bill. It was approved by the Judiciary Committee in the House and by Probate Lawyers who practice in this field and stand to lose the most from the Bill in the way of fees. They still get a fee because you have to go to Court, but the fees will be more commensurate to the size of the estate in these very small estates. And, I know ah.. that Representative Miller, who studied this matter and practices in this field, although at first doubtful, but after studying the Bill itself and the Amendment, now favors the Bill as do I."

Hon. W. Robert Blair: "Alright.. The question is, 'shall House Bill 773 pass?'. All those in favor will vote 'aye!', and the opposed 'no'. Have all voted who wished? The gentleman from Cook, Mr. Simmons."

Arthur E. Simmons: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to explain my 'no' vote."

Hon. W. Robert Blair: "Ah.. yes.. Proceed."

Arthur E. Simmons: "I think that this is an exercise in futility. Ah.. the Senate has passed a Resolution over there that all Bills introduced prior to June 30, 1971, are automatically killed. And, this Bill was introduced in March 3rd, 1971, amended, March 24, '71, and it's been laying around here all this time and we've spent a better part of an hour on it.. half hour. And, even if we get it out of here, it's going to die an automatic death in the Senate. And, therefore, I.. I think that we should cut down on some of this time and not even call these Bills."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 65 'Ayes', and 17 'Nays', and this Bill having failed to receive a Constitutional majority is hereby declared lost. Berman.. 'present'. 4248."

Fredric B. Selcke: "House Bill 4248, an Act making an additional appropriation for the Accounting Revenue Division of the Secretary of State for refunds and advances. Third Reading of the Bill."

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

David J. Regner: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, ah.. this Bill makes an additional appropriation Road Fund from fiscal '72 for Accounting ah.. Revenue Division of the Secretary of State for refunds and advances. And, I would solicit your favorable vote."

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



House Bill 4248 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 a Constitutional majority is hereby declared passed. 2228."

Fredric B. Selcke: "House Bill 2228, an Act to amend the 'Workmen's Compensation Act'. Third Reading of the Bill."

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

Harold A. Katz: "House Bill 2228 ah.. gives to the Industrial Commission specific power to ah.. require that medical services be furnished and other aids be furnished to enable an individual who needs physical rehabilitation to acquire and obtain the needed medical and other services. It is ah.. endorsed by the Chairman of the Illinois Industrial Commission and was ah.. reported out with a substantial vote from Judiciary I. It simply broadens the Workmen's Compensation Act to make clear that it includes necessary medical and other rehabilitation needs so that the worker may be restored to the.. as near as possible to the way that he was prior to the serious injury that he suffered. I would urge support for House Bill 2228."

Hon. W. Robert Blair: "Further discussion? The question is, 'shall House Bill 2228 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 127 'Ayes', and no 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. House



Bill 4535."

Fredric B. Selcke: "House Bill 4535, an Act relating to consumer credit information reporting agencies. Third Reading of the Bill."

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

John Jerome Hill: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 4535 is a Credit Reporting Bill. On this particular Bill, you received a lot of communication and most of it was in opposition to the Bill as it was. On Second Reading, I did amend this Bill. And, it calls for now is a form letter with the name and address of the person or company who ask for a check on a consumer credit and the name and address of the Credit Reporting Agency along with an explanation of.. of the Federal Law. And, this can be a form letter in the ah.. regular mail, not registered mail. And, I'd appreciate your support."

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

Edward R. Madigan: "Mr. Speaker, I would be very grateful if the Members of the House would ah.. take a close look at this Bill. In my home community of Lincoln, we have what would be considered a relatively small Credit Bureau. Small in the sense that they handle only about 30,000 inquiries a year for credit reports. Now, there's a November, 1968 Survey by the U.S. Department of Labor that says, 'that the preparation and mailing of a letter by a Secretary has an average expense of a dollar and fifty-five cents including



the postage, when you consider the Secretary's time and everything else that is involved. In the City of Lincoln, with 30,000 of these to be done each year, if this Bill were to pass, at a cost of a dollar and a half a piece, you'd be talking about an expenditure of \$45,000 a year. Now, the gentleman, who runs that Credit Bureau, has provided me with a copy of his tax return for last year. His profit from that business was \$14,000. If this Bill were to become a Law, and his overhead was increase only in the amount that I've indicated the U.S. Department of Labor says, would be possible, his net loss in that small business would be \$31,000. Perhaps, that could be justified, if some real benefit were to be derived from this Bill. The U.S. Chamber of Commerce reports that ninety-five percent of all applicants for credit receive the credit, only five percent do not. Furthermore, there is, passed by the Federal Congress, a Law which provides that any person may go to any Credit Bureau and obtain a complete copy of all the information contained in the files of that Credit Bureau with regard to them as an individual, as a business or as a corporation. So, I suggest to you that there is really no need for this Bill. If you project that dollar and a half cost across the entire State of Illinois, taking the numbers that the Credit Bureaus say that they process each year on credit reports, you would talking about a total expenditure of \$10,000,000 each year in Illinois alone which would have to be passed on, first to the businessman requesting the credit

report and then, finally to the consumer. \$10,000,000 is a lot of money and I don't believe that there's that much good to be derived from this kind of legislation."

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

Edward L. Kipley: "Mr. Speaker and Ladies and Gentlemen of the House, I want to reiterate what has just been said by the previous Speaker. In addition to which, and with all due respect to the Leadership of this House and to the Committee to which this Bill was originally assigned, I believe that this is a Credit Regulations Bill and it should have been the prerogative of the Credit Regulations Committee to give this study along with numerous other Bills that they are now considering. I would like to have you take into consideration the fact that this same type of Bill was proposed on a Federal basis. And, after many, many, many months, like eighteen months or two years, even Senator Proxmire and some of the others who were trying to jam through some of the Credit Regulation Bills, decided that this thing was too unwieldy and that there was no justification for it whatsoever. This would be a very expensive proposition and you can imagine that this cost would have to be passed on to the ultimate user of the credit reports or the credit information. And ah.., Representative Madigan is absolutely right when he says that such a small percentage of the credit requests are turned down. And, I think, that maybe ninety-five percent of those that are ah.. who do get the credit



that they're seeking have no reason to be.. to be sent a letter saying that they are going to receive credit. Now, there are provisions in.. in the Fair Credit Reporting Act for anyone who isn't getting credit, who has been turned down, to get the necessary information that he need to determine why his credit has been refused. This is an absolute-ly unnecessary Bill, Ladies and Gentlemen, and it should be voted down."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. Harold Washington."

Harold H. Washington: "Will the Sponsor yield to a question?"

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

Harold H. Washington: "Ah.. Representative Hill, I gather that the purpose of your Amendment to move the necessity for certification was to reduce the cost to the credit house. Is that correct?"

John Jerome Hill: "Ah.. this is true. Representative Madigan was talking about the original Bill. In my presentation of the Bill just before he spoke, this Bill was amended ah.. on Second Reading, on May the 11th and Representative Madigan was speaking of the original Bill ah.. when he said that it would ah.. take a Secretary ah.. approximately a dollar to type a letter, you do not have to type a letter under the Amendment. It will be a form letter and all that has to be inserted in that form letter is the name. And, the Bill has been changed considerably from the.. the introduction of the Bill."

Harold H. Washington: "So, in light of the cost factor, you have knocked out the requirement for certification and provided for form letters, which to me means that the cost would almost be nil to any house."

John Jerome Hill: "This is true. Yes.."

Harold H. Washington: "It's a good Bill."

Hon. W. Robert Blair: "The ah.. gentleman from ah.. Logan, Mr. Madigan, for what purpose do you rise?"

Edward R. Madigan: "At the appropriate time to explain my vote, Mr. Speaker."

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

Clarence E. Neff: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 4535 is.. has been brought out here. It's an unneeded Bill. The Federal has passed the Federal.. the Fair Credit Regu.. Reporting Act which ah.. covers the State of Illinois as well as all States in the Nation. And ah.., I'm sure that this does the job. I think it ah.. has been brought out here, the cost to the Credit Reporting Bureaus would be terrific on a Bill of this type. I ah.. have a letter from one small Agency that ah.. ordinarily clears about \$15,000 a year and they tell me that if they follow this ah.. this ah.. Bill, as passed, it will cost them in the neighborhood of \$40,000 more a year. So, you can see what could happen to that Credit Bureau. They would either have to go out of business or raise its cost of credit almost prohibitly. And then again as has been brought



out here, what does this do? This raises the cost to the man ask.. getting the credit and has to be passed on to the consumer, which again, would raise prices. I think that this is a bad piece of legislation and would hurt our credit. And, therefore, I hope that we will oppose it."

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

George Hudson: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill had a fair hearing in Committee, was discussed and debated extensively. The points made in Committee, I don't think, have been removed. Those point.. The questions brought up were simply that the enactment of this Bill would add to the cost of credit and would make credit more difficult to obtain. Now, the Amendment, notwithstanding, I think those objections still remain. It will add to the cost of credit. It will make credit harder to obtain. It will make businessmen in the credit.... It will make business more difficult to do in this area of credit. And, I think, it's a perfect example of government getting into an area where the government is best out. And, I would urge a 'no' vote on this Bill."

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

Peter J. Miller: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I too, want to rise in opposition to this Bill. But, I just want to say that ah.. I see no great need for it. I haven't received any mail or any calls. Ah.. Legislation is usually drawn up on the drafting boards because of a problem that we have, a great problem. There's no problem."



The only problem is that this will harass businessmen and we harass them enough with taxes. Let's not put any more chains on the businessmen. Let's try to encourage the businessmen. This Bill will only, in my opinion, harass the businessmen and we've harassed them enough with taxes and other things. Let's start showing them that we want to help the businessman. Let's not put more binds on them. We should defeat this Bill resoundingly, Mr. Speaker."

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

John Jerome Hill: "Well again, Mr. Speaker and Member of the House, the people who have spoke in opposition to this piece of legislation were speaking about the Bill as it were originally introduced. All it's going to take is a form letter and an eight cent stamp on a regular envelope for any of these inquiries that will have to be made under this piece of legislation. The cost, under the original Bill, would have been a large amount of money for a Credit Reporting Agency. But, the way it has been amended, that cost has been brought down to a minimum. And, I'd appreciate very much your support. It seem to me that the Credit ah.. Bureaus in the State of Illinois have to have some form of control on them. The control that this will put on them as the individual. And, it's usually not only the poor that suffer under these particular fields, but it's all of us. At one time or another, we have been taken by a Credit Reporting Agency. I have and I'm sure you people have. And,



this will give us the opportunity of knowing that someone is checking on our credit. And, even though the Federal Law says that we have the right to go down and check on it, there are many, many people in the State of Illinois not apprised of that Federal Law. And, under this particular piece of legislation, they can not only go down and check it, but they will be advised that they have that right under the Federal Law. And, the people that are saying that the cost is entirely too.. too great don't know what the Amendment does. And, I'd appreciate if you'd look at that Amendment because this is a Bill that will not only help the poor in the State of Illinois, but it will help the wealthy too because they have their credit checked on them. And, they will then have the opportunity of going down to that Agency to see what the problem is. Thank you."

Hon. W. Robert Blair: "Alright.. The question is, 'shall House Bill 4535 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The gentleman from ah.. Logan, Mr. Madigan, he got recognized there earlier on that deal."

Edward R. Madigan: "Only to clear up the misunderstanding about the Amendment, Mr. Speaker. I am aware of the Amendment. I have read the Amendment. The point is that, presently, requests for information about credit are handled entirely by telephone. A Merchant calls the Credit Bureau, he asks specific questions about a credit applicant, the file is pulled, the information is provided. There's no other



preparation involved. There's no postage involved. There's no cost for the acquisition of stationery or of envelopes and nobody required to type in, even a form letter. The figures that I gave you recognized the Amendment which this gentleman talks about. May I respond also and say, if peoples whose credit is being checked are not aware of the Federal Law, then I don't see how they're going to be made any more aware of this Law. I still feel that it is not necessary legislation and I urge that it not be passed."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. Harold Washington."

Harold H. Washington: "Ah.. Mr. Speaker and Members of the House, when a good Bill is defeated, I think the reason why it is defeated should be clearly dominionated so that we know why we're voting for or against. Now, there are only two arguments which could possibly be made against this Bill. One is that the proponent of the Bill, Representative Hill, does not have the right to have the people of the State of Illinois know.. does not have that right to have them know what their credit status is. In other words, if anybody takes the position that they're opposed to the right to know, then it's an extremely difficult philosophical and political position, it seems to me. . So, it seems to me that what the opponents of the Bill are saying is that it cost something. But, Mr. Hill has exploded that argument completely. I have heard of no figures in terms of cost which would be attendant to the average credit house paying for

this sort of thing. It seems to me that the cost would be minimal. And, so the opponents of this Bill have gravitated around a proposition which has been completely destroyed by Representative Hill. And so, I have to assume that they're voting against the right of the creditor to know. And, I think that the voice is reflecting that in terms of its 'red' vote. I vote 'aye'."

Hon. W. Robert Blair: "The ah.. Clerk will take the record. On this question, there are 48 'Ayes', and 73 'Nays', and this Bill having failed to receive a Constitutional majority is hereby declared lost. 44.. 4403. That Bill has been read a Third time and it was taken out of the record ah.. upon the ah.. question raised by the gentleman from Cook, Mr. Schlickman, as to the number of votes that would be required to ah.. pass the Bill. And, it's the Chair's ruling that 89 votes ah.. are required for passage. The gentleman from ah.. Cook, Mr. Katz."

Harold A. Katz: "Ah.. This is another Bill ah.. of the same kind that ah.. Henry Hyde's Bill and Gerald Shea's Bill with reference to ah.. requiring County Treasurers to invest the funds that they have in their possession. So, that the money that accrues from them will be able to be deposited to the use of the Local Governmental Unit. I would urge the support of House Bill 4403."

Hon. W. Robert Blair: "Is there further discussion? The question is, 'shall this Bill 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 114 'Ayes', and no 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. House Bill 14."

Fredric B. Selcke: "House Bill 14, a Bill for an Act to amend 'The Election Code'. Third Reading of the Bill."

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

Robert S. Juckett: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 14 will provide a means by which in Cook County the tremendous problem of the retention judicial ballot can be solved in 1972. It applies for the '72 Election. It will time for the Election Authorities to devise a means by which the machines can be used in the '74 Election. And, will also provide a means by which the retention ballot, which generally causes the Election Authorities to stay in the polls some six to nine hours after their regular job is done to be completed. It has all the safeguards in it. And, I would urge your support for this Bill."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 14 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 120 'Ayes', and 1 'Nay', and this received a Constitutional majority is hereby declared passed. Karmazyn.. 'aye'. House Bill 634."

Fredric B. Selcke: "House Bill 634, an Act to amend the 'Illinois Highway Code'. Third Reading of the Bill."



Rep. Arthur A. Telcser: "The gentleman from LaSalle, Representative Fennessey."

Joseph Fennessey: "Mr. Speaker and Members of the House, House Bill 634 is a Bill that was introduced in the interest of highway safety. I think that we're all aware of the terrible tragedies that can occur at rural intersections by persons driving through stop signs without realizing that they're approaching a State Highway. This Bill does not interfere or have anything to do with incorporated areas. It applies only to the rural areas of the State. And, it says that rumble strips will be placed at intersections of hard surfaced rural highways at Interstate Highways with a traffic count of over 400 daily. It also provides that rumble strips will be placed at railroad crossings that are designated by the Illinois Commerce Commission and these will be built from the railroad grade crossing fund. I ask for your favorable vote."

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

Harold A. Katz: "Ah.. would the gentleman yield to a question?"

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

Harold A. Katz: "I.. I wonder about when the effective date of the Bill will be. Ah.. I can visualize a situation in which an accident takes place at an intersection and somebody sues the Local Unit of Government on the grounds that they negligently failed to have rumble strips in. And, I wonder if you've given any thought to that and to an effective date



that would give the Local Units of Government the time to bring this about?"

Joseph Fennessey: "Well, there.. there isn't any effective date in the Bill, Harold. When the Governor would sign it, there would have to a reasonable length of time for the.. for the County Highways to provide these rumble strips."

Harold A. Katz: "I would seem to me that ah.. there ought to be some ah.. provision in it which ah.. would enable Local Units of Government to have ample time to bring this about. Because as I visualize the situation, if this takes effect on October 1st or whenever it takes effect, and then an intersection accident occurs thereafter, it could be a very serious accident. The driver of the other car who was badly injured as a result of the first driver going through the intersection would be able to sue the County on.. on the basis of their negligence in failing to abide by the statute. So, I think that you ought to put a delay period at least in, in which the Local Units of Government would ah.. have time to bring this about. Because when we pass the Bill, they're not going to be able to do it the same day that our Bill becomes effective. Yet, the Law will require it and there could be legal action maintained against the County or whatever Unit of Government is involved because of their failure to abide by State Law."

Rep. Arthur A. Telcser: "The gentleman from Knox, Representative McMaster."

A. T. McMaster: "Ah.. Mr. Speaker, will the Sponsor yield to



a question?"

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

A. T. McMaster: "I ah.. see, Mr. Fennessey, that this applies only to all-weather surfaced roads. Ah.. I assume that you mean gravel roads are all-weather roads?"

Joseph Fennessey: "No. Hard.. Hard surface, bituminous highways."

A. T. McMaster: "Hard surface bituminous highways. Thank you. Mr. Speaker, I would like to speak on the Bill."

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

A. T. McMaster: "I have had quite a bit of correspondence from ah.. County Highway Superintendents throughout the State in regards to this Bill. We have ah.. many ah.. blacktop roads which, I assume, would be.. come under this ah.. designation of this Bill. I have seen rumble strips placed on paved highways and it's difficult to maintain them. They have a tendency to peel off. I am quite sure that it is the belief of the County Highway Superintendents that the same thing would occur on the ah.. blacktop roads which have more give to the surface than the ah.. paved roads do. I think that this would be very difficult for the ah.. Counties to ah.. maintain throughout their ah.. jurisdiction on all of their all-weather surfaced roads. I think that it would be very expensive for the Counties at a time when we find ourselves very short on money. I think that this is something that the ah.. Counties can do already, if they so desire. If they have a dangerous intersection that is worthy of



rumble strips, I feel they can already do this, if they wish to. I don't think that they should be forced to do this. I think that it is a very bad Bill and I urge your vote against it."

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

Romie J. Palmer: "Will the Sponsor yield for a question?"

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

Romie J. Palmer: "Ah.. what Units of Local Government are included? You've got the County, but what about the Townships?"

Joseph Fennessey: "The Townships are included also."

Romie J. Palmer: "Ah.. I.. What about municipalities?"

Joseph Fennessey: "No. Doesn't apply to any incorporated area."

Romie J. Palmer: "Alright.. One further question. Why was Cook County left out?"

Joseph Fennessey: "I don't think Cook County any ah.. if there's any area in Cook County that isn't incorporated that it would apply to Cook County."

Romie J. Palmer: "Well, I think that it's a very good Bill. But, except, there are a lot of unincorporated roads in Cook County or roads in unincorporated areas under Township jurisdiction. Just wondered why they were left out."

Joseph Fennessey: "Well, I don't think that Cook County... It was intentional. Cook County wasn't to be left out in any unincorporated area."

Romie J. Palmer: "Are the District Road Commissioners in Cook County then included in the Act?"



Joseph Fennessey: "Yes."

Rep. Arthur A. Telcser: "The gentleman from Henderson, Representative Neff."

Clarence E. Neff: "Mr. Speaker and Ladies and Gentlemen, ah.. can I have permission to ask the Sponsor a question, please?"

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

Clarence E. Neff: "Joe, ah.. do have any idea of what this would cost the Counties and Townships andsoforth?"

Joseph Fennessey: "Ah.. yes. It would all depend... We leave it up to the Counties to determine what type of rumble strips they would apply. But, probably the most expensive would be ah.. roughly \$500 an intersection. This would be the largest type of rumble strips possible that they would need. They could reduce it by just putting these patches of rumble strips that you see occasionally on, well..., some on 66, South of here. But, probably the most expensive would be around \$500 an intersection."

Clarence E. Neff: "Ah.. Thank you. Ah.. Mr. Speaker, ah.. ah.. may I speak on the Bill?"

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

Clarence E. Neff: "Now, it's been brought out here ah.. The Sponsor said they ah.. give you some idea of the cost per intersection. And, if we'll ah.. stop and think about most of our Counties and Townships, how many of these rumble strips would be involved. It would be almost prohibitive many of the Counties. The ah.. County Superintendents of ah.. Road ah.. Associations are opposed to this Bill be-



cause of the terrific cost that it would put on them. There would be many places that would be required to have rumble strips that wouldn't be necessary. Under the present Law, they can put these rumble strips on wherever they need them. And, I think, they're doing a good job on that. The State is and also the County. And, I think that this is unnecessary. And, besides, we would put a cost on our road fund that would ah.. keep us from building new roads, andsoforth, putting in rumble strips where they really aren't necessary. And, I hope that we would defeat this Bill."

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

W. Joseph Gibbs: "Thank you, Mr. Speaker. Would the Sponsor yield to a question?"

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

W. Joseph Gibbs: "Joe, I think I have three questions, one of which was partially answered as to the \$500 per intersection. What is the total cost State-wide? Do you have that?"

Joseph Fennessey: "I.. I wouldn't be able to answer that but the number of intersections involved in Counties are.. are very small. For instance, in my own County of LaSalle, which is one of the larger Counties ah.. area-wise in the State, there would be only some nineteen intersections involved. Ah.. it runs down as low as one intersection in some Counties. Ah.. Union County doesn't have any."

W. Joseph Gibbs: "The other question that I had was why does it exclude Cook County which has been answered. And, the



third one is why.. has a study been made from other States that have this provision and what are the results of those studies?"

Joseph Fennessey: "Ah..."

W. Joseph Gibbs: "In other words, as to the safety value."

Joseph Fennessey: "The State of Illinois has conducted a study. The Department of Public Works and Buildings, the old Department of Public Works and Buildings now the Department of Transportation and they say that before and after ah.. rumble strips were applied that the traffic accidents were reduced some twenty-seven percent at intersections where these were applied."

W. Joseph Gibbs: "Do any other States in the Union have this type of Law now?"

Joseph Fennessey: "Well, I can't tell you exactly. But, I've talked to different ah.. persons who have told me that, in travelling around the Country, they rather cross States that are using these rumble strips."

W. Joseph Gibbs: "Thank you."

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

Joseph Fennessey: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I realize that there's.. there's bound to be some cost involved here. But, I think, that when you take into consideration that highways involved will only be those that have over 400 ah.. traffic count daily that reduces



the number of intersections involved in the various Counties so that it will not be prohibitive for these Counties to perform and ah.. build these rumble strips. Regard to Representative Katz's question, ah.. on an effective date, I'd be very happy to, if this Bill passes, to have this amended in the Senate so that there would be a specified time that the Counties or Townships would be allowed to build these strips. I don't think that anyone can put a price on the life of anyone. And ah.., many, many times, I think we're all aware of the terrible tragedies that occur at these intersections by someone inadvertently driving onto the highway, a State highway, without realizing that they're approaching this highway. The one reason that I introduced this Bill was one morning on the way to Springfield, I drive a blacktop road to get to Route 51, and ah.., without realizing it, it was a little bit foggy, and I very nearly ah.. drove out onto Route 51 in front of a semi. If these rumble strips had been in.. in operation, I think that ah.. I would have realized that I was approaching Route 51. I'm sure that many accidents are caused by people not realizing they're approaching a State highway. And, I think, that this Bill would be worth the cost. And, I ask for you favorable consideration."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 634 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 70 'Ayes'. R.



Carter.. 'aye'. 31 'Nays', and this Bill having failed to receive a Constitutional majority is hereby declared lost. House Bill 2475."

Jack O'Brien: "House Bill 2475, a Bill for an Act to regulate lobbying activities of State Employees. Third Reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Winnebago, Representative W. T. Simms. Take that out of the record. Representative Jones, for what purpose do you rise, Sir?"

J. David Jones: "A point of personal privilege."

Rep. Arthur A. Telcser: "State your point, Sir."

J. David Jones: "Mr. Speaker, I rise, and Members of the House, I rise to say a kind word about the Illinois Supreme Court. That may shock you a bit. But, I'm.. I'm pleased to report to you that this morning, the Illinois Supreme Court did approve that \$1,500 homestead tax exemption which this General Assembly passed last year."

Rep. Arthur A. Telcser: "House Bill 4328."

J. David Jones: "Hay...!!"

Rep. Arthur A. Telcser: "I'm sorry. Weren't you finished yet?"

J. David Jones: "A little more commentary, Mr. Speaker."

Rep. Arthur A. Telcser: "Proceed."

J. David Jones: "The Court declared it as a valid Act as it applies to taxes payable in 1973 and subsequent years. You know, they did knock out the Section ah.. of assessments made in '71 and would be payable this year because the assessments were made before the new Constitution went into effect."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

But, this is especially pleasing to me as my involvement goes back to January 21st, 1969, when I filed a first such Bill, House Bill 93. I'm sure that it's, likewise, pleasing to all of you who also sponsored and worked for the enactment of this much needed tax relief for Senior Citizens. And, I say now, let's give the Supreme Court a big hand."

Rep. Arthur A. Telcser: "House Bill 4328."

Jack O'Brien: "House Bill 4328, a Bill for an Act to amend 'The School Code'. Third Reading of the Bill."

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

Daniel M. Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4328 provides or a school district adopts ah.. the twelve months school year provided in Section 10-19.1 of 'The School Code' that the special education reimbursement of \$5,000 for each professional worker and \$1,500 for each aide or \$2,500 for each aide will be increased proportionately for the summer school period. There's only one school district in the State that, to-date, has adopted the ah.. ah.. three-term, twelve month school year and that is the school district in Will County, Valley-Vue School District. And, many of you have followed all about Valley-Vue in the newspapers. Right now, Valley-Vue is penalized in view of special education because they get no increased State Aid ah.. for the extra summer school. A fiscal note was filed here. The cost of this Bill would be only 35 to \$40,000 per year which would come out of Superintendent



Bakalis's Reimbursement Budget. This is his Bill. He's willing to allocate the funds without any additional appropriation out of his Special Education Reimbursement Budget. We hope to encourage other school district to experiment with the twelve month school year to keep the ah.. need from building additional schools and to use the fiscal facilities that are now in existence. Now, by providing the additional special education aid for the twelve month school year, which of course is a voluntary thing by each school district, we hope to encourage some other school districts to try the twelve month school year. And, if they do, not to be penalized for it. I urge your support of House Bill 4328."

Hon. W. Robert Blair: "Discussion? The question is, 'shall House Bill 4328 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. Sevcik.. 'aye'. On this question, there are 130 'Ayes', and no 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. 2648."

Fredric B. Selcke: "House Bill 2648, an Act relating to the prevention of negligent or unsafe excavation or demolition operations resulting in damage to gas pipeline facilities. Third Reading of the Bill."

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

John H. Conolly: "Mr. Speaker, in 1969, the Illinois Legislature created the 'Illinois Pipeline Safety Act' which was directed at utilities. This legislation covered half of the safety



job. House Bill 2648 covers the remaining half of the safety job by providing an effective means for stopping negligent damage and destroying of gas lines by excavators. This legislation carries no additional cost on the part of the State. Enforcement will be provided by pipeline owners whose facilities are being damaged or destroyed. At present, there is no means of controlling negligent excavators. The purpose of this legislation is to eliminate.. the effort to eliminate gas explosions, fires causing deaths, injuries and extensive property damage. This legislation concerns damage resulting from major operations of excavating equipment. I am advised by.. that more than half of the present number of accidents caused by.. caused by people other than the gas companies and personnel engaged in land excavation for one purpose or another. This Bill has been endorsed by the Office of the Secretary of Transportation. And, I would urge the adoption of such a safety measure by this Body."

Hon. W. Robert Blair: "The ah.. gentleman from Cook, Mr. Thompson.. R. L. Thompson."

Robert L. Thompson: "Mr. Speaker, I would just like to rise for a point of personal privilege."

Hon. W. Robert Blair: "Oh!.. Go ahead."

Robert L. Thompson: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House, I would just like to introduce a School from Representative Colitz's and my District, the Cooley Upper Grade Center with the Faculty here and Mrs. Ann Bland. Would you stand and give them a hand please?"



Thank you very much."

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

W. J. Murphy: "Mr. Speaker, would the Sponsor yield to a question, please?"

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

W. J. Murphy: "Ah.. Representative Conolly, for instance, in a case now where a contractor is excavating and he goes to the public service, for instance, and asks them for plans and they have no plans for underground pipes and he still hits a pipe and causes an explosion. Ah.. how about that?"

John H. Conolly: "If the utility does not respond within forty-eight hours, there is no responsibility to the underground contractor."

W. J. Murphy: "Ah.. if they don't respond and have a plat of their underground systems, is that right?"

John H. Conolly: "Correct. Ah.. in fact, the Amendment takes out what we call 'reasonable' and puts it 'forty-eight hours'."

Hon. W. Robert Blair: "Further discussion? Alright.. The gentleman care to close?"

John H. Conolly: "I think it's an excellent safety measure and I move the ah.. adoption of this Bill."

Hon. W. Robert Blair: "Alright.. The question is, 'shall House Bill 2648 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Fleck.. 'aye'. Have all voted who wished? The Clerk will take the record. On this question, there are 100 'Ayes', and no 'Nays', and this Bill having received a



Constitutional majority is hereby declared passed. 1488."

Fredric B. Selcke: "House Bill 1488, an Act to amend the 'Medical Service Plan Act'. Third Reading of the Bill."

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

Brian B. Duff: "Thank you, Mr. Speaker. Ah.. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1488 ah.. is a Bill which allows independent licensed clinical laboratories, not directed by physicians, to enter into contract with Medical Service Plan Corporations, Blue Cross. The Bill was amended ah.. at the request of the Illinois State Medical Society and with their approval.. ah.. to answer some objections that were made to it ah.. last Fall. Ah.. I would appreciate a favorable vote on the Bill."

Hon. W. Robert Blair: "Discussion? The question is, 'shall House Bill 1488 pass?'. All those in favor will vote 'aye', and the opposed 'no'. The gentleman from Cook, Mr. Merlo."

John Merlo: "Mr. Speaker, may I explain my vote? Mr. Speaker and Ladies and Gentlemen of the House, as one who opposed this Bill in the last Session of the House, I now rise in support of it. Essentially, the original Bill would have allowed for non-personnel to be paid under Medical Insurance Plans. However, the Amendment now provides for the necessary checks and balances of preventing the misuse of laboratory services unless such laboratory appliances and services were ordered in writing by physicians licensed to practice in all its branches under the Laws of the State of Illinois. I had occasion to speak with Mr. Booth, who represents the



Illinois Medical Society and asked him about this particular Bill. And, he tells me that they have withdrew their objections to the Bill. I ask now your support of this Bill. I think that with the Amendment it makes it a good Bill."

Hon. W. Robert Blair: "Have all voted who wished? The gentleman from Cook, Mr... The Clerk will take the record. On this question, there are 95 'Ayes', and 1 'Nay', and this Bill having received a Constitutional majority is hereby declared passed. Ewell.. 'aye'. 13.. 1612."

Fredric B. Selcke: "House Bill 1612, an Act requiring automotive repair dealers to provide and maintain records for work done on motor vehicles. Third Reading of the Bill."

Hon. W. Robert Blair: "Take it out of the record. 3752."

Fredric B. Selcke: "House Bill 3752, a Bill for an Act to amend the 'Legislative Investigating Commission Act'. Third Reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Sevcik, is handling that Bill for Mr. Lindberg."

Joseph G. Sevcik: "Ah.. Ladies and Gentlemen of the House, ah.. House Bill 3752 is a Bill for the Illinois Legislative Investigating Commission. This was ah.. to be handled by ah.. George Lindberg; but I am going to handle it for him. All this Bill does, as the ah.. Bill is now on the ah.. books, a resolution can only be passed by the General Assembly, which means both Houses. This Bill changes it, that the resolution ah.. to have someone investigate it, can be by a resolution of either House or by the ah.. ah.. majority of



the Commission. There will be a Senate Amendment that Senator Phil Rock will attach to this Bill in the Senate. Ah.. we have gone over this Bill and I ask for your favorable support."

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to oppose this Bill. I had reservations about when the Commission was created, because of the potential scope in inquiry. I was satisfied that there was a proper control of regulation on how far this Commission would go in making investigations by the requirement that its pursuits would be limited by resolutions adopted by both Houses of the General Assembly. By this Bill, as I understand it, an inquiry of the Commission and the Commission can delve into any subject limited only by the imagination of one's mind, would now be able to commence in any of these areas ah..by resolution of this House alone or by the Commission Members themselves. And, for that reason, Mr. Speaker and Members of the House, I would oppose this, feeling that the Commission, with the potentiality it has, ah.. check be subject to the check and balance of resolutions adopted by both Houses of the General Assembly."

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

Joseph G. Sevcik: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, I just want to state that the Commission had this



authority prior to changing their name from the Illinois Crime Commission to the Illinois Legislative Investigating Commission. This authority, we had in the past. The Amendment that will be added on in the Senate will limit any resolutions introduced by ah.. the Commission to a vote of three-quarters of the bipartisan Commission. And, also it needs the signature of each.. of a Co-Chairman. And, we have been electing one Democrat and one Republican. But, ah.. we can not institute any investigation by the Commission unless we have the bipartisan support of both sides of the aisle and also the Co-Chairman. This is authority that we had in the past. We're asking that we have this authority in the future. And, we also want a resolution introduced by either House to have this investigation. I ask for your favorable support."

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

Bernard J. O'Hallaren: "Will he ah.. yield for a question, Mr. Speaker?"

Hon. W. Robert Blair: "Well ah.., it's a little out of order, but ah.., he indicates that he will."

Bernard J. O'Hallaren: "Joe, ah.. was this the Amendment that was agreed to by the ah.. Assistant Minority Leader, who doesn't happen to be here on the floor at the time."

Joseph G. Sevcik: "Ah.. yes. I've talked to Gerry Shea. Ah.. Senator Phil Rock in the Senate has the Amendment and.. and they agree to it too."



Edward J. O'Hallaren: "Thank you."

Joseph G. Sevcik: "This is an agreed Amendment."

Hon. W. Robert Blair: "Alright.. Any further discussion? The question is, 'shall House Bill 3752 pass?'. All those in favor will vote 'aye', and the opposed 'no'. The gentleman from ah.. Lake, Mr. Murphy."

Mr. J. Murphy: "Mr. Speaker and Ladies and Gentlemen of the House, I think that you should really look at this Bill real close. We're.. We're living in an age of harassment anyhow and we're.. we're creating these things, these monster Commissions that are.. are actually taking the legs of power away from the elected person. You're creating Commissions that can investigate anybody for anything. And, I think that the people are getting tired of harassment and are entitled to be tired of harassment. I think that it's a bad Bill and should be defeated."

Hon. W. Robert Blair: "Have all... Have all voted who wished? The Clerk will take the record. On this question, there are 75 'Ayes', and 27 'Nays'. The gentleman from Cook, Mr. Sevcik."

Joseph G. Sevcik: "Ah.. Postponed consideration.."

Hon. W. Robert Blair: "Alright.. The gentleman ask leave to place on postponed consideration. Place it there. 4298."

Sedric B. Selcke: "House Bill 4298, an Act in relation to the payment of grants to enable the elderly to acquire or retain private housing. Third Reading of the Bill."

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

Hyde."

Henry J. Hyde: "Mr. Speaker and Ladies and Gentlemen of the House, this is the Senior Citizens Property Tax Relief Act, one version of it. This ah.. ah.. is known as the circuit breaker for Senior Citizens ah.. and it provides for grants ah.. ah.. that will not exceed \$300 per year to residents 65 years of age and over whose property taxes accrued or whose, which constitutes property taxes, accrued, which is formulated at 25% of the rent paid for the right of occupancy to exceed 7% of household income. This provides grants to people ah.. commencing at \$300, if their income is 0 to \$3,000 and it's scaled down to \$10, if their income is \$10,000 and gets to be 0 at \$10,100. Excuse me.. This Bill passed fourteen to nothing with two voting 'present' out of the Revenue Committee. Ah.. a Senate version of the Bill passed forty-six to nothing out of the Senate. And, I solicit your favorable vote."

Hon. W. Robert Blair: "Discussion? The question is, 'shall House Bill 4298 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Mr. Speaker and Members of the House, in explaining my vote in favor of the Bill, even though I have some qualms about it in that certain Amendments were not adopted on Second Reading, I think that the purport of this Bill is very good and we should support it wholeheartedly. I see we are up there. But, I wish also think about en-



larging the area upon which we could give relief to property taxpayers."

Hon. W. Robert Blair: "Simmons.. 'present'. The Clerk will take the record. On this question, there are 144 'Ayes', and no 'Nays', and 1 'present', and this Bill having received the Constitutional majority is hereby declared passed. 4491."

Fredric B. Selcke: "House Bill 4491, an Act to require State agencies to pay fees for services rendered for them by County Recorder andsoforth. Third Reading of the Bill."

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

John W. Alsup: "Well, Mr. Speaker and House Members, the Clerk read a pretty accurate description of this Bill. And ah.., I can see no good reason why the State and the State Agencies shouldn't pay their own recording fees the same as everyone else. The County Recorders and the County Clerks, who do that in some of the small Counties, are very, very interested in this Bill as well as the County Officials. There was an Amendment that I had put on the Bill, but it doesn't take effect until Jan.. July the 1st, 1974. That was in order to avoid ah.. a conflict with the ah.. present money procedures of the State. So, now if we'd pass the Bill, the State and its Agencies would know beforehand that they are going to have to pay their recording fees. Ask you support."

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

Richard A. Walsh: "Will the gentleman yield for a question?"



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

Richard A. Walsh: "Ah.. John, do you have any ah.. idea of how much money this would cost the State?"

John W. Alsop: "Well ah.., yes and no. Ah.. The Auditor or the.. I ask for a fiscal note and they said \$140,000 a year. I'm quite sure that that's wrong. I think that it will be more than that. They ah.. inquired just from two Counties, Cook County and Sangamon County. But, I think that it will be more than 140. I.. I don't know this. I'm only guessing. This is what the Recorders tell me. The problem arises when they build a highway through some of the poorer Counties and they have ah.. hundreds of recordings. And ah.., the State doesn't pay for their own recording."

Richard A. Walsh: "Well ah.., Mr. Speaker, it.. it just seems to me that, although I could see some smaller Counties might be adversely affected by numerous recordings by the State and it might, as a matter of fact, consist of ah.. a disproportionate ah.. amount of recordings to which the Counties would not be compensated. It seems to me that a change of this nature that would have such far-reaching effect on the State ah.. really should receive somewhat more consideration. I think that it's imperative that we know exactly how much money ah.. this would cost the State and have a better idea if it's going to cost the State that much money, that it's going to be, of course, less expensive to the Counties. It's going to be money out of the taxpayers pockets either way. But, if it's more money to the State, it should



less cost to the Counties, less personnel ah.. to adminis-
ah.. ah.. some of the County functions. It seems to me
this time, Mr. Speaker, that we should vote 'no' on this
measure."

W. Robert Blair: "Alright.. Further discussion? The
gentleman.. The gentleman from Cook, Mr. ah.. or ah.. make
Mr. Alsup."

W. Alsup: "Well, the fiscal note states that the annual
be estimated in Cook County would be \$69,430 and in Sangamon
County, \$2,000 or \$71,430. And, their projection for
the State, as a whole, is \$140,251. Now, if ask for a
fiscal note and they make your best estimate, that's all
you can ask for. I thought, personally that this might be
a little low. But, this is just a personal opinion. I
didn't want mislead you and say, 'it's only going to be
limited to \$140,000 a year'."

W. Robert Blair: "The question is, 'shall this Bill 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 100 'Ayes', and 14 'Nays', and
this having received a Constitutional majority is hereby de-
clared passed. Lauterbach.. 'aye'. 'No'. 'Aye' or 'No'?
'No'. Okay, 'no'. Lauterbach.. 'no'. Alright.. I'm going
to start down on the House Bills Third Reading on the Calen-
dar as they are. House Bill 216. The gentleman is not in
his seat. Take it out of the record. House Bill 355. The
lady is not in her seat. Take it out of the record. House

Bill 376."

Fredric B. Selcke: "House Bill 376, an Act relating to the treatment of alcoholics and other intoxicated persons to repeal certain Act herein named. Third Reading of the Bill."

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

John S. Matijevich: "Ah.. Mr. Speaker, ah.. Members of the House, I'm happy that you called this Bill. I.. I was under the impression that ah.. we weren't going to go further with the alcoholism Bills, having talked to Representative Hirschfeld. We have a Committee that ah.., by a House Resolution, is going to study all of the Bills relating to alcoholism. Ah.. although, I think that my Bill is ah.. salutary Bill. We only lacked three votes last Session ah.. of passing this Bill and it has been improved by an Amendment that we worked out with the Illinois Medical Society. Ah.. by the way, over the weekend, I received about ten letters from ah.. Members who belong to the ah..."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. ah.. Simmons, for what purpose do you rise?"

Arthur E. Simmons: "Well, Mr. Speaker, this Bill was called that was amended on the 18th at which time the Sponsor said that he will not call it on Third Reading."

Hon. W. Robert Blair: "Yes. Yes, that's correct and we'll just ah.. I'm going down the calendar, as I said, on the Bills that are there. The gentleman says that that's the Bill he agrees to hold. So, take it out of the record. 734. The



gentleman from Cook, Mr. Mann. He's not in his seat. So, take it out of the record. 735. He's not in his seat. Take it out of the record. 1064."

Fredric B. Selcke: "House Bill 1064, a Bill for an Act to amend Sections 1, 2, 3, 6, 9, and 13 of the Child Labor Law. Third Reading of the Bill."

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

Arthur A. Telcser: "Take it out of the record."

Hon. W. Robert Blair: "Take it out of the record. 1102."

Fredric B. Selcke: "House Bill 1102, an Act to amend 'The Revenue Act of 1939'. Third Reading of the Bill."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. Phil Collins."

Philip W. Collins: "Ah.. Mr. Speaker, I yield to Representative McPartlin."

Robert F. McPartlin: "Will you kindly take that Bill out of the record, please?"

Hon. W. Robert Blair: "That's real teamwork. Take it out of the record. 1106. The gentleman from Cook, Mr. Mann is not in his seat. Take it out of the record. 1107. The gentleman is not in his seat. Take it out of the record. 1134. The gentleman from Cook, Mr. Otis Collins is not in his seat. Take it out of the record. 1175. The gentleman from Cook, Mr. Katz is not in his seat. Take it out of the record. Oh: 1175."

Fredric B. Selcke: "House Bill 1175, an Act to amend the 'Ill-



nois Governmental Ethics Act'. Third Reading of the Bill."

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

Harold A. Katz: "Ah.. Mr. Speaker, I will just take that out of the record. I've decided that it's not necessary legislation. And, I'm only really pushing necessary legislation this Session."

Hon. W. Robert Blair: "Alright.. Take that out of the record. 1203. Mr. Redmond is not in his seat. Take that out of the record. 1338. Mr. Markert is not in his seat. Take that out of the record. 1339, is an exempt Bill. Take it out of the record. It's exempt. Do you want to call it now? It's a Constitutional Implementation Bill. So, it's exempt now. Do.. Do you want?... We don't need to have it heard today. That's the point. 1339. Do you want to call it now? 1339. Our people advise that it is Con. Imp. Yeah.. But, do you want to call it now? You can.. Okay.. Take it out of the record. 1612, we'll take out of the record. 1701. The gentleman from DuPage, Mr. Redmond is not in his seat. Take it out of the record. 1712. Take it out of the record. 1717. Mr. Katz. 1717."

Harold A. Katz: "Ah.. no. Ah.. that is a Bill that ah.. I think we ah.. do not have authority to pass. So, I'm not going to proceed with that, Mr. Speaker. Take it out of the record."

Hon. W. Robert Blair: "Alright.. Take that Bill out of the record. 1719."



Fredric B. Selcke: "House Bill 1719, an Act to amend 'The School Code'. Third Reading of the Bill."

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

George M. Burditt: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, this Bill amends 'The ah.. School Code' to permit Veteran Scholarships to be used at Private Colleges as well as at Public Universities. An Amendment was added to the Bill to make certain that a Veteran, who elects to go to a Private College rather than a Public College, does not get more money than he would if he had elected to go to the Public College. Ah.. to the best of my knowledge, ah.. the Amendment removed any objections to the Bill. Ah.. and I request your favorable vote on the Bill."

Hon. W. Robert Blair: "The gentleman from Stark, Mr. Nowlan."

James D. Nowlan: "Mr. Speaker and Members, ah.. it is often difficult to rise in.. in opposition to legislation which relates to the Veterans. But, I would point out, in regard to this proposal, that, although, the intent is excellent, we're talking about the potential added expenditure of between four and six million dollars in this coming fiscal year, monies which would come from that appropriated to the Illinois State ah.. Scholarship Commission. And, which could possibly take away from the Commission's capability to make grants based on need to other students. The State of Illinois, right now, is and probably the foremost leader in provision of scholarship money to Veterans. We provide full



waivers ah.. to all Veterans attending Public
 ninety-five percent of all Veterans applying
 grant money to attend Private Colleges do
 grants. This would expand that by providing
 Veterans attending Private Schools on a part-time
 concur in ah.. the concept that we provide
 needy students ah.. on a part-time ah.. attend-
 ment, this proposal would provide substantial
 money to Veterans to attend Private Colleges and
 on a part-time basis. And, this expenditure
 to the ah.. Veterans, who can attend Public
 Universities, full or part-time, can receive
 tuition waiver, might take away from the ah..
 ability to make grants to needy students to
 attend Private Colleges. And, thus, I ah.. re-
 gretfully feel that, at this time, ah..
 oppose this expansion of the grants."

Q: "Further discussion? The gentleman care

"Well, Mr. Speaker, Ladies and Gentlemen
 ah.. I don't really share Representative
 support for this Bill at all. It seems to me that all
 Veterans have a choice to whether he wants to go
 to a Public School and doesn't cost the
 State.. there was ah.. thorough testimony on
 the Committee. And, I.. I respectfully disa-
 gree with the candidate. Ah.. Ah.. I ask that

ah.. vote favorably on this Bill."

Hon. W. Robert Blair: "The question is, 'shall House Bill 1719 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The gentleman from Kane, Mr. Hill."

John Jerome Hill: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, this is a very good piece of legislation. I want to point out to you that there are a lot of Veterans in the State of Illinois. And, they'd like to go to Universities closer to their home so that the cost wouldn't be as great. And, this particular piece of legislation would allow that Veteran, returning from either the Korean War or World War II, to take advantage of this situation. It's a very good piece of legislation."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 106 'Ayes', 107 'Ayes', 12 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. 1718. 1784. Take those out of the record. 1924. The ah.. 1924."

Fredric B. Selcke: "House Bill 1924, an Act relating to the sale of gasoline. Third Reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Lawrence, Representative R. D. Cunningham."

Roscoe D. Cunningham: "Mr. Speaker and Members of the House, in my unbiased judgement, this Bill still represents an inspired effort to protect the public against price gouging in the sale of gasoline in that it would require the Octane



Rating to be placed on the pumps. I am told by peoples who are informed in such matters that the Octane Rating is the only thing that counts and all of these others are just ah.. huckster's gimmicks to sell the gasoline. However, this appears to be an idea whose time has not yet come. And, I have pledged to many constituents that I would not attempt to pass this on Third Reading. Accordingly, I respectfully request your unanimous consent to withdraw it from the record."

Rep. Arthur A. Telcser: "I suspect you'll get it, R. D. House Bill 2075. Take it out of the record. House Bill 2161. Take it out of the record. The Sponsor is not here. House Bill 2225. Is Representative Katz on the floor? Take it out of the record. House Bill 2257. Is Representative Rayson on the floor? Take it out of the record. House Bill 2263."

Fredric B. Selcke: "House Bill 2263, an Act to amend Section 9 of the 'Northshore Sanitary District Act'. Third Reading of the Bill."

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

John H. Conolly: "Mr. Speaker, may I have leave to table this Bill?"

Rep. Arthur A. Telcser: "Okay.. We'll table House Bill 2263. 2385. Take it out of the record. House Bill 2412. Is Representative McCormick on the floor? Take it out of the record. House Bill 2468. Is Representative Mann on the floor? Take it out of the record. House Bill 2479. Is Representative



Redmond on the floor? Take it out of the record. Representative Jaffe, wish to table 2508? Okay.. House Bill 2580. Take it out of the record. House Bill 2592."

Fredric B. Selcke: "House Bill 2592, an Act to amend the 'Illinois Income Tax Act'. Third Reading of the Bill."

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

Robert F. McPartlin: "I'd like to ask leave of the House to table House Bill 2592."

Rep. Arthur A. Telcser: "Does the gentleman leave? Hearing no objections, House Bill 2592 will be tabled. House Bill 2475."

Fredric B. Selcke: "House Bill 2475, an Act to regulate lobbying activities of State Employees. Third Reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Winnebago, Representative W. T. Simms."

W. Timothy Simms: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2475 is a simple Bill. It's an ethics Bill that pertains and prohibits any State Employee, who becomes a registered lobbyist under the provision of the 'Lobbyist Registration Act' shall be deemed to resign such State position and to have accepted a position incompatible with State service. In other words, if a Lobbyist is also on the State Employee.. on the State payroll, he no longer retains his State position."

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



man from Christian, Representative Tipsword."

Rolland F. Tipsword: "Ah.. I wonder if the gentleman would yield for a question?"

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

Rolland F. Tipsword: "Representative Simms, have we had this.. this ah.. sort of thing occur or is it occurring at the present time? I'm not aware."

W. Timothy Simms: "Yeah.. It did occur last year where there was a ah.. individual who was a contractual employee with the Department of Law Enforcement ah.. on the payroll ah.. in a capacity. He was also a paid Lobbyist for two or three Associations.. State Associations. And, I felt that this was incompatible with State service and Government because of the possibility of conflict of interest."

Rolland F. Tipsword: "The ah.. Those who might lobby for.. for Bills that affect Agencies of Government don't have to register as Lobbyist. Do they?"

W. Timothy Simms: "No.. No.."

Rolland F. Tipsword: "This will not affect them?"

W. Timothy Simms: "No.. This just pertains to employee... Let's say, for example, someone's employee, in this one case was the ah.. Department of ah.., I believe, it was the Department of Law Enforcement, had a position on a part-time basis of somewhere over a thousand dollars a month, was also lobbying on behalf of ah.. two or three ah.. Organizations as a registered Lobbyist. And, I felt that this was incompatible with State Government."



Rolland F. Tipsword: "That was a private employee..."

W. Timothy Simms: "Right.. Right.. This was private employment."

Rolland F. Tipsword: "Thank you, Sir."

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

John Jacob Wolf: "Would the Sponsor yield for one question?"

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

John Jacob Wolf: "Ah.. Representative Simms, I'd like to know one thing. Supposing that there is a registered Lobbyist for a Labor Union ah.. for State Employees, what would happen to that person?"

W. Timothy Simms: "Well, that person.. that person is representing himself in.. in those negotiations. And, they're not required to register under 'The Lobbying Act'."

John Jacob Wolf: "Am I.. Am I correct in saying that, if there is a State Employees' Union, that he need not be registered as a Lobbyist?"

W. Timothy Simms: "Well, because.... He is lobbying in his own behalf. 'The Lobbying Act' does not require that. He is an employee of that Union. It would not apply to him."

John Jacob Wolf: "Are you absolutely certain of that fact?"

W. Timothy Simms: "I have been informed of this, yes, by the Reference Bureau in drawing up the legislation."

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

W. Joseph Gibbs: "Mr. Speaker, will the Sponsor yield for a question?"



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

W. Joseph Gibbs: "Ah.. Tim, you stated that the reason for this legislation was that ah.. last year there was someone who had a contractual agreement with the State. Ah.. that would not be a State Employee, would it?"

W. Timothy Simms: "Ah.. When I said contractual he was on the State payroll ah.. at a monthly salary and a ah.. ah.. position which was a a.. ah.. temporary advisory position with the Department of Law Enforcement. I shouldn't have used the word 'contractual'. I should have used the words that he was a ah.. a ah..'monthly employee' for ah.. a, I think, it was a part-time position ah.. for a certain length of time."

W. Joseph Gibbs: "Well, in other words, for instance, if a Company or a Corporation had an employee that was a Lobbyist and also had ah.. a specific contract with the State, would that violate the Act in the way that you have it written?"

W. Timothy Simms: "Yes, I think it would. In other words, ah.. In other words, Representative Gibbs, that if a.. a State employee, as an employee, should be using his influence ah.. as an employee of the State of Illinois for using his position for pressure and influence ah.. to pass ah.. legislation that pertains ah.. to something other than his own employment."

W. Joseph Gibbs: "To carry this further with one last question. For instance, if Illinois Bell had a contractual agreement with the State for some service, then their Lobbyist, as such,



could ah.. not be registered?"

W. Timothy Simms: "No.. ah.. What I'm talking about is an employee that is on the payroll. Let's say, for example, with a Department, we'll say, for a thousand dollars a month as a ah.. a.. as an advisor, he can engage in being a paid Lobbyist by a Firm. Now, I don't know if Illinois Bell is guilty of this or not. But, they'd be prohibited from doing it."

W. Joseph Gibbs: "Thank you."

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

W. Timothy Simms: "Well, briefly, Mr. Speaker and Ladies and Gentlemen of the House, during an era of concern of.. of ethics in Government, I feel that it is incompatible for a Lobbyist, a paid Lobbyist by an Association to also be on the State payroll for one Department or another, to use his influence in State Government on behalf of private lobbying activities. I'd ask for a favorable vote."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 2475?'. All those in favor will signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? The gentleman from Sangamon, Representative Londrigan, to explain his vote."

James T. Londrigan: "Mr. Speaker, in explanation of my 'no' vote. The gentleman in question referred to as Mr. Simms did get into any trouble because of a violation of 'The



Ethics Law'. His trouble was that he was on a State payroll and he was lobbying against the administration. He did nothing unethical. And, I think that this is a big nothing Bill. It's needless, unnecessary and implications are very far-reaching. And, I don't think, at this point without further debate, we should take this role."

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

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

Rep. Arthur A. Telcser: "Proceed."

Rolland F. Tipsword: "I would like to be recorded as voting 'present' on this Bill."

Rep. Arthur A. Telcser: "Record the gentleman as voting 'present'."

Rolland F. Tipsword: "The reason that I am doing this is that I find the Bill to be, in many areas, a very salutary Bill. But, I can think of a particular instance that was mentioned in regard to ah.. Lobbyists for the State Employees' Union, in particular, who, I'm sure as a State employee, but who is a Lobbyist for the Union and not just for himself, I believe under the Law must be a registered Lobbyist. And so, consequently, ah.. because of that instance and there might be one or two others, I'd like to be recorded 'present' on the Bill."

Rep. Arthur A. Telcser: "Have all voted who wished? The gentleman from Winnebago, Representative Simms, to explain his vote."

W. Timothy Simms: "In explaining my vote to answer Representative Londrigan, there was ah.. no case where the individual be.. arrived at any problem. The problem was that he was on the payroll in excess of a thousand dollars a month representing the Department of Law Enforcement and at the same time representing County Organizations of ah.. the Coroner's Association and for others. And, it is possible, if you are in a position of Law Enforcement, to use pressure and influence to have legislation that is pass... that is before the General Assembly to pass the General Assembly that is beneficial towards that Group and not necessarily to the benefit of the people of the State of Illinois."

Rep. Arthur A. Telcser: "Have all voted who wished? The gentleman from Lake, Representative Matijeovich."

John S. Matijeovich: "Ah.. I'm not sure of all of the ramifications, but, I think, that it is bipartisan and nobody wants to mention names. So, it is a bipartisan thing. I guess one of them was Bob Maher, a Democrat and another one was Walter Oblinger, a Republican. But, I'm going to vote for it. I think that in a bipartisan spirit, we ought to get rid of that type of activity."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. Palmer.. 'aye'. On this question, there are 82 'Ayes', a 'Nays', and this Bill having failed to receive a Constitutional majority is hereby lost. House Bill 2594. Take that out of the record. House Bill 2603."

Andric B. Selcke: "House Bill 2603, an Act to amend an Act

to create the Havana Regional Port District. Third Reading of the Bill."

Rep. Arthur A. Telcser: "Take that out of the record. House Bill 2630. Representative Hall is not on the floor. 2637, we're going to keep out of the record. House Bill 2664."

Fredric B. Selcke: "House Bill 2664, a Bill for an Act to amend the 'Health and Safety Act'. Third Reading of the Bill."

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

Bernard McDevitt: "Mr. Speaker and Members of the House, may I have leave to table 2664 and also 2665? I'm the fellow Sponsor on each."

Rep. Arthur A. Telcser: "Does the gentleman have leave? Hearing no objections, those two Bills will be tabled. House Bill 2700."

Fredric B. Selcke: "House Bill 2700... House Bill 2700, an Act regarding leased residences. Third Reading of the Bill."

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

James A. McLendon: "Mr. Speaker, Ladies and Gentlemen of the House, this is an innocuous Bill that permits the lessees of residential premises to make repairs of defects in those premises when the lessor, who has the duty under Law or by contract to repair those defects, has neglected to do so. It requires notices by a.h.. to the lessor by certified or registered mail before these repairs can be made. That is



the substance of the Bill."

Rep. Arthur A. Telcser: "Is there any discussion? The question is.. The gentleman from Cook, Representative Juckett."

Robert S. Juckett: "Mr. Speaker, will the Sponsor yield for a question?"

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

Robert S. Juckett: "Who determines whether the repairs should be made?"

James A. McLendon: "I think that the tenant can determine upon due notice to the lessor by registered or certified mail.

And, the lessor, of course, can check to determine."

Robert S. Juckett: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think that this is a terrible Bill. I think that, if a tenant wants to make repairs on somebody else's property, he'd better get permission of the owner of that property before he starts making repairs because he might irreparably damage the property. And, it might not be in the manner in which the owner of the property wants. And ah... I just think that this is one of the... Just has just got to be one of the bad ones of the Session. And, I would urge you to vote 'no'."

James A. McLendon: "The Bill passed out of the Division of Judiciary I after a full hearing, Mr. Speaker. And, everyone had an opportunity to be heard for or against the Bill."

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

Member Borchers: "Ah.. Mr. Speaker and Fellow Members of the

House, ah.. I am a owner of property. And, ah.. it sounds awfully impressive, but I don't mean it that way. But ah.., I have had many occasions where damage is done by the tenant to the house by the children. I have even had ah.. certain cases ah.. the framing of doors taken off and burned in the stove or in the furnace. And, then they'd skip out. And.. Well, a lot of other things. I can tell you many stories. But, nevertheless, here is Bill that the tenant could create the damage of the house or his children and then hand the bill over and have it fixed and hand the bill over to the ah.. owner of the property. Now ah.., I want to go along with Representative Juckett, ah.. in what he said and point out another facet of ah.. what could happen. This is a very dangerous and.. and could be a most unjust Bill against a man who owns some property."

Rep. Arthur A. Telcser: "Is there fur... The gentleman from Cook, Representative Caldwell."

Lewis A. H. Caldwell: "Ah.. Mr. Speaker, I rise in support of this Bill. During the past dozen years, particularly in the ghetto areas of the City of Chicago, there are many situations where the Court has ordered the ah.. rent withheld, particularly in connection with the Public Aid Department where the landlord has allowed the building to become.. to disintegrate where it's impossible to furnish heat, in many instances, water, and the wiring is bad. And, appeal.. an appeal to the landlord themselves ah.. gets no positive action. And, I think, that we do need ah.. a Bill of this



sort to either let the landlords ah.. tear down ah.. ah.. these structures or do normal.. keep up normal repairs.. I think that this is a good Bill and it ought to be supported."

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

Arthur E. Simmons: "Well, Mr. Speaker, ah.. this Bill ah.. seems to work another hardship and that is the time element ah.. after a tenant notifies the landlord that he has a defect that he wants fixed. Then, there's only a waiting period of two weeks. And today, you have to make a date to even get your automobile fixed and sometimes it takes a week or two to even get it into the garage. The ah.. particular tradesman that the landlord might want to use to repair this damage, it might take him three weeks to get there to fix it. And, I.. I think the time of two weeks is unreasonable. And, therefore, I'm opposed to the Bill."

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

Robert L. Thompson: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Bill. As Representative Caldwell stated, in some of the areas where you have these absentee landlords, they could care less about the condition of the property and they could care less about being notified by the tenant of the condition of this property. Yes, there are some children in some families who will do damage to the property, but there's some of these properties that you move in, the damage is already done. And ah.., I am in



support of the Bill because it states that you notify the landlord, the owner of the property. And, I'm sure, as one of the Representatives spoke said that the waiting period wasn't long enough. I'm sure that if the tenant contacted the landlord that they could come to some kind of agreement and a reasonable time for him to complete the repairs to make it livable for human beings. I think it's a good Bill and I urge your 'yes' support."

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

George Hudson: "Well, Mr. Speaker and Ladies and Gentlemen of the House, it would seem to me that one of the further extensions of concern here would be taking the responsibility that of taking the responsibility for repair away from the lessor in this case. It would seem to me that if the lessee can do this, he could call in almost anyone to make the repairs. I don't know what assurance there would be to the lessor that those repairs were being made in the ah.. most economical manner. Ah.. unless the Sponsor of the Bill could give me ah.. some assurance that ah.. this consideration could be ah.. obviated, I would think it ah.. would be another factor making it a bad Bill."

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

Thaddeus S. Lechowicz: "Mr. Speaker, I move the previous question."

Rep. Arthur A. Telcser: "The gentleman has moved the previous



question. All in favor signify by saying 'aye', and the opposed 'no'. The gentleman's motion prevails. The gentleman from Cook, Representative McLendon, to close the debate."

James A. McLendon: "Mr. Speaker, I have only one additional word which might answer one or two of the questions. It is noted on page 1 of the Bill, 'that all repairs must be made by or under the direction of the lessee. This act must be in accordance with all applicable building codes'. I ask the support of the House in the passage of this Bill. I think it's a good Bill."

Hon. W. Robert Blair: "The question is, 'shall House Bill 2700 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 62 'Ayes', and 42 'Nays', and this Bill having failed to receive a Constitutional majority is hereby declared lost. 2734. The gentleman from Lake, Mr. Conolly."

Fredric B. Selcke: "House.. House Bill 2734, an Act to amend an Act in relation to vehicles, the ownership, use, operation and regulation thereof. Third Reading of the Bill."

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

John H. Conolly: "Mr... Mr. Speaker, this Bill has been amended drastically so the synopsis that you read about basically does not apply ah.. The only thing left in the Bill is on the last Page, Section 18-802, and this would keep the fees paid into the Motor Vehicle Fund would be used ah.. for the exclusive use of the ah.. administration of the Act."



Mr. W. Robert Blair: "Discussion? The gentleman from ah..
Cook, Mr. Shea."

Gerald W. Shea: "John, where does the money go now?"

John H. Conolly: "This money basically stays in the State
Treasury."

Gerald W. Shea: "And, now you're going from the State Treasury
into another earmark?"

John H. Conolly: "No.. No, it stays right there in the State
Treasury. Ah..it has never been determined any other need
for this money. So, it's basically.. Sometimes, this gets
up to.. close to ah.. \$750,000 to a \$1,000,000 or so. Ah..
some years, ah.. they dig back into it. Some years, they
ah.. have a surplus. But, at no time, does it revert back
as the Public Utility Fund to the people who paid in."

Gerald W. Shea: "Well, why don't they use this money? Isn't
this the big argument we had last time that this money was
supposed to be used to administer the Act and not to be a
source of general revenue? It looks like to me what we're,
in effect, doing is changing the taxes from a special fund
and putting a tax on motor vehicle carriers to increase the
State General Revenue. And, if this is..."

John H. Conolly: "That is.. That is incorrect. As I say, the
only thing it is, is the lines 32 and 33. And, this keeps
the money exclusive, and as of the last page, page 4, that,
as far as I can see, keeps the money exclusively to the ah.. de-
frayed expenses of this Chapter. There's nothing about the
new fees, old fees, andsoforth. It's just that last line.

And, it is used to, as it says, to.. shall be used to defray the expenses of administration of this Chapter. And, it's not putting anything in the General Revenue Fund."

Gerald W. Shea: "Well, when you say administration of this Chapter, that would be the whole Motor Vehicle Act, wouldn't it?"

John H. Conolly: "Correct."

Gerald W. Shea: "Thank you."

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

Tobias Barry: "Would the Sponsor yield to a question?"

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

Tobias Barry: "John, as you've said, the Amendment knocks out the entire Bill except the last paragraph."

John H. Conolly: "That is correct."

Tobias Barry: "But, the exception, I would say, or the least the portion of it that your explanation has not made clear to me is that there are two lines in the last paragraph that are deleted from that paragraph. And, that is, in fact, your Bill, isn't that correct?"

John H. Conolly: "Yes, that's correct."

Tobias Barry: "Alright.. So, that the fees that will continue to go into the Motor Vehicle Fund; by this Bill, suggest, if I read it correctly, that that Motor Vehicle Fund money in question can not be used for repairs and maintenance of highways."

John H. Conolly: "That is correct."

Tobias Barry: "So, in effect, what you're doing is saying that

the fees go into the Motor Vehicle Fund. But, this portion of the Motor Vehicle Fund can not be used for repair of highways."

John H. Conolly: "This is not I.. the way that I understand it. This is not what we normally call the Motor Vehicle Fund. This is the Motor Vehicle Fund that is used for the administration of the Motor Vehicle Carrier Act. Ah.. the administration ah.., licensing and franchising, ah.. trucking andsoforth, not in construction of highways, basically."

Tobias Barry: "Yeah.. But, currently, regardless of ah.. the exact ah.. term of the Fund, it is some kind of a Motor Vehicle Fund created by these fees that, today, can be used for the repair and maintenance of highways. You're knocking that portion out."

John H. Conolly: "That's correct."

Tobias Barry: "Okay.."

Hon. W. Robert Blair: "Further discussion? The gentleman care to close? The gentleman from Lake, Mr. Conolly."

John H. Conolly: "Mr. Speaker, I must point out to you that this is.. these monies that we are talking about are those monies that are paid by the trucking firms and those people who are under the Motor Carrier Act. And, instead of taking money from the General Revenue Fund to administer this Office, it is put into what they call a Motor.. a Motor Vehicle Fund and it is used to administer the.. the Carrier Act, and therefore, does not cost the taxpayers of the State of Illinois, only those people that have the administration.



Most of this Fund is used by.. in this administration and any excess will stay for future years so they do not have to raise the funds or the fees. Therefore, I urge that this is.. to tell you that this is a good Bill and I urge its adoption."

Hon. W. Robert Blair: "The question is, 'shall House Bill 2734 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all.. Have all voted who wished? The Clerk will take the record. On this question, there are 7 'Ayes', and 64 'Nays', and the gentleman from Lake, Mr. Conolly."

John H. Conolly: "Yeah.. I.. I would like to ask my key Co-Sponsor what I should do with this Bill."

Hon. W. Robert Blair: "And, this Bill having failed to receive a Constitutional majority is hereby declared lost. 27.. Scariano.. 'no'? Scariano.. 'no' on the last vote. Alright.. 2741. The gentleman from Cook, Mr. Collins, is not in his seat. Take it out of the record. Ah.. Mr. Conolly, on his series 2794 through 2805, take them out.. all out of the record. 3045 is exempt. 3554."

Fredric B. Selcke: "House Bill 3554, an Act in relation to firearms training for peace officers. Third Reading of the Bill."

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

Roman J. Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, contrary to opinion, this is my own Bill. It's not for an Agency or Department. The thrust of the Bill is to



further the quality of police services in the State of Illinois. The Amendment is not shown in the Digest, thereby, making the Digest incorrect. The Digest indicates that the Department of Law Enforcement will be the enacting Agency. An examination of my own Bill prompted a.. an Amendment in Committee. And, I read from our statutes. 'Under the provisions of the Illinois' Police Training Act, the Illinois Local Governmental Law Enforcement Officer's Training Board was given the responsibility of establishing a State-wide program of training for local police. The Board was authorized to certify training facilities and to set minimum standards for such schools of the courses to.. to be offered'. This has not been totally affected in consequence to the Bill. The Bill, in essence, makes mandatory training for peace officers of the State of Illinois in four areas. One, instruction of the dangers of misuse of a firearm. Two, qualifying practice firing. Three, instruction in the legal use of firearms. I repeat, the legal use of deadly force. And, four, a forceful presentation of the ethical and moral factor therein. Agencies, now complying, as in the case of most urban instances, are not affected by.. by the mandates here. I.. I solicit your vote, please."

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

Romie J. Palmer: "If the Sponsor will yield for a question? Is that ah.. taken care of... Aren't all ah.. peace officers now trained by the Illinois Law Enforcement Commission or some branch of the Government.. of State Government?"



Roman J. Kosinski: "No, Sir."

Romie J. Palmer: "Well, what ah.. Who is trained and who is not trained? Who is not trained at the present time?"

Roman J. Kosinski: "There are facilities available out our Universities under this program for such training. The State is in a position to pay one half of the cost therein. On occasion, they're so distantly located from the small community involved, that there is no participation. In this Bill, training will be set upon a regional basis so as not to impose undue hardship on one and two man police forces. There will be a short course, a forty hour course, provided in their area."

Romie J. Palmer: "Well, we're talking about police officers. That would be mandatory, is that correct?"

Roman J. Kosinski: "I beg your pardon."

Romie J. Palmer: "Police Officers.. We're talking.. Are we talking.. We're also talking about Sheriffs."

Roman J. Kosinski: "Police Officers is the phrase."

Romie J. Palmer: "Well, it would include Sheriffs."

Roman J. Kosinski: "Yes.."

Romie J. Palmer: "And, coroners? I think a peace officer..."

Roman J. Kosinski: "Now, just one second, Sir."

Romie J. Palmer: "And, it also includes alderman and..."

Roman J. Kosinski: "No, Sir. No, Sir.. I take exception.

There is a definition of peace officer. Any person, who by viture of his office or public employment is destined by Law with a primary, repeat, primary duty to maintain public or-



der or make arrests, primary duty to make a public office..
or to rather ah.. public peace or make arrests. Primary."

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

J. Glenn Schneider: "Thank you, Mr. Speaker. Ah.. just a few questions. Ah.. Roman, one is ah.. does this involve training for part-time ah.. police, let's say, who might be involved in University activities? Does it involve ah.. training for deputy ah.. policemen that might appear in Cities and so on? How broad is it?"

Roman J. Kosinski: "I beg your pardon."

J. Glenn Schneider: "How broad basically is the Bill on this area?"

Roman J. Kosinski: "Where one hundred hours or more are involved in activities of a peace officer as defined."

J. Glenn Schneider: "So, that conceivably ah.. You could require a watchman, who is at a University, might be designated as a peace officer, he'd be eligible and should be required to take this kind of ah.. test."

Roman J. Kosinski: "If he wears a gun. If he wears a gun."

J. Glenn Schneider: "Alright.. Thank you."

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

Brian B. Duff: "Would the gentleman yield to a question, please?"

Hon. W. Robert Blair: "Ah.. he indicates.."

Biran B. Duff: "Would this then apply ah.. and mean that State Funds would be made available in instances such as we had before the House, I believe it was last Friday or Thursday?"



Roman J. Kosinski: "I'm sorry. I can't hear you."

Brian B. Duff: "Would this then apply ah.. to the application of State Funds to the training of such security forces as we passed through the House last week relative to the security of the Cook County Hospital?"

Roman J. Kosinski: "This is ah.. Mr. Duff, this determination will be made under the provisions of the Illinois Police Training Act. If the.. Not in context of this Bill, understand, but, in terms of an Act that already exists. If that Bill comes into being and those people are subject to the Police Training Act of previous years, then, that will be true. But, it will not be the principle posture of this Bill to make that mandatory in that case."

Brian B. Duff: "What I'm asking is, ah.. last week, we passed a Bill through the House, as I recall, as I recall, ah.. which allowed the ah.. Cook County Hospitals to hire its own security force. Ah.. now, those persons ah.., it would seem, will be in service more than the one hundred hours that you're referring to. And, does this then mean ah.. that State Funds would be applied to the training of those ah.. security officers who are hired under a particular Agency of a particular County Government."

Roman J. Kosinski: "If those officers are hired under the sanction of the County and paid by County Off.. Funds, they are then public officers. If they are public officers, they will come under the domain, as I understand it, of the provisions of the Illinois Police Training Act."



Brian B. Duff: "The answer is yes, then?"

Roman J. Kosinski: "That is the right presumption."

Brian B. Duff: "Thank you."

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

John P. Downes: "Mr. Speaker and Ladies and Gentlemen of the House, I move the previous question."

Hon. W. Robert Blair: "All those in favor of the motion say 'aye', the opposed 'nay', the 'ayes' have it. The previous question has been moved. The gentlman from Cook, Mr. Kosinski."

Roman J. Kosinski: "Ah.. to encapsulate, gentleman, areas now complining... complying, will not be subject to this. Training will be available on a regional basis so that there will be no undue hardship. I understand that there is the possibility of the balance being picked up by Federal Funds. This Bill has a grandfather clause which is important to some. It's motivation occurred to me several years ago, when I understood it's our public responsibility to have the men who wear pistols in our community properly trained. It happens to be particularly timely at this time, I think, in terms of the news. We presently have concern about the use of firearms by the lawless. We must also protect our police from misuse of firearms. For their sake, I repeat, for their sake, as well as our own. Thank you."

Hon. W. Robert Blair: "The question is, 'shall this Bill pass?' All those in favor will vote 'aye', and the opposed 'no'.



The gentleman from ah.. Cook, Mr. Simmons."

Arthur E. Simmons: "Well, Mr. Speaker, I want to ask a question. As I read this Bill, it would seem to me that, perhaps, the National Guard would have to take instructions under the Department of Law Enforcement. And, ah.. therefore, I want to voted 'present' on this Bill."

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

Thaddeus S. Lechowicz: "Mr. Speaker, in explaining my 'aye' vote, in response to the last Speaker, Representative Simms.. ah.. Simmons, who stated that the National Guard would be required to take this type of course. The National Guard has taken this type of course in the past three years, especially in the field of riot control. I think that this is a Bill that deserves the merit and support of every Member of this General Assembly. The Bill stating, 'that if a person is entitled with the respect of being a peace officer, that he should be thoroughly trained in the subject'. I concur wholeheartedly with the Sponsor of this Bill. And, I ask for your support."

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 ah.. would like to explain or ah.. state that, during a couple of years that I was a Member of the National Rifle and Pistol Team and shot in matches for this Country. I ah.. I've also been an instructor of the United States Army in small arms. I accept with grateful



heart your applause. Anyway, I feel that I'm an experienced individual with small arms. And, I feel that it's most important that people, who handle them, understand them. A weapon, a small arm or rifle is a killing object. It's a dangerous thing. They're to be treated with respect and care. A trained man, who is daily handling a weapon, which can be used in a state of emergency or case of emergency, it may have to be used, is a type of individual as a police officer that we want. Too many men, that are handling these weapons, are not trained. And, I think that a Bill that even makes it mandatory for a regular police officer defending our lives, our homes, our property, ah.. should have the necessary knowledge of small arms and weapons, that he doesn't make some ghastly mistake and understands exactly what he is doing. I think that this is an excellent Bill for the protection of...."

Hon. W. Robert Blair: "Alright.. The gentleman will bring his remarks to a close."

Webber Borchers: "The Cities and the people. Thank you."

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

David J. Regner: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, I've ah.. been sitting here and looking this Bill over and I really can't see that it does a doggone thing. Ah.. we did pass a Police Training Bill last week and sent it over to the Senate. It's one that had been on the Calendar since last year and ah.. we worked out the various objections to it. And, ah.. House Bill 2215, which



passed last week, is a Bill which establishes the Illinois Police Training Act which would ah.. include the training of the use of firearms. And, I think that that is a piece of legislation that ah.. will do the job. But, I don't see where this one does the job at all and I would urge a vote against this particular Bill."

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

John S. Matijevidch: "Mr. Speaker, I only want to explain my vote because I've been in Law Enforcement and I want to reiterate what Dave Regner has said: Ah.. I don't want to see us do with the Police Training Act what we ah.. have been doing with public schools in demanding certain things. I think ah.. Merv Omelia has been doing a good job. We are ah.. getting better trained police officers. Ah.. I think they are gearing more towards human relations. But, I hate to see a Bill saying that we got to mandate this and that. Ah.. let's leave the Police Training Act ah.. do the job in training Law Enforcement Officers. They are ah.. providing training in firearms. Ah.. let's leave it go at that and leave them to do their jobs."

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

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

Hon. W. Robert Blair: "Yes."

Roman J. Kosinski: "Inasmuch as the Illinois Police Training Act is an elective situation and not mandatory. The necessities for this Bill are still obvious. And, inasmuch as we, as a State, give men the responsibility of carrying fire-



arms that can kill people, I feel that we should have the responsibility of properly training them in the moral, legal and technical aspects of the use of that weapon in protection of them and ourselves. And, in.. in consequence, I must vote 'yes'."

Hon. W. Robert Blair: "The Clerk will take the record. The gentleman from Cook, Mr. Barnes."

Eugene M. Barnes: "Mr. Speaker, on a point of personal privilege, ah.. I would like to introduce to the Members of the House ah.. the ah.. Sixth Grade Class of the Fort Dearborn School with their ah.. teachers, Mrs. Cook and Mrs. Burke. Ah.. Fort Dearborn School is represented by myself, John Downes and Representative Meyer. Up to the.. to the rear of the Hall."

Hon. W. Robert Blair: "On this question, there are 84 'Ayes', and 19 'Nays' and 1 'Present'. The gentleman from Cook, Mr. Kosinski."

Roman J. Kosinski: "Mr. Speaker, I'm so convinced of the importance of this legislation, I respectfully ask for postponed consideration."

Hon. W. Robert Blair: "Alright.. Does the gentleman have leave? Place it on the order of postponed consideration. 3562. Ah.. Mr. Lindberg is not here. Take it out of the record. 3609 is part of an exempt ah.. package. 3611."

Fredric B. Selcke: "House Bill 3611, an Act to amend the 'Revenue Act of 1939'. Third Reading of the Bill."

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



Simms."

W. Timothy Simms: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3611 is merely a Bill which amends the 'Revenue Act of 1939'. It removes the right of a.. of a delinquent taxpayer to waive publication of his name for tax delinquency purposes in the Collector's advertisement. It's my feeling that all delinquent tax bills should be published in the same manner which other tax bills of delinquency are published. Secondly, I feel that in order for individuals to know the proper assessment, if they feel that they have been improperly assessed, to know the complete ah.. picture concerning the bill.. ah.. tax bills. And, I feel this Bill ah.. should be passed. And, I feel that it is a protection for the general public. I respectfully solicit your vote."

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

Webber Borchers: "Mr. Speaker and Fellow Members of the House, this is completely unnecessary. Ah.. what happens is that if I, for example, ah.. see that I'm on the.. know that I'm delinquent in taxes after September the 1st, ah.. all.. I just go around to the County Treasurer and say that I'm aware of it. And, I don't want to have to be charged a dollar. It's already been published before in the paper what the taxes are. And, I just simply ah.. say, 'Don't.. Don't publish my name. I'm aware of it. If my property is sold for taxes, that's my tough luck'. So, ah.. ah.. all it does is cost a lost of poor people or/and others ah.. an extra dollar on their ah.. on their bill for publication or what-



ever may be in the paper. There's no necessity for doing this whatsoever. Ah.. it just costs an additional buck or two. And ah.., by allowing it to stand as it is, ah.. if I have my name waived, it means nothing for information to the people. There's.. There's nothing there. And, I think that this Bill should be defeated."

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

W. J. Murphy: "Well, Mr. Speaker and Ladies and Gentlemen of the House, ah.. Representative Borchers, it doesn't cost them an extra dollar because they don't have to go and get their name waived if they don't want to. So, it doesn't cost anybody anything extra. At the moment, most people don't know that they can go and get their name waived off the published list. So, they don't avail themselves of it. The ones that do are people that have Attorneys that have large holdings and that know the Law. And, this Bill just says that you... It is almost a Bill where you would say that it is discriminating the way it is now and this would make it so it wasn't. Because, in this manner, under this Bill, everybody's name whose taxes are delinquent would have to be published in the paper and nobody could get them waived. So, it isn't costing anybody any extra money. So, this Bill should be passed."

Hon. W. Robert Blair: "The gentleman from ah.. Winnebago, Mr. Simms, care to close?"

W. Timothy Simms: "I respectfully solicit your vote."



Hon. W. Robert Blair: "Alright.. The question is, 'shall House Bill 3611 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 131 'Ayes', and 2 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. 3644. The gentleman from McHenry has asked to have that Bill held. The same thing on 3661. 3665. Take it out of the record. 3666. Take it out of the record. Oh! That are... 3688."

Fredric B. Selcke: "House Bill 3688, 'an Act to amend the 'Illinois Horse Racing Act'. Third Reading of the Bill."

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

Robert E. Mann: "Thank you, Mr. Speaker. This Bill was required disclosure of all beneficial interests ah.. and interests in real estate. It would require that they be on file with the Racing Board and be a matter of public record and be available for inspection by the public. Any change in ownership of any.. of these legal or beneficial interests or any additional of any legal or beneficial interests held in trust ah.. would have to be, within ten days, filed ah.. or some change indicated by the licensee in the public record. Now, Mr. Speaker, I don't think that there's been any Industry in the history of the State of Illinois that was subject to more scrutiny and ah.. lack of creditability in recent years ah.. than the ah.. Racing Industry. We'll not point a finger at everybody that's involved in the Industry, but just to take note of something, I believe, that



everybody in this House is aware of. The best way to regulate that Industry and to flush out the undesirable interests that are precedent in the Industry and have been precedent in the Industry for years and years and years, is to require that ah.. all of the interests be made public and be available to inspection. I don't see how anyone could object to requiring that in an Industry that produces millions and millions of dollars here in the State of Illinois in which is subject to State regulation. We don't need ah.. these unethical interests in the Racing Industry here in Illinois. It's a blotch on the creditability of the State and the creditability of the Industry. And, I would ask for your 'aye' vote."

Hon. W. Robert Blair: "Further discussion? The question is, 'shall this Bill pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk... The gentleman from Cook, Mr. Mann."

Robert E. Mann: "Mr. Speaker, ah.. a parliamentary inquiry. How many votes does this Bill require?"

Hon. W. Robert Blair: "Ah.. 89."

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

Hon. W. Robert Blair: "Ah.. the ah.. That language that was in there was because the Bill was ah.. prior to January 1, when it was introduced. And, if it were to become effective prior to July 1 of this year, it would require the three-fifths vote then. When January 1 passed, 89. Have all voted who wished? The Clerk will take the record. On this question,



there are 148 'Ayes', and no 'Nays', and this having received a Constitutional majority is hereby declared passed. 3689."

Fredric B. Selcke: "House Bill 3689, an Act to amend the 'Illinois Harness Racing Act'. Third Reading of the Bill."

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

Harold A. Katz: "This Bill, House Bill 3689, does for the 'Harness Racing Act' what House Bill 3688 for the 'Horse Racing Act'. They're companion Bills. Ah.. they were suggested by.. by Representative Scariano. They will be very useful in resulting in public knowledge and disclosure of everything in the Horse Racing field. I urge the adoption of this as the companion Bill to the last one that was just passed."

Hon. W. Robert Blair: "Discussion? The question is, 'shall this Bill 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,.. Yourell.. 'aye'. There are 145 'Ayes', and no 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. 3703."

Fredric B. Selcke: "House Bill 3703, a Bill for an Act to amend the 'Pension Code'. Third Reading of the Bill."

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

Bernard J. O'Hallaren: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3703 amends the General Assembly Retirement System of the 'Illinois Pension Code'. The reduces the qualifying period for the calculation of benefits



on the basis of salaries as an Officer of the General Assembly from four years to two years. And, I ask for a favorable vote."

Hon. W. Robert Blair: "Is there discussion? The question is, 'shall this Bill 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 104 'Ayes', and 22 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. 3746."

Fredric B. Selcke: "House Bill 3746, a Bill for an Act to amend 'The Municipal Code'. Third Reading of the Bill."

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

Rolland F. Tipword: "Mr. Speaker and Ladies and Gentlemen, ah.. this Bill is a Bill requested by the Municipal League. It adds one additional means of service upon the trustees of Public Library Districts and Fire Protection Districts. Whenever those Districts lay within land that is ah.. thought to be annexed to a municipality. At the present time, we provide for service upon the trustees by certified or registered mail. This adds an additional means of service by personal service so that there is three different means of service upon those trustees. It also clarifies the language to state that, 'Unless there is service by one of these three ways upon those trustees, that the lands within those Library or Fire Districts shall not be considered to be annexed'. It's a clarification Bill with an additional



means of service. I would request the ah.. approval of the Members of this House."

Hon. W. Robert Blair: "Discussion? The question is, 'shall this Bill pass?'. All those in favor will v te 'aye', and the opposed 'no'. Have all voted who wished? The ah.. Clerk will take the record. On this question, there are 134 'Ayes', and no 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. 3747."

Fredric B. Selcke: "House Bill 3747, an Act to amend the 'Illinois Vehicle Code'. Third Reading of the Bill."

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

Eugene M. Barnes: "Mr. Speaker and Members of the House, House Bill 3747 is.. is a simple Bill. It does exactly what the synopsis says. We discussed and ah.. and went over the merits of.. of this idea last Spring under House Bill 390 that was passed out of this House by a few dissenting votes. It was passed out of the Senate without a dissenting vote, but was vetoed by the Governor for various reasons. I think House Bill 3747 ah.. is a small step towards the actual goal that House Bill 390 set out. Perhaps, House Bill 390 was too far-reaching. I think that this is a minimal step. I know of no opposition to this Bill. It's supported by all of the Labor Unions. And, I think that this is a minimal step that we can take in helping the hard working group of men to be able to work at their chosen trade. And, I solicit your support."

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



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

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

Harber H. Hall: "Ah.. the last sentence of the synopsis explanation says ah.. that ah.., 'After extending... If a hearing is requested, the notice is a permit for thirty days or until the hearing'. Does that say whichever is lesser?"

Eugene M. Barnes: "Yes. Whichever is less."

Harber H. Hall: "Thank you."

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

William D. Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I.. I thought that I had seen everything in my twelve years here, but this.. this takes the cake. This says that a notice that a person is no longer privileged to drive is, indeed, not that, but is, in effect, a license to drive for up to thirty days. Now, I don't know how anybody ever thought of that, but they did. I submit to you that is, indeed, a bad Bill that should be defeated."

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: "Yes, he indicates he will."

Lester Cunningham: "Ah.. Representative, what is the position in the Secretary of State's Office? What is the position of the Secretary of State's Office?"

Eugene M. Barnes: "Well, I.. I.. As far as I know, the Bill was

heard in the Transportation Committee. The Secretary was aware of it. And, as I see it, there was no opposition to the Bill. It came out unanimously."

Lester Cunningham: "But, there was no support for it, was there?"

Eugene M. Barnes: "Well, as I say it ah.. No one opposed it. This is the only position I can tell you about."

Lester Cunningham: "Well, Mr. Speaker, could I speak briefly to the Bill? I don't always agree.."

Hon. W. Robert Blair: "Proceed."

Lester Cunningham: "With my good friend ah.. William Walsh. We argue in different areas ah.. in the different fields. But, I've never heard him speak more the truth than he did just recently. I agree with him wholeheartedly. And, this Bill should be defeated soundly."

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

Thomas J. Hanahan: "Mr. Speaker and Members of the House, once again, this Bill is before us and it's a Bill in behalf of working people. It's a Bill in behalf of the truck driver that's driving that rig day in and day out, only asking for a little equity in the fact that he is a professional driver, is not considered the amateur driver on Sunday afternoons cluttering up the highways like some people do that shouldn't have drivers licenses. These are people who are professionally on that road, are taking chances with a big heavy rig for a livelihood and should have some equity under Law in allowing themselves a little more reasonable ah.. justice in



trying to eke out a living and because we have a Drivers License Code that prohibits them from driving after three moving violations. We would like to see that these truck drivers have at least thirty more days to drive in order to seek out a hearing. That's all this Bill does. It's a good Bill. It's supported by labor and I urge everyone in this House to vote for this Bill."

Hon. W. Robert Blair: "Have all voted who wished? The question is, 'shall House Bill 3747 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted wished? The gentleman from Cook, Mr. Ewell."

Raymond W. Ewell: "Mr. Speaker, ah.. very briefly, this Bill is not a giveaway. All it simply does is allow a professional worker, in other words, a person who uses this Bill as a means of livelihood, they need a license. All we're saying is, until the Secretary of State gets a chance to review their case, let them have a license. Because many places of business, if you lose your license for any reason, fault or no-fault, will not allow you to drive. This is simply a Bill to help a person who is a professional in his work and drives by profession. It's simply a little equity. And, surely, a period of up to thirty days of the hearing couldn't hurt."

Hon. W. Robert Blair: "Have all voted who wished? The gentleman from Cook, Mr. Simmons."

Arthur E. Simmons: "I would like to explain my vote. Ah.. it would seem to me ah.. that what Representative Walsh indi-



cated, it is bad enough. But, vision, if you will, ah.. revocation of the license and ah.. the thirty days passage and he doesn't do anything about it. And, then he's arrested again for ah.. violating the thirty days, so he gets another notice that he gets another thirty days and on and on forever. I think it's a very bad Bill."

Hon. W. Robert Blair: "The Clerk will take the record. On this question, there are 123 'Ayes', and 21 'Nays', and this Bill having received the Constitutional majority if hereby declared passed. 3749."

Fredric B. Selcke: "House Bill 3749, an Act to amend the 'Probate Act'. Third Reading of the Bill."

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

Clyde L. Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, this Bill amends the current Missing Persons Provision of the 'Probate Act' to provide for the sale or disposition of property of persons who are prisoners of war or who might be missing in action. The Bill was drawn by my Staff, the Governor's Staff and the young Lawyers section of the American Bar Association. It provides three procedures by which a missing persons estate can be administered under the Court's supervision and with a high degree of protection to the missing servicemen. First, the missing persons statute is amended to cover persons who are lost or missing in action or prisoners of war as reported by the Federal Government. Second, special provision is made for Summary Relief for the Transfer of Personal Property valued at less



than \$5,000. And third, the provision is made for the transfer of specific property regardless of whether it is real or personal property and regardless of the exact amount of the value. Now, all of these provisions require that there be pending legal proceedings in which petitioner and the missing person are adverse parties. As an example, no administration could take place if there are divorce proceedings, separate maintenance proceedings or any other adverse proceedings between the two parties. There's some three hundred families in the State of Illinois who would be affected by this. And, many instances, Mr. Speaker and Members of this House, the wife or next of kin of some of these servicemen have had to actually draw public aid because they could not dispose of the sale of an automobile or minor other personal properties to meet the expenses that they desperately needed to care for their families. Mr. Speaker, I think that this is a piece of legislation that is progressive in its thinking. It's in.. It's intended to be used for the health and welfare of these people who are overseas and who are missing or who are reported missing by the Federal Government. And, I would solicit the vote of all of the Membership, Mr. Speaker."

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

Bernard E. Epton: "Will the Sponsor yield to a question?"

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

Bernard E. Epton: "Representative Choate, isn't this the Bill that the Chicago and Illinois Bar Association found neither



nor the desire to assist you in?"

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

Clyde L. Choate: "I hate to admit it, but you're right. Yes."

Bernard E. Epton: "A little louder, please."

Hon. W. Robert Blair: "Alright.. The question is, 'shall this Bill 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 145 'Ayes', and 1 'Nay', and this Bill having received the Constitutional majority is hereby declared passed. 3800. Take it out of the record. Now, ah.. this series of 4144 through 4149, are they to be taken out of the record? Alright.. 4184."

Fredric B. Selcke: "House Bill 4184, an Act to amend 'The School Code'. Third Reading of the Bill."

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

George M. Burditt: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, ah.. this Bill is very similar to Representative Walsh's Bill, which we passed last week. Ah.. giving ah.. some help to the dual districts. It does not eliminate the disparity between the dual and the unit districts, but it does decrease it and it decreases it by exactly the same amount as Representative Walsh's Bill. The only difference between the two Bills is that this Bill does not distinguish in size. The help goes to all of the dual districts and not just those which are over the ah.. basic size which is provided in Representative Walsh's Bill. Ah.. we had a



thorough discussion of this Bill last week and Representative Walsh ah.. did such an excellent job of.. of ah.. of describing his Bill, that I'd to incorporate his remarks by reference herein and ask you all to support 4184 and send it over to the Senate."

Hon. W. Robert Blair: "The gentleman from ah.. Is there ah.. further discussion? The question is, 'shall this Bill 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 135 'Ayes',... 136 'Ayes', and 5 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. 4187. The gentleman from Lake, Mr. Matijevich. Take it out of the record? Oh! He wants it tabled. The gentleman from Lake, Mr. Matijevich."

John S. Matijevich: "Could I have leave to table this Bill?"

Hon. W. Robert Blair: "The gentleman...."

John S. Matijevich: "It's legislation that's not monumental and it can wait."

Hon. W. Robert Blair: "Alright.. The.. The gentleman have leave? Alright.. 4187 is tabled. You want to table some more? The gentleman from Lake, Mr. Matijevich."

John S. Matijevich: "Ah.. Mr. Speaker, I'd also like to have leave to table House Bill 4241, a Bill that can ah.. await the Election Laws Commission."

Hon. W. Robert Blair: "Alright.. Does the gentleman have leave to table 4241? Table that one. Go ahead."

John S. Matijevich: "Also, ah.. House Bill 375 on postponed



consideration and House Bill 376 on Third Reading. And, House Bill 2447 is on postponed consideration."

Hon. W. Robert Blair: "Alright.. 375, which is where?"

John S. Matijevich: "Postponed consideration?"

Hon. W. Robert Blair: "Alright.. The gentleman have leave to table that? Alright.. That one is tabled. Well, 376, on House Bills Third Reading. Does the gentleman have leave to table? Alright.. Hearing no objection, leave is granted. And, 2447 on ah.. postponed consideration. Does the gentleman have leave to table that Bill?' Alright.. Hearing no objection, leave is granted. 4212. Lindberg is not here. Take that out of the record. 4217. Yeah.. Go ahead and read that."

Fredric B. Selcke: "Which one? House Bill 4217, an Act to amend an Act in relation to meetings. Third Reading of the Bill."

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

Robert S. Juckett: "Mr. Speaker, I ask leave to have this returned to Second Reading for the purpose tabling Amendment No. 1 and ah.. submitting two more Amendments to the Bill."

Hon. W. Robert Blair: "Alright.. Does the gentleman have leave? Take it back to Second and read the Amendment. Alright.. The gentleman offers and moves the adoption... Was it already put on?"

Robert S. Juckett: "Mr. Speaker, I would like to move to table Amendment No. 1."

Hon. W. Robert Blair: "Does the gentleman have leave? Hear..."



Hearing no objection, Amendment No. 1 is tabled. Are there further Amendments?"

Fredric B. Selcke: "Amendment No. 2, Juckett, amend House Bill 4217 on page 2, andsoforth."

Hon. W. Robert Blair: "The gentleman...."

Robert S. Juckett: "Mr. Speaker and Ladies and Gentlemen, Amendment No. 2 does what Amendment No. 1 wanted to do, but clarifies the language. It allows for closed sessions of a public body with their negotiating agents and attorney. We inadvertently put bargaining agent and it was brought to our attention that the bargaining agent was the union. And, this is what we wanted to avoid. So, I would the adoption of Amendment No. 2, to House Bill 4217."

Hon. W. Robert Blair: "Alright.. 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. 3, Juckett, amend House Bill 4217 on page 2, by deleting lines 14 through 35 andsoforth."

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

Robert S. Juckett: "Mr. Speaker and Ladies and Gentlemen of the House, after consultation with Representative Scariano and some others from the University field, we have ah.. cleaned up some of the language of the remaining Bill. And, Amendment No. 3 to this Bill affects that cleanup. And, I would move for the adoption of Amendment No. 3, to House



Bill 4217."

Hon. W. Robert Blair: "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.. 4246."

Fredric B. Selcke: "House Bill 4246, an Act to amend the Township Zoning Act'. Third Reading of the Bill."

Hon. W. Robert Blair: "Take it out of the record. 4271."

Fredric B. Selcke: "House Bill 4271...."

Hon. W. Robert Blair: "Take... Take that out of the record. 4285."

Fredric B. Selcke: "House Bill 4285, an Act in relation to compensation to Sheriffs, Coroners, County Treasurers, County Clerks, Clerks of the Circuit Court, Recorders and Auditors with their necessary clerk hire, stationery, fuel and other expenses, in counties of less than 1,000,000 inhabitants. Third Reading of the Bill."

Hon. W. Robert Blair: "The gentleman from ah.. Grundy, ah.. Mr. Washburn."

James R. Washburn: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, that's an error on the Calendar. Ah.. really, this is Representative Krause's Bill."

Hon. W. Robert Blair: "Take it out of the record. 4304."

Fredric B. Selcke: "House Bill 4304, a Bill for an Act to amend 'The Election Code'. Third Reading of the Bill."

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



Arthur L. Berman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4304 is a Bill which is aimed at correcting what I feel was a great tragedy that resulted in the recent primary elections. In Chicago, in particular, and, I believe, in other areas of the State, because of the set up of the election machinery, certain candidates for the House of Representatives in the primary were placed on a line different from all of the other candidates for their party's nomination. And, I believe to a great extent for this reason alone they failed to receive the kind of vote that their past records in the legislature justified. Without going into specific examples, I think that some of the outstanding people on the floor of this House, who have made great contribution to the legislative process, were denied renomination solely because of the ballot position in the recent primary. This Bill would... is addressed to correcting that situation and to allow each of us the opportunity to present our records to the electorate as candidates for the House in primaries. And, it would allow the names for the candidates of the House in the primary to be rotated on the machines precinct by precinct. It is a Bill that would avoid the uncertainties that that either mailing or filing or drawing of lots many result in the inequitable placement on the ballot. It has received a wide range of support. And, I think that it's a fair Bill and it's a Bill that would accrue to the benefit of all of us who have.. who are down here trying to make a record to be judged on the merits in



our attempts for renomination in the primaries. I would appreciate your favorable support of 4304."

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

Daniel M. Pierce: "Will the gentleman yield for a question? Did you consider requiring that the County Clerk or Board of Election Commissioners list all candidates for the same office on the same line of the voting machine instead of dropping them down below, then you wouldn't... you wouldn't have this problem?"

Arthur L. Berman: "As I ah.. understand it, we did make inquiry ah.., for example, in Chicago and I don't know if this applies to other machines. But, it was indicated when we first saw that there would be these ah.. candidates on.. on a second line. It was indicated that because of the set up of the machines, they could not place them all on one line. And, if that's the case, I'm sure that many of those candidates that were placed on the second line did attempt to get themselves on the single line. If the machines can not be registered so that we can all be one line, I think, that the only other fair way would be to ah.. alternate them as I propose to do in this Bill."

Daniel M. Pierce: "I'd like to speak on the Bill. I.. I. We may need the Bill because of the deficiencies of the mechanical voting machines. But, I can't believe that they can't design a ballot on the mechanical voting machine so that everyone running for the same office is listed on the same



line. What this Bill is going to do for the House and apparently not for the Senate is require a different sample ballot in every precinct and not one number in one precinct and another number in another precinct and maybe another number in a third precinct. Your sample ballots are going to be terrifically complicated, both those put out by the Clerk and those put out by the Candidate and the Organizations themselves to find the candidates name on the ballot. Now, there was a terrible injustice in the primary. There's no doubt about it. On paper ballots, you don't have this problem and with electronic voting devices, you don't have the problem because you're all in a row. Apparently, on these mechanical voting machines, the put three University of Illinois Trustees on the same line. They can't put three State Representatives on the same line and I don't believe it. I don't believe the County Clerk when he says that he can't put three Representative State Candidates on the same line or the Board of Election Commissioners when they say that they can't do it, because they put the three University of Illinois Trustees and other offices on the same line. And, I'm going to support the Bill because of the injustices that occurred to many of our Colleagues in this last primary. By the way, it's been happening to candidates for years. We weren't too concerned in the past because it didn't happen to the incumbents. Ah.. I will support the Bill, but I can't believe that the County Clerk and the Board of Election Commissioners can't design that mechanical voting machine



so that all of the candidates are on the same line."

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

Leland J. Kennedy: "Mr. Speaker and Ladies and Gentlemen of the House, will the gentleman yield to a question? Art, when does the Bill take effect, if it's passed?"

Arthur L. Berman: "This Bill will apply to the primary of '74."

Leland J. Kennedy: "Thank you."

Hon. W. Robert Blair: "The gentleman from Whiteside, Mr. Miller."

Kenneth W. Miller: "Will the gentleman yield for a question or two? Art, does this apply to all Counties in the State including those that use paper ballots?"

Arthur L. Berman: "Yes.. It.. It's a State-wide Bill."

Kenneth W. Miller: "As I understand the Bill, it would require rotating precinct to precinct, is this right?"

Arthur L. Berman: "Correct.. Yes.."

Kenneth W. Miller: "Well, Mr. Speaker, I'd like to address myself to the Bill, if I might, please. Ah.. Ladies and Gentlemen of the House, I.. I have serious reservations concerning this form of legislation. I know what happened last Spring in the primary. In fact, for everybody's information, I was number three on the primary ballot with five candidates. And, I know the difficulties of that type of situation. However, Mr. Speaker, I.. I do feel that this is going to put a lot of extra cost in the printing of ballots in those areas where they used paper ballots. Now, in my District, there are several Counties that are under 40,000 in population and I could conceive that this is going to cost more dollars



than what the taxpayers are willing to pay. So, therefore, I have reservations on this from the smaller Counties Downstate."

Hon. W. Robert Blair: "The ah.. Gentleman from Peoria, Mr. Day."

Robert G. Day: "Will the Sponsor yield for a question?"

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

Robert G. Day: "Representative Berman, does this Bill apply to those Counties which use electronic voting?"

Arthur L. Berman: "Well, the way that the Bill is phrased is this, ah.. 'The County Clerks shall arrange the names of candidates'. Ah.. it applies to all Counties and.. and it states that the ah.. 'In determining the order of candidates for Representative in the General Assembly in any primary election, each County Clerk and the Board of Election Commissioners ah.. shall divide those precincts in his County or jurisdiction within the same legislative district into as many groups of equal number'. Well, to make a long story short, it applies to every County in the State and it would require alternating your ballot position ah.. precinct by precinct throughout your District."

Robert G. Day: "Well, is... Can you tell me if this will present any ah.. programming ah.. problems for these ah.. computers that count the.. the ah.. electronic ballots? How.. How they going to...."

Arthur L. Berman: "Well, my.. my computer expert, Representative Lechowicz, indicates that it should create no programming problems for the computer ah.. "



Robert G. Day: "Thank you."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. J. J. Wolf."

John Jacob Wolf: "Would the Sponsor yield for a question? Art, ah..."

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

John Jacob Wolf: "Was Stanley Cusper from the Chicago Board of Election Commissioners in favor of this Bill?"

Arthur L. Berman: "I ah.. inquired of ah.. Repre... of Stanley Cusper ah.. He indicated to me that he thought it was a good idea. But, that was a personal ah.. indication that, I don't believe that the Chicago Board of Election Commissioners have taken an official position on it."

John Jacob Wolf: "Mr. Speaker, may I address myself to the Bill?"

Hon. W. Robert Blair: "Proceed."

John Jacob Wolf: "Well, Mr. Speaker and Members of the House, I am very strongly in favor of this Bill. As a matter of fact, I had a similar one just a little over a year ago and Mr. Cusper indicated that under no uncertain terms that it would be unworkable. Now, I happen to agree with the Sponsor of the Bill as I did when I introduced my own Bill. That, if we concede the fact that a person in the first position has the advantage, then it stands to reason that the person who is either at the top of the list, either alphabetically or wins the draw of a lottery, also has an unfair advantage over the other opponents on ah.. of other candidates. So,



I would think that the only real fair way that we can solve this problem of ballot position is to rotate where everyone gets an equal opportunity to appear first on the ballot.

And, I'm going to vote for the Bill."

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

Webber Borchers: "Mr. Speaker and Fellow Members of the House, now ah.. this has a lot of good value to it, it's true. But, I'd like to point out in our County that we are ah.. assigned numbers and we advertise the numbers. For example, I'm just making this up right now as a quick idea. Punch number 69 and help keep the Legislature in line. Well, we tie little things together like that. And, if you're going to have ah.. If you're going to have ah.. ah.. numbers... If you're going to change in the precincts, it makes such an additional expense and it makes it so difficult that as far as our County is concerned, I believe that we'd make it impossible for us ah.. to use a number as a means of advertising for re-election or election. Anyway, it presents some problems. So, ah.. ah.. ah.. I think I'll vote 'no'."

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

J. Theodore Meyer: "Just a comment, Mr. Speaker. How are you going to follow an Act like that except that this is a good Bill?"

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

John S. Matijevich: "Ah.. would the man yield to one question? Ah.. Art, ah.. I know that it doesn't affect this election, but hereafter, would it affect general elections or primaries



only?"

Arthur L. Berman: "Ah.. primaries only."

John S. Matijeovich: "Alright.."

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

W. J. Murphy: "Ah.. Mr. Speaker, ah.. Representative Borchers is number 69. He had the right number. What I want to say about your computer expert there, Representative Lechowicz. It's my opinion that in electronic voting areas like in my District, I don't.. I see no way that you could safely count the ballots, if you were rotating each precinct with electronic voting. You'd have to stand there and.. and see every precinct that went in, that the machine was changed to except that. I.. I just don't see you could possibly work it in electronic voting controlled areas such as ours."

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

George Hudson: "Would the Sponsor yield for a question?"

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

George Hudson: "Representative Berman, take DuPage County, for an example. We have ah.. now, since reapportionment, five Legislative Districts involved, whereas, there used to be only two. That is there are three now ah.. two holding within DuPage County and three that are overlapping. Now, under this proposal, ah.. how would the determination be made, that is, in these overlapping districts?"

Arthur L. Berman: Ah.. that's a good question and I.. I've got the same example because we overlap in my District between the Chicago Board of Election Commissioners and the County



Clerk. The way that the Bill is drafted, it's a mandate to the County Clerks in each of the Counties or the ah.. Election Commissioners in each of their jurisdictions. To divide the number of Counties in.. among the number of candidates or the number of precincts, I'm sorry, into the number of candidates, and then, to alternate within their respective jurisdiction. Ah.. what might happen, is they want to be arbitrary is that you might have, ah.. if you have three candidates, you may have ah.. one candidate having the first spot in two precincts if they overlapped in three areas. But, that would be the only situation. In other words, each Election Board or County Clerk must alternate within his jurisdiction. And, if each one does that, each of them will accomplish the same thing of rotation. Ah.. there is.. there's... there's no problem there because the mandate in the language of the Bill, it directs each County Clerk to do the alternating."

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

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

Hon. W. Robert Blair: "All those in favor of the motion say 'aye', opposed 'no', the 'ayes' have it and the previous question has been moved. The gentleman from Cook, Mr. Berman."

Arthur L. Berman: "Ah.. Thank you, Mr. Speaker. Many of the questions brought out, some are of the good points of this



Bill. And, I'd just like to add a short comment. The question of the cost has been raised. Ah.. my estimation is that the cost would be minimal as compared to the importance of maintaining a.. a system or allowing a system where we have the right to present our programs to the voters without being prejudice by our ballot position. And, I'll point out that in the City of Chicago, this system is already in force in all elections where they alternate... alternate all dramatic candidates precinct by precinct. I think that this is a good Bill. I think that it is something that will assure each of us the opportunity of presenting our records of the voters based upon ah.. our merits rather than the happenstance of ballot positions. I would appreciate your favorable 'aye' vote."

Hon. W. Robert Blair: "The question is, 'shall this Bill pass?' All those in favor will vote 'aye', and the opposed 'no'. Have... The gentleman from Cook, Mr. Lechowicz."

Thaddeus S. Lechowicz: "Mr. Speaker, in response to Representative Murphy's inquiry as far as the programming involved. Actually, what you do is establish a table, stating that the respective precincts are counted in a resp... in a definite format. It's a programming change that really is not a difficult change. You say that Groups A, B and C in the respective card fields correspond to this respective table. And, they're calculated in that manner."

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



Carl T. Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House, I've listened with interest to the debate on this Bill. I've come to the conclusion that the public could care less whether our name is first or last on the list for State Representative. Now, I'm inclined to think that if we get out and do a good job and contact our people, they know how we're voting down here, at least they're supposed to, to see how we're working, let's try to save the taxpayers a little money instead of trying to feather our own political nest. I'm going to vote 'no'."

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

Gerald A. Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, in explaining my 'no' vote, I think the real difficulty in trying to be equitable as this Bill is trying to do, that the real difficulty with ah.. some of us Downstate, who have the ah.. automatic voting machines, is the ah.. the counting procedure.. of counting the votes correctly. And, if you can imagine for an instant.. for ah.. ah.. minute the ah.. possibility of saying having four ah.. Republicans running and five Democrats running for the House in a primary election, the possibility of the combinations ah.. necessary ah.. to be equitable, as this Bill suggests, ah.. I have no idea of ah.. what that might present insofar as ah.. ah.. putting the names on the ballot as.. as would be the Law, if this becomes Law. And then, the.. taking them to the ah.. IBM ah.. machines to count them and having



a deck for every different precinct, and we have approximately 100 precincts say in one County, I can visualize the possibility of having to have one hundred ah.. different separate decks to get an accurate count. And, if we're going to do this, we might as well go back to the paper ballot because it's going to take just as long to ah.. count the ah.. votes ah.. with this method. I think it's very equitable, but I can see, too, a little later on, a Bill coming in here to do the same thing in all the rest of the offices, to compound the problem of getting a correct count. So, I'm afraid I'm going to have to vote 'no' on this Bill."

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

A. T. McMaster: "Ah.. Mr. Speaker, in explaining my vote, this ah.. would be a Law that would ah.. be difficult to administer. It is confusing. It would be expensive to County Government. I urge your 'no' vote."

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

Raymond W. Ewell: "Mr. Speaker and Ladies and Gentlemen, I think we all ought to notice that justice demands equality. It demands equality for all of the candidates including those who are in office as well as out of office. We can think of no fair means and, I think, that Mr. Berman.. Representative Berman is making the best and the most equitable attempt to give justice to all of the candidates. This way, there is no advantage. And, for us to cry behind a few ah.. possible problems that it might raise such, as say, ah.. such as a program in a computer, I don't think is reasonable. I think



if we are going to be just and this is our chance that we must step forward and give all people a chance. And, each candidate is entitled to have his name rotated."

Hon. W. Robert Blair: "The Clerk will take the record. On this question, there are 85 'Ayes' and 47 'Nays'. The gentleman from Cook, Mr. Berman."

Arthur L. Berman: "Ah.. parliamentary inquiry, Mr. Speaker. Ah.. this Bill is under the non-exempt category. Ah.. if it's placed on postponed consideration and an Amendment is placed on it today, ah.. are we.. can we be recalled today?"

Hon. W. Robert Blair: "Well, ah.. ah.. from a technical standpoint, the answer is yes."

Arthur L. Berman: "Thank you."

Hon. W. Robert Blair: "Your welcome."

Arthur L. Berman: "I'll ask that it be placed on postponed consideration."

Hon. W. Robert Blair: "Alright.. Does the gentleman have leave? Place this ah.. on postponed. 430.. 11."

Fredric B. Selcke: "House Bill 4311, an Act to exempt prescription and nonprescription medicines, drugs, andsoforth. Third Reading of the Bill."

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

Eugene F. Schlickman: "Mr. Speaker, I'd be pleased to call the Bill, but, I think, that's in the exempt category being revenue in nature."

Hon. W. Robert Blair: "Yes, that's right. We'll take that out of the record. 4317."



Fredric B. Selcke: "House Bill 4317, an Act to amend 'The Illinois Vehicle Code'. Third Reading of the Bill."

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

Howard W. Carroll: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Ah.. 4317 deals with the 'Motor Vehicle Code'. It deals with the Section on driving while under the influence of intoxicating liquor. What this Bill does is that it adds a Section to the provisions of the Law that say, 'Upon a conviction, after a conviction of driving while intoxicated, the Judge may', and it's not a mandate, it's a 'may decide if there's been a showing: First, a grave economic hardship of the part of the defendant. Second, a showing that he has not been convicted of this violation within the last five years. If both instances are there, the Judge may, in his discretion, or the Secretary of State not to revoke his license, which is a mandatory revocation for a year, or he may order him to limit the revocation to some period of time less than one year'. California follows this procedure. And, in speaking to the Judges, not only on BDI's but on implied consent, we found that it's a practicality. Many of the Judges have said that, first of all, they recognized that a driving license, although still a privilege, is almost a right in the State of Illinois. Especially, when you're dealing in an area of commercial drivers. Here we have a situation where a Judge, hearing the evidence, may feel, in a specific case, that the man should probably be convicted. But, he looks at the reality of the situation and



knows that, if he convicts him, this man automatically loses his license. He has to go through the procedures of a hardship hearing. Even though that hearing can be held by the Secretary of State without transcript, etc., and the Secretary of State will still, under this Bill, have the power to hold those hearings, the Judge may use this as part of his determination of guilt or innocence. I think that it would be a much better posture if the Courts were allowed to fully take this into consideration to say in a case that a man's driving has convicted him. But, in a particular situation, for example, a truck driver, who in his own car, say runs a stop sign, and the Judge will look at this and say, 'Here's a truck driver supporting a family. If I find him guilty, I've taken away his license'. I think that it would be better for society, if this man is guilty, to have him found guilty. But, perhaps, to have the judge to look at the reality and say, 'That in this case, because of a grave economic hardship, because the man has not been convicted of this violation within five years, in this particular case, we will tell the Secretary of State to let this man keep his livelihood, to let this man keep his license'. I would ask for a favorable Roll Call."

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

Richard A. Walsh: "Well, Mr. Speaker, Ladies and Gentlemen of the House and ah.. Representative Carroll, I only wish that this Bill had been part of your Conference Committee Report



last year. Ah.. I.. I'm in favor of this Bill as somewhat of a limitation and the implied consent which was passed last year. I hope that it receives a favorable vote in both the House and the Senate. And, I would hope that the Governor would sign it."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. Ah.. Epton."

Bernard E. Epton: "Mr. Speaker, Ladies and Gentlemen of the House, I am sorry that I have to oppose my Colleague in the passage of this Bill. But, since I attempted to previously pass a Bill which made it mandatory that the person convicted of driving while intoxicated serve time, I do believe that either giving him the privilege of going back on the highways is something that shouldn't be allowed. I certainly agree with the motive that Representative Carroll is trying to pursue. I submit to the Members of the House that the Judges today have more than ample discretion. As a matter of fact, I know some Judges intimately who, perhaps have indicated to me that they would like to have a little less discretion so that some of these individuals, who are convicted wouldn't be able to, perhaps, if you will, twist their arm to get this, shall we say, allowance. I think that the fact is, as I understand it, perhaps, Representative Carroll will correct me as he has a tendency to do. As I understand it, the Judges today can allow these people to suspend the ah.. violation. They can serve time on the weekends. And, it just seems to me that, when we have people driving while



intoxicated who are killing more individuals than we are in our various wars, I think that it's a time for us to be a little harder. I think to suggest that it's an economic hardship.. a grave hardship, I can see some of my very brilliant legal Colleagues going in front of, perhaps, an inept Judge and convincing him that a grave hardship is being incurred on some affluent businessmen who, perhaps, reside in Representative Carroll's District serving not in mind. And, I think that this particular instance, the public would be better served if we do everything possible to remove those individuals off the highways rather than giving them a pass. And, I respectfully suggest that Senator Carroll won't take it personally if you vote against this Bill."

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

Bradley M. Glass: "Will the Speaker yield for a question, Mr..."

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

Bradley M. Glass: "Ah.. Representative Carroll, at the present time, do the Judges have discretion in DWI convictions to grant probation or suspension?"

William J. Laurino: "That was... That was addressed to Representative Carroll, but just so that he isn't sure, the answer is yes they do have."

Bradley M. Glass: "Is that correct, Howie?"

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

Howard W. Carroll: "Forget it. I think that I can field my own, Bernie, but thanks anyway. As I.. I understand the Law of grav... This is not dealing with any other conviction or



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any other penalty that the Court may impose. This is only dealing with the aspects of license. Yes, in all cases, a Judge may give a suspended sentence, may give probation or may give any other thing that the normal penalty clauses allow. This only deals with ah.. as with that aspect, taking into reality that a conviction is part of the penalty he is actually giving out, even though it's not the words of his sentence, is that the man loses his license. That is really part of the penalty and he should have the same discretion."

Bradley M. Glass: "Well... Well, alright.. Let me speak briefly of the Bill. Ah.. speaking briefly to the Bill..."

Hon. W. Robert Blair: "Proceed."

Bradley M. Glass: "I.. I will ah.. echo Representative Epton's remarks and just simply add these. Ah.. It seems to me that in almost every instance of a Convention, you would have a plea for a grave economic hardship and ah.. the Judges would be under ah.. intolerable pressure to grant them. And, I think if we're going to eliminate the.. the ah.. this provision that driver's licenses are to be suspended upon conviction for drinking.. for driving ah.. while under the influence, that we ought to do it ah.. and not leave it up to the Judges ah.. in a case by case ah.. determination. I think the strength of the highway safety measures and of the implied consent Law is that there is this provision hanging over the head of a person ah.. who is convicted of it. And ah..., to pass this, would ah.. virtually eliminate that requirement. And, I would suggest a 'no' vote."



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

Samuel C. Maragos: "Mr. Speaker and Members of the House, I rise and ask for the support of this piece of legislation. Having practiced Law for twenty-four years and having many cases representing men who were charged for driving under the influence of intoxicating liquors, I have found that in many cases the breathalyzer might have just pointed one point, point one, which would be one tenth of one percent more than it should be. And, it's a very questionable matter. But, the Judge has no.. has no discretion from the evidence but to find the man guilty. However, the.. many of these people who are truck drivers or.. or bus drivers and, if you take the livelihood away from them, the.. it only means that the only other source of income would be State Welfare or other forms of public aid, which you've put them out because that's the only occupation or trade that they know. The fact that they have to come down to the Secretary of State and possibly get some relief in that area usually takes about thirty to sixty days before they get any results. And, in that time, they have lost their jobs. Ah.. Representative Epton does not know it that part of the new District that he's acquired now includes people who are the truck driver classification. Whereas, before he was always with this high.. high price South Shore people along the Lakeshore. But, now he's got some poor people. So, he'd better look at this Bill a little closer and find out that these people need re-



lief from sometimes when injustices are ah.. caused by a wrong meter reading or some other thing which gives the Judge no discretion to find the man guilty, but can also give him discretion not to take the man's license away. What.. What get me a little bit is the fact that we feel that a Court or a Referee under the Secretary of State's Office is better qualified to determine whether a man should have a restrictive license usage after a conviction more than a Judge is qualified. So, under these circumstances, I would vote... suggest that you vote favorably and give this Bill your support which.. which well need.. much needed in many areas. Thank you."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Carroll, to close."

Howard W. Carroll: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think we have to be realistic. I think that we have to look at the world as it exists today. I think that we have to understand what the purpose of a driver's license is, what the purpose of our penal system is. I think we're talking about trying to rehabilitate. I don't think we're talking about trying to totally trying to punish. I think that we have to realize the situation where we have commercial drivers. And, rather than having a Hearing Officer, we should have someone who has been judicially trained, who has the proper judicial temperament, who does look at the entire factual situation, who can say, in a situation, that to deny this person the right to drive on the streets, even though he has done a wrong, even though he has made one

mistake. And, this is limited. If a man has made this indiscretion once before within five years, discretion will not exist within the Judge. What we are saying to this first offender, we recognize what the right of driving is. We recognize that your privilege is a little bit more than that. We recognize that we must be rehabilitatory. We recognize to take a commercial driver, because in his own car, he committed one act of indiscretion off of the road, off of the actual earnings and put him on our welfare is not the way we want to move. I would suggest to you that we let the Judges have this discretion. Let them look into the background. Let them see what the economic hardships are. Let them see that this man has not done this type of an act before. Let them make this part of their determination as in the real world they are actually doing. I urge you to support the Bill."

Hon. W. Robert Blair: "The question is, 'shall this Bill pass?'

All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. Kahoun.. 'aye'. On this question, there are 81 'Ayes' and 40 'Nays'. The gentleman from Cook, Mr. Carroll."

Howard W. Carroll: "Mr. Speaker, I respectfully ask leave to poll the absentees."

Hon. W. Robert Blair: "Alright.. The Clerk will poll the absentees."

Fredric B. Selcke: "Alsup.. Borchers.. Brandt.. Brenne.. Brinkmeier.. Burditt.. Calvo.. Capuzi.. Carrigan.. Jimmy Carter.."



Hon. W. Robert Blair: "Carrigan.. 'aye'."

Fredric B. Selcke: "Richard Carter.. Chapman.. Conolly.."

Hon. W. Robert Blair: "Richard Carter.. 'aye'."

Fredric B. Selcke: "Craig.. William Cunningham.. Dyer.. Fennessey.. Flinn.. Giorgi.. Hall.. Henss.. Gene Hoffman.. Holloway.. Hyde.. Jacobs.. Karmazyn.. Katz.. Klosak.. Lauterbach.. Lindberg.. Ed Madigan.. Markert.. McCormick.. McDermott.. McMaster.."

Hon. W. Robert Blair: "McMaster.. 'no'."

Fredric B. Selcke: "Philip.. Pierce.. Redmond.. Regner.. Ropa.. Rose.. Sevcik.. Timothy Simms.. Stedelin.. Telcser.."

Hon. W. Robert Blair: "Telcser.. 'aye'."

Fredric B. Selcke: "Terzich.. Jack Thompson.. Tipsword.. Von-Boeckman.."

Hon. W. Robert Blair: "Tipsword.. 'present'."

Fredric B. Selcke: "Ah.. Williams.. J. J. Wolf.. Zlatnik.. Mr. Speaker.."

Hon. W. Robert Blair: "William Cunningham.. 'aye' and Burditt.. 'aye'. On this question, there are 86 'Ayes', 41 'Nays', and.. and this Bill having failed to receive a Constitutional majority is hereby declared.. Alright.. Does the gentleman have leave to postpone? Place it on postpone. 4330."

Fredric B. Selcke: "House Bill 4330. Third Reading of the Bill."

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

Robert Craig: "Mr. Speaker and Members of the House, this amends 'The School Code' to provide that school districts having a lower weighted average daily attendance for the current



school year as compared to the previous year's attendance shall be entitled to use the greater of these figures in determining their State aid. Now, this affects some 446 school districts who have ah.. lost daily attendance and through no fault of the School Board or any one making these claims. This will affect these 444 school districts. And, I would like to urge your support of this measure."

Hon. W. Robert Blair: "Further discussion? The gentleman from Whiteside, Mr. Miller."

Kenneth W. Miller: "Will the Sponsor yield for a question? Bob, what..."

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

Kenneth W. Miller: "What is disclosed by the fiscal note? How much more will this cost the taxpayers of the State?"

Robert Craig: "It'll cost about 5.7 million dollars."

Kenneth W. Miller: "On the four hundred and some districts?"

Robert Craig: "On the four hundred and forty-four, or the four hundred and forty-six districts involved."

Kenneth W. Miller: "Does this apply to unit and dual districts equally?"

Robert Craig: "Yes, Sir."

Hon. W. Robert Blair: "Further discussion? The gentleman care to close? The question is, 'shall House Bill 4330 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 116 'Ayes', and 17 'Nays', and this Bill having received the Constitutional majority is here-



by declared passed. Madigan.. 'aye'. 4345."

Fredric B. Selcke: "House Bill 4345, an Act establishing comprehensive program for the treatment and rehabilitation...."

Rep. Arthur A. Telcser: "Take.. Take that out of the record. House... House Bill 4395."

Fredric B. Selcke: "House Bill 4395, an Act to amend an Act relating to alcoholic liquors. Third Reading of the Bill."

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

Elmo McClain: "Well, I ah... Take this out of the record, please."

Rep. Arthur A. Telcser: "Take it out of the record. House Bill 4446."

Fredric B. Selcke: "House Bill 4446, a Bill for an Act to amend the 'Civil Administrative Code'. Third Reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Lee, Representative Shapiro. Just hang on a second."

David C. Shapiro: "Mr. Speaker, Ladies and Gentlemen of the House, I would like leave of the House to return House Bill 4446 to Second Reading for purposes of an Amendment."

Rep. Arthur A. Telcser: "Are there any objections? Hearing none, House Bill 4446 will be returned to the order of Second Reading for the purposes..... Will the Clerk please read the Amendments?"

Fredric B. Selcke: "Amendment No. 1, Shapiro, amend House Bill 4446 on line 1, by deleting Section, andsoforth."

Rep. Arthur A. Telcser: "The gentleman from Lee, Representative Shapiro."



Rep. David Lee Shapiro: "Mr. Speaker, ladies and gentlemen of the House, I believe you all recall the other day that House Bill 4446 provides liability insurance for certain designated employees of the Department of Public Health. At the suggestion of various members of the House we have drafted an amendment to the Bill which states 'whenever any department or other agency of State government is authorized or directed in this or any other act, to procure public liability insurance for or in behalf of any of its employees, such insurance coverage must be purchased on the basis of competitive bidding in accordance with the Illinois Purchasing Act'. And I will urge adoption of the Amendment."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment No. 1, to House Bill 4446. All in favor of the adoption signify by saying 'aye', opposed 'no', the Amendment is adopted. Are there further Amendments? Third Reading. House Bill 4448. Take that... Take that out of the record? House Bill 44..."

David C. Shapiro: "Ah.. Mr. Speaker, I'd be happy to call it, but it is an exempt Bill. It's a companion Bill to the Junior College Appropriation Bill. More than likely, they should be heard together."

Rep. Arthur A. Telcser: "Alright.. House Bill 4455."

Fredric B. Selcke: "House Bill 4455, an Act to amend 'The Insurance Code'. Third Reading of the Bill."

Rep. Arthur A. Telcser: "Is Representative Miller on the floor?"



Let's take it out of the record. House Bill 4462."

Fredric B. Selcke: "House Bill 4462, a Bill for an Act to amend 'The Pension Code', Third Reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Winnebago, Representative Simms. Is he on the floor? Take that out of the record. House Bill 4510."

Fredric B. Selcke: "House Bill 4510, a Bill for an Act to amend the 'Court of Claims Act'. Third Reading of the Bill."

Rep. Arthur A. Telcser: "Take it out of the record. House Bill 4513."

Fredric B. Selcke: "House Bill 4513, an Act to amend 'The School Code'. Third Reading of the Bill."

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

Allan L. Schoeberlein: "Ah.. Mr. Speaker and Members of the House, House Bill 4513 permits the small school district in Kendall County to make an interfund loan from the Building Fund to the ah.. Transportation and to the Illinois Municipal Retirement Fund. This loan to be repaid within one year from the next budget. I would move the adoption of the ah.. Bill."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4513 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. Duff.. 'aye'. On this question, there are 121 'Ayes', and 1 'Nay', and this Bill having received a Constitutional majority is here-



by declared passed."

Hon. W. Robert Blair: "4523."

Fredric B. Selcke: "House Bill 4523, a Bill for an Act to amend 'The School Code'. Third Reading of the Bill."

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

Robert S. Juckett: "Mr. Speaker, I'd ask leave to return it to Second Reading to table Amendment No. 1 and adopt Amendment No. 2."

Hon. W. Robert Blair: "Alright.. Does the gentleman have leave? Take it back to Second. Does the gentleman have leave to table Amendment No. 1? Alright.. Are there further Amendments?"

Fredric B. Selcke: "Amendment No. 2, Juckett, amend House Bill 4523, on page 1, andsoforth."

Robert S. Juckett: "Mr. Speak.. Mr. Speaker and Ladies and Gentlemen, the ah.. Amendment No. 2 corrects a deficiency which we found in Amendment No. 1 and tightens the Bill up. And, I would move adoption of Amendment No. 2, to House Bill 4523."

Hon. W. Robert Blair: "Any further discussion? All those in favor of the adoption of the Amendment say 'aye', opposed 'no', and the 'ayes' have it and the Amendment is adopted. Are there furthur Amendments? Third Reading. Alright.. 4355."

Fredric B. Selcke: "House Bill 4355, a Bill for an Act to amend the 'Workmen's Compensation Act'. Third Reading of the Bill."

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



John Jerome Hill: "Ah.. Mr. Speaker, I'd like leave to hear House Bill 4356 also. It deal with the ah.. ah.. The first one deals with Workmen's Comp. and the second with 'Occupational Diseases Act'."

Hon. W. Robert Blair: "Alright.. Does the gentleman have leave just to have 4356 heard with 4355?"

Voices: "Yes...."

Hon. W. Robert Blair: "Alright.. The gentleman has been granted leave. 4356."

Fredric B. Selcke: "House Bill 4356, an Act to amend the 'Workmen's Occupational Diseases Act'. Third Reading of the Bill."

John Jerome Hill: "Mr. Speak..."

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

John Jerome Hill: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 4355 amends the 'Workmen's Compensation Act'. Provides a single rate schedule for maximum weekly compensation to employees for accidental injuries not resulting in death and deletes provisions for reduced maximum compensation for total incapacity after 64 weeks and for permanent injuries. House Bill 4356 does exactly the same thing to the 'Workmen's Occupational Diseases Act'. And, I'd appreciate support for these two particular Bills."

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

Charles J. Fleck: "Would the Sponsor yield for a few questions?"

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

Charles J. Fleck: "Representative Hill, weren't these Workmen's Compensation Bills passed in the October Session?"



John Jerome Hill: "No."

Charles J. Fleck: "Unemployment... Is this Unemployment or Workmen's Comp here?"

John Jerome Hill: "This is Workmen's Comp."

Charles J. Fleck: "Alright.. Were any passed in the Spring."

John Jerome Hill: "No, ah.. Both of them ah.. were recommended 'do pass' on May 3rd of 1972."

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

Bradley M. Glass: "Mr. Speaker, Ladies and Gentlemen, I rise to oppose these Bills. I think with the wage and price freeze in effect, ah.. increases of about five and a half percent being the norm, we're looking here at a request of what will amount to about a fifty percent increase in Workmen's Compensation benefits. I think all of you have received the Chamber of Commerce Release... the Illinois Chamber of Commerce Release on these two Bills that outline ah.. that fact. Now, I think you should know that ah.. these Bills would eliminate the distinction between payment for temporary total disability and for permanent partial disability under Workmen's Compensation. And, that is one of the reasons why such a large increase would be added. Temp... Temporary total disability under the Workmen's Compensation, of course, is designed to ah.. award the employee compensation for the time that he misses from work because of an injury. On the other hand, permanent ah.. disability or permanent partial disability is an award to the employee for the loss of an arm or.. or ah.. some percentage of.. of a member of the body and is in



the form of damages and is often paid to him after he has returned to work. So, the distinction that Illinois has recognized between these two types of disability for years is a valid one and should not be eliminated as this Bill seeks to do. Ah.. I think there.. there's another factor ah.., Ladies and Gentlemen, that ah.. you should take into account here. Last year, we passed an increase ah.. in Workmen's Compensation ah.. that ah.. put Illinois among the four States in the United States paying the highest Workmen's Compensation and Occupational Disease benefit rates. So, I see no reason for a further increase at this time. Finally, ah.. and most important, perhaps, is that with regard to this Bill, the agreed process... the agreed Bill process has been ignored. When we heard this Bill in Committee, it was brought out that no attempt was made by the Union Representatives to contact ah.. management and follow the agreed Bill process. And, I think what that means is simply when the big Unions feel they have the vote, they're come in here and try to ramrod legislation through. I think that this should be opposed vigorously. And, if we are going to see the end of the agreed Bill process, then let the Illinois Legislature prepare itself to investigate in detail these complex Bills. This is a Bill that will increase the cost of doing business in Illinois. Ah.. the more we do things like this, the more difficult we're going to make it for legitimate businesses to operate in this State. I don't think any employees or businessmen ah.. any ah.. favors by passing legislation like



this. As I said it, it would spell the end of the agreed Bill process. I think that it should be solemnly defeated."

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

John Jerome Hill: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, this is not an increase in the weekly compensation. It's an increase in a settlement where a person has lost an arm, lost a leg or some severe injury that he has incurred at the place of employment. Now, I can't for the life of me understand why we shouldn't allow people like this to receive more money. Just to point out to you what happens in Industry. And, this Workmen's Compensation is more of a protection for the Industrialist than it is for the individual working for that ah.. big Industry or that small Industry. If I lost a leg at the place where I worked up at Austin Western in Aurora, Illinois, I would receive in the area of about eleven thousand dollars plus medical and surgical bills. If I lost that same leg working for the Burlington Railroad yards in Aurora, there wouldn't be any limitation whatsoever. There could be a hundred and fifty, two hundred thousand dollars. And, to me, a leg to an individual is worth much more than that person can receive today under Workmen's Compensation. This is a very good piece of legislation. It helps those people that need help the most. And, it's on the settlement. It's not on the weekly benefit. And, I'd appreciate very much a favorable vote on these two Bills. Thank you."



Hon. W. Robert Blair: "The question is, 'shall House Bill 4355 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. Campbell.. 'no'. The gentleman from Cook, Mr. Glass."

Bradley M. Glass: "Mr. Speaker, I request a verification."

Hon. W. Robert Blair: "For what purpose does the gentleman from ah.. Kane, Mr. Hill, rise?"

John Jerome Hill: "If I may, I'd like to poll the absentees first, Mr. Speaker. Call the absentees first."

Hon. W. Robert Blair: "Well, ah.. does the gentleman from ah.. Cook, Mr. Glass... It's preferable to poll the absentees first and then verify. Would you ah.. withhold you ah.. motion ah.. in order to ah.. to have the absentees polled?"

Bradley M. Glass: "Yes, I'll withhold it."

Hon. W. Robert Blair: "Alright.. The Clerk will poll the absentees."

Fredric B. Selcke: "Blades.. Brandt.. Brenne.. Jimmy Carter.. Chapman.. Otis Collins.. Phil Collins.."

Hon. W. Robert Blair: "Collins.. 'aye'."

Fredric B. Selcke: "Conolly.. William Cunningham.. Dyer.. Flinn.. Graham.. Hart.. Henss.. Gene Hoffman.. Ron Hoffman.. Jacobs.. Janczak.. Jones.. Keller.. Kleine.. Klosak.. Lauterbach.. Lindberg.. M. Madigan.. Matijevich.. McCormick.. McDermott.. McDevitt.. Meyer.. Moore.. G. O'Brien.. Philip.. Randolph.. Redmond.. Regner.. Rose.. Sevcik.. Springer.. Stone.. Telcser.. Terzich., Jack Thompson.. Genoa Washington.. Mr. Speaker.."



Hon. W. Robert Blair: "Alright.. Now then, we'll proceed with

The gentleman from Peoria, Mr. Lauterbach."

Wilbur H. Lauterbach: "How was I recorded, please?"

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

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

Wilbur H. Lauterbach: "I'd like to be recorded 'no'."

Hon. W. Robert Blair: "Record the gentleman 'no'. Alright..

Now, the gentleman from ah.. Cook, Mr. Glass, has asked that the Roll be verified. The Members will be in their seats and ah.. Clerk will ah.. proceed starting with the affirmative. Stone.. 'aye'."

Fredric B. Selcke: "Alsup.. Arrigo.. Barnes.. Barry.. Bartulis..

Berman.. Bluthardt.. Borchers.. Boyle.. Brinkmeier. Brummet..

Caldwell.. Calvo.. Capparelli.. Capuzi.. Carrigan.. Carroll..

Richard Carter.. Choate.. Colitz.. Phil Collins.. Corbett..

Craig.. Davis.. DiPrima.. Douglas.. Downes.. Epton.. Ewell..

Fary.. Fennessey.. Garmisa.. Gibbs.. Giorgi.. Granata..

Hamilton.. Hanahan.. Harpstrite.. Hill.. Holloway.. Houlihan..

Jaffe.. Kahoun.. Karmazyn.. Katz.. Kennedy.. Kosinski..

Krause.. Laurino.. Lechowicz.. Lehman.. Lenard.. Leon..

Londrigan.. Mann.. Maragos.. Markert.. McAvoy.. McClain..

McGah.. McLendon.. McPartlin.. Merlo.. Peter Miller.. D

O'Brien.. O'Hallaren.. Palmer.. Pierce.. Rayson.. Ropa..

Scariano.. Schisler.. Schneider.. Schoeberlein.. Shea..

Ike Sims.. Smith.. Soderstrom.. Stedelin.. Stone.. Taylor..

R. Thompson.. Tipsword.. Von Boeckman.. Wall.. Harold

Washington.. Welsh.. Williams.. Frank Wolf.. J. J. Wolf..



B. B. Wolfe.. Yourell.. Zlatnik.."

Hon. W. Robert Blair: "Alright.. Now,... For what purpose does the gentleman from Lake, Mr. Matijevich, rise?"

John S. Matijevich: "Ah.. Mr. Speaker, I'd like to be re-recorded 'aye'. I was on the telephone."

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

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

Hon. W. Robert Blair: "Alright.. Record the gentleman 'aye'.

Ah.. The gentleman from ah.. Cook, Mr. Glass."

Bradley M. Glass: "Is Representative Borchers here?"

Hon. W. Robert Blair: "Alright.. So, we know where we're starting from, the Clerk advises that the Roll, as it now stands, is 94 'Ayes', 40 'Nays'. Okay.. Now, the gentleman from Cook, Mr. Glass."

Bradley M. Glass: "Thank you, Mr. Speaker. Is Representative Borchers here?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off the Roll."

Bradley M. Glass: "Representative Brummet?"

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

Bradley M. Glass: "Representative ah.. Brinkmeier?"

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

Bradley M. Glass: "Representative Carrigan?"

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

Fredric B. Selcke: "He..."



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

Bradley M. Glass: "Representative Carroll?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off
the record."

Bradley M. Glass: "Representative ah.. Fennessey?"

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

Bradley M. Glass: "Representative Garmisa?"

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

Bradley M. Glass: "Representative Holloway?"

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

Bradley M. Glass: "Kahoun?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off the
record."

Bradley M. Glass: "Lenard?"

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

Bradley M. Glass: "Representative D. O'Brien?"

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

Bradley M. Glass: "Ah.. McLendon?"

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

Bradley M. Glass: "Representative Peter Miller?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off the



record."

Bradley M. Glass: "Representative Wall?"

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."

Bradley M. Glass: "Representative Sevcik?"

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

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

Bradley M. Glass: "Representative Schoeberlein?"

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

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

Bradley M. Glass: "Representative Ropa?"

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

Bradley M. Glass: "Representative R. Thompson?"

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

Bradley M. Glass: "Von Boeckman?"

Hon. W. Robert Blair: "Von Boeckman? He's back there."

Bradley M. Glass: "Representative Gale Williams?"

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

Bradley M. Glass: "Representative McLendon here?"

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

Bradley M. Glass: "Representative Douglas?"

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. Any further questions of the affirmative?"

Bradley M. Glass: "Ah.. No further questions, Mr. Speaker."



Hon. W. Robert Blair: "Alright.. Now, just a moment now. They weren't there and they were there and now they're back and we're going to get to him. We know they are there. The gentleman from ah.. Cook, Mr. Miller. For what purpose do you rise?"

Peter J. Miller: "How am I recorded, Mr. Speaker?"

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

Peter J. Miller: "Vote 'aye'."

Hon. W. Robert Blair: "Put the gentleman back on. The gentleman from Cook, Mr. Wall. Where's he? Alright.. Put him back on as 'aye'. The gentleman from Cook, Mr. Carroll. Put him back on as 'aye'."

Howard W. Carroll: "Thank you."

Hon. W. Robert Blair: "Mr. Douglas. Put him back on. Duff.. Put Carroll back on. Now, put Mr. Douglas back on. Trying to be careful about these Roll Calls so we're switching back and forth, you know. Mr. Colitz.."

Ira Colitz: "How am I recorded?"

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

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

Ira Colitz: "Thank you."

Hon. W. Robert Blair: "Your.. Your on. Alright.. The Roll Call is now 92 'Ayes', 40 'Nays', and this having received the Constitutional majority is hereby declared passed. Alright.. Now, 4356. We have to take a Roll Call on that. No.. We're taking them on the Roll... We're taking them.... Yeah.. Alright.. The question is, 'shall House Bill 4356 pass?'. All



those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. Karmazyn.. 'aye'. On this question, there are 95 'Ayes', and 31 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. 4525."

Fredric B. Selcke: "House Bill 4525, a Bill for an Act to amend 'The Unemployment Compensation Act'. Third Reading of the Bill."

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

John Jerome Hill: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, ah.. earlier in the day, I had ah.. Bill that ah.. was said on the floor to hurt the credit industry and ah.. it would ah.. deteriorate the credit situation of the State of Illinois. I now have a Bill that will help the credit industry in the State of Illinois. It's an Unemployment Compensation Bill. There are increases in it. And, I certainly would appreciate a 'yes' vote on it."

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

Bradley M. Glass: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to oppose this Bill. This would raise Unemployment Compensation Rates in the State of Illinois ten percent. Now, they may not sound like a large increase inasmuch as ah.. ah.. After all, there is a cost of living to be concerned about. But, I want each and every one of you to know that last year, we passed an increase in Unemployment Compensation Rates of fifteen percent. And, that particular increase went into effect February 6th, 1972. So, what you



have here, if this Bill should pass, is a twenty-five percent increase in Unemployment Compensation Rates effective in one year. And, I ask you to exercise restraint and caution with regard to this proposed Bill. This far exceeds any cost of living increase or, of course, it far exceeds the prices and wage restraints that we are operating under in this Country. Like the Bills we just considered, this Bill also was outside the agreed Bill process. Now, there is in existence the Governor's Commission which has been legislatively provided for which along with representatives of Labor and Business in the past has entered into negotiations in the area of Unemployment Compensation. That process was ignored in this case. And, I... As I mentioned in connection with the last Bills, these are Bills which are in areas of complicated legislation. We, in the past, have relied upon the agreed Bill process. In this case, it has been ignored by the big Unions in presenting this legislation. I think we should defeat these Bills. I think that there has been an adequate increase in Unemployment Compensation which went into effect earlier this year, that we should avoid an increase of twenty-five percent in one year. And, these Bills should be defeated. And, I urge your 'no' vote."

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

John Jerome Hill: "In closing, Mr. Speaker and Ladies and Gentlemen of the House, we have always been concerned with the area of Welfare in the State of Illinois, saying that the



Welfare payments from the State is going up at a tremendous pace. I'd like to point out to you that one of the main reasons this is happening is because there is so much unemployment in the State of Illinois. And, consequently, because people have to go on unemployment and they don't receive enough money from the Unemployment Comp, they end up on Welfare. And, this is one way to get some of these people off of Welfare and private Industry paying for the people that they brought to the State of Illinois from places like Mississippi and Arkansas and Alabama and the other Southern States. Today, it is impossible to live on the rate of unemployment that is paid in the State of Illinois. And, I'd appreciate very much your support of this Bill to keep some of the people off of the Welfare payments in the State of Illinois. Thank you."

Hon. W. Robert Blair: "Alright.. The question is, 'shall 4525 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The gentleman from Cook, Mr. Duff."

Brian B. Duff: "Ah.. Mr. Speaker, I.. I ah.. have a question. Ah.. ah.. The Bill, and I don't have a copy of the Amendment that we're voting on, ah.. says, 'The provisions should be effective September 10th, 1972'. I assume that it's been amended to a different effective date and I'd like to ask what that new effective date is. Ah.. I'll repeat myself, Mr. Speaker. I have...."

Hon. W. Robert Blair: "Well, it's unusual. We're on the ex-



planation of vote. But, if the gentleman care to answer that question in his explanation of vote, why, he may do so."

Brian B. Duff: "Well, the reason for the question is a parliamentary question, Mr. Speaker. I'm wondering how many votes are required to pass this Bill."

Hon. W. Robert Blair: "Well ah... I don't know what the gentleman's point is. I'm looking at the Bill. It ah.. would be the Chair's ruling that 89 votes would be required. Is there ah.. particular point that the gentleman is raising as to why that might not be the case?"

Brian B. Duff: "Ah.. There was a question in my mind as to whether or not the Bill to pass with 89 votes would, under these circumstances, would have to effect on January 1st, 1973. That could be incorrect."

Hon. W. Robert Blair: "Well, again, the uniform date is October 1. So, ah.. that earlier date ah.. "

Brian B. Duff: "Thank you."

Hon. W. Robert Blair: "Can't be provided in the Bill and this is earlier than that. In the ah... Have all voted who wished? The Clerk will take the record. The gentleman from Cook, Mr. Glass."

Bradley M. Glass: "Mr. Speaker, I would request a verification of the affirmative Roll Call."

Hon. W. Robert Blair: "Alright.. The gentleman has requested.. Do you renew your earlier request? Alright.. The gentleman recedes. Alright ah..., we'll proceed first the poll of the absentees."



Fredric B. Selcke: "Bartulis.. Blades.. Bluthardt.. Brandt.. Brenne.. Jimmy Carter... Chapman.. Conolly.. William Cunningham.. Dyer.. Flinn.. Graham.. Henss.. Gene Hoffman.. Ron Hoffman.. Jacobs.. Janczak.. Jones.. Kahoun .. Kleine.. Klosak.. Lehman.. Lindberg.. Ed Madigan.. McAvoy.. McCormick.. McDermott.. Meyer.. Kenney Miller.. Moore.. Murphy.. George O'Brien.. Palmer.. Philip.. Randolph.. Redmond.. Regner.. Rose.. Sevcik.. Springer.. Telcser.. Terzich.. Jack Thompson.. Wall.. Genoa Washington.. J. J. Wolf.. Mr. Speaker.."

Hon. W. Robert Blair: "Alright.. The Clerk will proceed to verify the affirmative vote. McAvoy.. 'aye'. How's McAvoy recorded?"

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

Hon. W. Robert Blair: "Alright.. Record the gentleman as 'aye'."

Fredric B. Selcke: "Alsup.. Mr. Speaker.. Elwood Graham wants recognition."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Graham. For what purpose do you rise?"

Elwood Graham: "'Aye'."

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

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

Hon. W. Robert Blair: "Record the gentleman has 'aye'. Now, proceed to verify the affirmative vote."

Fredric B. Selcke: "Arrigo.. Barnes.. Barry.. Berman.. Boyle.. Bradley.. Brinkmeier.. Brummet.."

Hon. W. Robert Blair: "Alright.. Would the ah.. Would the gentlemen kindly be in their seat on the side that most of the



verification is being addressed to? So, that the people on the side may see if the people are in their seats. Thank you. Proceed."

Fredric B. Selcke: "Caldwell.. Calvo.. Capparelli.. Capuzi.. Carrigan.. Carroll.. Richard Carter.. Choate.. Colitz.. Otis Collins.. Phil Collins.. Corbett.. Craig.. Davis.. DiPrima.. Douglas.. Downes.. Epton.. Ewell.. Fary.. Fennessey.. Garmisa.. Giorgi.. Graham.. Granata.. Hamilton.. Hanahan.. Harpstrite.. Hart.. Hill.. Holloway.. Houde.. Houlihan.. Jaffe.. Karmazyr.. Katz.. Keller.. Kennedy.. Kosinski.. Krause.. Laurino.. Lechowicz.. Lenard.. Leon.. Londrigan.. Ed Madigan.. Mann.. Maragos.. Markert.. Matijevich.. McAvoy.. McClain.. McGah.. McLendon.. McPartlin.. Merlo.. Peter Miller.. D. O'Brien.. O'Hallaren.. Pierce.. Rayson.. Ropa.. Scariano.. Schisler.. Schneider.. Shea.. Ike Sims.. Smith.. Soderstrom.. Stedelin.. Stone.. Taylor.. R. Thompson.. Tipsword.. Von Boeckman.. Harold Washington.. Welsh.. Williams.. Frank Wolf.. B. B. Wolfe.. Yourell.. Zlatnik.."

Hon. W. Robert Blair: "Alright.. Any questions of the affirmative?"

Bradley M. Glass: "Thank you, Mr. Speaker. Representative Brinkmeier?"

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

Bradley M. Glass: "Ah.. Representative Calvo?"

Hon. W. Robert Blair: "Ah.. Okay.. Calvo is in his seat."

Bradley M. Glass: "R. Carter?"

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



Bradley M. Glass: "Representative Otis Collins?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off
the record."

Bradley M. Glass: "Representative Douglas?"

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

Bradley M. Glass: "Fennessey?"

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

Bradley M. Glass: "Representative Hamilton?"

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

Bradley M. Glass: "Representative Laurino?"

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

Bradley M. Glass: "Representative Brummet?"

Hon. W. Robert Blair: "Brummet is here."

Bradley M. Glass: "Representative Merlo?"

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

Bradley M. Glass: "Representative Downes?"

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

Bradley M. Glass: "Representative Schisler?"

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

Bradley M. Glass: "Von Boeckman?"

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

Bradley M. Glass: "Representative Williams?"

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

Bradley M. Glass: "Representative Holloway?"

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



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

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

Bradley M. Glass: "Representative Garmisa?"

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

Bradley M. Glass: "Caldwell?"

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

Bradley M. Glass: "Representative Taylor?"

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

Bradley M. Glass: "Laurino?"

Hon. W. Robert Blair: "Laurino is here. Any ah.. further questions?"

Bradley M. Glass: "Nothing further, Mr. Speaker."

Hon. W. Robert Blair: "On this question, there are 90 'Ayes', 39 'Nays' and 2 'Present'. And, this Bill having received a Constitutional majority is hereby declared passed. 4455."

Fredric B. Selcke: "House Bill 4455, a Bill for an Act to amend the 'Insurance Code'. Third Reading of the Bill."

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

Peter J. Miller: "Mr. Speaker and Ladies and Gentlemen of the House, this is the Bill that I had postponed until Representative Berman could check out on the veracity of my statements. He checked with the Department and I'm sure that you'll find out that I said, 'On the forty-seven million dollars collected on the privilege taxes, only four hundred thousand affected in the Department were losing money collecting it every quarter. And, they want to have the right to collect it once a year on that four hundred thousand



dollars."

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

Arthur L. Berman: "I just want the record to show that I have never questioned the veracity of the Sponsor. It was some of the details of the Bill that I inquired into and I'm satisfied. I'll give myself a pat on the back, Representative Berman. Thank you."

Peter J. Miller: "I'd appreciate a affirmative Roll Call, Mr. Speaker."

Hon. W. Robert Blair: "Further discussion? The question is, 'shall this Bill pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question, there are 144.... 144 'Ayes', and no 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. 4645."

Fredric B. Selcke: "House Bill 4645, a Bill for an Act to amend the 'Township Zoning Act'. Third Reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative McPartlin. Take that out of the record. Representative Shea, for what purpose do you rise, Sir?"

Gerald W. Shea: "Mr. Speaker, on the order of Third Reading is House Bill 4549, which is Representative Berman's Bill. I put an Amendment on the desk. I'm wondering if I might get it called, bring it back to Second and get it amended?"

Rep. Arthur A. Telcser: "Ah.. it will be called, Representa-



tive Shea, but not just at the moment."

Gerald W. Shea: "Well ah.., I'd like to get it called because, I think, that we have found at least one vehicle for an attempt to keep the schools open in Chicago and let the students graduate. So, I would appreciate whatever the Chair could do to help. Thank you."

Rep. Arthur A. Telcser: "On the order of consideration postponed, appears House Bill 385, for which purpose the gentleman from Winnebago, Representative W. T. Simms is recognized. Take that out of the record. On the order of consideration postponed, appears House Bill 581, for which purpose the gentleman from Whiteside, Representative Miller is recognized. Take that out of the record. On the order of postponed consideration, appears House Bill 3741 for which purpose the gentleman from DuPage, Representative Schneider is recognized."

J. Glenn Schneider: "Thank you, Mr. Speaker. House Bill 3741 was called in the ah.... waiting minutes of last Friday. It dealt with property in DuPage County which would at this point be subject to a highway being placed through a Forest Preserve in that Area. And, I have introduced legislation which would prohibit this. Now, we've had considerable discussion on it. Let me ah.. review quickly the highlights of the Bill. Ah.. First of all, the Bill ah.., as it was modified last year by another piece of legislation, violated a covenant which in its essence said, 'That the land should be kept in its total and natural state to be used only for that purpose'. That is, sustaining the environment and the



open land. Now, this is a covenant that came with the title entity with the State of Illinois to the Forest Preserve District. Now, I think that's one consideration of the Bill. That is, I would restore the covenant in my legislation which would protect Forest Preserve in its natural state. Secondly, ah.. we raise the question of the necessity of the road. At this point, it is my judgement, in studying some of the information that I've accumulated over the last few weeks have indicated that a road which is one half mile West of ah.. Belleau Woods is a sufficient and highly adequate ah.. ah.. all-weather surface which would allow the necessary transportation flow ah.. to emerge from that area to be taken care of. So, I don't see at this point any necessity for the road also. At this rate or rather at this point, then it would include ah.. saving of a quarter of a million dollars because to construct a road through the woods at this point would ah.. run in the vicinity of 230 to 270,000 dollars. My major concern, however, and the reason I became attracted to ah.. introducing legislation to preserve ah.. this natural environment which members of the ah.. Arboretum in Lyle, ah.. Professors from some of the local Colleges and Universities have indicated ah.. it's irreplaceable ah. trees and shrubs and plant life as well as other animal life which, if a road were run through this area, would ah.. do final and irreparable damage. So, I suggest that the road is not a necessary ah.. ah.. concomitant to the construction of anything in that area. I do think that we have far than enough



adequate ah.. surface trails to take care of the problem. This Bill passed out of Committee ah.. thirteen to nothing. It received ah.. bipartisan support from the Legislators in DuPage. I solicit your support on the Bill."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 3741 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? The gentleman from Cook, Representative R. Hoffman."

Ronald K. Hoffman: "Mr. Speaker and Members of the House, I would just like to say one.. one word on this. This is a Bill that has been discussed before. Representative Philips brought to mind the fact that, even though we are vastly interested in preserving the natural priorities out there, we're speaking of removing twelve trees and replacing and restoring the area that's going to have the old road torn out. And, there's absolutely no reason at this point for this type of legislation. I would solicit a 'no' vote on this issue."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. On this question, there are 111 'Ayes', 9 'Nays', and this having received the Constitutional majority is hereby declared passed. On the order of postponed consideration, appears House Bill 4304 for which purpose the gentleman from Cook, Representative Berman is recognized."

Arthur L. Berman: "Ah.. thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would ah.. ask for leave to suspend the provisions of Rule 71b so that House Bill 4304 could be



heard again today. I want to bring it back to Second for an Amendment. This is the rotation of our primary ah.. primary election positions. I have an Amendment I'd like to ah.. offer."

Rep. Arthur A. Telcser: "Does the gentleman have leave? Hearing no objections, House Bill 4304 will be returned to the order of Second Reading for the purposes of an Amendment. First, Representative Miller, for what purpose do you rise, Sir?"

Peter J. Miller: "Well, Mr. Speaker, I just wanted to make an announcement that tomorrow evening we're having our last practice. And, those that expect to play on the 30th, softball, I'm talking about, had better be out tomorrow night right after the Session. It's the last practice that we'll have. The Senate had one practice this week. We don't want to be caught napping. Thank you."

Rep. Arthur A. Telcser: "Will the Clerk please read the Amendment now?"

Fredric B. Selcke: "Amendment No. 1, Berman, amend House Bill 4304 on page 1, line 7, by inserting '(a)' immediately before the word 'Not'; and on page 1, andsoforth."

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

Arthur L. Berman: "Thank you. Mr. Speaker, ah.. this Amendment, Amendment No. 1 seeks to cure the objections that came primarily, I believe, from Downstate Counties where...."

Rep. Arthur A. Telcser: "Representative Wolf, for what purpose



do you rise? J. J. Wolf.."

John Jacob Wolf: "Parliamentary inquiry, Mr. Speaker."

Rep. Arthur A. Telcser: "State your point."

John Jacob Wolf: "If I understood the Sponsor correctly, he has asked to suspend the provisions of 47b which applies to the germaneness...."

Arthur L. Berman: "No.. 71b.."

Rep. Arthur A. Telcser: "71b for the distribution of the Amendment."

Arthur L. Berman: "I've got some other Bills that I'd like to do that with, but not this one. Ah.. this Amendment seeks to ah.. obviate some of the objections that we had from Downstate where there had been costs involved in rotating the the precinct categories and the ah..rotating the candidate's positions by precincts. What this amendment now says is that there are machines in which all of the candidates cannot be listed either in the same line as the rest of the candidates or in the same column as the rest of the candidates. The rotation by precinct would have to be required. Now to go a little further in explaining what that means--As I understand it, this would not apply (in other words this bill would not apply) to electronic voting machine precincts or districts. It would not apply to paper ballot counties. It would apply, however, to the situation we have in Chicago and some of the areas of Cook County where all of the candidates could not be listed on the same line or the same column. Ah..I will now move the adoption



of Amendment #1 to House Bill 4304, Mr. Speaker."

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

The gentleman from Cook, Mr. William Walsh."

William D. Walsh: "Ah..question to the sponsor. Art, does this apply where it is not physically possible to put them on the same line or is this where there are not enough candidates who have filed to ah..be put over to the other line?"

Arthur L. Berman: "No, this would be where the machines could not accommodate all of the candidates either in the same column or on the same line."

William D. Walsh: "That is, all of the candidates who have filed."

Arthur L. Berman: "Yes, sir."

William D. Walsh: "Ah, may it be heard..ah..may I inquire one more time..ah..Is this the only classification that you could think of that ah..in your opinion would be constitutional? It would seem to me that maybe you could use a classification such as in counties of ah..over a million ah.."

Arthur L. Berman: "That was my first thought in order to get to Cook only but ah..upon inquiry, it was indicated under our new constitution that was not a differentiation based upon the merits of the subject matter..would probably be unconstitutional. So what this amendment is trying to do is to address itself to those machines that can't accommodate everyone on the same line or on the same column, and I believe



this would stand up because it's a differentiation based upon the merits of the issue."

William D. Walsh: "Well, that's true to a point. It seems to me, though that that's not the only difficulty with machines. The problem with machines is ah..where a person is listed first on the ballot er on the machine, he has a distinct advantage over everyone else regardless of using the second column but whether the second column is necessary or not. Couldn't you then use a distinction that's based on a particular type of equipment?"

Arthur L. Berman: "Well, that I think, is what the amendment does but without giving ah!..a trade name, also I just would point out that your argument about the first on line is exactly the argument that I urged on 4304 earlier today but we didn't have enough votes to prevail on that basis, so I think we have to take the next best situation."

William D. Walsh: "But this is a different distinction. We're not including paper ballots here, and there's far more of a disadvantage being second on a machine than a disadvantage being second on a paper ballot, because as you know, a machine locks up when the ah..when the intention of a voter is to cast two votes, the machine locks after he has cast his first one ah..on a machine because the vote for one position is ahead of the vote for two. So this is my point and this is what I think needs correcting as much as the situation that you're attempting to correct."

Arthur L. Berman: "Well, I think..I'll be glad to discuss the



other problem that you raised with this if it can be done ah..by further amendment in the Senate. If it passes the House, I'll be glad to discuss it with you if we can do it without jeopardizing the faults er the shortcomings I'm trying to cure as to what happened in this last primary."

William D. Walsh: "Could we get together now an ah..perhaps do something before you call it for an amendment?"

Arthur L. Berman: "Well, if you get a commitment from the Chair that it will be called later, it's ok with me."

William D. Walsh: "I'm a personal friend of his."

Arthur L. Berman: "Can I place this amendment out and I'll keep it on second and see if we can call it again or I'll put it up to third and then we can discuss it and maybe we can bring it back. I hate to jeopardize the situation with the clock."

Rep. Arthur A. Telcser: "Is there any further discussion?"
Gentleman from Cook, Representative Richard Walsh."

Richard A. Walsh: "Art, I for one supported your Bill originally and it seemed to me that you were pretty darn close to passing it and I thought you would have maybe if you'd polled the Absentees. At any rate, I think you lose me with this Amendment. I don't think that the distinction that you're making is ah.. is one worth making. And, I don't that ah.. ah.. you should ah.. rotate in some cases and not rotate in other cases even within ah.. ah.. the same County. Ah.. I think as Bill pointed out, the prime inequity to be cor-



rected is not so much the number of candidates in a particular line or row, but the fact that those in the first slot get a distinct advantage that ah.. isn't going to be remedied on.. on your Amendment. I.. I.. And, I'm afraid that just by going half way, you may preclude the possibility of making the necessary corrections at a later date. So, I would oppose your Amendment and hope that you would try to go all the way with your original Bill."

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

Arthur E. Simmons: "Will the Sponsor yield to a question?"

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

Arthur E. Simmons: "Is your Bill drafted in such a way that the rotation will occur on the three different places on each machine that a candidate will appear?"

Arthur L. Berman: "Ah.. Could you repeat it? I'm not sure I understand the question."

Arthur E. Simmons: "Well, somebody said that in the primary that there are only two, but there are three. In the event there are three ah.. seeking election in the primary, a vote for one gives a candidate three votes. The next position down, it lists the candidates again and it says vote here will give them a vote and a half a piece. Now, if there are three candidates, it goes to the third space and says to vote here will give each candidate one vote."

Arthur L. Berman: "In.. In the primary...."

Arthur E. Simmons: "In the rotation.... Your Bill will take



care of the rotation in all three positions."

Arthur L. Berman: "Ah.. the answer is yes. And, I might point out that in a primary, you don't have one vote for each because you can only nominate two. But, if the Bill...."

Arthur E. Simmons: "Well, if... If that's the case, but that isn't a foregone conclusion, you can ah.. nominate three if ah.. if it's so deemed ah.. by the ah.. Committee... Represented Committee."

Arthur L. Berman: "Your.. Your correct. This would require that the candidates be alternated in all positions in which they would appear. So, it would cover all three.. three hypotheticals in your example."

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

Ken Boyle: "Art, does this Amendment apply to Counties where they use paper ballots? I've heard the discussion both ways."

Arthur L. Berman: "Ah.. in my interpretation of this Amendment, ah.. this... if you use paper ballots, this Amendment would not require you to alternate ah.. ballot positions."

Ken Boyle: "How about Counties where they do not use the ah.. electronic ah.. voting machine as such, but they use the punch cards such as Sangamon County?"

Arthur L. Berman: "The criteria that this Amendment applies is that is all of your Legislative Candidates, the Candidates for the House, can not be listed if you have a vertical machine in the same column or if you have a horizontal ma-



chine on the same line, then they must be rotated. If your machines are set up so that, whether you have two candidates or five candidates and they can all be listed together, then, it would not require ah.. rotation of.. by precinct."

Ken Boyle: "So, in the case of those Counties that use punch cards, the Legislative Candidates could not all appear on the machine in the ah.. proper order without turning the page or turning the punch card, the Amendment would apply. Then, they would have to alternate. Is that right?"

Arthur L. Berman: "I believe so."

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

Raymond W. Ewell: "Mr. Speak... Mr. Speaker... Mr. Berman, just a question as to this Amendment. Are you now saying that if they can all be listed on the same line, there's no requirement of rotation? Ah.. very briefly to the Amendment, I think that you're getting a very bad Amendment because ah.., as it's been pointed out, the real advantage in anything is the fact that, if you're first on the line, no matter if they could put all six candidates or five candidates on the same line, if you're first and the people reach up for the wrong lever and they pull a three, everybody else is locked out. That's what I think the simple problem is all about. And, it's as much of a problem to talk about the first spot as it is to going down to a B or C or even D line. And, I think that it would make the Legislation, the way you have it there, would make it very, ah.. let's say, sort



of arbitrary depending upon what type of equipment is used. And, I don't think that you can lock an Election Board into just using one type of equipment. I would have to agree with Mr. Walsh, it would have probably been better to try to poll the absentees on the original Bill. But, this way, I think you're going to blow a lot of support again."

Rep. Arthur A. Telcser: "Is there further discussion? If not, the gentleman has offered to move the adoption of Amendment No. 1, to House Bill 4304. All in favor of adoption signify by saying 'aye', opposed 'no'. Is there a request for a Roll Call? Okay.. All those in favor of adoption of Amendment No. 1, to House Bill 4304 signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Record Telcser as voting 'aye'. Take the record. On this question, there are 50.... Representative Barnes wishes to be recorded as voting 'aye'. Kosinski.. 'aye'. Colitz.. 'aye'. Thompson.. 'aye'. Capparelli.. 'aye'. Campbell.. 'no'. On this question, there are 57 'Ayes', 55 'Nays', and the gentleman's motion to adopt Amendment No. 1 prevails. Are there further Amendment? Now, Representative Berman, in order to clear up what Representative Wolf indicated before, I believe your intent was to suspend Rule 47a so that later today, we can consider your Bill without discretion of the Amendments."

Arthur L. Berman: "That's correct."

Rep. Arthur A. Telcser: "Third Reading. On the order of Postponed Consideration, appears House Bill 3695 for which purpose the gentleman from Cook, Representative Phil Collins



is recognized."

Philip W. Collins: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, I ah.. feel that it is rather timely that House Bill 3695 should be called at this time where the previous Bill that we ah.. just amended deals with rotation of candidates on a primary ballot. Ah.. House Bill 3695 would provide for the rotation of the order of columns for the political parties on the ah.. ballot for the general election. Ah.. obviously, what is fair for the candidates for the General Assembly would be even more fair ah.. in trading the ah.. the ah.. the respective political parties ah.. for ballot placement. Ah.. this is a simple Bill. And, I would urge your support."

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

Gerald W. Shea: "Yeah.. Phil, it's simple, but would you explain it again?"

Philip W. Collins: "I'm sorry that you weren't listening, Gerry. Ah.. the Bill merely provides ah.. for the rotation of the columns ah.. for the respective ah.. political parties ah.. on the ballot as they may appear. Rotation by precinct as the Bill that we just considered of Representative Berman's."

Gerald W. Shea: "In other words, like in Downstate Counties now, where the Governor and the State Officers are Republican in the first County.. or in the first column and the Democrats appear in the second column in the first precinct."



In the second precinct, you.. you'd rotate that?"

Philip W. Collins: "Ah.. that's right in all Counties. I'm not sure that what you say is true that the Republican column is first in all Downstate Counties."

Gerald W. Shea: "Well, then what do we do with the Socialist Labor Party and some of these other parties that are going to appear on the ballot?"

Philip W. Collins: "It provides for rotation of all parties."

Gerald W. Shea: "In other words, in some precincts in this State, the Socialist Labor Party will be first? In other precinct, the Progressive Party will be first?"

Philip W. Collins: "Ah.. Ah.. that's correct. There's ah.. They are entitled to fair treatment as the Republican or Democratic Party."

Gerald W. Shea: "I think you've explained it well enough. I think it's a terribly bad Bill."

Philip W. Collins: "I don't think it's the first time."

Rep. Arthur A. Telcser: "Is there further discussion? The question is, 'shall House Bill 3695 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Telcser.. 'aye'. Take the record. On this question, there are 40 'Ayes', 66 'Nays', and this Bill having failed to receive a Constitutional majority is hereby declared lost. On the order of Consideration Postponed, appears House Bill 4138 for which purpose the gentleman from DuPage, Representative Schneider is recognized."



J. Glenn Schneider: "Mr. Speaker, ah.. with leave of the House, I'd like to ah.., since I've not had time to work on the Amendments for the Bill and.. and things of this sort, to put it in order for acceptability for the House, I'd like table 4138."

Rep. Arthur A. Telcser: "Does the gentleman have leave? Hearing no objections, House Bill 4138 will be tabled. On the order of Consideration Postponed, appears House Bill 1331 for which purpose the gentleman from Cook, Representative Glass is recognized."

Bradley M. Glass: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 1331 would authorize a working cash fund in Townships. Ah.. this is a Bill that I worked on ah.. with Representative Krause and ah.. some of the other Members across the aisle and came up with a couple of Amendments that, I believe, have cured most of the objections to the Bill. Specifically, what this would do is to authorize the Township to sell bonds and then establish a ah.. working cash fund at a levy at a rate of .05 percent to pay off ah.. the bonds. Now, the provisions of the Amendment were to ah.. establish that a backdoor referendum may be held on this proposition upon five percent... a petition of five percent of the registered voters. There is also a limitation on the percentage of aggregate tax levies of the Township, ah.. the last preceding issuance of the bonds of sixty percent rather than seventy-five percent. Also, we provide that, if the taxes are collected, they shall be applied to the ah..



payment ah.. of ah.. the bonds. What the purpose of this legislation is, specifically, is to eliminate the needs for ah.. the sale of tax anticipation warrants by Townships, the device that's already in effect by various school districts. I encourage your support."

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

Gerald W. Shea: "Will the Sponsor yield for a question?"

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

Gerald W. Shea: "Brad, if you have this working cash fund, as you call it, as I understand it, in Cook County at least, it provides for a twenty percent increase in taxes over the present corporate rate, is that right?"

Bradley M. Glass: "I ah.. am not aware of that. Ah.. "

Gerald W. Shea: "The present corporate rate in Cook County and all Downstate Townships of under, I don't know, it's a formula, I think it's under \$10,000,000 assessed evaluation, a corporate fund is now set at \$.25. This will allow...."

Bradley M. Glass: "An additional \$.05...."

Gerald W. Shea: "An.. an extra \$.05, which is a twenty percent increase in taxes. Is that correct?"

Bradley M. Glass: "Well,... Well, that would be correct, Gerry, ah.. if the Township had the need to levy such a tax. In other words, if it already was in a deficit position and had to sell ah.. tax anticipation warrants in order to meet its current obligations, ah.. it seems to me that you're.. you're not really increasing taxes. You're just raising them ah.. in.. in a timely fashion in order to meet those



obligations. I don't see that there's any more ah.. money expended ah.. this way. And, I think it's, as I mentioned, a device that the school districts are already practicing and have for many years."

Gerald W. Shea: "Well, your debt service is already within the twenty-five cent limit. You're taking the debt service away from the tax anticipation warrants and putting into a working cash fund and allowing a nickel to work that off and not compensating or lowering the other twenty-five cents ah.. to take care of what you're taking out of it."

Bradley M. Glass: "Well, it would eliminate ah..."

Gerald W. Shea: "The touch service on the tax anticipation..."

Bradley M. Glass: "Yeah.. It would eliminate that, which, I think, is the total purpose of the Bill."

Gerald W. Shea: "Do you think, if you took the extra nickel out, that we might be able to work it out or do you want to go with the extra nickel?"

Bradley M. Glass: "Well, I don't know how we can take that off. Ah.. "

Gerald W. Shea: "Ah.. just have the service of the bonds within the twenty-five cent limit. I don't know how the people in your Township are, but I don't think in mine they're very happy about a twenty percent increase in Township Taxes."

Bradley M. Glass: "Well, I'd like to pull it out of the record and we'll add that."

Hon. W. Robert Blair: "Further discussion? Take it out of the record. 4.... 4567."



Fredric B. Selcke: "House Bill 4567, an Act in relation to
strikebreakers. Third Reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Kankakee, Mr. Houde."

Thomas R. Houde: "Mr. Speaker, Ladies and Gentlemen of the
House, House Bill 4567 pro.. prohibits the employment of
professional strikebreakers during the time of a strike-or
a lockout is in progress. Now, this Bill or a similar Bill
passed out with with two dissenting votes in the last Ses-
sion or ah.. in ah.. the earlier Session of the Legislature
and the Governor... and it passed the Senate and the Governr
vetoed it. And, on the basis of that veto was because of
its vagueness. Now, we believe with this new Bill that we've
corrected the vagueness that he spoke of and this Bill was
presented to me by the Typographer's Union and the Illinois
Employment ah.. The Illinois Employment... Employee's Union.
I solicit your support."

Hon. W. Robert Blair: "Further discussion? The question is,
'shall House Bill 4567 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
130 'Ayes', 4 'Nays', and this Bill having received a Con-
stitutional majority is hereby declared passed. Alright..
4368. The gentleman from St. Clair, Mr. Flinn is not here.
So, take that out of the record. 4542."

Fredric B. Selcke: "House Bill 4542, an Act to amend 'The Elec-
tion Code'. Third Reading of the Bill."

Hon. W. Robert Blair: "Take it out of the record. 4217."



Fredric B. Selcke: "House Bill... Ah.. Alright.. That's alright.. An Act to amend an Act relating to Meetings. Third Reading of the Bill."

Hon. W. Robert Blair: "The gentleman from ah.. ah.. Cook, ah.. Mr. Simmons, for what purpose do you rise?"

Arthur E. Simmons: "Ah.. I believe you called 4217."

Hon. W. Robert Blair: "Yes..."

Arthur E. Simmons: "That was amended today and I haven't seen the Amendments."

Hon. W. Robert Blair: "The gentleman.... Yes, I... The Clerk's Office advises that the Amendment has not been distributed. So, best take it out of the record because you'll have to move to suspend even after it's on the desk. Alright.. We'll.. We'll take that out of the record until it gets on the desk. 4126 on the order of Third Reading. And, the gentleman asks leave to have that brought back to the order of Second Reading for the purposes of an Amendment. Have leave? The Amendment is on the Clerk's desk. Read the Amendment."

Fredric B. Selcke: "Amendment No. 1, Wall, amend House Bill 4126 on page 1, line 1 and 5, be deleting, andsoforth."

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

John F. Wall: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill.., I mean, Amendment No. 1, to House Bill 4126 is the same Amendment that I have talked to.. or discussed with the leadership on the other side. And, they told me that the Amendment is okay now and I should put it in. And, I request you move the adoption of this Amendment."



Hon. W. Robert Blair: "Is there discussion? The question is on the adoption of the Amendment. All those in favor of the adoption of the Amendment say 'aye', opposed.., the 'ayes' have it and the Amendment is adopted. Are there further Amendments? Third Reading. Alright. So, we know where we are. Any of you who have non-exempt Bills that are on Third Reading or on Postponed Consideration that you desire the Chair to ah.. consider calling, would you advise my Assistant here and we'll put them on a sheet and we'll go to those next? And, if you don't notify us with the intention, as was indicated when we closed on Fri.. on Thursday that there will be entertained a motion to table all non-exempt Bills before we close today. Alright.. On the order of House Bills Third Reading, appears House Bill 2557."

Fredric B. Selcke: "No. It's Third Reading.. House Bill 2257, an Act to codify the law in relation to residential landlord and tenant relations and to repeal certain Acts therein named. Third Reading of the Bill."

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

Leland H. Rayson: "Mr. Speaker and Members of the House, this Bill is a recodification of our 'Landlord - Tenant Code' of Illinois. Now, previously, we have passed similar Bills and sent them over to the Senate, 'The Residential Real Estate Act' and the President Protem was going to take those Bills and do something with it and it had good hopes of passage. And, then along came the Jack Spring case in the Illinois Supreme Court, and because of the conflict in that decision



ah.. and because of the irreconcilable conflict that arose, he told me last Thursday that he would have to withdraw as Sponsor of this Bill and he doesn't know what state it would be in. Because of that, this Bill is the Julian Levy Foundation Bill, which is a revision of the American Bar Foundation and the National Conference of Commissioners on Uniform State Laws. This is a even-handed Landlord - Tenant Bill and it has considerable support and no opposition that I know of. The support is mainly lodged with the Anarch Housing Coalition which Coalition is composed of the following: The Chicago Urban League, The Chicago Council of Illinois Lawyers, The Chicago Leadership Council, The Chicago Anti-Defamation League, The Jewish Council on Urban Affairs, The Council For Community Services - Metropolitan Chicago, Hyde Park Community Conference, Council #34, The American Federated State, County and Municipal Employees, The United Auto Workers, The Neighboring Convention Workers, Black Labor Leaders including PUSH, Illinois Conservation League and the American Jewish Con.. ah.. League. I might add the Kiplinger Letter, the Kiplinger Magazine, Changing Times in its May article had a four page article on this Bill and said that it's the best uniform suggestion in this field and it is in conformity with the Spring case. And, I urge a favorable vote."

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

Charles J. Fleck: "Would the Sponsor yield for a few questions?"

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



Charles J. Fleck: "Representative Rayson, this is a rather lengthy and complicated Bill. Could you explain to me briefly what the provisions on the receivership provisions what they really do? That would be Section 3-301."

Leland H. Rayson: "Yes.. The receivership provision, and this is one of the unique provisions of the Bill, and it provides for a tenant, petitioning the Court, to appoint a receiver to receive rents and to make repairs to an apartment building in which conditions exists which the landlord, after notice, refuses to correct. And, those conditions are dangerous to the health, safety and life of the tenant. If the petition to appoint a receiver is granted, the landlord still has the opportunity to state a judgement provided he agrees to make the repairs himself."

Charles J. Fleck: "Could I speak to the Bill, Mr..."

Hon. W. Robert Blair: "Yes, proceed."

Charles J. Fleck: "I'm in sympathy with the objections to this particular piece of legislation. However, it's, as I said before, it's quite complex and there are some questions which are very serious ones which come to my mind. Number one, dealing with the receivership section which Representative Rayson just addressed himself to. Then, a few questions that deal with the fact that a tenant could apply for a receivership if there.. for five days or more had been a lack of heat, running water, light or electricity. And, I don't know what a lack of heat is. It doesn't say the absence of. It might be that he might have insufficient water pressure."



It might be that the furnace could not be functioning for a week or so and he could possibly go into a receivership. Also, in the Legislative findings, I find that the first sentence there is quite ah.. perplexing because it says that, 'The Legislature finds that a significant proportion of the rental housing in this State is substandard in structure'. I don't know that and I don't know if this is a proper finding for this Body to make at this time. Also, the provisions dealing with the tenants' remedy for termination at any time. I think these work a hardship on the landlord of.. of the property. And, finally, there is a Section of the Bill that deals with the waive of a landlord's right to terminate the lease. It say here in the Bill, if I'm reading it properly, 'that whenever the landlord accepts rent having learning of a breach or has accepted performance by the tenant which is at variance with the terms of the rental agreement, he waives his right to terminate'. Now, it seems to me that, if you have a tenant who might be six months in the arrears on rent and you happen to accept one months rent, then you have now waived any breach with that tenant made in the lease. I think that this works as a serious and undue hardship against the landlord. And, I really think that this Bill is not ready for passage at this time. And, I urge that we do not vote positively for it."

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

Bernard J. O'Hallaren: "Ah.. Will he.. Will the Sponsor yield



for a question?"

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

Bernard J. O'Hallaren: "Ah.. Representative Rayson, I know that in the City of Chicago, you talked about, I don't have the Bill in front of me, but ah.. these heat and ah.. water cases. What in your Bill ah.. would this ah.. correct where there's a lack of heat or hot water?"

Leland H. Rayson: "Ah.. It provides a remedy to the tenant of terminating the lease or deducting a certain portion of the rent, if the landlord fails to provide heat, water or hot water."

Bernard J. O'Hallaren: "Well, ah.. in.. it has been my experience in the Courts that ah.. in these apartment buildings where, for some reason or another ah.. during the severe cold weather where pipes would burst, that ah.. it would cost ah.. maybe a couple of thousand dollars to repair it. Would these tenants have this kind of money? Or, would they want to go into that much expense?"

Leland H. Rayson: "Well, if he had a full reading of the Bill, you'll find that there's many duties of the tenant and there's duties of the landlord. One of the duties of the tenant is he must inform the landlord of needed repairs and ah.. and there's ah.. remedies for the landlord in case the tenant abuses the place for running it down or creating the repairs. Now, it's not ah.., when we talk in terms of the remedy of terminating or deducting, it's only after fair notice has been given and reasonable time has been given to the landlord



to perfect these repairs."

Bernard J. O'Hallaren: "Ah.. did you know that the ah.., at this particular time, there are ah.. receivers appointed ah.. upon notifying the ah.. corporation counsel to speak.. notifying.. the tenants notifying the building department or the corporation counsel that these cases where there is no heat or lack of water or hot water basically, that these cases are brought into Court immediately. And, the Chicago Dwelling is appointed as the receiver to ah.. correct this situation."

Leland H. Rayson: "Yes, I'm acquainted with this and I think it's appropriate. And, that's why, in part,... this is part of the codification here. And, that's why I don't think there's too much substance in what the last gentleman spoke with regard to these receivership provisions. I think that they're well procedurally set out in this Bill."

Bernard J. O'Hallaren: "Well, then... What... What would this Bill do other than what ah.. we've already done?"

Leland H. Rayson: "Well, if.. if you'd like to bear with me,.. let me.. I think it's important to tell you what this Bill does. It provides for the covenant in an oral written lease to be mutual independent. This is the agreement in the Illinois Supreme Court decision in the Spring case. That case held... That case held that a tenant could defend an action for eviction for nonpayment of rent by raise.. raising the affirmative defense of the failure of the landlord to provide a habitable apartment. Now, the Bill further pro-



vides for remedies for the tenant, if the landlord fails to make available a suitable apartment, after the landlord and tenant have contracted for one. It further makes it the duty of the landlord to supply and maintain the proper dwelling unit for the tenant. And, it provides that the tenant.. ah.. for a tenant terminating, after notice to the landlord, the lease if the landlord does not maintain the dwelling unit according to ah.. with his duties. The tenant also has the remedy, if after notice to the landlord it needed repairs, to make repairs himself and deduct the cost from his rent. It has the remedy to the tenant of terminating the lease in which we discussed earlier. And, it has the duty on the tenant to keep his apartment clean and sanitary. It provides in the case that the tenants failure to keep his apartment clean and san.. and ah.. ah.. sanitary. Ah.. it provides remedies to the landlord to terminating the lease ah.. of charging the tenant for repairs in additional rent and of bringing an action for the damages in Court. It makes the tenant responsible for informing the landlord it needed repairs which would be unknown to the landlord. It provides remedies of the landlord against the tenant who misuses, abandons or excessively absences himself without notice from the apartment. It details the duty of tenants to follow code house rules. It codifies the summary....."

Hon. W. Robert Blair: "For what.. For.. One moment.. For what purpose does the gentleman from Effingham, Mr. Keller, rise?"

Charles F. Keller: "Mr. Speaker, I move the previous question."



Hon. W. Robert Blair: "Well, alright.. The gentleman is just concluding his remarks. And ah.., as soon as he does, I'll put that motion."

Leland H. Rayson: "Ah.. Ah.. I pretty much ah.. went down the list of these essentials. I think even-handed provisions in this.. this good Bill that, I think, we should pass, Mr. Speaker."

Hon. W. Robert Blair: "All those in favor of the gentleman's motion say 'aye', opposed 'no', the 'ayes' have it and the previous question has been moved. The gentleman care to close?"

Leland H. Rayson: "Thank you, Mr. Speaker. Now, I don't want to take too much time, but I do think that we have a good vehicle to pass a Landlord - Tenant Bill here in the House. The President Protem said that he will take this Bill to the Senate and he will work with Real Estate ladies and others to see if there are any other Amendments that should be added on there. This Bill is in conformity with the Jack Spring -vs- Little Case. We even put on a clarifying Amendment for this purpose. And, as I mentioned, it's supported by these groups. There's no known opposition. I beseech you to pass this Bill so that we can have a vehicle moved to the Senate and have a great change in this Law which has been archaic too long, Mr. Speaker, about a hundred years. I urge a favorable vote."

Hon. W. Robert Blair: "The question is, 'shall this Bill 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 54 'Ayes', and 44 'Nays', and this Bill having failed to receive a Constitutional majority is hereby declared lost. Ah.. on the order of Postponed Consideration, appears House Bills 4110 and 4111, which ah.. the gentleman from ah.. Cook, Mr. Fary, asked leave to bring back to the order of Third Reading for purposes of consideration. Hearing no objections, the Bills having been read a third time, the Chair recognizes the gentleman from ah.. Cook, Mr. Fary, who asked leave to discuss both of these Bills at the same time. Hearing no objections, leave is granted. The gentleman from Cook, Mr. Fary."

John G. Fary: "Thank you, Mr. Speaker. We went over these Bills rather thoroughly the other day and they only fell a few votes short of passage. Ah.. 4111 has two Amendments added ah.. One of them was by the Department of Revenue. Ah.. Mr. Ice said that the purpose of it was to strengthen the enforcement of the administrative features of the Bill as was done last year in the case of the Bingo Bill ah.. that was enacted. And, Amendment No. 2 was submitted by ah.. Mr. Telcser, an Act that provided for thirty percent of the gross take to the State in lieu of the original five percent that I had in my original Bill. Ah.. this is an untapped source of revenue, an excellent form of revenue and ah.. very successful in the State of New Jersey. It's going on anyway all of the time and monies are needed to replace the income from the loss of the personal property tax. And, I



ask, Mr. Speaker, for a favorable vote."

Hon. W. Robert Blair: "Alright.. Any further discussion? The question is, 'shall these two Bills pass?'. All those... For what purpose does the gentleman from ah.. Cook, Mr. Simmons, rise?"

Arthur E. Simmons: "I believe I understood the Sponsor to say thirty percent."

John G. Fary: "Ah.. correct, Mr. Simmons."

Arthur E. Simmons: "Well, ah.. Amendment No. 2 says twenty percent of the gross."

John G. Fary: "Well, I thought I understood Mr. Telcser to say thirty. I hope it's twenty. It would be a lot easier for the organizations that are subscribing to it."

Hon. W. Robert Blair: "Okay.. The question is, 'shall these two Bills pass?'. All those in favor will vote 'aye', and the opposed 'no'. Jake Wolf.. 'aye'. Have all voted who wished? The Clerk will take the record. On this question, there are 91 'Ayes', and 43 'Nays'. The gentleman from ah.. Cook, Mr. Richard Walsh."

Richard A. Walsh: "I request a verification, Mr. Speaker."

Hon. W. Robert Blair: "Alright, the gentleman has requested a verification. The Members will be in their seats and... The gentleman from Cook, Mr. Fary."

John G. Fary: " Could ah.. Am I in line to ask that the absentees be polled, ah.. Mr. Speaker, first?"

Hon. W. Robert Blair: "Well ah.., it s a preferred procedure. Does the gentleman have... Alright.. He'll hold his request



for a verification which will follow ah.. upon your ah..
request for the polling of the absentees. Proceed."

Fredric B. Selcke: "Alsup.. Barry.. Bradley.. Brandt.. Burditt..

Jimmy Carter.. Chapman.. Choate.. Otis Collins.. Phil Collins.."

Hon. W. Robert Blair: "Phil Collins.. 'aye'."

Fredric B. Selcke: "Conolly.. Davis.. Dyer.. Flinn.. Garmisa.."

Hon. W. Robert Blair: "Garmisa.. 'aye'."

Fredric B. Selcke: "Glass.. Jacobs.. Kleine.. Klosak.. Lehman..

Lindberg.. Ed Madigan.. M. Madigan.. McCormick.. McDermott..

McDevitt.. McMaster.. Merlo.. Meyer.. Kenney Miller.. Philip..

Randolph.. Redmond.. Schlickman.. Schoeberlein.. Shea..

Taylor.. Telcser.."

Hon. W. Robert Blair: "Taylor.. 'aye'. Choate.. How's the
gentleman from Union, Mr. Choate, recorded?"

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

Hon. W. Robert Blair: "Record the gentleman 'aye'."

Fredric B. Selcke: "Terzich.. Jack Thompson.. Tipsword.. Ah..
that's it."

Hon. W. Robert Blair: "Lehman.. 'aye'. Would.. The gentle...
Mr. Williams.. 'no'. The gentleman from Jackson, Mr. Williams,
'no'. 'No'. Alright.. So, we know where we are now before
we start the verification.. The Roll.. Alright.. The Roll
now is 95 'Ayes', 44 'Nays'. Proceed to verify.. The gentle-
man renews his ah.. request for a verification. Now, the
Members will be in their seats and the Clerk will proceed to
verify the affirmative Roll Call."



Fredric B. Selcke: "Arrigo.."

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

Richard A. Wash: "Mr. Speaker, since most of the affirmative votes came from the Democratic side, I wonder if.. if some of the.. the Staff Members or what have you could be seated?"

Hon. W. Robert Blair: "Alright.. Would the Members be in their seats because it is difficult to ah.. for those who are ah.. checking the verification to see whether the persons, who are being verified, are ah.. on the floor in their seats. It's ah.. a reasonable request and may come from both sides of the aisle."

Arthur E. Simmons: "Mr... Mr. Speaker, would the Members raise their hands with their name is called."

Hon. W. Robert Blair: "In addition, would those that are being verified, kindly raise their hands?"

Fredric B. Selcke: "Arrigo.. Barnes.. Bartulis.. Berman.. Borchers.. Boyle.. Brinkmeier.. Brummet.. Caldwell.. Calvo.. Capparelli.. Capuzi.. Carrigan.. Carroll.. Richard Carter.. Choate.. Colitz.. Phil Collins.. Craig.. William Cunningham.. DiPrima.. Douglas.. Downes.. Epton.. Ewell.. Fary.. Fennessey.. Friedland.. Garmisa.. Giorgi.. Graham.. Granata.. Hamilton.. Hanahan.. Hart.. Hill.. Ron Hoffman.. Holloway.. Houde.. Houlihan.. Jaffe.. Janczak.. Juckett.. Kahoun.. Karmazyn.. Keller.. Kennedy.. Kosinski.. Krause.. Laurino.. Lauterbach.. Lechowicz.. Lehman.. Lenard.. Leon.. Mann.. Maragos.. Markert.. Matijevich.. McAvoy.. McClain.. McLendon.. McPartlin.. Peter



Miller.. Moore.. Murphy.. Neff.. D. O'Brien.. G. O'Brien..
 O'Hallaren.. Pappas.. Pierce.. Rayson.. Ropa.. Schisler..
 Schneider.. Sevcik.. Ike Sims.. Smith.. Soderstrom.. Springer..
 Stedelin.. Taylor.. R. Thompson.. Von Boeckman.. Waddell..
 Wall.. G. Washington.. H. Washington.. Welsh.. Frank Wolf..
 Jake Wolf.. Yourell.. Zlatnik.. Mr. Speaker.."

Hon. W. Robert Blair: "Alright.. Any questions of the affirmative. The gentleman from Cook, Mr. Richard Walsh."

Richard A. Walsh: "Rep.. Representative Berman?"

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

Richard A. Walsh: "Representative Brinkmeier?"

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

Richard A. Walsh: "Representative Calvo?"

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

Richard A. Walsh: "Representative Richard A. Carter?"

Hon. W. Robert Blair: "R. A. Carter is in his seat."

Richard A. Walsh: "Representative Ewell?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off the record."

Richard A. Walsh: "Ah.. Representative Hill?"

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

Richard A. Walsh: "Representative Holloway?"

Fredric B. Selcke: "He's there."

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

Richard A. Walsh: "Representative Ron Hoffman?"



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

Richard A. Walsh: "Representative McClain?"

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

Richard A. Walsh: "Ah.. Representative Mann?"

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

Richard A. Walsh: "You might note, Mr. Speaker, that these aren't frivolous questions. I don't think that these gentleman are in their seats. Ah.. Representative McPartlin?"

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

Richard A. Walsh: "Representative Rayson?"

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

Richard A. Walsh: "Representative Springer?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off the record."

Richard A. Walsh: "Representative Raymond Welsh?"

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

Richard A. Walsh: "Representative Schisler?"

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

Richard A. Walsh: "Representative Laurino?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off the record."

Richard A. Walsh: "Representative ah.. Kahoun?"

Hon. W. Robert Blair: "How's the... He's back there."



Richard A. Walsh: "How's Representative.... Is Representative Mike Madigan recorded, ah.. Mr. Speaker?"

Hon. W. Robert Blair: "Is he recorded?"

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

Richard A. Walsh: "That's all I had, Mr. Speaker."

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

Arthur E. Simmons: "Well, Mr. Speaker, ah.. I.. I presume we're working on 4110. Ah.. is that vote for 4110 or for both Bills?"

Hon. W. Robert Blair: "Both Bills..."

Arthur E. Simmons: "I.. I would like to call the attention to the Chair that there's a mistake in Amendment No. 2, to House Bill 4111."

Hon. W. Robert Blair: "Alright.. Let me see the ah.. Amendment and the Bill. Alright.. You'll have to... Ah.. wait a minute now. Why don't you come up here.. Because.. You see, we're working with the enrolled engrossed Bill. Alright.. The gentleman's point is well taken to this extent, that there ah.. was ah.. apparent conflict between Amendment No. 2 and Amendment No. 1 because Amendment No. 1 took out the word 'net' and made it 'gross'. And, then Number 2 ah.. said to take out '5 percent of the net', when it should say to take out '5 percent of the gross'. However, ah.. in the enrolled and engrossed Bill, the words '20 percent of the gross' are inserted ah.. which ah.. ah.. it.. it conveys the intent ah..



of the.. of both Amendments.. Ah.. and so, the Chair's ruling will be that Enrolling and Engrossing has corrected ah.. ah.. that ah.. ah.. difference between Amendment No. 1 and Amendment No. 2. And so, now we're on the order of verification and ah.. count.. the Roll Call count now is, on each of these two Bills, 92 'Ayes', 44 'Nays'. And, each of these Bills having received the Constitutional majority are hereby declared passed. Now ah.., we'll go back to ah.. Third Reading. Ah.. House Bill 3644."

Fredric B. Selcke: "House Bill 3644, an Act regulating contributions by certain employers to benefit funds or fringe benefits of their employees. Third Reading of the Bill."

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

Thomas J. Hanahan: "Mr. Speaker and Members of the House, House Bill 3644 has been thoroughly well debated on Second Reading on whether or not to reduce a penalty on failure to contribute lawfully to a health - welfare pension and various other fringe benefit plans. In the ah.. debate on these issues on Second Reading on.. on whether or not to reduce the penalty from a felony to a misdemeanor... And, the Bill, as presented on Third Reading, is that any employer, who promises in writing to make payments to an employee welfare plan, vacation plan, health plan, dental plan, etc., would either by contract with an individual employee or by collective bargaining agreement or by agreement with such employee plan, and who fails to make such payments within thirty days after they become due and payable, shall be guilty of a misdemeanor. Mr. Speaker



and Members of the House, too often today, fringe benefits, too often, are considered in lieu of wages. And, when working men, who are working especially in construction and the service industries in the State, ah.. when their employer fails to live up to the written agreement and the employee continues on working and finds out that his wife and daughter, who is in the hospital, is no longer covered by a Blue Cross or various other types of health plans, because some employer willfully failed to contribute according to what he had agreed to contribute, that this should be stopped. And, this Bill will prohibit this and make the Act a misdemeanor. Also, you.. you.. might.. it might be pointed out that this, in no way, supersedes the existing contracts of collective bargaining agreements. This is endorsed by all of the Trade Union movements and I urge its adoption."

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

Henry J. Hyde: "Well, Mr. Speaker, Ladies and Gentlemen of the House, the ah.. ah.. vice of this Bill, if I may use a rather strong word, is that it imposes a criminal penalty for a civil breach. And, ah.. if we're going to make the criminal law applicable to the breach of civil contract, we ought not to stop at merely the failure to pay into a pension fund. Maybe, failure to pay wages to somebody ought to be a crime. Maybe, ah.. every breach of a civil contract ought to have a criminal penalty. I think it is ah.. wrong to do that. And, I would submit it is probably unconstitutional in view of a denial of equal protection ah.. or certainly due



process to impose a criminal penalty for the violation of one civil obligation under a civil contract. Therefore, I ah.. respectfully submit and solicit your negative vote."

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

Richard A. Walsh: "Mr. Speaker, if I could just add to what the Majority Leader has just said. This is the first time, in my recollection, that I've ever seen organized labor go on record for a penalty which could require ah.. time in the County Jail for what is ah.., by any interpretation, a mere failure to pay a debt. We're talking about imprisonment for failure to pay a debt and I oppose this Bill."

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

Raymond J. Kahoun: "Mr. Speaker.... Mr. Speaker and Ladies and Gentlemen of the House, I would just like to say a few words in favor of this particular Bill. I have been associated in the Construction Industry both as ah.. an employee of the General Contractors and in business for myself. And, ah.. some of the Lawyers here are talking about ah.. criminal acts. Well, there are criminal acts involved here. When you take Contractors, who take and.. who take the money out of the check for the welfare fund from the employee with never the intent of turning it into the welfare fund, and this is a criminal act, as far as I am concerned. This Bill is basically very simple. What it does, it protects the people who work in the Construction Industry basically, who, in their



agreements with the Contractors, there's provisions made for deducting the money for the welfare fund for their hospitalization. And, many Contractors take this money and never pay it into the fund. So, this is a good Bill. It's for the protection of the workingmen."

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

Bradley M. Glass: "Ah.. Mr. Speaker, will the Sponsor yield for one question? Ah.. Representative Hanahan, in light of ah.. some of the comments that have been made relative to criminal penalties, ah.. I'd like to ask if there's any element of intent involved here. In other words, ah.. I think Representative Kahoun's point is a good one, that where the Contractor or any other employer willfully ah.. does not pay this money into the fund, ah.. there's ah.. some justification for criminal violation. On the other hand, ah.. there ought to be an intent to do ah.. the willfulness ought to be, it seems to me, part of the.. the crime. And, I.. I don't know if this Bill provides for an inadvertent or honest mistake."

Thomas J. Hanahan: "Well, to answer that question specifically. The Bill is very short and it says, 'This Section shall not apply where the failure to make payments is prevented by an Act of God, proceedings in bankruptcies, orders or processes of any Court of competent jurisdiction, or circumstances over which the employer has no control'. We're not trying to penalize some legitimate Contractor who went bankrupt legitimately or is involved in a Court proceeding over his.. and



is held up over his payments being made by the ah.. ultimate purchaser of his labor. We're not trying to get at that kind of employer.. We're trying to get at the employer who definitely, willfully fails to make this payment. And, let me assure you, if you saw the records of the health and welfare plans ah.. around the State, especially in the Construction and Service Industry, you'd be shocked to see how many willful failures there are. And, we can't shut the jobs down because right now, as you know, jobs are scarce and these Contractors are getting away with.. with the willful failure to make these contributions."

Bradley M. Glass: "Well, don't you know think though ah.. ah.. Tom, that the Bill ought to say 'willful violation as specific intention to withhold the monies' or..."

Thomas J. Hanahan: "I thought that by the word ah.. ah.. ah.. or where it says 'Circumstances over which the employer has no control' is a good defense in any Court of Law, I thought, in this area.. This, by the way, is the Law in the State of Michigan and.. and its been upheld constitutionally."

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

Charles J. Fleck: "Sponsor of the question... Sponsor... A question of the Sponsor."

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

Charles J. Fleck: "That Section that you're referring to, dealing with Acts of God and circumstances beyond the control of the employers, is that on an Amendment?"



Thomas J. Hanahan: "Yes, that's on the Amendment."

Charles J. Fleck: "Alright.."

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

Romie J. Palmer: "If the Sponsor will yield for a question?"

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

Romie J. Palmer: "Ah.. from what you say and from what this Bill ah.. presents here, that is a Criminal Act, the question is, why hasn't the State's Attorney prosecuted these cases wherever they have arisen?"

Thomas J. Hanahan: "Well, the only..."

Romie J. Palmer: "I.. I.. I've never heard of anything. I would agree that there's sufficient criminal ah.. statutes on the book now that handle this kind of thing. But, my question is why the State's Attorneys haven't prosecuted."

Thomas J. Hanahan: "Well, first of all, because there isn't any statute in the 'Criminal Code' bearing this."

Romie J..Palmer: "Well,... Well, try deception for awhile. That'll work."

Thomas J. Hanahan: "Well, the.. the only.. the only circumstance that I know where the State's Attorney has criminally prosecuted is when there is fraud involved and also when there is contributions or.. or ah.. reserved funds taking.. taken right out of the employees paycheck as a dual contribution of employee-employer contribution. Then, they could go into criminal action. This.. This act here would then allow it. Also, where there is no money taken from the employees paycheck."



Romie J. Palmer: "Well, are you saying that the employer doesn't take out what he's suppose to take out?"

Thomas J. Hanahan: "No, I.. I'm saying that the, in.. in the case where this Bill, 3644, covers, in most fringe benefit plans, there is no money taken from the employees paycheck. It was negotiated in lieu of wages. And so, right now, there is no 'Criminal Code' ah.. criminal Law against ah.. this type of activity."

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

Walter McAvoy: "Previous question."

Hon. W. Robert Blair: "All those in favor of the gentleman's motion say 'aye', opposed 'no', the 'ayes' have and the previous question has been moved. The gentleman from McHenry, Mr. Hanahan, to close."

Thomas J. Hanahan: "Mr.. Mr. Speaker and Members of the House, I might say that many employers, who have lost jobs because of these kind of activities that some of the unscrupulous Contractors employ around the State in.. in bidding on job procedures at lower than the negotiated or the prevailing rate of the Industry that includes the fringe benefits that due the workingman. They.. They bid the job with that idea of not paying it. So, therefore, they end up getting the job away from many legitimate good employers. This Bill, not only protects the employees, it protects most good employers that never fail to live up to their contract agreements with working people. I urge your support."

Hon. W. Robert Blair: "The question is, 'shall this Bill pass?'



All those in favor will vote 'aye', and the opposed 'no'.
The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well ah... evidently, this Bill is going to pass but I ah... wish to explain my vote by pointing out that the amendment which is the bill does not even say "willfully fails to make the payment". It has nothing to do with deductions from paychecks of the worker. Ah... this is simply any employer who promises in writing to make payments to an employee welfare plan and then list all of the plans and who fails to make such payments within thirty days after they become due is guilty of a misdemeanor. Now a misdemeanor does mean you can go to jail through mere negligence because a man does not have the money for one reason or another. But if it's due and he doesn't make the payments, then he can go to jail. I would point out I hate to see us do a useless thing that the new 1970 Constitution, Article I of Section 14 proscribes imprisonment for death, as brought out by Mr. Wall. I know the intention is good; I think that the employers who promised to do something ought to be held to their promises. But I submit resort to the criminal law to enforce this is over-reaching and so I am voting no."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 95 'Ayes' and 30 'Nays'. This Bill, having received a Constitutional Majority is hereby declared passed.
The gentleman from Cook, Mr. Hyde."



Henry J. Hyde: "Ah, Mr. Speaker and ladies and gentlemen of the House, we have about ah...25 or more matters on the call, some of which are controversial and we could be here ah... I would hope we could get out by 9:00 but it depends on many variables. So it is the suggestion of the leadership if you wish to order your dinner out, you make arrangements to order out and have them bring it in. Thank you."

Hon. W. Robert Blair: "On the order of consideration postponed appears House Bill 4466 which the gentleman from DuPage, Mr. Hoffman, asked leave to have brought back to the order of Third Reading for purposes of consideration. The Bill having been read a third time, the chair recognizes the gentleman from DuPage, Mr. Hoffman, on the Bill."

Gene L. Hoffman: "Mr. Speaker, ladies and gentlemen of the House, House Bill 4466 I think is accurately described in the Digest. It's a School Problems Commission Bill in regards to school transportation and eliminates the 80 per cent limitation on state payment and by doing this, it effects that any school district which is levying the qualifying rate and can raise only 10 per cent or 12 per cent of the amount of the 100 per cent of the cost is for eligible transportation. The State will come in and pay the difference if it's 80 per cent or 88 per cent or 90 per cent. It also provides that any school district whose claim for reimbursement for eligible transportation for the three years during the ah... period of time in which the ah...which the ah... present transportation formula has been in effect would reimburse--would be reimbursed by the State for the difference



between the 80 per cent and whatever cost they were able to raise and has been creating a deficit. We estimate that this cost for the 1969-70-71-72 school year will be in the neighborhood of \$500,000 and have submitted House Bill 4468 which is presently in the Appropriations Committee, and we would appreciate your support. This affects basically districts districts which have low assessed evaluation. These districts, however, are not centered necessarily in the Southern part of the State or the Central part of the State. There are also a number of them in the Northern part of the State and I would appreciate your support."

Hon. W. Robert Blair: "Any further discussion? The question is shall this Bill pass? All those in favor will vote 'Aye' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. This question... Hyde..'aye'. McMaster..'aye'. Hunsacker..'aye'. Waddell..'aye'. This Bill having received a Constitutional... Douglas..'aye'.. Majority is hereby declared passed. Now for what purpose does the gentleman from Macon, Mr. Borchers, rise?"

Webber Borchers: "Have you announced the Roll Call of the vote?"

Hon. W. Robert Blair: "Yes."

Webber Borchers: "As Sponsor of House Bill 2506, I request permission of leave to table it."

Hon. W. Robert Blair: " All right. On the order of Consideration postponed appears House Bill 2506, the gentleman asked leave to table. Hearing no objection, the Bill will be tabled. On the order of Consideration Postponed appears Bill 4558,



which the gentleman from Cook, Mr. Shea, asked leave to have brought back for the order of Third Reading for purposes of Consideration. The Bill having been read a third time, the chair recognizes the gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, ladies and gentlemen of the House, House Bill 4558 changes Section 10-C, the Transportation Act, wherein it allows the donation by a municipality a county or any carrier to a municipality or a district for the purposes of matching funds. This will allow municipalities in counties in any carrier whether it is a private or a publically held carrier to donate property to municipalities or transportation districts within the State and let them use that type of matching funds per sought match. This in no way increases the amount of money in the bond issue. It in no way is mandatory. It is discretionary within the department, and it is only allowed when approved by the secretary, and I refer you in the same Bill to Section 2, the second sentence. Grants shall be made upon such terms and conditions as in the judgment of the secretary are necessary to insure their proper effective utilization. So this is strictly permissive legislation. It in no way is mandatory, and I would appreciate the support of the House."

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

Henry J. Hyde: "Mr. Speaker, ladies and gentlemen of the House, I think anyone from outside the city of Chicago who supports this will have some difficulty in justifying it with their constituency. Ah..this Bill really would



allow Chicago to transfer title for facilities such as Dan Ryan and Kennedy Rapid Transit Systems and the extension of the Englewood Line and the Dearborn State Street Subways to the C.T.A. This in effect would give the city of Chicago hundreds and millions of dollars in matching credits for capital grants and would effectively remove any requirements for the city of Chicago to supply matching funds for capital grants for many years. Now the result of this is that the \$200,000,000 that are allocated for mass transits would all really go to Chicago and ah...I think this would really pervert the purposes of the Transportation Bond Act in this area. I submit that this is a very dangerous precedent and I urge your...the strenuous defeat of this Bill."

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

Rolland F. Tipswood: "Mr. Speaker, ladies and gentlemen, when this House heard this Bill just the other day, and I first looked at the Bill, I was immediately a little afraid of this and what this Bill might do. And then when I made full examination of it on my own and I found that this Bill is not a Bill, that I, as a downstate member of this House feel that I would have any hesitancy of supporting. There is nothing in the Bill that would give to the city of Chicago or any other city a right to have the first claim on any of the \$200,000,000 that has been voted in the Bond Issue for Mass Transit and gives them no priority over any other city in the state of Illinois.



And, it gives to every City, Cities in my District and Cities in many other Districts throughout the State of Illinois, the right to use the property of their presently existing Mass Transit facilities for their sought match. There would be no funds that could be automatically transferred over to Chicago or any one of the other Cities in excess of the bond funds that have already been allocated without there being in addition some future appropriation, specific appropriations by this Body. And, I, as one Downstater, and having examined this Bill carefully for myself, do not find that this, in any way, causes any difficulty or should cause any pause for any Area with a Mass Transit System of any kind in Downstate Illinois. Because, as I understand it, it allows both the public and the private carriers who otherwise would qualify to come with their match as a sought match of the facilities that they now have and really let them take part, the Chicago System and all of the other Systems, in the State Bond Issue and in the Federal monies that will be forthcoming or are forthcoming under the Mass Transit Acts of the Federal Government. Much more readily, much more rapidly and lets us compete with all of the other Mass Transit Systems of all of the other States in getting those Federal funds. And so, I, as one person from Downstate, find that this is a Bill that.. that I can support. And, I hope that it will help the Mass Transit Systems wherever they may be and helps in the demands that are presently being made upon our public highway system therefore. Thank



you very much."

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

Clarence E. Neff: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill we heard last week and the Bill is still the same. There has been no changes in it. And, it has been acknowledged that this would give help to Downstate Transportation Systems. Ah.. in Committee Hearings, we had no testimony from anybody downstate ah.. showing interest in this Bill and I, particularly, live in a District where I can see no help whatsoever on getting any of this money. I think it's a case where Downstate people are going to be a paying for something that will mostly go to Chicago. I can not understand any Downstate person, regardless of which side of the aisle they sit on, voting for such an issue which will ah.., I'm sure we'll hear many comments from, from our people, in voting for something that we are getting no benefit from. And, yet we're going to have to help pay the Bill. And, I certainly urge again the defeat of this Bill."

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

Brian B. Duff: "Mr. Speaker, a year ago in the spirit of compromise, this House and the Senate and the Governor got together and passed a major Transportation compromise for the benefit of the Community of Illinois. This Bill here, it seems to me, offends the good faith with which that com-



promise was.. was settled. This Bill disregards the interests of the Community of Illinois for the interest of a single Community. And, this Bill offends the best concepts of Mass Transportation Planning with which we are confronted today. To me, it seems, if we continue to go piecemeal for the special interests of local areas of the State of Illinois into the Mass Transportation problem, we'll never ever get it solved for the benefit of all of the people. I think this is a bad Bill. And, once again, I say that I think that, had we anticipated this kind of action when we affected and helped each of us in that compromise last year, we probably would have never done so."

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

Benedict Garmisa: "Well, Mr. Speaker and Ladies and Gentlemen of the House, the Majority Leader, in this instance, has really gone overboard in his greatly exaggerated version of what the City of Chicago will claim to be used for the sought match under this Act. It is ridiculous to state that the City of Chicago would claim the skyway for purposes of sought match as it is defined under this Act. And, Mr. Speaker and Ladies and Gentlemen of this House, if the private carriers in the State of Illinois can use the sought match under these funds, the municipalities are certainly more than entitled to do the same thing. And, I can tell you right now that, as far as the application of these funds are concerned, they still come under the Department of



Transportation. It is discretionary on the part of the Secretary to make the application of these funds State-wide as he sees fit. And, if he doesn't do the job, well then, it's up to the Governor to take him out of that spot. And, Ladies and Gentlemen, this is a good Act. This will go a long way towards helping the trouble Mass Transit Districts throughout the State of Illinois. And, I hope for a favorable vote on this Act."

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

J. Theodore Meyer: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "All those in favor of the gentleman's say 'aye', opposed 'no', the 'ayes' have it and the previous question has been moved. The gentleman from Cook, Mr. Shea, to close."

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this will help the C.T.A. This will help the people who ride the C.T.A. in the City of Chicago. Will also help many Districts outside the City of Chicago and many Districts Downstate. Right now, the West Suburban Bus Lines, which runs through a good many Suburban Districts, is talking about an increase of a nickel or a dime. And, it's going to the municipalities. Under this Bill, those muni.. municipalities could donate facilities and give the West Suburban Transit Authority the right to use those facilities for sought match and get some money from the State and the Federal Government. It's permissive Legislation. There's nothing mandatory in this Legislation. It's up to the



Secretary of the Department of Transportation to say whether anything can be used for a sought match or not. If we can do anything to help Mass Transportation, anything to avert fair increases throughout the State, I think that we have an obligation to do it. And, I would ask for the help of this House to pass this Legislation. Thank you very much."

Hon. W. Robert Blair: "On this question,... Alright.. The ah.. question is, 'shall House Bill 4558 pass?'. All those in favor will vote 'aye', and the opposed 'no'. The gentleman from ah.. ah.. Cook, ah.. Mr. Schlickman."

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, in explaining my vote, I should like to point out that I am not opposed to what is reasonable and necessary to the City of Chicago. But, in considering what is reasonable and necessary for the City of Chicago, we must consider what is reasonable and necessary for the remainder of the State. If this Bill and the companion Bill pass, Chicago immediately will acquire more credits towards Mass Transit subsidies than could be met by the entire \$200,000,000 State Bond program for Mass Transportation. Furthermore, the City of Chicago could garner and corner for years the Market on Federal Grants for Illinois' Transportation projects. The affect would be to make a shambles out of our program for Mass Transportation, Public Transportation in the State of Illinois. It's been stated that the program is discretionary. It has been stated once here before that the Secretary of the State Department of Transportation is in opposition



to these Bills. I urge their defeat."

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

John C. Hirschfeld: "Thank you, Mr. Speaker. Just briefly as a Downstater from roughly the same Area as Representative Tipword, I ah.. I find no help whatsoever in this Bill for the Downstaters. And, I very frankly resent the almost insatiable appetite of Cook County and the C.T.A. in coming back into this General Assembly in the same Annual Session we were really in the last time and asking for more money. What they're really saying, of course, is that there's an opportunity that's equal to everybody Upstate and Downstate. But, the real heart of the matter is that we don't have enough garbage Downstate to transfer to our Mass Transit Districts like they have in Cook County. And, that's why we won't be able to get a sought match. So, I move for a very hearty 'no' vote."

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

Daniel M. Pierce: "Mr. Speaker, in explaining my vote. I'm surprised at this late date in our history that the Majority Leader, who comes from the City of Chicago, should try to rise at passions, which he, apparently in the last speech has, of Downstate against Chicago, of Downstate against Cook County, Suburbanite against Chicago. I though we'd gone beyond that point. Now, I represent Lake and McHenry County and I'm going to support this Bill. When the people in my District get off a Northwestern train, they take a C.T.A.



Bus or a C.T.A. Subway to their place of work. If Chicago and the Central City of Chicago and.. and the Suburbs served by the C.T.A. including Skokie, Wilmette and Evanston and Oak Park and so on are not healthy, then Lake and McHenry County won't be healthy. Do we want Chicago to become like St. Louis, like Cleveland, like Detroit, virtually dead Cities or do we want to keep Chicago as a vital part of our State that is paying a great deal of taxes of our State by keeping it heal... healthy with a Mass Transit System? Therefore, I can explain to my voters in Lake and McHenry County why Chicago should be given the opportunity for the sought match Federal Funds and the State Transportation Funds. When I voted for the State Bond Issue, the Compromise Issue here that we spoke about, that Mr. Duff spoke about, I voted for it because I thought it would help the Chicago Transit Authority. It would help our Metropolitan Area remain viable. And, therefore, I'm not at all ashamed, as a Suburbanite who has no part of Cook County and no Area served by a C.T.A. directly in my District, to support this Bill. Because, without a healthy Mass Transit in Chicago, without a healthy C.T.A., Lake County won't be healthy, McHenry County won't be healthy and we, in the State of Illinois, will not be healthy."

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

Henry J. Hyde: "Well, I dislike talking the second time on the same Bill. But, the last distinguished gentlemen mentioned my name. And, I just want to say this. I don't be-



lieve ah.. in opposing Downstate with Chicago. I.. I believe that we are one State and I do live in Chicago. But, I also think that good faith ought to be maintained by parties to a transaction. And, in the last Session, this entire package was worked out with certain requirements imposed upon the City of Chicago. Now, that the benefits of that are being received, the City wishes to ah.. avoid the.. the rather substantial burden that they accepted as part of the agreement which passed the ah.. Transportation Bond Issue. And, I will not ah.. just sit here meekly and ah.. watch the terms of that evaded and avoided without pointing out ah.. what, I believe to be ah.. the nature and the extent of this ah.. legislative effort. And, far be it for me ah.. to.. to put the Downstate against Metropolitan Chicago. And, I agree with the gentleman that, if Mass Transportation is healthy in Chicago, it's healthy for the whole State's economy. But, I also agree that the City of Chicago shouldn't ah.. turn what was a requirement to put up some cash, ah.. turn that into a paper transaction to the detriment of the agreement that we had and to the detriment of the entire State."

Hon. W. Robert Blair: "Take the record. On this question, there are 80 'Ayes', and 47 'Nays'. For what purpose does the gentleman from Cook, Mr. Shea, rise?"

Gerald W. Shea: "Mr. Speaker, I wanted to explain my vote after the..."

Hon. W. Robert Blair: "Go ahead..."



Gerald W. Shea: "Majority Leader. And, I would like to poll.."

Hon. W. Robert Blair: "Go ahead.."

Gerald W. Shea: "A Poll of the Absentees."

Hon. W. Robert Blair: "Well, which do you want first?"

Gerald W. Shea: "I'd like to explain my vote first."

Hon. W. Robert Blair: "Okay.. Go ahead."

Gerald W. Shea: "The Majority Leader talks about insatiable appetites of the C.T.A. What did you say, 'The insatiable appetite of the City of Chicago'? Well, Henry, I apologize."

Hon. W. Robert Blair: "Alright.. You've got a half of a minute left."

Gerald W. Shea: "Well, we can laugh and we can joke and we can talk about a half a minute left, and, all this Bill would do would help the people for a little better Transportation System. It's permissive. But, evidently, some people feel that they don't want to be in a position where they've even got to make a decision. I don't know what's wrong. I don't know why we can't help some of the Communities. It helps Chicago or the C.T.A., but it helps Joliet and it helps Rockford and it helps Decatur and it help Downstate Illinois. It helps Champaign. It helps Springfield. What do we do? Do we come down here and stick our heads in the sand when we're fearful that it might help something Upstate? Ask C. L. McCormick how much of the taxes collected up there come back Downstate to help other programs."

Hon. W. Robert Blair: "Poll the Absentees."



Fredric B. Selcke: "Brandt.. Jimmy Carter.. Chapman.. Otis
Collins.. P. W. Collins.. Conolly.. William Cunningham..
Dyer.. Fleck.. Flinn.. Graham.. Hill.. Jacobs.. Janczak.."

Hon. W. Robert Blair: "Hill.. How is he recorded?"

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

Hon. W. Robert Blair: "Record him as 'aye'."

Fredric B. Selcke: "Kahoun.. Kennedy.."

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

Leland J. Kennedy: "Mr. Speaker, am I in order to explain my
vote, please?"

Hon. W. Robert Blair: "Not on a Poll of the Absentees."

Leland J. Kennedy: "Vote me 'present' then."

Hon. W. Robert Blair: "Vote the gentleman 'present'."

Fredric B. Selcke: "Kleine.. Klosak.. Lauterbach.. Lehman..
Lindberg.. Ed Madigan.. M. Madigan.. McAvoy.. McClain..
McCormick.."

Hon. W. Robert Blair: "How.... McClain.. 'aye'."

Fredric B. Selcke: "McDermott.. McDevitt.. Meyer.. Peter Miller..

G. O'Brien.. Philip.. Randolph.. Redmond.. Regner.. Rose..

Schoeberlein.. Sevcik.. Shapiro.. Soderstrom.. Springer..

Telcser.. Terzich.. Jack Thompson.. Wall.. Genoa Washington..

Williams.. J. J. Wolf."

Hon. W. Robert Blair: "The Roll Call is 82 'Ayes', 47 'Nays',
1 'Present'. For what purpose does the gentleman from Cook,
Mr. Shea, rise?"

Gerald W. Shea: "With leave of the House, I'd like to postpone



the Bill."

Voices: "Leave....."

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

George M. Burditt: "Mr. Speaker, am I right that this Bill has been previously postponed?"

Hon. W. Robert Blair: "That's correct."

George M. Burditt: "Ah.. do the rules permit two postponements?"

Hon. W. Robert Blair: "No. Rule 69 does not."

George M. Burditt: "I object to the Rule... to the motion then, Mr. Speaker."

Hon. W. Robert Blair: "Your objection is in order. Well, you're Roll Call then on the appeal of the Ruling of the Chair because Rule 69 ah.. clearly states that no Bill may be postponed ah.. ah.. a second time. And, this Bill that he's asking for leave to postpone is in direct violation of Rule 69. The gentleman from ah.. Cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, I move to suspend Rule 69 for the purposes of putting House Bill 4558 on postponed consideration."

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

Gerald W. Shea: "May... Maybe I could simplify this. Might I take the Bill out of the record before you announce it?"

Hon. W. Robert Blair: "Alright.. Ah.. on the gentleman's ah.. motion ah.. to, under the provisions of Rule 93a, to suspend ah.. Rule 69. All those in favor will vote 'aye', and the opposed 'no'. The gentleman from Union, Mr. Choate."



Clyde L. Choate: "Well, Mr. Speaker, I realize that time is running late in the evening. I realize that probably every one wants to get out and have a bite of dinner. I realize that we've continually postponed the provisions of various Rules to keep House Bills on Third Reading on this Calendar alive so that everyone might have an opportunity to have their Bills called. I realize that what's happening right now is in accordance with the Rules of this House. But, it's not too often that a Member is not extended the courtesy, and especially in this late hour, of simply postponing the consideration of a Bill. And, incidentally, it was done last week, my friends, and it was done from the other side of the aisle, if I recall correctly. And, there was not an objection raised. And, I say to you that the gentleman from Cook, who did raise the objection, is certainly within his prerogative of doing so if he desires. But, I say to you also, that one of these days that it's possible that it might happen to each and every one of us in here when we want just a wee bit of courtesy extended. Now, I don't why the gentleman wanted to postpone it because there was absentees enough on this side of the aisle, if you please, to more than pass his Bill, if they had of been in attendance. And, out of some ten absentees from this side of the aisle, there was only two that reported in as sick. But, I say to you that, I think, that it behooves this House to extend courtesy to each and every Member when noth.. nothing more than what is being brought about here is at stake."



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

Henry J. Hyde: "Well, Mr. Speaker, in response to the distinguished

Minority Leader, I know of no occasion of where any Member has had a Bill postponed twice. Ah.. this is the final day.

If we permit it on this Bill, we ought to permit it on anybody else's Bill who asks. One Bill is not more important

than another nor is one Member more important than another.

Ah.. there is no disposition on our part to be unfair, to take undue advantage. But, the Bill was called and it was

put on postponed consideration. It has been called again.

And, in fairness, there has to be some termination. And,

ah.. there is no disposition to be arbitrary or unfair. But,

if we are ever to finish with Third Readings, I think that

we should stick to the Rule which is very clear. And, in

my judgement and my knowledge as never been breached by this

House on either side of the aisle."

Hon. W. Robert Blair: "The Clerk will take the record. The gentleman from ah.. Cook, Mr. ah.. Ewell."

Raymond W. Ewell: "Mr. Speaker, for a parliamentary inquiry.

Ah.. does this Rule have to be suspended or do we read it in accordance to Rule 69 which says, 'The majority'?"

Hon. W. Robert Blair: "Ah.. this Rule, under the provisions of 93a, requires either 89 votes or two-thirds of those voting."

Raymond W. Ewell: "The.. The question is, do we have to suspend the Rule, since the Rule says itself that ah.. 'After a question is under consideration, it may be withdrawn, post-



poned or tabled by unanimous consent, or if unanimous consent is denied by a motion adopted by a majority of the Members voting'?"

Hon. W. Robert Blair: "Yeah.. Read the rest of the Rule. 'No Bill, however, may be considered....'."

Raymond W. Ewell: "'For a short version'."

Hon. W. Robert Blair: "Yeah.. 'No Bill, however, may be considered for final passage by the House more than twice. If the consideration for a motion to pass a Bill has been postponed once, the Bill must either pass or be lost upon the consideration of that motion the second time'. The Rules... That was unanimous... unanimously adopted by the Rules Committee. On that question, there are 82 'Ayes', and 64 'Nays'. And, the ah.. motion to suspend is lost. And, on the main question, there are 82 'Ayes', 48 'Nays', 1 'Present'. And, this Bill having failed to receive a Constitutional majority is hereby declared lost. Alright.. On the ah.. order of Third Reading, appears ah.. House Bill 4559. The gentleman from Cook, Mr. Shea."

Fredric B. Selcke: "Ah.. House Bill. Excuse me."

Hon. W. Robert Blair: "Oh! It has been a third time. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4559 would add one additional district that is eligible under the Mass Transportation Assistant Act. It would be any district.... It would add Section IV. And, it would be any district created pursuant to Urban



Transportation District Act, approved July 1st, 1969. This allow the district, created within the Chicago Loop and adjacent Area, to be eligible for assistance under the State Transportation Bond Act. I would appreciate the support of the House."

Hon. W. Robert Blair: "Alright.. The Clerk advises that this Bill was not read a third time having been on Third Reading. So, we'll read it a third time."

Fredric B. Selcke: "Ah.. House Bill 4559, a Bill for an Act to amend the 'Civil Administrative Code'. Third Reading of the Bill."

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

Gerald W. Shea: "Ladies and Gentlemen of the House, as you know, the Chicago Loop Area is probably the most congested Areas any place. I don't know how many of you drive in there in the morning, but it's covered with cars from end to end. People have a hard time parking. People have a hard time getting into the great shopping areas that we have, our Universities. We have a great University and Medical Facility on the near West Side that's encompassed in this. We have the wonderful Lake Front, the Soldiers' Field and McCormick Place that will be included, the great shopping areas of the near North Side. This Act that was passed overwhelmingly by this Legislature and signed into Law by the Governor would be eligible for assistance under the Transportation Act. I would strongly ask the help of this House to help revitalize our Central City with this type



of Legislation."

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

Henry J. Hyde: "Well, I'm ah... Mr. Speaker, Ladies and Gentlemen of the House, I'm certainly interested in revitalizing what, I think, is the greatest City in the World, Chicago. But, ah.. I don't think this is the vehicle to do it. The Chicago Urban Transportation District was set up to do among other things provide a new subway from the John Hancock Building to McCormick Place. Ah.. now if we're going to construct new subways, ah.., it seems to me, there's a lot of places that that subway could go or those rapid transit facilities to go that would serve a much more useful purpose. For exist.... For existence, extending the Kennedy out to O'Hare Field. However, this Bill would make this Chicago Urban Transportation District eligible for State Mass Transportation Grant Funds. And, you will recall, the ah.. Chicago Urban Transportation District was created for the Chicago Downstate Subway Distributor Project which includes burying the ah.. Loop elevated structure and constructing this new subway distributor from the Hancock Building to McCormick Place. The total cost is estimated at \$750,000,000, of which two-thirds will come from the Federal Government. The remainder, \$250,000,000 would have to come from local sources. And, for this reason, the Chicago Urban Transportation District was taxing ability. Now, the Bill that the gentleman is proposing ah.. ought to be defeated for several reasons. First of all, the Chicago Urban Trans-



portation District was designed to provide the required matching funds for Federal Program. And, under the State Grant Program, only \$168,000,000 is available for capital grants over four years. If the Chicago Urban Transportation District becomes an eligible grantee by the passage of this Bill, then it would be eligible for two-thirds of the \$250,000,000 non-Federal matching share or \$157,000,000. That's one million less than the whole ball of wax because \$32,000,000 is set aside for debt service. In other words, this Bill would emasculate the entire ah.. ah.. Mass Transportation portion of the Transportation Bond Issue which we passed in the Session of ah.. the General Assembly. The State Program was designed chiefly to permit the renewal and improvement of existing Transit Systems, to bring them up to reasonable levels of quality. It's not designed for building entirely new Systems of the magnitude of the Chicago Urban Transportation District. Even under present programs, Ladies and Gentlemen, the Chicago Metropolitan Area will receive over 90 percent of the State Capital Grant Funds. If we include the Chicago Urban Transit District as an eligible grantee, the consequences for Downstate projects would be catastrophic. When the comprehensive Transportation Bond Program was enacted last year, there was absolutely no request for the inclusion for the Chicago Urban Transit District. I, therefore, urge defeat of this Bill."

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



J. Theodore Meyer: "Thank you, Mr. Speaker. As I remember the Bill that created the Chicago Mass Transit Urban District, it passed this House overwhelmingly. Also, as I remember, the debate on the floor, there was reference made that the landowners, by referendum, would support this District. Now, Ladies and Gentlemen of the House, this amounts to a raid for fat cats because they've passed the Dist... the referendum. The District is in creation. And now, those vested interests, who are building Downtown, the high-rises, those who want to build on the I.C. rights. In particular, they want to come down to Springfield and have the taxpayers of the State of Illinois pay for it. Ladies and Gentlemen, I don't think the people that work in this State really need the support that the developers, by they Instate developers or New York developers. Thank you, Mr. Speaker."

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

John Jacob Wolf: "Well, Mr. Speaker and Members of the House, I like to reiterate some of the comments made by the previous gentlemen who spoke against this particular Bill. I'd like to remind you that when we created the ah.. Urban Mass Transportation District that we gave it the taxing powers for exactly ah.. what they were supposed to do with it. They were to use the money to create this District and tear down the L structures in the Downtown Loop Area. And, as the Majority Leader pointed out, that it would be possible for this to gain a hundred and sixty-seven out of the entire \$168,000,000 Bond Issue. And, gentlemen, those of you from



the City Chicago, if you want Mass Transportation to run through your Districts and through other parts of the City, there won't be anything left in there. So, all I can say, if the Downtown interests want this bad enough, let them pay the freight."

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I've heard it bandied that the Downtown interests want it. I don't know how many of you go into the Loop everyday. I do when I'm not here. I many of us want to shop in the stores and find it impossible, at times, to get there. How many of our young people go to the U. of I., and Henry, that's one place that you forgot to mention that this was going to run, out to the Universities and the Medical Center? How many of your constituents need some kind of medical help that they can get at one of the finest Medical Centers any place in the United States? I've heard it said that it's just for the vested interests. Well, we're the vested interests over the University. We're the vested interests at the Medical Center. And, I would appreciate the support of the House."

Hon. W. Robert Blair: "The question is, 'shall this Bill pass?' All those in favor will vote 'aye', and the opposed 'no'. The gentleman from ah.. Madison, Mr. Kennedy."

Leland J. Kennedy: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I'm going to vote 'present'."



I'd like to explain why. I've listened with great interest to the Majority Leader and with great interest to the Assistant Minority Leader. And, in my town, Alton, Illinois, we're on the tail end of the Bi-State Transportation System. And, I would say that within a hundred days from now, we're going to need complete subsidy to keep that area running. And, if someone could tell me, explain to me, why the premise will not hurt or help either one and just leave it the way it was, I would gladly vote for it. Un.. Until somebody can show me, I'm not going to vote 'no'. I'm going to vote 'present'. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 74 'Ayes', and 54 'Nays'. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Well, Mr. Speaker, I can see that this won't get any better because I've looked at the Roll Call pretty well. I would like to thank my Colleagues who voted with me. And, please announce the Roll Call."

Hon. W. Robert Blair: "And, this Bill having failed to receive a Constitutional majority is hereby declared lost. 4531."

Fredric B. Selcke: "House.. House Bill 4531, an Act to consolidate election dates by amending 'The Election Code'.
Third Reading of the Bill."

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

Clyde L. Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, when the Majority Leader arose a moment ago and made the announcement about being here until 9 or 10:00



o'clock, and the fact that we probably might send out for our dinners because we're going to be late, I did stand and then I sat back down. But, I was going to say that, if everyone would maybe cut their remarks a little shorter, we would not possibly be here as late as he had suggested we might. So, I'm going to keep my remarks extremely brief. I'm going to tell you that House Bill 4531 is a consolidation of all elections throughout the State of Illinois. And, I'm going to tell that, if this had been in effect, at the present, it would have affected better than a \$21,000,000 of savings to the taxpayers of the State of Illinois. And, I'm going to tell you, briefly, that, if a Bill such as this had of been in effect this year, that probably with all probability and, I think, as a sure thing that voter participation would have been much greater at of the elections throughout the State of Illinois then they have been. And, I'm going to tell you that in many areas of the State of Illinois there's been as high as five elections already held up to this point in this year. I'm going to tell you that I have received resolutions from various County Organizations throughout the State of Illinois such as the County Board of Supervisors here in Sangamon County and various other Organizations from Counties throughout the State saying that they agreed totally and wholeheartedly with this Bill and that elections should be consolidated. I'm going to tell you that many of the newspapers and the news media as well as television and radio



have editorialized saying that this is one of the most needed pieces of Legislation that has been brought about in this brief Session of the General Assembly. Mr. Speaker, I would appreciate ah.. a vote of confidence in this worthwhile piece of Legislation and solicit the vote of the entire Membership."

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

Richard A. Walsh: "Will the gentleman yield for a question? Ah.. Clyde, ah.. would this require the school in Park District Elections to be held on these dates too?"

Clyde L. Choate: "Yes.."

Richard A. Walsh: "And, would.. would it be held in May or..?"

Clyde L. Choate: "In odd numbered years ah.. Bill, I mean ah.. Dick."

Richard A. Walsh: "They... They'd be in odd numbered years in ah.. May or in November?"

Clyde L. Choate: "If.. If.. If there partisan. Without going to my notes, if I recall correctly, if they're partisan, they're in the month of November. If they're a non-partisan election, they are in the May."

Richard A. Walsh: "Ah.. does this change the primary date for ah.. for all other can.. candidates...?"

Clyde L. Choate: "It changes the primary date to the month of May."

Richard A. Walsh: "Thank you."

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



Miller."

Kenneth W. Miller: "Will the Sponsor reply to a question, please? Clyde, what does this do on backdoor referendums or on referendums concerning bond issues of any kind? Does this require these to ah.. elec... to be held either in May or November? Or, do they.. do they have a special election?"

Clyde L. Choate: "No. They would be held on either of those dates that ah.. was the most feasible as far as the ones who put the proposition together simply because they are not a partisan ah.. an election. They could be held on either one. In other words, Kenney, if I recall correctly..."

Kenneth W. Miller: "Ah.. in other words, ah.. there would be no type of special election?"

Clyde L. Choate: "No. There would be no type of special election."

Kenneth W. Miller: "What about for vacancies in any office like in the City, if there's a vacancy or ah.. if there's a vacancy that we've talked here in a Member of the General Assembly ah.. which I would normally consider would be some type of special election? How are those covered by this ah.. Bill?"

Clyde L. Choate: "If I recall correctly, if could be held at either one of them. But, you would never have over a six month wait ah.. to fill a vacancy, Kenney, by simply because you've got them spaced out that way."

Kenneth W. Miller: "You said, 'Either one'?"

Clyde L. Choate: "Yes."



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

Philip W. Collins: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House ah.. I'm not one to oppose consolidation of elections, quite the contrary. Ah.. I favor the concept. However, I can see from the questions being raised now, there's a great deal of confusion as to just what this Bill does.. And, at this late date, ah.. it's difficult to ah.. thoroughly examine it for all the Members. We did have ah.. good examination of the Bill ah.. in the Elections Committee. Ah.. I would like to point out though that the ah.. new Code of Elections has been introduced in the ah.. ah.. the Senate. This is an exempt Bill. And, the Section dealing with the consolidation of elections will be quite similar to the Bill that we are now considering. So, I.. I would urge that ah.. ah.., perhaps, we are ah.. acting with undue haste at this time on an issue that will thoroughly ah.. debated and considered at a later date in the exempt status. And, I.. I think that maybe it would be better to.. to go a little slowly. Ah.. and at this time, ah.. ah.. I hate to say defeat the Bill, but ah.. it might be better to postpone it until we do have an opportunity to thoroughly examine the ah.. the new Code which ah.., I understand, will be coming to us again in an exempt status ah.. after we get out from under the.. the crush of these non-exempt Bills. But, I ah.. I ah.. I.. to join with my Colleague, the Minority Leader, I think that, perhaps, in fairness to the ah..



Members of this House, ah.. we should defer action on this very important issue until a later date."

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

Charles W. Clabaugh: "Mr. Speaker, I, personally, favor very much the consolidation of all elections. But, as I have said on the floor of this House several times, when you put an election in May, the first part of May, you're going to disfranchise half of the farm people in this State. They will absolutely will get out of the field in the busiest time of the year. If this were one week earlier that it is, I would be very happy to support it. But, under these circumstances, I can't do it at all. You can't even get a farmer out of the field hardly to feed him, let alone to vote in an election. Now, a week later or earlier than this, Representative Choate, along towards the last of April, would be very satisfactory. But, I think that it's a very bad Bill in this form."

Hon. W. Robert Blair: "The gentleman from Kankakee, Mr. Houde."

Thomas R. Houde: "Will the gentleman yield for a question?"

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

Thomas R. Houde: "Ah.. will the ah.. Townships and Counties be in the.. at the same time as the general election?"

Clyde L. Choate: "This.. This does not change ah.., Tom, as I said a moment ago. If it is a partisan election, if it's a Township or whatever it is, and it's a partisan election at the present time, it will fall on the November ah.. ballot."



If it's a nonpartisan, it goes in Apr... in May."

Thomas R. Houde: "Well, our Counties fall on.. on a partisan."

Clyde L. Choate: "Then, it would be in November."

Thomas R. Houde: "Well,... Well, Mr. Speaker, may I... Are you going to withdraw this, Clyde?"

Clyde L. Choate: "No.. No.."

Hon. W. Robert Blair: "He says, 'Not'. Go ahead."

Thomas R. Houde: "May I address myself to this?"

Hon. W. Robert Blair: "Proceed."

Thomas R. Houde: "I'm just afraid, Clyde, that we're going to ah.. mix up people going into the ballot box.. or ah.. into the ballot booth and going from end to the other, voting for the President, the Governor. And, voting for the County, and in some instances, Township Officials. And, I think that we are going to have ballots that are two yards long and people are just not going to give the proper attention to the proper form of Government in electing their public officials. One form of Government might be doing a good job, another one, a bad job. I ah.. I oppose this."

Hon. W. Robert Blair: "Ah.. any further discussion? The gentleman from Cook, Mr. Bluthardt."

Edward E. Bluthardt: "I wonder if the Sponsor would yield for a few questions?"

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

Edward E. Bluthardt: "Alright.. Clyde, see if you can set me straight, if possible, on ah.. on nonpartisan elections. Are you saying that there will be an election, perhaps, in



May at which time all nonpartisan elections will be held? In other words, a village that runs a nonpartisan ah.. nonpartisan ticket, a library board, park district board, school districts, townships, all of these would be held on the same day. And, would they be held.... Would they necessarily have to be on separate ballots? Isn't that correct?"

Clyde L. Choate: "They can be on separate ballots... They can be on separate ballots, yes."

Edward E. Bluthardt: "Well, thank you."

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

Roscoe D. Cunningham: "Mr. Speaker and Members of the House, this is one of the best examples of poetic justice that I have seen. Usually, a Freshman, time and again, people will say, 'This is a splendid Bill, but...', 'This is a splendid Bill, but...'. And, then to have this happen to the esteemed Minority Leader reassures my faith in the system. I want to tell the Sponsor that I think he has an excellent idea. I have no 'buts' about it. I'll vote for it."

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

Arthur E. Simmons: "Will the Sponsor yield to a question?"

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

Arthur E. Simmons: "Ah.. in the Amendment, you create a Section IV and V. Ah.. Section V says that, 'This Bill takes effect January 1st, 1973'."

Clyde L. Choate: "Yes..."



Arthur E. Simmons: "Section IV says, 'The terms of all Supreme, Appellate and Circuit Judges incumbents, on the effective date of this Act, are extended for one year so that all such terms will expire in an odd number rather than an even number years'. Now, if there's some expiring in '73 and you extend them a year, that'll get them into '74. Then,.. Then they wouldn't... They wouldn't be elected until '75. Ah.. is that correct?"

Clyde L. Choate: "Ah.. Representative Simmons, to the best of my knowledge on our research of this. ah.. ah.. matter when we were preparing the Bill, if I remember correctly, and I'm sure that I do, that there is none that expires in '73 of which you're speaking in.. in the odd number year."

Arthur E. Simmons: "And, those that are expiring in ah.., say May of ah.. '74, will be extended for a year. Ah.. the reason I ask, maybe they will have to be extended more than a year to get into the November election."

Clyde L. Choate: "I.. I.. I don't think so, Representative Simmons, because what.. what you're talking about was to provide a certain period of time for those who are expiring prior to the enacting of this Legislation. Ah.. if I remember correctly, again, I'm sure that I do, after the Bill becomes Law, the question that you're proposing will not ah.. be a.. a factor that needs to be considered with ah.. considered that it would be extended longer at all or shorter either one."

Arthur E. Simmons: "Well, maybe I can tear up my.. my problem



this way. Ah.. when are ah.. those terms expiring for the Supreme, Appellate and Circuit Judges?"

Clyde L. Choate: "December of the even numbered years."

Arthur E. Simmons: "December?"

Clyde L. Choate: "Yeah..."

Arthur E. Simmons: "Ah.. Ah.. then, they would be extended until December of the odd years?"

Clyde L. Choate: "Of the odd years."

Arthur E. Simmons: "Ah.. I thought they expired in June."

Clyde L. Choate: "Well, our research told us that they expired in December of odd numbered years... The.. The even numbered years, I'm sorry."

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

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

Hon. W. Robert Blair: "All those of those in favor of the gentleman's motion say 'aye', opposed 'no', the 'ayes' have it. The gentleman from Union, Mr. Choate, to close."

Clyde L. Choate: "Well, Mr. Speaker, I certainly welcome the comments of my Colleague and friend from Lawrenceville. And, I want to say to my friend from the Champaign County, that coming from the Area from I come that if I felt that it was going to curtail the participation from the farm element of this State one iota, certainly, I would not be the chief Sponsor of this piece of Legislation or putting it into the May Election. I say to you that we talk about election reform and we talk about, especially, voter participation. And, I remember one time, myself, mentioning on the floor of



this House, deploring the fact that the American voters had turned out so lightly at a all important Presidential and Gubernatorial Election. And, I cited the fact that in that same week, the Country of Italy had held an election and had voted 88 percent of that population, whereas, in this great freedom-loving Country of ours, we had voted less than 65 percent of the total population. And, one of the reasons, I feel sure for this lack of participation, was simply because we have election after election after election. And, I feel that if you want a higher percentage of participation in your school boards, in your library boards and in your township elections, you're hold those elections on a day when another election of State-wide importance has being.. is being held. And, I say to you, if you want taxpayers money, better than \$21,000,000 which I just spoke of, you will vote for this piece of Legislation. Mr. Speaker, it's a good Bill. And, again, I ask for the participation of this Membership as far as voting is concerned."

Hon. W. Robert Blair: "Alright.. The question is, 'shall this Bill pass?'. All those in favor will vote 'aye', and the opposed 'no'. The gentleman from Cook, Mr Duff."

Brian B. Duff: "Mr. Speaker, I'm sorry that in this one instance that the time for ah.. asking questions was cutoff by moving the question. Because, I have some very serious questions, I think, in.. in the lack of relationship of this Bill to other elections laws. I don't see, for example, when we consider the possibility of having an election for



the whole National ticket, the whole State ticket, the whole Cook County ticket in our Area, for instance, the Village Board, the Park Board, School Board, Township Board, Judges Retention Ballot, Referendum and Constitutional Amendments, Referendums for Schools, Parks, Villages, Libraries, Township andsoforth with no reference in the Bill with time allowed in the polling place, for example, which might be required to cast all of those votes. With no reference made to the additional necessity for Judges. With no reference made to the possible necessity for paying Judges more when we already have trouble getting them to spend the time in polling place. I have to believe that Representative Collin's request to hold this Bill is warranted. I'm not against the Bill. I'm very much for it in many, many respects. But, there's a great deal here that is unanswered and potentially a chaotic situation."

Rep. Arthur A. Telcser: "Have all.... The gentleman from Cook, Representative Bluthardt."

Edward R. Bluthardt: "Well, Mr. Speaker, in explaining my vote, let me just cite my village as an example. On Election Day, if this Bill were Law, on a nonpartisan election day, we would be asking the people to determine Township Officials, Village Election, Junior College Elections, High School Election, Grade School, Library Board, Park District, perhaps, Judicial Retention and any other special Districts such as the Fire Protection District. This, I think, would only contend to confuse the people. I don't think it would



really get up their interests. They would be so confused they wouldn't know what they were voting for. I think because of that, I have to vote 'no'."

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

Webber Borchers: "Mr. Speaker, ah.. and Fellow Members of the House, I was, for six years, a ah.. Chairman of the Election and Jurors in my County as a Member of the Board of Supervisors. All of the elections were held under my charge. To me, it's very apparent what's going to happen here, one of the greatest ah.. indecisive acts that we could possibly perform. We're going to have a mixture of all sorts of politics. We're going to have Democrat-Republican. We're going to have Park Board and the various other ah.. units of Government that have already been mentioned. I won't take the time to repeat them. They'll all be there with all the different facets. There will be no knowledge on the part of the people on the true ideas and of the ah.. of.. of the ah.. things that they should be looking into in the ah.. in the election that will... that will held. Ah.. it would be impossible for them to truly judge between these various elections, ah.. various contests what is right and what is wrong. I think we're destroying ah.. real local Government. We're destroying the ah.. the idea of being able to concentrate ah.. on.. on several three or four elections a year, but knowing individually what the election is all about. We have no right to destroy for some dollars a



Democratic form of Government. This is a step in the direction of the destruction of this very Democratic Government.

And, I think we should vote 'no'."

Rep. Arthur A. Telcser: "Have all voted who wished? The Clerk.. The gentleman from Cook, Representative Fleck."

Charles J. Fleck: "In explanation of my vote, which is going to be 'no', I want to say that, I think, the Assistant Minority Leader should be the Sponsor of this particular piece of Legislation. And, the reason that I say that is because I'm from the City of Chicago. Now, if you take all of the elections across this State and across Cook County and run them into Chicago, I could see a situation where every single office is going to be under Democratic control. Now, as a Republican in the City, I'm in a great minority. There's more blacks than Republicans, more Polish than Republicans and a lot of other things than Republicans. Now, I don't mind being in a very small minority, but I don't want to be in the endangered species list. So, I'm going to vote 'no'."

Rep. Arthur A. Telcser: "Have.. Have all.. The gentleman from Kankakee, Representative Houde."

Thomas R. Houde: "I'm not going to say any more than I did before except to warn the Downstate, particularly gentlemen, that ah.. you're going to destroy County Government with this Bill. And, it's just like the previous Speaker mentioned. You're tying in all of the County Offices as well as the County Board."



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

Philip W. Collins: "Well, Mr. Speaker, as I indicated earlier I am ah.. I'm very much in favor of this principle and ah.. It did suggest that we wait for the exempt Bill. It will come to us from the Senate in the form of the new 'Election Code'. Ah.. the provision for this ah.. particular matter is very similar in the Code to this Bill. And, I thought that, perhaps, that we should wait for some ah.. ah.. more ah.. consideration, examination and reflection upon the ah.. the Bill as it finally comes out in the.. in the ah.. new Code. However, I ah.. I.. I can't bring myself to vote against the Bill. I do favor the concept. Ah.. I may be very much in favor of the Bill as it is presently written. So, ah.., while I can not vote against the Bill, I would like to be recorded as voting 'present'."

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

Henry J. Hyde: "Mr. Speaker, I don't expect to change any votes on the board, but I think ah.. it ought to be borne in mind that one of the major problems with elections today are too many candidates. And, the voter, who knows that he ought to vote, goes in bewildered by what confronts him. He can't possibly know the issues on all of the elections. He can't possibly know the candidates on all of the elections. Now, if we're going to ah.. compromise quality candidates and knowledgeable voting for the ah.. mechanical and



and economical advantage of getting it all out of the way on one day, ah.. we're going to really adulterate the electoral process. Now, I agree that a lot of elections are time consuming and costly. But, the smaller the issues, the smaller the number of people running, the more attention the electorate can give both to the issues and to the candidates. And, I think it's worth the price to have an informed vote cast for the people who are running for these offices. Instead, we're going to have one big list of candidates. It's going to look like the cockpit of a 747 ah.. airliner. And, the voters are going to be more bewildered than they are now. And, I would suggest a few more elections with a few less people running so that attention can be given to the candidates and to the issues. I think it's worth the price."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. Record Representative Richard Walsh as voting 'present'. Palmer.. 'present'. Representative Lechowicz, for what purpose do you rise?"

Thaddeus S. Lechowicz: "Mr. Speaker, in reply to Representative Fleck as far as that there are more black than republicans in Chicago, there are more polls than republicans in the City of Chicago, if that's the case. I'm sure that in the 14th Representative District, Louis Janczak will be elected."

Rep. Arthur A. Telcser: "On this question, there are 118 'Ayes', 18 'Nays', 2 answering 'Present'. And, this Bill having



received a Constitutional majority is hereby declared passed. House Bill 4126. House Bill 4126 has been read three times. The gentleman from Cook, Representative Wall has moved or he has asked leave to suspend the provisions of Rule 47a so that the Amendments, which are on your desks, need not be on your desks for twenty-four hours. So, does the gentleman have leave? Hearing no objections, the Chair recognizes the gentleman from Cook, Representative Wall, relative to House Bill 4126."

John F. Wall: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 4126 makes changes in the Pension Laws in the Sanitary District of Chicago. It has been approved by Al Warrenburg, who approved the Amendments, and also the Leadership on the other side agreed that the Amendments are in line with all of the other Governmental Agencies. And, I ask for your support."

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

Henry J. Hyde: "Will the gentleman yield to a question?"

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

Henry J. Hyde: "Ah.. Representative Wall, does the Pension Laws Commission approve this Bill, as amended?"

John F. Wall: "As amended, I showed it to Frank Wolf, who is a Member of the Pension Laws Commission, and he agreed that it's okay."

Henry J. Hyde: "I see that Mr. Wolf is on the floor. I wonder if I might ah.. direct that question to Mr. Wolf. Although,



I certainly accept.... No, I won't direct it. If John Wall says that, it's alright with me."

Rep. Arthur A. Telcser: "Is there further discussion? The question is, 'shall House Bill 4126 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 117 'Ayes', and no 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. On the order of Consideration Postponed, appears House Bill 3554, for which purpose the gentleman from Cook, Representative Kosinski, is recognized."

Roman J. Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, inasmuch as this was heard just a short time ago, a little over an hour, I won't belabor you with the facts again. I think the Bill was a victim of absenteeism through the House. The three gentleman, who possibly got the concept of what wasn't intended, I've talked with them individually. The whole thrust of this Bill is that we owe the police officers the right to education in the use of their firearm and the legalities, if we give them that firearm. And, I please solicit your vote."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 3554 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 100 'Ayes', 8 'Nays' and this Bill having received the Constitutional majority is hereby declared passed."



On the order of Consideration Postponed, appears House Bill 3697 for which purpose the gentleman from Cook, Representative Phil Collins is recognized."

Philip W. Collins: "Ah.. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Ah.. House Bill 3697 was debated on some length last week. And, like ah.. R. K.'s Bill that we just heard ah.. fell just a few votes short of passage because of absenteeism. This is a Bill that would allow watchers and challengers in voting places to ah.. take photographs if ah.. if ah.. of activities ah.. within the polling place. Ah.. it's felt that such a Bill would be ah.. a step in the right direction in towards, not only ah.. ah.. eliminating any ah.. improper activities within the polling place, but detouring any ah.. any improper activities just by the mere presence of a camera. Of course, any photographs that were taken of improper or illegal procedures within a polling place ah.. the photograph would provide evidence ah.. that ah.. would be used for any vote fraud cases. I think that this is a good Bill. It only fell two votes short of passage last week. And, I.. I would solicit the vote of the House."

Rep. Arthur A. Telcser: "Ah.. is there any discussion? The gentleman from Cook, Representative Shea."

Gerald W. Shea: "Ah.. Phil, this is the Bill that lets you photograph who goes in and out of the polling places. Is that right?"

Philip W. Collins: "Ah.. the Bill states that the challengers



and the watchers would have the right to photograph voters, officials, visitors, police officers, the voting machine. Ah.. yes, it would ah.. allow ah.. rather ah.. complete freedom of.. to the watchers and challengers subject to, of course at all times, to the supervision of the judges of election who always do and will have ah.. ah.. charge of the polling place."

Gerald W. Shea: "In other words, they can take a video tape camera with them and run a picture all day of who goes in and out of every polling place?"

Philip W. Collins: "Ah.. I don't know what a video ah.. camera is, but I know that we see video tape on television. Ah.. it.. it allows photographs. If that... If that meets the definition of photography, I.. I would say yes."

Gerald W. Shea: "And then, this second sentence here is kind of... I.. I.. We explain this one, 'Without limiting other obligations and duties, all police officers are charged with the duty of protecting and enforcing the rights of such challengers and watchers. And, any negligent or wil... or willful failure of any police officer to do so, constitutes a violation of this Act'. Did we pick out the police departments for some particular reason here? Do you have some inference that the police departments have not done their job in the past?"

Philip W. Collins: "Ah.. quite the contrary. I think that the policemen do such an admirable of policing our elections that ah.. this gives them additional duties in the statute."



And ah.., again, they will ah.., I'm sure, perform ah.. as magnificently as they always do."

Gerald W. Shea: "If a person objected to having his picture taken, it wouldn't do any good, would it, Phil? He could still have it taken?"

Philip W. Collins: "I ah.. am sure that anybody ah.. that anybody could object to having their picture taken. We're not sending camera bugs in their to capriciously take pictures. The object of ah.. ah.. having a camera in there to photograph anything that seems to be improper."

Gerald W. Shea: "Ah.. it's not limited to that though, is it?"

Philip W. Collins: "Well ah.., we.. we have to be practical and realistic. And, certainly you're not going to be snapping pictures... In the first place, you'd probably run out of bulbs before you had anything that ah.. really warranted your taking pictures of. I'm sure that ah.. nobody would ah.. waste film when they would have a subject later on that would be worthwhile ah.. for photographing."

Gerald W. Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, this is a particularly bad Bill. I don't know if this is a Representative Collin's or Administration Bill, but we found out the other day they're mostly his ideas. I think that this is an extremely bad Bill. It tries to impose some additional duties on the police officers and it looks like he's trying to put them in some kind of a box where they could be violated of ah.. of this Act. It makes everyone of the voters a suspect. Could you imagine the



average man or woman going into a polling place and having a video tape camera stuck in his face. I see no need for this Bill at this juncture. I think that it's an extremely bad Bill and should be defeated."

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

W. J. Murphy: "Representative Shea, if this is an Administration Bill, why the Governor never got ahold of me on it."

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

Henry J. Hyde: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think ah.. contrary to the ah.. ah.. pearls of wisdom from the distinguished Assistant Minority Leader, this is a superb Bill. First of all, I think that it would help to develop camaraderie among the election judges. They might want a class picture where they photograph.. could photograph ah.. ah.. group that participated in the election of November '72 and ah.. put on their dresser. Ah.. secondly, ah.. secondly, ah.. one picture is worth a thousand words. And, it just might happen that there would some electioneering ah.. inside or right next to the polling booth, somebody with a big ah.. ah.. say, 'Elect Ogilvie' button ah.. right next to the ah.. polling booth. And, we ought to have a picture of that, I think, so that it would be of evidence in Court. Now, I don't what ah.. the distinguished gentleman is afraid of. Ah.. a photograph is merely a portrayal, a visual portrayal of what goes on in a polling booth. And,



one of the things that I'm not at all concerned about is adding additional duties to the police officer. It's a long boring day for the policemen to sit in there and watch the election proceedings go on. But, I think that a camera would be ah.. ah.. one of the arsenals ah.. would ah.. would be a weapon of truth. It would help ah.. to get evidence ah.. to do away with perjury. And, I know that the gentleman is opposed to vote fraud ah.. as I am. And, this Bill doesn't apply just to Chicago, it applies Downstate. And, for so long, I've heard the complaints that there's election fraud in DuPage County and in Downstate. I want this available to those democratic watchers so that they can catch these people in flagrante delicto. So, ah.. ah.. I would.. I would hope ah.. that we would get the ringing, resounding enthusiasm support to this ah.. great obstruction to vote fraud. I commend the Sponsor of this Bill. And, I'd like to see a lot of 'green' lights."

Rep. Arthur A. Telcser: "The gentleman from Macoupin, Representative Boyle."

Ken Boyle: "Ah.. Phil, I was wondering who is going to... who is authorized, under your Bill, to take these pictures?"

Philip W. Collins: "Ah.. any.. any challenger or watcher who is qualified under the present Code. And, of course, you.. you know the.. the requirements for the challengers and watchers. We're not sending new any photographers in there. We're sending people in there performing the duties that they have done traditionally. And, all we're doing is



simply allowing them to take a camera in with them and use it, if they think necessary."

Ken Boyle: "Well, my second question would be, would this open the polling places to the news media? And, would this authorize them to come in and take photographs and pictures ah.. during the voting process?"

Philip W. Collins: "No.. No.. This does not have anything to do with media."

Rep. Arthur A. Telcser: "The gentleman from DuPage, Representative Hudson. Did you seek recognition, Representative Hudson? The gentleman from Macon, Representative Borchers."

Webber Borchers: "Ah.. Mr. Speaker and Fellow Members of the House, just being from Downstate and a little bit off on these kind of things for we don't have to have policemen in our polling places, I can't help but wonder if my remembrance of the Latin is correct that flagrante delicto means caught with your pants down. I was just curious."

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

Philip W. Collins: "Well, Mr. Speaker and Ladies and Gentlemen of the House, ah.. whether this Bill is my idea or the administration's idea, I don't think makes ah.. much difference. Although, those who are observing may ah.. may see that both of us come up with excellent ideas in election Bills. The fact remains that the opposition has continually come from the other side ah.. mouthing support of ah.. election reform, yet ah.., resisting any ah.. form of ah... ah..



change in the election machine that will result in clean.. in ah.. cleaner and honest elections. Now, the spectre of putting a burden on the police force is ludicrous. Anybody that knows my record, knows that ah.. the policemen are among the first rank in my estimation. And, I do ah.. every- thing that I can ah.. to support them in their efforts and I do know the good job that they do do, especially in the City of Chicago where I am most aware. And, I know that here, they would do a fine job of enforcing this new Bill. And, the Bill would merely spill out that they would... ah.. spell that they would have additional duties and would not have to worry about infringing upon ah.. rights ah.. because the Bill does spell out their participation and the police, of course, would do a good job. I think that Majority Leader... the Majority Leader's points are well taken. This is a Bill that would open up ah.. to public scrutiny any irregularities within the polling place. No one is going to object ah.. to photography ah.. of this nature. It's.. It's presently the only photographs that we do see our candidates coming out of the polling place that is taken by ah.. ah.. newspapers and ah.. media people. No one seems to object to that. And, that doesn't suggest anything. Here, we have a tool that can dry up irregularities and illegalities in the polling place. I think that this is very good Legisla- tion. And, I would urge your support for this Bill."

Hon. W. Robert Blair: "The question is, 'shall House Bill 3697 pass?'. All those in favor will vote 'aye', and the



opposed 'no'. The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Having... Mr. Speaker and Members of the House, having such a high esteem for the Sponsor of this Bill and always listening to him on matters of elections, I will use the same language that he did on Clyde Choate's Bill that it's... we are actually awaiting the exempt Bill coming over from the Senate which may cover these points. And, therefore, I vote 'present'."

Hon. W. Robert Blair: "Maragos.. 'present'. The gentleman from ah.. Cook, Mr. Collins."

Philip W. Collins: "Well, in.. in explaining my vote, Mr. Speaker, I.. I would that there is no exempt Bill coming over dealing with this subject. And, at this point, Sam, I'd trade a little esteem for a vote."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. Alright.. The gentleman has asked that the absentees be polled."

Fredric B. Selcke: "Alsup.. Berman.. Boyle.."

Hon. W. Robert Blair: "Berman.. 'present'."

Fredric B. Selcke: "Brandt.. Calvo.."

Hon. W. Robert Blair: "Pappas changes from 'no' to 'aye'."

Fredric B. Selcke: "Calvo.. Capparelli.. Capuzi.. Jimmy Carter.. Chapman.. Colitz.. Otis Collins.. Conolly.. William Cunningham.. Dyer.. Ewell.. Flinn.. Giorgi.. Granata.. Hamilton.. Jacobs.. Karmazyn.. Katz.. Kleine.. Klosak.. Krause.. Lindberg.. Londrigan.. M. Madigan.. Maragos.. McCormick.. McDermott.. McMaster.."



Hon. W. Robert Blair: "Maragos.. 'present'."

Fredric B. Selcke: "Yeah., We got you.. Merlo.. Wait a minute..
I'm lost.. Philip.. Redmond.. Ropa.. Rose.. Sevcik.. Terzich..
Jack Thompson.. Tipsword.. B. B. Wolfe.. Yourell.. Zlatnik.."

Hon. W. Robert Blair: "Alright.. Simms changes from 'no' to
'aye'."

Fredric B. Selcke: "Timothy?"

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

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

Hon. W. Robert Blair: "He votes 'no'. Ah.. now, so we know
where we are on the Roll Call, there are 81 'Ayes', 51 'Nays'
and.. and 2 'Present'. And, this Bill.. The gentleman from
ah.. Cook, Mr. Phil Collins."

Philip W. Collins: "Ah.. Mr. Speaker, may I have leave to
suspend the provisions of Rule 69 to postponed this Bill?"

Hon. W. Robert Blair: "Alright.. Hearing no objection,..
Alright.. The gentleman withdraws that request. And, the
Bill having failed to receive a ah.. Constitutional majority
is hereby declared lost. 4475. Alright.. That's on post-
poned. The gentlemen asks leave to have it brought back to
the order of Third Reading for the purposes of consideration.
It has been read a third time. So, the Chair recognizes
the gentleman from Cook, Mr. Phil Collins on the ah.. on
the motion."

Philip W. Collins: "Ah.. Mr. Speaker, Ladies and Gentlemen of
the House, to the relief of everyone in this Chamber, I be-



lieve that this is the ah.. last Bill in the election package, which ah.. may be my Bill or the Administration's as Representative Shea points out. But, I think.. I think that this is a Bill that ah.. we all could and.. and should get behind. This is a Bill that would ah.. provide that monies deposited as security for costs by a petitioner contesting an election would be returned if the challenge is successful. And, the.. the further stipulation is that the respondent in.. in such a case ah.. would also ah.. have the money ah.. posted by him, if required, returned to him if the election was upheld. I think that this is a Bill that insures the.. the ah.. that every candidate will have the right ah.., not only ah.. honest and open count, but, if he has reason to believe that he has ah.. been wronged ah.. in the ah.. tabulation of the ah.. election results, that, if he is required to go to a recount and if ah.. ah.. monies are required to be deposited by him, that if he is successful, it will be returned to him. It prevents cases such as we're all familiar with in recent elections, where the only reason that a man could not go to a recount is because of the.. the ah.. huge of ah.. ah.. providing for such a recount. And, I.. I think that this.. this is a Bill which provides equity and equality for all candidates. And, I.. I would solicit the.. the support of both sides of the aisles."

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

Gerald W. Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, the Court presently has the right to do some of



the things that Representative Collins talks in this. But, again, I asked him the other day about the last Section of the Bills, Lines 30 through 33. And, I read from the Bill, 'Any money deposited as security for costs by a petitioner in contesting an election has to be returned to him, if the person, whose election he is contesting, is declared the winner'. Well, Phil, I.. I.. I think I understand it. And, under this Bill, it says, 'Any person...', 'Any money deposited as security for costs by a petitioner in opposition to a petition contesting an election, must be returned to such petitioner if: (1) The judgement of the Court is to confirm the election or (2) To declare as elected the persons whose election is contested'. So, it seems, under all conditions, that the requirement of a security deposit for contesting an election would become a nullity once that somebody filed something in a Court. And, I think, that is people are going to contest elections frivolously, they ought to be able to pay for them. So, I think that this is a bad Bill and should go down with the rest of Representative Collin's package."

Hon. W. Robert Blair: "Alright.. The gentleman care to close, Mr. Collins?"

Philip W. Collins: "Well, Mr. Speaker and Ladies and Gentlemen of the House, obviously, no one is going to be able to contest elections frivolously ah.. under this Bill. Because, if he is not sustained, ah.. then his money is ah.. not returned to him. Now, the last Section that Representative



Shea refers to, I.. I know.. I know he's not misreading it purposely, so, he's just not understanding it properly. The lines ah.. The line does not give both sides of the coin. It says, 'If.. If the petition in opposition to the contest is sustained, either by declaring the declaring the election successful or the ah.. person elected, then his costs will be returned to him. There's.. I.. I think that's very clear. I.. I think that the gentleman has misread the line ah.. ah.. unfortunately. And, if he'd look at it again, he would ah.. see that the thing... that the line is saying the same thing, 'If the man... If the man, who contests the election is successful, his money is returned'. If the man who ah.. ah.. is the apparent winner is declared the winner, well, then and he has money up, then his monies are ah.. returned. Ah.. Representative Shea states that the Court presently has these powers. But, the point is that ah.. they have not exercised such discretion. There ah.. are ah.. cases before the Federal Court, I believe, before the United States Supreme Court now contesting this very matter. Because, the Cook... the ah.. Cook County Circuit Court did not see fit to exercise such relief that ah.. we.. would be provided under this Bill. This is a necessary Bill. I don't ah.. I do not really understand the gentleman's opposition because this is a Bill that could confident any ah.. serious candidate, any candidate who feels that he has been wronged, whatever his party, but any candidate who does not have the means to pursue ah.. a suit ah.. of ah.. ah.. such as the



one outlined ah.. un.. under the Bill and ah.. presently pending in the Federal Court. I think that it's a very good Bill. I ah.. I think, let's use a phrase that I've heard all day long, this is a people's Bill. It will protect the people. It would insure their right for free and equal elections. And, I would urge the support of this Bill."

Hon. W. Robert Blair: "The question is, 'shall House Bill 4475 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 80 'Ayes', and 33 'Nays'. And, this Bill having failed to receive a Constitutional majority is hereby declared lost. For what purpose does the gentleman from Logan, Mr. Madigan, rise?"

Edward R. Madigan: "Ah.. for a point of information for the Members of the House, Mr. Speaker. For all of those of you who have ah.. made phone calls or written notes to John Daley for the past three years and haven't received an answer, he is here on the floor of the House tonight and will answer your questions now."

Hon. W. Robert Blair: "4240. On consideration postponed. The gentleman asks leave to bring that back to ah.. Third for consideration. The Bill, having been read a third time, the Chair recognizes the gentleman from Cook, Mr. Caldwell."

Lewis A. H. Caldwell: "Thank you, Mr. Speaker. Mr. Speaker, this ah.. Bill, which permits eighteen year old men to get married without parental consent, has been debated thoroughly on the floor of this House several times. It is one of a



package of Bills that was passed in this House and the Senate. And, several of them were signed by the Governor. The Governor, however, vetoed this Bill. But, since his veto, a Commission appointed by him made its report last November. This Report by the Illinois Council of Youth and the Illinois Commission on Children disagreed very vigorously with the reasons for the Governor's veto and urge that this Legislation be enacted. It was for that reason that ah.. I again introduce the Bill. And, when it came up last Friday, Mr. Speaker, many of the Members had gone home. It is my hope now that I would ah.. receive a lot of 'green' lights up there on this very timely bit of Legislation. I will not ah.. bore you with further details because all Members of the House ah.. ah.. are familiar with it and many of you have passed this ah.. Bill before.. And, I would favorable vote at this time."

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

Romie J. Palmer: "If the Sponsor will yield for a question, please? Representative, is there any compelling public interest served by reducing from twenty-one to eighteen?"

Lewis A. H. Caldwell: "Ah.. Representative Palmer, as ah.. you know ah.., this matter has been discussed. We have ah.. received much favorable Legislation from returning veterans. We've received much favorable ah.. ah.. comment from this Bill by University Students and we are emphatic in ah.. the fact that many, even Lawyers, social workers, ministers and others who are interested in the psychological and psychiatric



ah.. facts of life, favor the fact that eighteen year old men are as mature as eighteen year old women. And, you know that for many years, women, at eighteen have been permitted to marry without parental consent. There are many handicaps under which eighteen year old men ah.. operate that I do not care to go into now. And you, as an Attorney, know them very well. I would simply suggest that there is no physical reason, no economical reason, no psychological reason why eighteen year old men should not be considered as mature and as an adult as eighteen year old women. And, I think that we are kidding ourselves when we ah.. go along in the present day's society claiming that eighteen year old men ah.. do have sense enough to get married and assume the responsibilities that along with this institution."

Romie J. Palmer: "Well, I'm sure that this is an expression of an ideal on your point, but you will admit, will you not, that in our every day life experience, we know a lot of eighteen year old people, ah.. males, that do not possess a maturity necessary to take on a wife, ah.. take on a family and discharge the responsibilities of.. of family wife.. of life or of ah.. those things that come with it, children andsoforth."

Lewis A. H. Caldwell: "I know.. I know a lot of thirty and forty and fifty year olds who ah.. ah.. are in the same situation."

Romie J. Palmer: "Well, I would agree with that.. But, ah.. ah.. Certainly.. But, I would like to say this, Mr. Speaker.



I think that the divorce statistics show quite plainly that those who get married at an early age, certainly eighteen where the cradle is robbed so to speak, are the ones that are most eligible and do get divorces. That when they get a little older and they mature a little bit more, ah.. then, of course, ah.. the likelihood of that marriage staying together is.. is much greater. Now, it is true that you'll find ah.. thirty year old people that are immature. You'll find fifty year old people that are immature, but they were also immature at eighteen. If they're ah.. immature at eighteen, they may also be immature at sixty-five. So, it really doesn't prove a lot. But, I am greatly concerned about the situation where these youngsters do get married and bring on a family into this world, then with a divorce, then with consequences that happen after that. And, I think that the statistics show that this should not occur."

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

John P. Downes: "Mr. Speaker and Ladies and Gentlemen of the House, I move the previous question."

Hon. W. Robert Blair: "All those in favor of the motion say 'aye', opposed 'no', the 'ayes' have it and the previous question has been moved. The gentleman from Cook, Mr. Caldwell, to close."

Lewis A. H. Caldwell: "Very briefly, Mr. Speaker, I would simply like to say to the House that Governor Ogilvie signed Bills recently ah.. giving eighteen year old men the right to execute contracts, giving them the right to become notary



publics, giving them the right to be the executors and the administrators of their estates. And, there are... Of course, as we all know, eighteen year olds across the board can now vote in all elections. And, I would simply say that, I believe, that the passage of this Bill would indicate that we, in this House, now ah.. recognize that in our present day society, that we ought to extend the rights to get married without parental consent to eighteen year old men. I would appreciate a favorable vote."

Hon. W. Robert Blair: "The question is, 'shall House Bill 4240 pass?'. All those in favor will vote 'aye', and the opposed 'no'. The gentleman from Cook, Mr. Fleck."

Charles J. Fleck: "Well, Mr. Speaker, Ladies and Gentlemen of the House, we have been through this Bill, I think, this is the third time we've.. we've heard it. And, every time, we've pointed out that financially it's a bad Bill. We've pointed out that emotionally it's a bad Bill. I don't care what any body says. The statistics show that there are more teenage divorces than there are twenty year old, thirty year old or forty year old divorces. And, when you view these statistics, you must view it in the light that these teenagers are only married for a few years when they get their divorce. The thirty and forty year olds might be married for ten, fifteen or twenty years. They've had some stability and it might be another factor which entered their married life that caused the separation and not an emotional insecurity. Also, you must keep in mind that parents still



can give consent. I don't think that we should relinquish any kind of parental control..control over their children in an area like this when the children are going to be forced upon situations where they're going to have additional financial burdens. If they're in College, they'll be forced to drop out of College to raise families. They're going to have emotion problems without the parental guidance and they'll be emancipated. I do not think that this a proper thing to do, to put this burden upon our eighteen year olds. I urge a 'no' vote."

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

Robert J. Walters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In explaining my vote, I'd like to state that I have a high regard for the Sponsor of this Bill. However, I feel that this is another Bill to take away the rights of the family unit. And, having five sons, I have to vote 'no'. And, I've just been told that Archie Bunker votes 'no' also."

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

Raymond W. Ewell: "Mr. Speaker, it seems that we have great reluctance to allow our eighteen year olds to marry. I think the eighteen year olds are shacking up without our consent. I think that it would be worthy if we would allow them to do some of the right things and marry without our consent."

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



Lewis A. H. Caldwell: "Ah.. in explaining my ah.. vote, Mr. Speaker, it has been said on several occasions that eighteen year olds ah.. have the.. the divorce rate is very high. I think that any objective study of the marital statistics ah.. in this State which show that the divorce rate is about the same at eighteen years as it is at thirty and forty. I'm not a Lawyer, but I have talked with many Attorneys, who are familiar with this matter. And, I believe, Mr. Speaker, that it is time for us to come ah.. ah.. full circle with modern society and recognize that, if these young men are asked to assume the responsibilities of adulthood in every other area of their life including going to war and getting killed, that we should think several times before we deny them the privilege to get married at eighteen without parental consent."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. The gentleman from Cook, Mr. Rayson."

Leland H. Rayson: "I'd like to explain my vote, Mr. Speaker."

Hon. W. Robert Blair: "Well, ah.. go ahead and explain your vote. The gentleman from Cook, Mr. Caldwell."

Lewis A. H. Caldwell: "Mr. Speaker, may I poll the absentees, please?"

Hon. W. Robert Blair: "Alright.. ah.. The gentleman has asked to poll the absentees. Is there objection? Proceed to poll the absentees."

Fredric B. Selcke: "Arrigo.. Brandt.. Capuzi.. Jimmy Carter.. Chapman.. Colitz.. Otis Collins.. Conolly.. Corbett.. William



Cunningham.. Dyer.. Flinn.. Gibbs.. Granata.. Harpstrite..
 Hirschfeld.. Gene Hoffman.. Jones.. Karmazyn.. Keller..
 Kleine.. Klosak.. Laurino.. Lindberg.. M. Madigan..
 McCormick.. McDermott.. McMaster.. Peter Miller.. North..
 Nowlan.. Philip.. Redmond.. Regner.. Ropa.. Rose.. Telcser..
 Terzich.. Jack Thompson.. Genoa Washington.. Zlatnik.."

Hon. W. Robert Blair: "On this question, there are 87 'Ayes',
 47 'Nays' and this Bill having failed to ah... The gentle-
 man from Cook, Mr. Caldwell.' Corbett.. How's the gentle-
 man recorded?"

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

Jerry Corbett: "Vote me 'aye', please."

Hon. W. Robert Blair: "Record the gentleman 'aye'. The gentle-
 man from Effingham, Mr. Keller, how's he recorded?"

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

Hon. W. Robert Blair: "Record him 'aye'. The gentleman from
 Cook, Mr. Meyer."

J. Theodore J. Meyer: "Mr. Speaker, a point of personal
 privilege. There are ah.. just not of people here and this
 Bill will.. will never pass. And, I.. I.. You know, I.. I
 think that the Sponsor should take cognizance that he's
 probably got ten guys on there that aren't.. that aren't
 here."

Hon. W. Robert Blair: "Well, what's the ah.. Roll Call now?
 There are 89 'Ayes' now and 47 'Nays'. The gentleman from
 ah.. Cook, Mr. Fleck."



Charles J. Fleck: "Request a verification of the Roll Call."

Hon. W. Robert Blair: "Alright.. A verification has been requested. The Members will be in their seats and the Clerk will proceed to verify with the affirmative."

Fredric B. Selcke: "Alsup.. Anderson.. Barnes.. Barry.. Berman.. Bluthardt.. Boyle.. Brenne.. Brinkmeier.. Brummett.. Caldwell.. Calvo.. Carrigan.."

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

Romie J. Palmer: "Mr. Speaker, would you ask them to hold up their hands and we... and slow down just a little bit?"

Hon. W. Robert Blair: "Alright.. The Clerk slow down and... No, not now. When.. When you name is called.. Alright.."

Fredric B. Selcke: "Carroll.. Richard Carter.. Choate..
Phil Collins.. Corbett.. Craig.. Davis.. DiPrima.. Douglas..
Downes.. Epton.. Ewell.. Fary.. Fennessey.. Garmisa.. Georgi..
Graham.. Hall.. Hamilton.. Hanahan.. Hart.. Henss.. Hill..
Holloway.. Houde.. Houlihan.. Hyde.. Jacobs.. Jaffe..
Kahoun.. Keller.. Kennedy.. Krause.. Lechowicz.. Lehman..
Lenard.. Leon.. Ed Madigan.. Mann.. Maragos.. Markert..
Matijeovich.. McAvoy.. McGah.. McLendon.. McPartlin.. Merlo..
Moore.. Murphy.. D. O'Brien.. G. O'Brien.. O'Hallaren..
Pappas.. Pierce.. Rayson.. Scariano.. Schisler.. Schneider..
Shapiro.. Shea.. Timothy Simms.. Ike Sims.. Smith.. Soderstrom..
Stedelin.. Stone.. Taylor.. R. Thompson.. VonBoeckman..
Wall.. Harold Washington.. Welsh.. Williams.. Frank Wolf..
Yourell.. Mr. Speaker.."



Hon. W. Robert Blair: "Questions of the affirmative?"

Charles J. Fleck: "Representative Barry?"

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

He's over there. Ah.. he's here."

Charles J. Fleck: "Representative DiPrima?"

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

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

Hon. W. Robert Blair: "He's not on the floor. Take him off
the record."

Charles J. Fleck: "Representative Hanahan?"

Hon. W. Robert Blair: "Hanahan? How is he recorded?"

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

Hon. W. Robert Blair: "He's not on the floor. So, take him
off the record."

Charles J. Fleck: "Representative Graham?"

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

Fredric B. Selcke: "The..."

Hon. W. Robert Blair: "Oh! He's here, right in the aisle."

Charles J. Fleck: "Representative Giorgi?"

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

Charles J. Fleck: "Representative Collins?"

Hon. W. Robert Blair: "Ah.. which one?"

Charles J. Fleck: "Philip."

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off the



record."

Charles J. Fleck: "Ah.. Representative Madigan?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off
the record."

Charles J. Fleck: "Representative Hall?"

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

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

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

Charles J. Fleck: "Representative McAvoy?"

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

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

Hon. W. Robert Blair: "He's not on the floor. Take him out
of the record."

Charles J. Fleck: "Representative Houde?"

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

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

Hon. W. Robert Blair: "He's not on the floor. Take him out
of the record."

Charles J. Fleck: "Representative Otis Collins?"

Hon. W. Robert Blair: "Wait.. Wait.. Wait.. Houde is back in
the back: So, leave him on."

Charles J. Fleck: "Representative Otis Collins?"

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

Fredric B. Selcke: "Ah.. the gentleman is recorded as 'not



voting'."

Hon. W. Robert Blair: "Okay.."

Charles J. Fleck: "Representative Pappas?"

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

Charles J. Fleck: "Representative Williams?"

Hon. W. Robert Blair: "How's the gentleman recorded? No..

He's over here."

Charles J. Fleck: "Representative Wall?"

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."

Charles J. Fleck: "Representative Schisler?"

Hon. W. Robert Blair: "Schisler is here."

Charles J. Fleck: "Representative Flinn?"

Hon. W. Robert Blair: "'Not voting'."

Charles J. Fleck: "Representative Smith?"

Hon. W. Robert Blair: "No.. Where's the gentleman? How's
the gentleman recorded?"

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

Hon. W. Robert Blair: "He's not in his seat. Take him off
the record. Any further questions of the affirmative?"

Charles J. Fleck: "Did we mention Representative Hall? Harber
Hall?"

Hon. W. Robert Blair: "Once.. No.. He go back in and he was
verified. Now, we're.. there are 82 'Ayes', 47 'Nays' and
this Bill... Any further questions of the affirmative? And,
this Bill having failed to receive a Constitutional majority



is hereby declared lost. Alright.. On the order of Third Reading, appears House Bill 4549 on which the ah.. the gentleman ah.. The ah.. gentleman isn't in his seat. 4446."

Fredric B. Selcke: "House Bill 4446, a Bill for an Act to amend the 'Civil Administrative Code'. Third Reading of the Bill."

Hon. W. Robert Blair: "The ah.. gentleman from ah.. Lee, Mr. Shapiro."

David C. Shapiro: "Mr. Speaker and Ladies and Gentlemen of the House, ah.. first of all, I'd like to have suspension ah.. of Rule 47a, ah.. which waives the twenty-four hour waiting period on Amendments. This Bill was amended earlier in the afternoon."

Voices: "Leave...."

Hon. W. Robert Blair: "Alright.. The Amendments are on the desks, the Clerk advises. Is there leave? Alright.. The provision has been suspended. Ah.. the Bill may be considered now a third time. The gentleman care to explain?"

David C. Shapiro: "Yeah.. Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4446 allows ah.. the Department of Public Health to provide liability insurance for certain designated employees. The Amendment to the Bill provides for a bidding procedure for this type of insurance. You've heard the argument several times over the past few days. And, I would urge a favorable vote on this Bill."

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



gentleman from Cook, Mr. William Walsh."

William D. Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'd just like to point out very briefly that I don't think there's ever an instance when the State should be in the position of purchasing insurance. The State is certainly bigger than any Insurance Company doing business in this State and, indeed, licenses Insurance Companies to do business in this State. We, if any one, should be self-insured. I think that this is a poor idea. It is unnecessary money spent by the State Taxpayers and that this Bill should be defeated."

Hon. W. Robert Blair: "Discussion? The question is, 'shall this Bill pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. Maragos.. 'no'. Pappas.. 'aye'. This Bill having failed to receive. On this question, there were 56 'Ayes', 29 'Nays' and this Bill having failed to receive a Constitutional majority is hereby declared lost. Alright.. On the order of Third Reading, appears ah.. House Bill 4549, which ah.. I understand the gentleman from ah.. Cook, ah.. Mr. Berman, asked leave to have it returned to the order of Second Reading for purposes of considering an Amendment. Is there objection? Alright.. The Clerk will read the Amendment."

Fredric B. Selcke: "Amendment No. 2, Shea,...."

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



Gerald W. Shea: "Mr. Speaker, there is an Amendment No. 1 on this Bill. I would first move to table Amendment No. 1 and then offer Amendment No. 2 that will strike everything after the enacting clause."

Hon. W. Robert Blair: "Alright.. Does the gentleman have leave to table Amendment No. 2.. 1? Alright.. Amendment No. 1 is tabled. Now, the gentleman from Cook, Mr. Shea, on Amendment No. 2."

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment No. 2 would amend this Bill to allow the Chicago Board of Education to borrow up to \$35,000,000 in funds from a Rehabilitation Bond Fund that was passed by this House last year. The \$35,000,000 could be transferred to the Educational Fund over the next five year period of time. But, it must be paid back within five years after the borrowing. The purpose of this money is to.. to allow the Chicago Board of Education to keep the schools open this Fall, allow the children to graduate. And, hopefully, to find some way out of the fiscal dilemma the Chicago Board finds itself in. I would ask for the support of the House on the Amendment."

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

Henry J. Hyde: "Mr. Speaker, a point of parliamentary inquiry. Ah.. Rule 47 requires that Amendments be germane to the Bill. And, ah.. ah.. I know they have ah.. a rather loose way of doing that in the Senate. But, I ah.. question



whether this is germane ah.. to the Bill, this Amendment."

Hon. W. Robert Blair: "Alright.. Let me see the Bill and the Amendment. Alright.. ah.. The Chair has had an opportunity to compare the Bill with the Amendment. And, the... The gentleman from Cook, Mr. Shea, for what purpose do you rise?"

Gerald W. Shea: "Mr. Speaker, I would only ask you to think about a ruling you said when this was raised before to you one time. When you said, 'If it's within the four corners of The School Code, it's an acceptable Amendment'. And, I would call the Speaker as parliamentary.. as parliamentarian to a case in the State of Illinois called Giebelhausen -vs- Daley, where the Supreme Court held that a Bill, striking everything after the enacting clause, as long as it amended the same Act, was germane. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Well, the Chair rules that the Amendment is not germane ah.. to the Bill. The gentleman from ah.. Cook, ah.. Mr. Shea."

Gerald W. Shea: "Mr. Speaker, I ask you to reconsider your ruling. I ask you for an opportunity to sit down and discuss it. This is money that the Chicago Board has. We ask to borrow that money only to keep the schools open in the City of Chicago and help out with the financial crisis that now faces the schools. It is my understanding that as of today the teachers, by a very close vote, have voted to close the Chicago Schools. And, I think that it would ill-behoove this Legislature not to do everything it can for the school children of the City of Chicago. And, I ah..



again, would implore the Speaker to please reconsider his motion or ah.. his ruling."

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

Henry J. Hyde: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think ah.. there are a couple of matters involved here. First of all, the Rule is very clear. And, the ah.. interpretation of the ah.. case cited by ah.. Mr. Shea would not be my interpretation. I do not think that this measure, which is a revenue measure, ah.. is at all germane ah.. to the Section or to the subject matter of 'The School Code' that he seeks to amend. Now, what he seeks to do ah.., it seems to me, ah.. he could do or at least get an opportunity within the framework of our Rules ah.. possibly by introducing a Bill. Ah.. it is an exempt subject namely having to do with revenue. Ah.. I think that ah.. he would receive that ah.. concession ah.. or it isn't even a concession, he would receive that interpretation by the Speaker. And, I would suggest that rather than we get into parliamentary.. ah.. parliamentary jungle on this and really weaken and adulterate ah.. Rule, which I'm not disposed to do nor is the Speaker. Ah.. I would think that ah.. the.. the Speaker's ruling that it is not germane ah.. is correct and we should stand on that. But, I also ah.. would say that the door is never closed and not closed on this subject to ah.. giving the gentleman a Legislative opportunity to accomplish what he seeks to accomplish ah.. in this, I would submit respectfully, in an appropriate



way."

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

Gerald W. Shea: "Well, as I said, I would like to sit down and have an opportunity to discuss it. But, I can see that the Majority Leader is foreclosing that. Now, I might ask, Mr. Speaker, it is an Amendment to 'The School Code'. It's not a revenue measure. He knows full well that the authority to issue those Bonds is carried within 'The School Code'. But, would I be right, Mr. Speaker, in asking to suspend the provisions of Rule 47a so that this Amendment might be offered to this Bill and this House have an opportunity to vote on this measure today? We're talking about the children up in the City of Chicago, that are in schools. We can save two days, two Legislative days, if we do it this way. Now, the Majority Leader knows full well how he wants to vote on this Bill whether we do it today or two days from now. I ask for the indulgence of this House and its Members to do something for the children up in Chicago, so that we don't have to close down the schools."

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

Henry J. Hyde: "Well, ah.. I ah.. understand that the gentleman is upset and I don't take umbrage at his remarks. But, I honestly don't know how I am going to vote on this proposition. And ah.., I am just as concerned about the children in the City of Chicago as the gentleman is. I'm also concerned about ah.. contracts that are made with Teacher's Unions when they don't have the money. Ah.. I am also con-



cerned about a lot things about the Chicago Board of Education. I was concerned enough to vote for the ah.. \$250,000,000 Bond Issue for rehabilitation of the schools which the gentleman now seeks to invade to borrow to pay salaries to the teachers which were contracted for when the Board of Education knew they didn't have the money. And, ah.. now at ah.. at the eleventh hour, ah.. we are put against the wall as though we're insensitive ah.. to the needs of the children of the City of Chicago. Now, ah.. I am not insensitive to their needs, but I am not insensitive to the fact that we have rules in this House that ought to be followed and apply to everybody. Ah.. you're talking about \$35,000,000 to be borrowed ah.. from a School Rehabilitation Fund and ah.. I don't know what my view is going to be on this at all. But, I simply say this is not the vehicle to do it. And, this is something that ought to be discussed calmly and sensibly and we can all address ourselves to trying to solve this problem."

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

Gerald W. Shea: "Mr. Speaker, I would now move to suspend the provisions of Rule 47a so that I may offer the Amendment, this Amendment to House Bill 4549."

Hon. W. Robert Blair: "Well, the Chair has prepared the Rule. Even if you were to suspend that Rule, under Robert's Rules and Order, this Amendment is not germane. The gentleman from Cook, Mr. Berman."



Arthur L. Berman: "Well, Mr. Speaker, I would like to suggest to the Chair that 47b, which is the ah.. Rule that pertains to germaneness, is a Rule that, I believe, has been in the House Rules for quite some time. Now, I would merely suggest to the Chair, that in view of the language of our new Constitution which has changed the requirements of what the Title of a Bill must include, namely that the Constitution no longer requires that the Title of the introduction of the Bill must set forth everything that is within that Bill, that this Rule must be or should be interpreted in line with that new Constitutional language. And, that this Amendment would be germane within the context of 'The School Code' inasmuch as the indication of the Constitutional Convention was towards a much more liberal interpretation of that Rule."

Hon. W. Robert Blair: "There's no relationship between this Bill and this Amendment. And, for that reason, the Amendment is not germane."

Arthur L. Berman: "Mr. Speaker, if I may..."

Hon. W. Robert Blair: "There's absolutely none at all. So, I make myself explicitly clear about that. The Bill itself directs its ah.. thrust towards, if the teacher or principal is found guilty of the charges of Board Leaders to suspend such a person for a period of not exceeding thirty days without pay or discharging him from the service. The Amendment involves... strikes everything in the Bill, directs itself to the authorization of the Board to borrow up to



\$35,000,000. Now, there is no relationship between those two things at all. And, it's just simply not germane. For what purpose does the gentleman from Cook, Mr. Shea, rise?"

Gerald W. Shea: "Mr. Speaker, just the other day we passed a Bill in this House that amended two different Acts, created a new Act and amended a different Act. I ask you to ask your parliamentarian, if I might, that any Bill may contain the Amendments to two or more Acts in any given Bill. Now, if we can ah.. amend two different Bills or two different Acts in the same Bill, I would hope that we could amend the same Act within the same Bill."

Hon. W. Robert Blair: "As long as they're germane in both instances. I wouldn't call it here."

Gerald W. Shea: "Well,..."

Hon. W. Robert Blair: "But, when they're not germane, I can't agree with you in either instance."

Gerald W. Shea: "You mean..."

Hon. W. Robert Blair: "I mean just what I've said."

Gerald W. Shea: "I.. I.. I understand what you've said, but I don't understand the purpose behind it."

Hon. W. Robert Blair: "Well, I don't intend to stand here and quarrel with you. I ah.. have ruled that the Amendment is not germane. And, I don't intend to change that ruling. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, you know full well there are not enough votes on this floor on either side to overrule the Chair. So, the Chair is going to determine, the Chair is



going to rule the way that the Chair sees fit."

Hon. W. Robert Blair: "Following Rules, that's right."

Gerald W. Shea: "But, I again, direct your attention, Mr.

Speaker, to a time last year when one of your Members wanted to amend 'The School Code' and you said, 'As long as it is within the four corners of The School Code, the Bill would be germane.. or the Amendment'. And, we called your attention to a time when you wouldn't let Representative McLendon put in an Amendment. And, you said, 'Each case must rise or fall on its own merits'. So, Mr. Speaker, again, I implore you to rethink and see if this one might not rise or fall on the merits of keeping some schools open up in the City of Chicago."

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

Henry J. Hyde: "Well, I'd like to implore, Mr. Speaker, the distinguished Assistant Minority Leader to rethink his approach to a very ah.. delicate and very important subject. Why would they possibly want to ah.. ah.. invade unconstitutional waters ah.. with something so important when there is another way this can be done. And, it could be done expeditiously. I'm informed that there have been no conversations with anybody on our side of the aisle concerning this approach to this problem. And ah.., I think that's mistake number one. Mistake number two ah.. is ah.. trying to bull ahead in a possibly, I don't say definitely, but possibly in an unconstitutional manner with an Amendment that is not germane ah.. and with the new Constitution which



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provides that Bills must deal with one subject. And, this Bill started out with another subject. Ah.. I wish that some rethinking would go on on that side of the aisle. And that some conversations could take place ah.. in.. instead of an attempt to make us look as though we're unfeeling about the needs of the City of Chicago and the school children. We do feel towards them and we'd like to have some conversations about it. But, this is not the vehicle to do it. And, I think they're walking on very thin ice."

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

Gene L. Hoffman: "Mr... Mr. Speaker and Ladies and Gentlemen of the House, just to emphasize the point just made by the Majority Leader, I've been involved over a long period of time, since ah.. a prior to or in early December over this very question. This is the first time that this particular approach has ever been brought ah.. to my attention. And, it was brought to my attention only by the fact that I went up and picked up a copy of the.. of the Amendment ah.. on my own. There has been no consideration of.. of this idea at all. I think, certainly, that the Speaker's ruling in.. in reference to germaneness ah.. makes a great deal of sense. And, no one, particularly myself as most of you can well imagine, are interested in ah.. doing anything which would be harmful to the ah.. school children of the City of Chicago. But, on the other hand, when we go about dealing with this problem, ah.. we must sit down and deal with it



as reasonable and responsible people and recognize ah.. the position in which we stand relative to decisions which were made by other Bodies earlier. And, therefore, I rise just to emphasize the point that this idea has never been considered, to the best of my knowledge, by anybody on this side of the aisle ah.. prior to this time."

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

Victor A. Arrigo: "Ah.. on a point of personal privilege, Mr. Speaker."

Hon. W. Robert Blair: "Proceed."

Victor A. Arrigo: "Ah.. the distinguished Majority Leader, a few moments ago, mentioned that he voted for the \$250,000, 000 Bond Issue. I have the voting record. I was the principal proponent of that Bill, House Bill 2466. And, I believe that I can read English and I am familiar with this form. And, as I go down the list, this was passed by 103 'Yeas', 33 'Nays'. And, our distinguished Majority Leader, whose name, I'm sure, was still, 'Hyde', in June of 1971, is listed here as voting 'Nay'. So, I'm sure that he did not support the Bond Issue. If I remember correctly on Second Reading, our distinguished Majority Leader tried to tack a referendum on an Amendment to the Bond Issue. And, that was not successful. And, on Third Reading, a day that I recall extremely well because that was the day that I ended up in a hospital here in Springfield, and after the voting, I noticed that our distinguished Majority Leader never did support that Bond Issue, then or now. I wanted the record to make



that quite clear, Mr. Speaker."

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

Henry J. Hyde: "Ah.. Mr. Speaker, ah.. I have no reason to gainsay what the distinguished ah.. gentleman ah.. has just said, except that my recollection was that I did support the Bond Issue. And, his records, I'm sure, are superior to my memory. And, therefore, ah.. I regret ah.. my misstatement. The record, of course, speaks for itself. But, again I reiterate that my own views on supporting the ah.. ah.. concept that Mr. Shea is offering ah.. are certainly not formulated and I ah.. have not at all made up my mind of how I would vote on this. And, I simply reiterate my position, that it's too important of a subject to ah.. even ah.. get on the fringes of unconstitutionality. I should think there would still be time today for them to seek to introduce a Bill, if they would only would address themselves to doing so."

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

Don A. Moore: "A parliamentary inquiry, Mr. Speaker."

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

Don A. Moore: "What is the status of this particular Bill?

As I recall, Amendment No. 1 was tabled.."

Hon. W. Robert Blair: "Correct."

Don. A. Moore: "And then, there was another Amendment offered that was not germane. What is the.. the status as of this point on the Bill that.. that is under discussion?"

Hon. W. Robert Blair: "Well, there.. there was a motion ah..



made ah.. to suspend ah.. the provisions of Rule 47b upon which time the Chair announced that even if Rule 47b were to be suspended, the Chair would rule that the Amendment was germane under Robert's Rules of Order."

Don A. Moore: "Well then, shouldn't we go to the next order of business, Mr. Speaker?"

Hon. W. Robert Blair: "Well, I'm ah.. I'm prepared to move along. The gentleman from ah.. Cook, Mr. Shea, for what purpose do you rise?"

Gerald W. Shea: "Well, Mr. Speaker, so that the Representative may have his Bill in the shape he had it in before I attempted to amend, I would like leave of the House to withdraw my motion to table Amendment No. 1 to the Bill. And, I would further tell the distinguished Majority Leader that following his advice, Members of the Staff are now preparing that Bill. I'll be happy to introduce it, ask leave to move it to Second Reading without reference. So, that he and the Members of his Staff may have adequate chance to look at it. I may ask one other thing of the distinguished Majority Leader. When, then or when Governor Ogilvie then President Ogilvie of the Cook County Board in 1966 found himself in somewhat the same fiscal crisis. I was the Chief Sponsor of a Bill to sell \$25,000,000 worth of Bonds on a twenty year period of time for the County Board to make its budget that year. There are times that we handle Bills and do things because of the fiscal crisis, because of the necessity of times. And, I would ask the distinguished Majority



Leader...."

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

Brian B. Duff: "Point of order, Mr. Speaker."

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

Brian B. Duff: "I.. I fail to see and feel that this ah.. ah.. dialogue is no longer germane to the point before us."

Hon. W. Robert Blair: "Ah.. I quite agree. Now, the gentleman ah.. moved to reconsider the ah.. leave that was given to table Amendment No. 1. So, is there leave to reconsider? Hearing no objection, that will be reconsidered. Ah.. the ah.. motion to table ah.. ah.. is back before us now. All those in favor of the motion to table say 'aye', the opposed 'no', the.. the 'nays' have it. So, the motion to table fails and Amendment NO. 1 is back on the Bill. Third Reading. 4217."

Fredric B. Selcke: "House Bill 4217, an Act to amend Section 2 of and to add Section 2.05 to 'An Act in relation to meetings'. Third Reading of the Bill."

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

Robert S. Juckett: "Mr. Speaker, I would ask leave to suspend House Rule 47a in reference to the placing of the Amendments on the desk for one day."

Hon. W. Robert Blair: "Alright.. Does the gentleman have leave? Alright.. Hearing no objection, that Rule will be waived.. suspended so that the Bill may now be considered as amended."



Robert S. Juckett: "Thank you, Mr. Speaker. House Bill 4217 is a Bill which has to do with the public's right to know about what Government is doing. We have made some changes in the.. in the Law which now exists. We have provided a safety valve for the employer or the employee or the student who might be involved in a disciplinary matter. At the present time, these cases are all heard in a closed meeting without reference or without consideration to the employee or to the student. And, this Bill would allow this to be heard in an open meeting if the student or the employee desires it. We also made some changes as far as the negotiating part, where the public body can hold a closed meeting with its negotiators or its legal Counsel. We have also made a change where it would allow for the recording of any meeting that is required to be open. And, that portion is very similar to a Bill which we passed last year. So, I would urge your acceptance of this and it will go a long way into bringing confidence back if that confidence has been lacking in public bodies."

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

Gene L. Hoffman: "Will the Sponsor yield to a question? I'm ah.. looking at Amendment No. 2. And, as I read Amendment No. 2, it does not provide for a closed meeting between, let's say, the School Board and the employees of the School District."

Robert S. Juckett: "That is correct."



Gene L. Hoffman: "In other words, the School Board could not sit down with the negotiating team ah.. from the ah.. School Teachers, let's say, and discuss the contract in a closed meeting?"

Robert S. Juckett: "That would be correct."

Gene L. Hoffman: "That is the change, as I understand it, from the present situation."

Robert S. Juckett: "Yes. At the present time, all of their negotiations can be conducted in private between the two sides. And, the only thing that is required to be out in the open would be the ratification of the agreement which they had reached in secret."

Gene L. Hoffman: "Ah.. let me ask one other question of the Sponsor then. Ah.. don't you feel that this would have an inhibiting ah.. affect on the give and take of the negotiations between ah.. employers and employees?"

Robert S. Juckett: "We have heard of no one objecting to that part of it as long as they can meet privately to discuss the demand among them... among each side meeting privately. And, we feel that the ah.. more light that is shed on this, both the employers side or the employees side, ah.. will help to strengthen that side which really has right on its side."

Gene L. Hoffman: "Well, if you haven't heard any objection up to this time, let you hear your first objection. It seems to me that ah.., Mr. Speaker, speaking to the Bill. It seems to me to be unreasonable ah.. to expect an employer-



employee negotiating session to be ah..conducted in the public and to only provide that each side may meet privately ah.. and that they can't ah.. meet privately to discuss between themselves. This ah.. ah.. This prospect ah.. of the change, I think, will have a deläterious effect on the negotiation process which is taking place. Ah.. having been involved in the.. in the past part of my service in the General Assembly representing ah.. one side of that particular ah.. situation, I can envision a very, very difficult time for reasonable people to sit down publicly and make ah.. these types of decisions. The fact that the final ah.. agreement and decision by the Board must be made ah.. in a public, seems to me to be fair and in conformity with the Open Meeting Act. I believe that this Bill, although it has other salutary effects, ah.. this one negative aspect is a serious ah.. detriment. And, therefore, I would encourage your opposition to this Legislation with all due respect to its most honorable Sponsor."

Hon. W. Robert Blair: "Further discussion? The question is, 'shall this Bill pass?'. All those in favor will vote 'aye', and the opposed 'no'. The gentleman from Cook, Mr. Juckett."

Robert S. Juckett: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, it's unfortunate that an issue such as this has been raised. The purpose of a Right To Know Bill is to allow the public to know what is going on. And, there's absolutely no way for the public to make its demands known upon either the Union, the Association or the Public Body



Members if it doesn't what the discussions are. And, here what you get, is you get a Union Leader indicating to the newspaper what they want. You get the Board Member indicating what they want. And, it might not be exactly what's going on. And, this will give everybody, who really has the right to know, not the Teachers, not the Board Members, but the Taxpayers, the right to know what's going on in their negotiations. After all, it's not the Board Member that paying it, it's the taxpayer. And, this is one little item out of this Bill which ah..my distinguished Colleague as brought to your attention. And, I think that it would a shame if this good Bill goes down because we want to be archaic. We want to hide behind closed doors. We don't want anybody to know what's going on. And, it will just be one more nail in the coffin of the lack of confidence which some people have in Government, if they have to hide behind closed doors to negotiate. I think that it would be good. I think that it would help the cause. And, I think that the public would welcome it."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 42 'Ayes' and 36 'Nays' and this Bill having failed to receive a Constitutional majority is hereby declared lost. 4523."

Fredric B. Selcke: "House Bill 4523, a Bill for an Act to

amend 'The School Code'. Third Reading of the Bill."

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

Robert S. Juckett: "Mr. Speaker and Ladies and Gentlemen of



the House, I'd like to ask leave for the suspension of Rule 47a in order for this Bill to be heard."

Hon. W. Robert Blair: "Is there leave? Hearing no objection, the matter may be heard. Proceed."

Robert S. Juckett: "Thank you, Mr. Speaker. House Bill 4523 is a Special Education Bill by which those District which have banded together to provide for special education may administer this program in a better way. The Bill, as amended, will allow for Districts to... one of the Districts within the compact to hire workers. And, also for employees of one District to give assistance to other Districts. It also provides for a second matter by which the Districts can band together. At the present time, they appoint one District to be the chief administrative unit. And, if that District opposes what all the rest of the Districts do, that's tough for the rest of the Districts. It provides for an alternative. It provides for a Governing Board. We prevent it from being an empire building type of a board. They can hire no employees. This must be done by one of the member Districts. And, the Governing Board does not have power to levy taxes or to incur indebtedness. I would urge the support of House Bill 4523."

Hon. W. Robert Blair: "Any discussion? The gentleman from... yes... Adams, Mr. McClain."

Elmo McClain: "Ah.. will the Sponsor yield to a question?"

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

Elmo McClain: "Ah.. did your Amendment take care of the argu-



ments that were ah.. put out by the County Superintendent of Schools, by the Vocational people and the other groups that were opposed to this? Did you work with them on this?"

Robert S. Juckett: "Yes, we did. We worked with O.S.P.I. We worked with ah.. D.V.R. We worked with many of my local Superintendents to ah.. solve the problems that were expressed at the time of the hearing."

Elmo McClain: "Ah.. one other question. Down here in the last line in the Digest, it says, 'Provides for a Governing Board composed of one representative of each District'."

Robert S. Juckett: "We've changed that."

Elmo McClain: "You did change that.. We have.. We have thirty-five Districts in ah... thirty-five where I live. Ah.. we'd end up with thirty-five people on the Board."

Robert S. Juckett: "No.. Well, they have the alternative. If they like the present system, they would keep that. If they don't like the present system, they could go to a Governing Board and that would be one Member from each of the Districts, but it would be an elected School Board Member from that District. But, it is an alternative method."

Elmo McClain: "Well, I think it's going to bring chaos."

Hon. W. Robert Blair: "Any.. Any further discussion? The gentleman care to close? The question is, 'shall this Bill pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk... The gentleman from Champaign, Mr. Clabaugh."

Charles W. Clabaugh: "Mr. Speaker and Members of the House,



the Bill, as it is now amended, may not be the perfect solution to this problem that is being ah.. evidenced in most of the larger and some of the smaller cooperative Districts. But, I'm quite sure, that it's a definite long step in the direction to help us make these Districts do.. to make it possible for them to do the job that we intended they do when we passed the first and several subsequent cooperative District Bills. The difficulty with a good many of these cooperative Districts was that some District got dissatisfied, another got dissatisfied. Nobody had an legal authority. And, the result was that the Managing District turned out to be the despot in the case and took care of the situation. This is a means to get around that. I think it's a good Bill. And, if there are some faults in it, ah.. the arrangement, those can be taken out by future Sec... by future Sessions. And, I urge your support of this Bill."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 108 'Ayes', and 1 'Nay' and this Bill having received the Constitutional majority is hereby declared passed. 4537. For what purpose does the gentleman from Cook, Mr. B. B. Wolfe, rise?"

Bernard B. Wolfe: "Ah.. Mr. Speaker, a point of parliamentary inquiry. In.. In view of the suspension of Rule 47a on many of the Bills, how does ah.. Section 8d of Article IIII of the Constitution relate to ah.. this phrase, and I'm quoting, 'A Bill in each Amendment thereto shall be reproduced and



placed on the desk of each Member before final passage.

How does that relate to our Rule.. ah.. the twenty-four hour Rule?"

Hon. W. Robert Blair: "No problem.."

Fredric B. Selcke: "Ah.. House Bill 4537, a Bill for an Act to amend 'The School Code'. Third Reading of the Bill."

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

Arthur L. Berman: "Thank you, Mr. Speaker. 4537 amends 'The School Code'. It doesn't involve money. It's a Bill that changes definitions to include ah..'within the term of best instructional materials, both printed and nonprinted materials that are used in the educational process'. It changes it the limitation of textbooks. I know of no opposition to the Bill and I'd appreciate an affirmative vote."

Hon. W. Robert Blair: "Ah.. the question is, 'shall this Bill 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 131 'Ayes', and no 'Nays' and this Bill having received the Constitutional majority is hereby declared passed. Let the Journal show that in each instance where 47a has been suspended that the Amendments referred to have been on the desks of the Members. Oh! Well, that's the reason that I said, 'There's no problem'. Yeah.. Ah.. 4500."

Fredric B. Selcke: "House Bill 4500, a Bill for an Act to amend an Act relating to the rate of interest. Third Reading of the Bill."



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

Howard W. Carroll: "It's a little bit early. But, thank you, Mr. Speaker. House Bill 4500 deals with the problems today in billing people when they borrow or lend money or when they buy goods on a credit card. It deals with both situations of what is commonly known as the Bank Cards, what is commonly known as the ah.. ah.. Store Cards themselves. Ah.. the amended version, which is the entire Bill now, does set out that the concept of a lender-borrower or a lender-debtor interest that you find with the Bank Cards is still parallel to what it was before. It is still at the same eighteen percent. The Bill also deals with the Retail Installment Sales Act, and says, 'That a charge by a store shall come under the Retail Installment Sales Act and shall be at a rate up to 21.6 percent that they allow'. But, what both of them do require is that they be billed, not only in accordance with what's in the Interest Act and in the Retail Installment Sales Act, but what's in accordance with this particular Bill so that the Customer, the Lender, the Buyer and Store knows exactly what he is paying for, knows exactly what he is being charged for, knows exactly what he owes at any given time when he gets his statement. What we have required is, when you get a bill and it says that the first twenty-five days. In effect, it says that you have this right to elect whether to pay in full or whether to incur a time payment plan to pay an interest or a finance charge. What has happened through apparently, let's call it a fluke



in the Law, is that stores have gone back to that first day, during their first twenty-five days after your billing on a first purchase and came back and charged you interest during that time, even on the monies that you have paid. But, what we have said by the way of this Amendment is that can not happen. Once you have purchased an item, once you have been billed for it the first time, and you get that twenty-five days to make that election, you will make that election. If you pay in full, of course, there is no finance charge or interest. If make a payment plan, your interest starts running from that twenty-fifth day and runs on through every month until the thing is paid in full. We have set up ah.. the other provisions that ah.. the billing.. the end of a billing cycle, and there must be some uniformity here, so that they can't play with the billing dates and the due dates and the interest dates and the finance charge dates. And so, in effect, they're constantly paying interest on things that you've paid. We have also said that ah.. upon being billed, it'll be postmarked within ten days of the billing date and be due within twenty-five days of the billing date, which is in effect, a little over two weeks from the ah.. actual postmark. It gives you ah.. time to see your Bill, to understand it and to decide how you want to pay it. I think that this is a good consumer Bill and I ask for a favorable vote."

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

George M. Burditt: "Mr. Speaker, Ladies and Gentlemen of the



House, ah.. Illinois has one of the finest records in the United States in terms of protecting consumers in the finance area. Now, one of the reason is that Senator Gottschalk and other Members of both Parties ah.., both sides of the Rotunda, participated in Commission Hearings several years ago to give us these very fine Laws under which we are now operating. They have been recognized all over the Country. Ah.. this is, therefore, an extremely important area in which we should not attack lightly. Ah.. the present Amendment to House Bill 4500, which is Amendment No. 3, ah.. is an extensive Amendment. It's eight pages long. Ah.. if this Amendment had been heard fully in Committee and ah.. had been exposed to ah.. the questioning and the probing and the interests of all of the different groups that you're involving here, particularly consumer interest, I would ah.. say, let's go with it. But, this Amendment was passed ah.. adopted by the House on May 18th of this year, just a few days ago. Ah.. there were no hearings on the Amendment at all. Ah.. this is such an extremely complicated area that ah.. I would urge the House, at this time in spite of my respect for the chief Sponsor of this Bill, I know that he's trying to accomplish something very worthwhile, but, in spite of that, I'd urge this House not to adopt very extensive ah.. Bill, which is actually in the form of an Amendment on which there have been no hearings whatsoever. Ah.. in some areas, you can do this. But, in a consumer credit area, where there is such complicated and such varied circumstances,



ah.. it seems to me, Mr. Speaker and Members of the House, that this is not the way ah.. for Illinois to maintain the fine record it has in protecting consumers ah.. from unscrupulous dealings in the finance area. So, ah.. with all due respect to the Sponsor, I would urge that this House not adopt this Bill, that we vote against it and place it on the agenda for next year when we can give it very thorough consideration, when hearings can be held, and we.. we can do the job that we have been accustomed to do doing in Illinois in this area."

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

Roman J. Kosinski: "Will the Sponsor yield to a question? Howie, I have one brief concern. Small business is constantly in the squeeze. I don't pretend to have read the eight pages of the Third Amendment. But, from you, I would like a direct reply. Does this cost small business more money to operate between clerical and procedural methods?"

Howard W. Carroll: "Roman, I really don't see how this would cost them any more than what they're paying now. It might require a different computation than that which they are computing now. And, the fact that they can charge up to 21.6 percent interest a year, I think, would allow them to cover ah.. these costs as it does today. I think that it might be slightly different. But, I don't see any additional problem in here to that which they are doing today."

Roman J. Kosinski: "But your very implication, Howie, would you



say that regearing new systems of computing, as you infer, also cost money?"

Howard W. Carroll: "I'm not sure that these are even new systems. The present Law seems to allow at least three different machinations of the interest and finance charges. This would not. I think that this one would be considered one of the three or close to one of the three that's presently in the existing Law. So, those who are using that exact system, of course, would have no problem. Those who are using one of the other systems, would have to use this system which ah.. tables are available. I don't think there would really be any depreciable in cost."

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

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

Edward L. Kipley: "Mr. Speaker and Ladies and Gentlemen of this House, with all due respect for the Speaker... ah.. for the Sponsor of this Bill, to whom I have the greatest respect, I submit to you that this has been one of the greatest pieces of Legislative legerdemain that I have experienced in my short four years in this House. Consider the fact that this Bill was originally entered as an Interest Bill was sent to the Savings... Bank and Savings Institutions' Committee instead of the Credit Regulation's Committee which it became by virtue of.. of Amendments 1 and 2. Not satisfied with that, the Speaker completely emasculated the Bill when it became... when it came on the floor of the House by striking



an Enacting Amendment, ah.. everything after the Enacting Amendment and completely rewriting his Bill. Now, I submit to you also, Ladies and Gentlemen, one point that I'd like to have you clear up, Howie, is this fact... the fact is that this is going to cost the merchants a lot of money in revising their forms and their standard usages of the credit reporting forms. This Bill was not only mislabeled, it was badly drafted. And, is not any better now than it was in its original form. I submit to you that the credit.. the consumer credit is a very complex problem. It has taken a lot of study by the Federal people. And, as Representative Burditt mentioned earlier, about eighteen months of study by the Senate and the House in previous years. This credit must be regulated in a comprehensive manner and not on a piecemeal basis. Recognizing this need, the Congress of the United States established the National Commission on Consumer Finance when it enacted the Truth in Lending Bill. The Commission was charged by Congress to do a complete study of the Consumer Credit Industry. Currently, this Commission is still investigating every conceivable aspect of consumer credit. Theoretical propositions are being tested for the first time and methods based upon credit data generated for each of the fifty States. The Commission will report this Fall to Congress with the most comprehensive analysis of the Consumer Credit Industry that has ever been done. I submit to you, at this time, that this Bill is premature. And, in all due respect to the Sponsor, we should do as Representa-



tive Burditt suggested. I think that in its present state, it's an ambiguous piecemeal approach to a subject that vitally affects the economy of our State. In such matters, the Legislature is well-advised to act only on the basis of proven facts after careful deliberations as it has done previously in the field of consumer credit. Ladies and Gentlemen, I submit to you that this is not the time for us passing hastily on a Bill of this nature. It's too comprehensive and it needs a lot more study than was presented on the floor of this House. I request your 'no' vote on this Bill."

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

Don A. Moore: "Mr. Speaker, I move the previous question."

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

Howard W. Carroll: "Thank you, Mr. Speaker. I appreciate all of the nice comments that were said during the debate. And, I ah.. recognize that the Gottschalk Commission, of which, I think, our Speaker was Chairman of the Sub-Committee, did do a great deal of work in the area of Retail Installment Sales Act. And ah.., it is a good Act and there's reason why it shouldn't be better than it presently is. There are mistakes in a lot of the Bills that we've passed, a lot of the Acts that we've passed need updating and need constant revision. And, I think, this is one of those areas. I think that ah.., even though it might have been one of the



Nation, it could be a lot better. I see nothing wrong with saying to a Company that, when a person has paid his Bill, he shouldn't be charged interest on that which he paid. Apparently, this was an area that the ah.. Industry and the Commission and Committees and the Sub-Committees overlooked during the course of their deliberations on the subject. I see nothing com.. complex really with this new Amendment. I think that the Amendment straightens out a lot of problems that were existing in the original way the Bureau had given me the Bill. I think now it is quite clear what the... not only what the thrust of the Bill is. I think there's nothing vague and ambiguous. It tracks the language from both the R.I.S.A. and the Interest Act and says what must be set out in the Contract you sign. It says what you must be charged. It says how you are to be charged so that the buyer, the people in your District, know that what they're paying for, know what options are available to them, know what they will be charged interest. And, know more importantly, that when they do pay their Bill, that they're not going to come back later as they can now do. In fact, sometimes, pick up two months of interest charges or finance charges, even though you have paid your Bill in full. This is not something that's undocumented. This has happened consistently. It happens because of a slight loophole in the Law today that allows them to pick any given day as the day to charge you interest on the outstanding balance, even though that day is before your payment is due so that they can send you a



bill today that you won't even get until a week from today and pick tomorrow as the date on which to compute the interest. So, they will be charging you interest on something that you haven't even received the statement for. All we've said is, when you first make your purchase, you'll will get these first twenty-five days of the bill in which to decide whether you want to use the lay-a-way plan or the time payment plan or whether you want to pay in full. Once you've made that election, interest will start to run from that day forward. You'll get credit for what you've paid. You'll pay interest on what you owe. That's all we've asked for by this Bill. We've asked that that be explained. And, I ask for a favorable vote."

Hon. W. Robert Blair: "The question is, 'shall this Bill 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 57 'Ayes' and 58 'Nays' and this Bill having failed to receive a Constitutional majority is hereby declared lost. 4549."

Fredric B. Selcke: "House Bill 4549, a Bill for an Act to amend 'The School Code'. Third Reading of the Bill."

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

Arthur L. Berman: "Thank you, Mr. Speaker. Ah.. House Bill 4549 ah.. is presently in the shape that it came of Committee.. Ah.. and ah.., what that does, as amended, merely allows the Board of Education of the City of Chicago the option, that after a Civil Service Hearing has been held involving



a teacher or principal and there's been a finding of guilty on the charges that were brought, the Board may either suspend the ah.. teacher or principal for a period of thirty days without pay or discharge them from the service. Before this Bill, they were required to fire the teacher or principal upon a finding of guilty. This, I think, is a Bill which gives more leeway to the Board in disciplinary proceedings: But, also provides a great deal of equity where a teacher is necessary and has been useful. And, the Hearings by the Board have sort of proved their point. The teacher need not be fired but may merely be suspended."

Hon. W. Robert Blair: "Alright.. Further discussion? The question is, 'shall this Bill 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', and 2 'Nays' and this Bill having received the Constitutional majority is hereby declared passed. Alright.. On the ah.. On the order of ah.. Consideration Postponed, appears ah.. House Bill 3... 324 and 325 which the gentleman asked leave to have brought back to the order of Third Reading for consideration. Hearing no objections, the Bills having been read, the gentleman asked leave to have them both ah.. considered at the same time. Alright.. So, the Clerk said that the Bills have been read. And, the gentleman from Cook, Mr. Epton, is recognized."

Bernard E. Epton: "Mr. Speaker and Ladies and Gentlemen of the House, the hour is very late. And, to those of you in the



past who have had some complaints about the Speaker calling your Bills at a late hour, I want you to know that it also happens to his friends as well as his enemies. And, as a former friend of the Speaker, I want you to know that I won't take up too much of your time. Part of the agreement with this Bill was the fact that I talked to several of the most vocal opponents and they indicated that, if I wouldn't speak at a great length, they wouldn't speak either. I know that you'll be happy with this agreement ah.. even though it is not agreeable for the Bill. The Bill.... This great Bill deserves your attention. You've heard the cry of Ralph Nader to break up General Motors. You've heard the cry of breaking up the Yank^es. This is a great tremendous effort to break up the large Law Firms. I solicit your vote in favor of this Bill. Thank you very much."

Hon. W. Robert Blair: "Alright.. The question is, 'shall these two Bills pass?'. All those in favor will vote 'aye' and the opposed 'no'. The Clerk will take two Roll Calls. Have all voted who wished? The gentleman from Cook, Mr. Telcser... or I mean Mr. Epton."

Bernard E. Epton: "In explaining my vote, let me assure all of you people here that ah.. we have an understanding. It's going to be very quick. There's going to be no verification. There's really no great problem. And ah.., those of you who in the past indicated you would vote for the Bills, this is the time to do so."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk



will take the record. On each of these questions, the vote is 58 'Ayes' and 64 'Nays' and each of these Bills having failed to receive a Constitutional majority are hereby declared lost... The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, I think that this is a great opportunity to introduce the last gentleman... the last Sponsor's ah.. beautiful Wife up in the Gallery, Mrs. Epton."

Bernard E. Epton: "Nothing like capping a triumphal moment!"

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

Clyde L. Choate: "Inasmuch as.. as.. as the Majority Leader just introduced the Sponsor's Wife, having voted on the prevailing side which was read, I think now would be a good time to reconsider that vote."

Hon. W. Robert Blair: "Alright.. Oh!... On the order of Postponed Consideration, appears 4343 which, I understand, the gentleman from Cook, Mr. Carroll, desires to have leave to have it brought back to Second for purposes of an Amendment. Alright.. Hearing no objection, take it back to Second."

Fredric B. Selcke: "Amendment No. 1, amend House Bill 4343 on Page 1, andsoforth."

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

Howard W. Carroll: "Thank you, Mr. Speaker. This Amendment is ah.. the result of some of the objections that were raised on the Bill when it originally failed to get.. by three votes failed to pass. Ah.. it takes out the specific provision that there has to be, in fact, a trial de nolo and makes it a notice requirement. Ah.. I move for the



adoption of the Amendment."

Hon. W. Robert Blair: "Is there 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. 4317 on Consideration Postponed. The gentleman from Cook, Mr. Carroll, asks leave to have it brought back to the order of Third Reading for purposes of consideration. Is there leave? Alright.. It's been read a third time. The gentleman from Cook, Mr. Carroll."

Howard W. Carroll: "Thank you, Mr. Speaker, Mrs. Karmazyn and Gentlemen of the House. Ah.. now's the chance for you to ah.. reconsider the vote on this very good piece of Legislation that failed by ah.. to pass by three votes due to ah.., I think, some absenteeism at the time. It takes into account ah.. the practicalities today in cases of driving while intoxicated. It does not affect the Judges powers to ah.. sentence a person to jail or fine him money. All it says is that we recognize that the privilege to drive is one of the penalties that the Judges may invoke. And, we give him that discretionary power upon a showing of a grave economic hardship and upon the fact that there has not been a prior conviction within five years. I'm sure that many of you who failed to vote on this issue before would like the chance to vote for it now."

Hon. W. Robert Blair: "Discussion? The question is, 'shall... The gentleman from Cook, Mr. Richard Walsh."



Richard A. Walsh: "Mr. Speaker, are we in the Amendment stage in this Bill?"

Hon. W. Robert Blair: "No. We're... We're on Third Reading on this one."

Richard A. Walsh: "Now, Howie, can you tell me? Ah.. Has there been an Amendment put on this Bill since earlier today?"

Hon. W. Robert Blair: "Further discussion? The gentleman from Cook, Mr. Jake Wolf."

John Jacob Wolf: "Mr. Speaker, has the Sponsor now moved to waive Rule 47a?"

Hon. W. Robert Blair: "Well, no. He.. He hasn't."

John Jacob Wolf: "I.. I would think that he should so move, Mr. Speaker, so we can consider the Bill."

Hon. W. Robert Blair: "The gentleman care to comment on that?"

Howard W. Carroll: "47a, Mr. Speaker, a parliamentary inquiry, seems to deal with Amendments."

Hon. W. Robert Blair: "Right.."

Howard W. Carroll: "And, there's no Amendment on this Bill, to my knowledge."

Hon. W. Robert Blair: "Right.. Your point is well taken and his is not. And ah.., there's been no Amendments on the Bill today. So, he doesn't have to waive 47a. Now ah.., we're back on the merits of the Bill. Is there any further discussion on the merits? The gentleman care to close?"

Howard W. Carroll: "Ah.. just by asking for a favorable Roll?"

Hon. W. Robert Blair: "Alright.. 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. On this question, there are...D. J. O'Brien.. 'aye' and Duff.. 'aye'. Palmer.. 'aye'. 70 'Ayes' and 31 'Nays' and this Bill having failed to receive a Constitutional majority is hereby declared lost. 4132. Yes.. Bring it back from ah.. the order, with leave of the House, from Postponed Consideration back to the order of Third Reading. Alright.. Yes.. Alright.. We're back on Third Reading now. The Bill has been read a third time. So, the gentleman from Cook, Mr. Merlo, to explain his.. to explain the Bill."

John Merlo: "Ah.. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4132 was the first Bill that was called on this Legislative Day and received 80 votes, 9 shy of what is necessary. I feel now, my dear Colleagues, that you've had some additional time to note the merit of this Bill. And, of course, I hope that I can secure your support. I can cite many instances of why this Bill merits your assistance. However, I know that the hour is late. So, I'll just cite again the one incident, that in January of this year for a period of five hours, a complete power failure occurred, which affected one hundred fifty blocks of an Area which included the densely populated High Rise Area of Sheraton Road and the Lake Front. An estimated 100,000 residents were affected. During the power failure, many High Rise tenants were trapped in stalled elevators which necessitated the assignment of forty-five firemen to release the High Rise tenants from these elevators. Alright.. What



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this Bill would do would require all High Rise Buildings to install emergency standby power in the event of a power failure. Representative Telcser and Representative Robert Thompson and Myself would appreciate your support."

Hon. W. Robert Blair: "Discussion? The question is, 'shall this Bill pass?'. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? The Clerk will take the record. William Walsh.. 'present'. Ah.. O'Hallaren ah.. wants to explain his vote. Alright.."

Bernard J. O'Hallaren: "Mr. Speaker and Ladies and Gentlemen of the House, I was on that Committee, Judiciary I and heard this ah.. very intelligent type Bill. And, there was some concern relative to the height of the buildings that is in this Bill. And, if my recollection serves me correctly, this Bill calls for apartments of three stories or over. I've talked to the Sponsor on the Bill and he said that he would amend this Bill in the Senate if it passed out of the House to strike three apartments and include eight floors, anything built above eight floors. There was some concern from the Colleagues Downstate where they do not have the sixty, seventy stories high buildings, but rather, fourteen or fifteen. And ah.., I assured him that ah.., if this was passed out of the House... he assured me, if it was passed out of the House, that he would amend it in the Senate to ah.. make eight. And, I vote 'aye'."

Hon. W. Robert Blair: "The gentleman from Adams, Mr. McClain."

Elmo McClain: "Ah.. Mr. Speaker, how am I recorded on this



Bill?"

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

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

Elmo McClain: "I'd like to be recorded as voting 'present'."

Hon. W. Robert Blair: "Change that from 'aye' to 'present'."

The gentleman from Peoria, Mr. Tuerk. How's the gentleman recorded?"

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

Fred J. Tuerk: "Would you please record me as 'present'?"

Hon. W. Robert Blair: "Record the gentleman as 'present'. The gentleman from Cook, Mr. Miller, how's he recorded?"

Peter J. Miller: "Vote me 'aye'."

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

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

Hon. W. Robert Blair: "Alright.. Record him 'aye'. The gentleman from Cook, Mr. Jake Wolf, how's he recorded?"

Fredric B. Selcke: "'Not voting'."

Hon. W. Robert Blair: "Record him 'aye'. The gentleman from Kankakee Houde."

Thomas R. Houde: "How am I recorded?"

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

Fredric B. Selcke: "'Not voting'."

Thomas R. Houde: "'Aye'."

Hon. W. Robert Blair: "Record the gentleman as 'aye'. The gentleman from Cook, Mr. Capparelli, how's he recorded?"



Fredric B. Selcke: "Ah.. 'not voting'."

Hon. W. Robert Blair: "Record him as 'aye'. The gentleman from ah.. Cook, Mr. McAvoy, how's he recorded?"

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

Walter McAvoy: "'Aye'."

Hon. W. Robert Blair: "Record the gentleman has 'aye'. Choate.. 'present'. The gentleman from Cook, Mr. Merlo."

John Merlo: "Mr. Speaker, I wonder if I could explain my vote? You know, this is nothing unusual, Ladies and Gentlemen.

And, I want to tell you that all buildings, practically all large buildings that are being built today, and I refer to the John Hancock Building, the IBM, the Standard Oil Building, the Sears Building, all of these buildings have now.. have now, during the process of being built, considered how important standby power is needed in these large buildings because of the power failures that are being... that are happening all over the City of Chicago and in the Suburbs and Downstate. I have here a list of over 170 installations that just one Company has made in Institutions, such as Banks, Municipal Buildings, Nursing Homes, Hospitals, Retail Merchants. And, the concept now is, of course, is to build all of these buildings. I understand that Illinois University in Urbana have in all of their new buildings installed standby power. And, I certainly only need two or three more votes. I certainly would appreciate those three votes, if possible."

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



Jacobs."

Oral Jacobs: "How am I recorded?"

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

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

Hon. W. Robert Blair: "Alright.. Give me a Roll Call. On this question, there are 87 'Ayes', 25 'Nays' and 4 'Present' and this Bill having failed to receive a Constitutional majority is hereby declared lost. On the order of Consideration Postponed, appears House Bill 3752, which the gentleman from Cook, Mr. Sevcik, asked leave to have brought back to the order of Third Reading for purposes of consideration. The Bill having been read a third time, the Chair recognizes the gentleman from Cook, Mr. Sevcik, on the Bill."

Joseph G. Sevcik: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3752 ah.. was heard earlier today. And, that is the Illinois Legislative Investigating Commission's Bill. And, the Sponsor is George Lindberg and I'm handling this Bill for him. Now, this Bill states that 'instead of a resolution by both Houses', as it now reads, 'it may be by resolution of either House or by a resolution of the Commission'. There is an Amendment in the Senate that Senator Phil Rock will put on this Bill, which states, 'That if it is a resolution of the Committee... Commission, it must be by three-quarters of the Members of the Commission and shall be signed by both Co-Chairmen'. It also in the resolution states, 'that anything that has been considered here in this House or either House, can not be considered by the Commis-



sion. 'And, that we can only pass a resolution while the Commission.. ah.. while the ah.. General Assembly is not in active Session'. I ask for your favorable support."

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

Horace L. Calvo: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this measure. And, I know that the hour is late. So, all I'll say is that we'd appreciate your favorable vote."

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, at one time, we had the Criminal Investigating Commission, which is limited to the subject of crime. That Commission was abolished with the creation of the Illinois Bureau of Investigation. It was felt that there should be a successor Commission that would have absolute investigating authority. I was concerned when that Bill was passed. Concerned about the mischievousness that the Commission could get into. I was satisfied, though, that by the limitation, that the subjects of investigation would be restricted by resolutions passed by both Houses ah.. would avoid the mischief. And, I do recall, Mr. Speaker and Members of the House, when I talked to Representative Lindberg about it, he pointed to this very safeguard as a reason for voting for the Bill. I think there's too much potential danger that is involved in allowing the Commission or one House to initiate investigations which would be unlimited to the subject matter.



And, for that reason, I reiterate, I repeat my opposition of earlier today."

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

W. Timothy Simms: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Legislation. I think that it's a needed change for the Illinois Investigating Commission. I think that we can give examples. And, one example that I might illustrate is when the tragic airline crash last year... ah.. this year took the lives of some very influential and important people on their way to Springfield. If the Legislature had not been in process of Session, they would not be able to pass the necessary Legislation to have the Investigating Commission doing a comprehensive job in bringing forth the facts concerning Commuter Airlines in Illinois. And, I think that this is a needed resolution to give impetus to the fact that the Commission must have this power in order to investigate ah.. during the course of time when the General Assembly is not in Session. I urge a 'yes' vote."

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

Tobias Barry: "Mr. Speaker and Ladies and Gentlemen of the House, I don't think there's any question about passing this kind of Bill. If both Houses are controlled by the same Party, there's no question about it. If either House is controlled by an opposition Party, then the House Leadership can control, can create the same kind of investigation. So,



I think it's much to do about nothing when their given the authority."

Hon. W. Robert Blair: "Alright.. The question is, 'shall this Bill 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 from Cook, Mr. Shea."

Gerald W. Shea: "I'd like to explain my vote."

Hon. W. Robert Blair: "Go ahead."

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill would allow the Investigating Commission of this Body, the General Assembly, to act when we're not in Session. It's got built-in safeguards to it. It requires three-quarter... or it will require three-quarters of the votes of the Membership plus both Co-Chairmen agreeing before anything can undertake. As my good friend, Toby Barry said, 'Either House on its own could direct an investigation. But, if we aren't in Session, at least it would allow our Legislative Investigating Arm to act'. And, I would hope that we could find the four or five votes needed to pass this important piece of Legislation."

Hon. W. Robert Blair: "On this question, there are 83 'Ayes' and 34 'Nays' and this Bill having failed... The gentleman from ah.. Cook, Mr. Sevcik."

Joseph G. Sevcik: "Mr. Speaker, in explaining my vote, I.. I would like to mention that the... there was a statement made here by Representative Schlickman ah.. regarding the Crime Commission. Well, the statute does not prohibit us from



investigating crime. But, it prohibits us from making arrests which have been turned over to I.B.I. Therefore, I ask a poll of the absentees."

Hon. W. Robert Blair: "The ah.. Clerk will poll the absentees."

Fredric B. Selcke: "Blades.. Bluthardt.. Borchers.. Boyle.. Brandt.. Brinkmeier.. Carrigan.. Carroll.. Jimmy Carter.. Chapman.. Choate.. Otis Collins.. Phil Collins.. Conolly.. Corbett.. Bill Cunningham.. DiPrima.. Dyer.. Ewell.. Fleck.. Flinn.. Graham.. Hanahan.. Henss.."

Hon. W. Robert Blair: "Henss.. 'aye'. Campbell.. 'aye'.

Ah.. wait a minute then. How... How's Henss recorded?"

Fredric B. Selcke: "Henss is recorded as 'not voting'."

Hon. W. Robert Blair: "Alright.. Vote him 'aye'. The gentleman from Vermilion, Mr. Campbell."

Charles M. Campbell: "I'd like to change my vote from 'nay' to 'yea'."

Hon. W. Robert Blair: "Change the gentleman from 'nay' to 'yea'. The gentleman from Kankakee, Mr. Houde."

Thomas R. Houde: "I'd like to change my vote from 'nay' to 'yea'."

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

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

Hon. W. Robert Blair: "Alright.. Change it 'yea'. Proceed."

Fredric B. Selcke: "Jacobs.. Gene Hoffman.. Keller.."

Hon. W. Robert Blair: "Jacobs.. How's he recorded?"

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

Hon. W. Robert Blair: "Record him as 'aye'."



Fredric B. Selcke: "Kleine.. Klosak.. Krause.. Laurino..

Lauterbach.. Lenard.. Lindberg.. Ed Madigan.. McCormick..

McDermott.. Meyer.. George O'Brien.. Philip.. Redmond..

Regner.. Schisler.. Schoeberlein.. Ike Sims.."

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

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

Hon. W. Robert Blair: "Record him as 'aye'."

Fredric B. Selcke: "Soderstrom.."

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

Fredric B. Selcke: "'Not voting'."

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

Fredric B. Selcke: "Stedelin.. Taylor.. Telcser.. Terzich..

Jack Thompson.. Tuerk.. Von Boeckman.. Washburn.. Genoa

Washington.. Williams.. J. J. Wolf.."

Hon. W. Robert Blair: "J. J. Wolf.. Where is he? Oh! 'Ayes'.

Lenard.. How's he recorded?"

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

Hon. W. Robert Blair: "Record him as 'aye'."

Fredric B. Selcke: "Ah.. Mr. Speaker."

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

Yourell."

Harry Yourell: "How am I recorded?"

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

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

Harry Yourell: "Change me to 'aye'."

Hon. W. Robert Blair: "Change him from 'no' to 'yes'. The gentleman from Ogle, Mr. Brinkmeier."



Robert E. Brinkmeier: "How am I recorded?"

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

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

Robert E. Brinkmeier: "'Aye', please."

Hon. W. Robert Blair: "Change.. Ah.. Record him as 'aye'. The gentleman from Effingham, Mr. Keller, how's he recorded?"

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

Charles F. Keller: "Record me as 'aye'."

Hon. W. Robert Blair: "Record him as 'aye'. The gentleman from Marion, Mr. Stedelin."

Harold D. Stedelin: "How am I recorded?"

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

Harold D. Stedelin: "Vote me 'aye'."

Hon. W. Robert Blair: "Record him as 'aye'. The gentleman from ah.. Tazewall, Mr. Von Boeckman, how's he recorded?"

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

Hon. W. Robert Blair: "Record him as 'aye'. The gentleman from Fulton, Mr. Schisler, how's he recorded?"

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

Gale Schisler: "Vote me 'aye', Mr. Speaker."

Hon. W. Robert Blair: "Record the gentleman as 'aye'. The gentleman from Macoupin, Mr. Boyle, how's he recorded?"

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

Hon. W. Robert Blair: "Record him as 'aye'. How's the gentleman from Will, Mr. Houlihan, recorded?"

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



John J. Houlihan: "Change it to 'nay'."

Hon. W. Robert Blair: "Alright.. Change it from 'aye' to 'nay'."

The gentleman from ah.. Cook, Mr. Mann."

Robert E. Mann: "Is it too late to explain my vote, Mr. Speaker?"

Hon. W. Robert Blair: "Ah.. it seems to be a little late."

Robert E. Mann: "Well, Mr. Speaker and Members of the House, without reflecting upon the Membership of this Commission or anybody associated with it, I would just like to ask all of you to pause for a moment and take stock of what you're doing. You are giving carte blanche to a Commission to run around with subpoena powers to make any investigations of anybody, any institution, any time, any place they choose. I don't think you want to do that. I think you would like to exercise some review, some powers, some control, as small as it might be, over any Commission that would reflect upon every single Member of this House. When you're talking about a Commission with subpoena powers, I think you want some modicum of control. Ladies and Gentlemen of this House, I don't think that you want a Commission running around at large on a fishing expedition to utilize and possibly abuse power. Now, I'm not saying that they have in the past and I'm not reflecting on anybody on this Commission but the potential is there. And, I know of no precedent for a Legislative Body investigating a roving Commission at large with this kind of power. If it's something important, if it's something that has to be done, we'll find a way of doing it. But, don't give anybody that kind of absolute power. I think



it's poor Legislative Policy and procedure. And, I ask you to reconsider your vote."

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

Henry J. Hyde: "Well, I just want to say, Mr. Speaker, in explaining my 'yes' vote, that I have more confidence in the Members of that Commission than ah.. the gentleman from Cook that spoke. Ah.. I would point out it is bipartisan ah.. in that there are an equal number of Democrats and Republicans. Ah.. I know the Members of that Commission to be gentlemen of integrity and good judgement. And, it seems to me, that when we are not in Session, ah.. circumstances can arise that do require a Legislative look. And ah.., this Commission.. ah.. this Bill provides that three-quarters of the Members must okay the resolution plus both Co-Chairmen, one Republican and one Democrat. Now, you can't tell me, realistically, that ah.. this going to be a run away grand jury, that these men aren't going to listen to their leaders, that they're not going to be guided by good judgement. Ah..the checks and the balances are there, but it's silly to have a ah.. a Commission that is well-funded and well-staffed and ah.. with expert legal counsel and a top investigator just sitting there ah.. because the ah.. Legislature is not in Session. I have confidence in the Members of that Commission. I have confidence in the Chairman to act responsibly. And, I don't think that all wisdom necessarily reposes ah.. in this Body to the exclusion of



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that Commission."

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

W. J. Murphy: "How am I recorded, Mr. Speaker?"

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

Fredric B. Selcke: "The gentleman is recorded as voting 'no'."

W. J. Murphy: "That is correct. I want to vote 'no' twice."

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

Charles W. Clabaugh: "Mr. Speaker, I voted 'aye' on this Bill.
My side prevailed. So, what I'm going to say can not have
any reflection on this. But, I think, we're getting into
some pretty thin ice... on some pretty thin ice right now.
If we're going to start in reconsidering every act that we
did this day when we voted Bills down. I don't think that
this Body, as long as its been in Session, is in any frame
of mind to make these decisions. I think we're flipping one
way and we're flipping another. I wish the Rules said that
a Bill could not be called back after it has been postponed
within the same twenty-four hour period. I think we're doing
something that we ought not be doing. And, I hope that we
don't back now and pick up every Bill that was read today
and reconsider it and vote on it because we'll probably pass
half of it."

Hon. W. Robert Blair: "Alright.. Well, there was the ah..
gentleman from ah.. Cook, Mr. Mann's ah.. ah.. statement con-
cerning reconsideration with merely his explanation of vote



ah.. urging those Members ah.. who had ah.. voted one way or the other ah.. to reconsider it ah.. along the lines that he was advocating. So, it was not a motion to reconsider as such filed. We are at that point now in the proceedings where I am about to announce the verified Roll Call. There are 97 'Ayes' and 32 'Nays'. For what purpose does the gentleman from Lake, Mr. Murphy, rise?"

W. J. Murphy: "With reluctance, Mr. Speaker, I ask to verify the Roll Call."

Hon. W. Robert Blair: "Alright.. The Members will be in their seats and there will be a verification of this Roll Call. The gentleman from ah.. Cook, Mr. Sclickman, for what purpose do you rise?"

Eugene F. Schlickman: "Mr. Speaker, may I have the courtesy of the Members raising their hands as their called?"

Hon. W. Robert Blair: "Alright.. Would the ah.. Members raise their hands when.. when you're called?"

Fredric B. Selcke: "Alsup.. Anderson.. Arrigo.. Barry.. Bartulis.. Boyle.. Bradley.. Brenne.. Brinkmeier.. Brummett.. Burditt.. Calvo.. Campbell.. Capparelli.. Capuzi.. Clabaugh.. Colitz.. Cox.. L. Cunningham.. Davis.. Day.. Downes.. Duff.. Epton.. Fary.. Friedland.. Garmisa.. Gibbs.. Glass.. Granata.. Hall.. Harpstrite.. Hart.. Henss.. Hill.. Hirschfeld.. Ron Hoffman.. Holloway.. Houde.. Hudson.. Hunsicker.. Hyde.. Jacobs.. Jones.. Juckett.. Kahoun.. Karmazyn.. Keller.. Kennedy.. Kipley.. Kosinski.. Lechowicz.. Lehman.. Lenard.. Leon.. Ed Madigan.. McAvoy.. McGah.. McMaster.. McPartlin.. Merlo..



Kennedy Miller.. Peter Miller.. Moore.. Neff.. North..
 Nowlan.. D. O'Brien.. O'Hallaren.. Palmer.. Pappas.. Randolph..
 Ropa.. Rose.. Schisler.. Schoeberlein.. Sevcik.. Shapiro..
 Shea.. Simmons.. Timothy Simms.. Smith.. Soderstrom..
 Springer.. Stedelin.. Stone.. R. Thompson.. Tipsword..
 VonBoeckman.. Waddell.. Wall.. Walters.. Welsh.. Frank Wolf..
 J..J. Wolf.. Yourell.. Zlatnik.."

Hon. W. Robert Blair: "Alright.. Questions of the affirmative?"

W. J. Murphy: "Representative Arrigo?"

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. He's not in
 his seat."

W. J. Murphy: "Boyle?"

Hon. W. Robert Blair: "Boyle is there."

W. J. Murphy: "Brinkmeier?"

Hon. W. Robert Blair: "Brinkmeier is there."

W. J. Murphy: "Duff?"

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. He's not in
 his seat."

W. J. Murphy: "Epton?"

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. He's not in
 his seat."



W. J. Murphy: "Hall?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off
the record."

W. J. Murphy: "Harpstrite?"

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

W. J. Murphy: "Hill?"

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

W. J. Murphy: "Holloway?"

Hon. W. Robert Blair: "I can't ah... How's the gentleman
recorded?"

Fredric B. Selcke: "The gentleman is..."

Hon. W. Robert Blair: "Oh! He's.. He's back there."

W. J. Murphy: "Hirschfeld?"

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

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

Hon. W. Robert Blair: "He's not in his seat. Take him off the
record."

W. J. Murphy: "Hunsicker?"

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

W. J. Murphy: "Houde?"

Hon. W. Robert Blair: "He's back in the back."

W. J. Murphy: "Kahoun?"

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

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

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



W. J. Murphy: "Leon?"

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

W. J. Murphy: "McMaster?"

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."

W. J. Murphy: "Jones?"

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."

W. J. Murphy: "McMaster?"

Hon. W. Robert Blair: "Well, we.. we.. we took him off."

W. J. Murphy: "Oh! North?"

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."

W. J. Murphy: "O'Hallaren?"

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

W. J. Murphy: "Pappas?"

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."

W. J. Murphy: "Shapiro?"

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

W. J. Murphy: "Ropa?"



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

W. J. Murphy: "E. Madigan?"

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

Fredric B. Selcke: "The ah.. gentleman is recorded..."

Hon. W. Robert Blair: "Yeah.. Ed.."

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

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

W. J. Murphy: "Nowlan?"

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."

W. J. Murphy: "That's it, Mr. Speaker."

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

J. Theodore Meyer: "First, I'd like to comment on the conspiracy going on over here. Record me as 'aye', please."

Hon. W. Robert Blair: "What was your comment? I didn't hear it."

J. Theodore Meyer: "'Aye'."

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

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

Hon. W. Robert Blair: "Alright.. Record him as 'aye'. The gentleman from Lake, Mr. Matijevich."

John S. Matijevich: "I wonder if my Colleague from Lake would sign me up for that transcendental meditation. If.. If that can get together, he and Doctor Douglas, it'll work for



anybody."

Hon. W. Robert Blair: "Alright.. On this question, there are. or on verification, there are 87 'Ayes', 32 'Nays'. This Bill having failed to receive a Constitutional majority is hereby declared lost. 4344 on Third Reading.. 4343."

Fredric B. Selcke: "House Bill 43... What was the number? Is that on postponed consideration? Oh! Yes.. Yes.. Ah.. A Bill for an Act to amend an Act relating to Garnishment. Third Reading of the Bill." Well, what is it, 33 or 43? Oh! 43 Oh!.. He brought it back to Second for an Amendment?"

Hon. W. Robert Blair: "Alright.. It's on Third. The ah.. gentleman from ah.. Cook, Mr. Carroll."

Howard W. Carroll: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4343 deals with the area of the Garnishment after of confession of judgement. And ah..., what we've said here with the amended version is that after there's been a judgement of confession and after the affidavit of con., of judgement by confession goes out to the judgement.. by the judgement creditor to the garnishee to the bank. Then, at that point in time, by statute, it becomes a lien upon any of the assets held by that bank. That, at that point in time, the Clerk of the Court shall also send out the following documents that will be filed by the judgement creditor with the Clerk when he makes this ah.. affidavit of garnishment. And, that'll just be a copy of the complaint, a copy of the garnishment proceedings and a statement showing that ah.. the debtor can file a motion to open up the



underlying judgement that was confessed. What, in effect we're trying to do by this and trying to make some of the objections at the same time is to say that after a judgement has been gotten by confession in which the debtor had no idea that this judgement was going to be obtained and after the creditor feels secure in that he has a statutory lien against the assets of the judgement creditor. At that point in time, the Clerk of the Court will notify that debtor that there has been this judgement that their about to take his property and tell him that he has the right to go into Court if he so desires if he has any meritorious defense. What we've taken out of this by the way of Amendment is the automatic trial de nolo in the second instance when we said, 'let him come in under the proper Rules of the Supreme Court and open up the judgement, if that's what he wants'. All we're trying to do, which is in line with the United Supreme Court did in the March 23rd Connecticut Case. They say that you can't take the man's property until you've notified them. Many times, these are on contracts that are years old or they're on leases where the ah.. actual tenant has a meritorious defense and where the landlord actually breached the lease that the landlord can still go in on the confession. This way, we're.. we're telling them what's happening. If he has the proper grounds, let him come into Court and open up the judgement. I would ask for a favorable vote."

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



Roman J. Kosinski: "Mr. Speaker, may I immediately address the Bill?"

Hon. W. Robert Blair: "On the Bill?"

Roman J. Kosinski: "Yes, Sir."

Hon. W. Robert Blair: "Go ahead."

Roman J. Kosinski: "Ah.. Mr. Speaker, Gentlemen of the House, if you remember when this Bill originally appeared before us, while I was not against the philosophy Representative Carroll was trying to project. I thought that the Bill was a great imposition on small business. I took exception to it. Since then, in Conference, Mr. Carroll has supplied an Amendment which so cleans up the Bill that I no longer have any reservations in terms of all.. of ah.. small business and recommend voting 'yea' on this Bill."

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

J. Theodore Meyer: "A question of the Sponsor."

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

J. Theodore Meyer: "Representative Carroll, shouldn't.. aren't you talking about wage deductions rather than garnishment which is another legal procedure or is the ah.. Digest in error?"

Howard W. Carroll: "Ah.. Representative Meyer, I.. I don't know. I haven't looked at the Digest. We are not dealing with wage deductions. The original version of the Bill was probably very parallel to wage deduction orders. This deals strictly in the case of garnishment and non-wage deduction where you don't have those guarantees and those protections



that are in a wage order deduction. Mr. Speaker, by the way, I would like to ask leave to suspend Rule 47a."

Hon. W. Robert Blair: "Alright.. Just a moment. The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Ah.. Mr. Speaker, a point of personal privilege."

Hon. W. Robert Blair: "Proceed."

Clyde L. Choate: "I would like to, at this time, introduce one of the finest young men in the State of Illinois, a former parliamentarian to the Speaker of the House, now an outstanding young Lawyer in the City of Chicago, Doug Donenfeld in the Speaker's Gallery."

Hon. W. Robert Blair: "Alright.. The gentleman has asked leave to suspend the provisions of 47... What is it, Doug? 40..40.. 47.. ah.. a ah.. So, this Bill having been amended today ah.. can be considered today. And ah.., the Amendment is on the Member's desks. Further discussion? The gentleman care to close?"

Howard W. Carroll: "Mr. Speaker, just by asking for a favorable Roll Call."

Hon. W. Robert Blair: "The question is, 'shall this Bill 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 64 'Ayes', 21 'Nays' and this Bill having failed to receive a Constitutional majority is hereby declared lost. Now on the ah.. order of Consideration of Postponed, appears House Bill 358, 359 and 360 which



the gentleman from Cook, Mr. Rayson, asked leave to have brought back to the order of ah.. Third Reading. These Bills having been read a third time, the Chair recognizes the gentleman from Cook, Mr. Rayson, on the Bills. Did you ask leave to have them considered as a package?"

Leland H. Rayson: "Ah.. yes. I asked leave, Mr. Speaker."

Hon. W. Robert Blair: "Alright.. Is there objection? Hearing none, the gentleman will proceed to explain his Bills."

Leland H. Rayson: "Ah.. Mr. Speaker, a year ago ah.. this series of Bills had about eighty votes ah.. and it was put on postponed consideration. And, at that time in a Correction Code was the concept of ah.. victims of crime ah.. compensation. This Bill said that when a person is victimized ah.. due to murder and say that his family makes claim or that he's either killed or maimed ah.. trying to stop a homicidal crime going on or he.. he assists a law enforcement officer and this occurs and he has no redress whatsoever, he may apply to the Court of Claims for other pocket costs only up to a limited amount. Now, this ah.. ah.. had been a Commission Study before by the General Assembly and recommended. It did pass the House, not in this Session, but the last. And ah.., as I said before, it was part of the Correction Code and passed out of the House. But, it was deleted in the Senate. Now, Governor Ogilvie in his Law Day Law Reform Message came up with the concept of Victim of Crime Legislation for good samaritans. Ah.. that is part of what this Bill is. Ah.. one of the three concepts for it is



the good samaritan person who is victimized and he has no redress. So, I think that we ought to pass this Bill out of the Senate... and over to the Senate because that good samaritan Bill is still there. And ah.., as I say, ah.. it's ah.. a good Bill and good Legislation and has the support of the Department of Corrections. And, also the ah.. Diagnostic Evaluation Committee Commission. Ah.. I might add that another precedent in the House is that we have had passed Bills to allow compensation for ah.. firemen and policemen in pursuance of their duty. And, in the last Session, for people who are involved in Institutional Compounds who are maimed or killed. So, I suggest that it's good Legislation. It really isn't very costly and it depends on Court of Claims awards. And, I urge a favorable vote."

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

Romie J. Palmer: "If the Sponsor will yield for a question? Which ah.. Which Bill has to do with the good samaritan?"

Leland H. Rayson: "Ah.. Ah.. House Bill 358 has the ah.. good samaritan concept in it. Senator Coulson in the Senate has strictly a Compensation Bill for good samaritan cause. This is ah.. This is when you're assisting a Law Enforcement Officer when a crime is being per... perpetrated which is the good samaritan con.. concept."

Romie J. Palmer: "Well, what philosophy is the ah.. is this ah.. 358 excluding the good samaritan aspect of it? What philosophy is this predicated upon? More specifically, is



it predicated upon the philosophy that society is, in general, is the cause of specific ah.. crimes of violence?"

Leland H. Rayson: "Well, I.. I think the philosophy is that ah.., you know, we are the protectors of society. We.. We really don't quite protect it because crime is rather rampant and that ah.., when one is a victim of crime of violence, it's largely a matter of chance. The risk of such an unforeseeable injury should be shared by society. Now, I believe that's part of the philosophy. A case is a taxi driver taking a woman home in the South Side, letting her out, she screamed. He went to her aid and was shot in the back. And, he had a bullet lodged in his spine and became a paraplegic. He couldn't get Workmen's Compensation because they said it was beyond the scope of his authority. And so, he went on public aid and he was doing his thing."

Romie J. Palmer: "Well, are you then talking about.. about third parties being injured as a result of a crime being committed rather than the participants ah.. the ah.. the ah.. the innocent victim or the person that commits a crime? Or, are you talking about both of them?"

Leland H. Rayson: "I'm strictly in a restricted way talking about the innocent victim of the ah.. ah.. who's a victim of the crime. Totally innocent, mind you. Not one that is colored by criminal acts at all in.. in any provoked way whatsoever. It only applies to one that is murdered or.. or one who assists a Law Enforcement Officer or one who assists another. That's all. It's a limited application and the only



one that has no redress, no leg to sue, no insurance, no other kind of ah.. redress."

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

Daniel J. O'Brien: "Mr. Speaker, I move the previous question."

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

Leland H. Rayson: "All I can say in this late hour is that I look for 89 votes on the board, if I can get it. And, I hope that I can. Thank you."

Hon. W. Robert Blair: "Any ah.. The question is, 'shall these three Bills pass?'. All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? The gentleman from Cook, Mr. Rayson."

Leland H. Rayson: "I'd like to explain my vote. Ah.. Ah.. we worked on these Bills for some time. Ah.. we think that it's good Legislation. I talked to the Majority Leader on.. on occasion. And, just the other day, I talked to Bill Handley, because he's trying to work on those Good Samaritan Bills. I trust that he talked to the Majority Leader. Maybe he didn't because he's got a 'no' vote on the board and he's one of my Co-Sponsors. But, at least, Bill Handley suggests that it is a good vehicle to turn over to the Senate."

Hon. W. Robert Blair: "Any further... Any more explanations? The gentleman from ah.. Cook, Mr. Mann."

Robert E. Mann: "Well, Mr. Speaker, I think that, perhaps,



ah.. that there's some misunderstanding ah.. of this measure. It's not a Bill which is against ah.. Law and Order by any means. As a matter of fact, ah.. it's a Bill which ah.. takes cognizance ah.. of the viciousness and the.. the unfairness of crime in that it can strike any one ah.. at any place with no rational purpose or cause. People will walk down the street, they get hit in the head. Ah.. crimes occur on the C.T.A. and on other public transportation. So, ah.. this is not a Bill that encourages or coddles crime nor does it set a new precedent. We spend public monies for ah.. penal institutions. Ah.. we spend public monies for State's Attorneys and Attorney Generals for the purpose of prosecuting crime. We're really extending the general theory ah.. of trying to discourage crime by taking care of those who are the innocent victims of crime. So many of the people who are victimized by crime may be disabled by life. We may be talking about rape victims, mothers of children who can't take care of the kids. We may be talking about people who are crippled for life. So, I think, that if you look at it ah.. in terms of a broader impact, we're talking about merely an extension of our general policy ah.. with regard to crime. And, it's not a Bill that we ought to be afraid of. Let's get some 'green' lights up there and help the innocent victims of crime."

Hon. W. Robert Blair: "Alright.. Is there any... Have all voted who wished? The Clerk will take three records. On each of these questions, there are 76 'Ayes' and 23 'Nays'."



And, each of these Bills having failed to receive a Constitutional majority are hereby declared lost. Palmer.. 'present'. Now, there are.. we have two ah.. Conference Committee ah.. Reports ah.. on Senate Bills 1182 and 1183."

Fredric B. Selcke: "Conference Committee Report to the Honorable President of the Senate and the Speaker of the House: We, the undersigned committee of conference, appointed to consider the differences between the two houses in relation to House Amendment No. 1 to Senate Bill 1182, recommend that the Senate concur in House Amendment No. 1. All of which is respectfully submitted this 17th day of May, 1972 ah.. on the part of the Senate."

Hon. W. Robert Blair: "The gentleman ah.. from Cook, Mr. Telcser, to explain these two ah.. Conference Committee Reports."

Rep. Arthur A. Telcser: "Mr. Speaker and Ladies and Gentlemen of the House, the Conference Committee ah.. of which we're dealing with now ah.. held hearings on Senate Bill 1182 and 1183, one of which deals with the ah.. Fast Tracks, the other of which deals with Harness Racing. Both of the Bills in their substance are identical. And, last Fall, when we were in Session, this House passed both of these Bills out as they are now amended, I believe, with only one dissenting vote. However, the Bills were called in the Senate on the last night of the Fall Session and fell only three votes short of concurring with the House Amendment. Now, the Bills are very similar to those Bills which were passed out a couple of



hours earlier which were sponsored by Representatives Mann and Katz. They provide that, before the Racing Commission gives dates to an Association, that the beneficial interests of those Associations list their interests, list the stockholders and make those lists open to the public and available to the Secretary of State's Office and the Racing Commission. They also apply to those that have five percent interest or more in those Associations. They provide for a notification of permission for twenty-five percent shift in stockholdings. And, also prevent contributions from the Associations. I think that these are good Bills. I think that they will answer the questions which the public wants to know about the Racing Industry. They will protect the public and protect us who are in public life. I now move you, Mr. Speaker, that the House adopt Conference Committee Report relative to Senate Bill 1182 and 1183."

Hon. W. Robert Blair: "Alright.. The.. Is there any discussion? The gentleman from ah.. Cook, Mr. Scariano."

Anthony Scariano: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, ah.. Representative Telcser and I worked ah.. quite long and hard over these Bills. They're Bills that Representative Katz and Representative Mann had this morning and were originally my Bills. But, I couldn't get in on that day. And ah.., Representative Mann and Representative Katz ah.. sponsored those Bills. Ah.. I have agreed with Representative Telcser that ah.. if these Senate Bills pass ah.. that we will have accomplished our purpose in these two House



Bills that passed earlier today ah.. can be disregarded. So, I would ah.. move instead that ah.. we proceed to adopt this Conference Committee Report. Ah.. they do the same thing and ah.. they are good disclosure Bills. I would urge your support of the Conference Committee Report."

Hon. W. Robert Blair: "Alright.. The question is, 'shall the House concur or adopt the Conference Committee Report with respect to Senate Bill 1182?'. All those in favor will vote 'aye' and the opposed 'no'. And, the switches are already open and this is passage, as you know. Have all voted who wished? The Clerk will take the record. On this question, there are 127 'Ayes' and no 'Nays' and the ah.. House adopts the Conference Committee Report."

Fredric B. Selcke: "Conference Committee Report ah.. on Senate Bill 1183 to the Honorable President of the Senate and the Speaker...."

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

Arthur A. Telcser: "Mr. Speaker and Ladies and Gentlemen of the House, the Conference Committee Report relative to Senate Bill 1183 is identical to that of 1182. I now move that the House adopt the Conference Committee Report relative to Senate Bill 1183."

Hon. W. Robert Blair: "Discussion? Alright.. The question is, 'shall the House adopt the Conference Committee Report with respect to Senate Bill 1183?'. 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



129 'Ayes', no 'Nays' and the ah.. House adopts the Conference Committee Report. Alright.. The gentleman from Peoria, Mr. Day, has a request regarding House Bill 3801."

Robert G. Day: "Mr. Speaker and Ladies and Gentlemen of the House, with regard to ah.. House Bill 3801, ah.. I ask leave to suspend the provisions of Rule 32c ah.. and Rule 17 and Rule 24 for the purpose of referring this Bill to the Committee for hearing. Through some inadvertence, this Bill ah.. was not scheduled for hearing. Was never posted. And, ah.. a number of Representatives have asked me about it and are interested in it. And, I would like to have a Committee Hearing so that the ah.. Bill can be considered."

Hon. W. Robert Blair: "Alright.. Does the... Why don't you limit your motion to Rule 17 for the time being and ah.. so you can be posted for hearing and then we can discuss the other because we've been taking Roll Call votes ah.. on 32b, c and d? Alright.. Ah.. I understand that there's agreement on the other side. So, does the gentleman have leave to have Rule 17 suspended so that this Bill may be heard this week?"

Robert G. Day: "I think it's next week."

Hon. W. Robert Blair: "Oh! Next week. Alright.. While we're resolving that item, ah.. the gentleman from ah.. ah.. Cook, Mr. McPartlin, has a request."

Robert F. McPartlin: "Mr. Speaker, I would like to suspend Rule 17 to have Senate Bill 1557 posted for Public Utilities Committee tomorrow. I have ah.. talked to the Leadership



on both sides of the aisle and also to the ah.. Chairman of Public Utilities."

Hon. W. Robert Blair: "Ah.. He's... He's saying no. The Chairman. Alright.. He says yes. Is there leave? Alright.. The provisions of Rule 17 will be suspended so that Bill... Senate Bill may be posted for hearing in Public Utilities this week. Alright.. On.. The last Bill on.... On the order of postponed consideration is ah.. House Bill 4304 for which the gentleman from Cook, Mr. Berman, asks leave to have brought back to the order of Third Reading for purposes of being considered. It's been read a third time. And, the Chair recognizes the gentleman from Cook, Mr. Berman, on the Bill."

Arthur L. Berman: "Thank you, Mr. Speaker. Ah.. 4304 was the Bill dealing with the ah.. position in the primaries for candidates for the House. As amended,... As amended, I.. I've been informed it would have no effect on your paper ballot precincts, on your precincts with the ah.. ah.. electronic voting machines. And, it's phrased now to apply so that the situation that existed in the current primary, where candidates were placed on the second line below the line on which all the rest of the candidates appeared, that would not take place with 4304, as amended. I ah.. urge your affirmative vote on 4304, as amended. And, I would ask ah.., Mr. Speaker, to ah.. suspend 47a regarding the requirements that have the Amendment ah.. on the desk for one day."

Hon. W. Robert Blair: "Ah.. the gentleman from Lake, Mr. Pierce."



Daniel M. Pierce: "I want to speak on the Bill, but, I believe, he asked leave for ah.. for suspension of the Rules. So, maybe we should take care of that first."

Arthur L. Berman: "Ah.. 47a..."

Hon. W. Robert Blair: "Well, he's.. he's amended that Bill now."

Arthur L. Berman: "Yes..."

Hon. W. Robert Blair: "Ah.. So, he's.. he's asking leave to suspend the provisions of Rule 47a so that the Bill may be heard, as amended, today. Is there leave for that? Alright.. Leave has been granted and the Amendment is on the desk. Now, the gentleman from Lake, Mr. Pierce."

Daniel M. Pierce: "Ah.. would the gentleman yield for a question? Ah.. Mr. Berman, you stated that the Bill would not apply to paper ballot precincts or electronic voting device precincts. Now, confining ourselves to mechanical voting machine precincts, if there are only two candidates for office under.. under your Bill, as amended, two candidates for Representatives of the General Assembly and both of them appear on the same line and, therefore, they would not be alternated precinct by precinct. Is that right?"

Arthur L. Berman: "That's correct."

Daniel M. Pierce: "So, the result will be, where there are more than two candidates filed in the primary for either party for State Representative, they would be rotated. But, if only two filed, they would not be rotated."

Arthur L. Berman: "No.. They wouldn't be rotated again, if they were all either in the same column, if you've got vertical



column machines and they wouldn't have to be rotated on the vertical machines if they were all in the same row."

Daniel M. Pierce: "Well, that's what I thought. I thought the Clerks could set these up. So, even if there's three or more candidates, they could be on the same line. That was a point that I tried to make awhile ago. And, maybe this would encourage the Board of Election Commissioners and the County Clerks to find a way of putting three or four candidates on the same line without dropping them below, which he said was mechanically impossible before. But, which I kind... I kind of doubted. Do you feel that your Bill now will encourage them to put all of the candidates on the same line to avoid the rotation?"

Arthur L. Berman: "Yes, I think they would."

Daniel M. Pierce: "Fine.. I ah.. I think this is ah.. good Bill. And, I think we'll find that the Clerks now and the Board of Election Commissioners can find a way to.. to put everyone on the same line. Otherwise, we'll have the result of where only two Republicans file, they will be the same in each precinct, but if three Democrats file, they'll be rotated in every precinct in the same Legislative District. And, it will be kind of a confusing thing. Or, if four of one party file and three of the other, they'll be rotating precinct by precinct in different order and really have a confused ballot. So, I feel that under the Bill, as amended, ah.. we will find the Clerks and the Board of Election Commissioners will be able to put all three or four candidates



on the same line and avoid the tragedy of the last primary ah.. when many of our most able or some of our most able Members of the House were defeated only because the voters could not find them on the mechanical voting machine because they were one line below."

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

Arthur L. Berman: "Just asking for an affirmative vote, Mr. Speaker."

Hon. W. Robert Blair: "Alright.. The ah.. gentleman has closed. And, the question is, 'shall this Bill pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. William Walsh. 'aye'. On this question, there are 47 'Ayes' and 16 'Nays' and this Bill having failed to receive... The gentleman from Cook, Mr. Berman."

Arthur L. Berman: "I had thought that we had had some understanding, especially with some of the Downstate Areas, that the Amendment was something that ah.. was quite acceptable to solve a problem that we had, especially on City machines. And, I would ah.. respectfully ask that we poll the absentees."

Hon. W. Robert Blair: "Is hereby declared lost.... Jones.. 'aye'. The gentleman ah.. from ah.. Cook, Mr. Hyde."

Henry J. Hyde: "Do we ah.. have Agreed Resolutions?"

Hon. W. Robert Blair: "No.. We'll.. We'll do those tomorrow."

Henry J. Hyde: "Alright.. Mr. Speaker, I now move that the House stand adjourned."



Hon. W. Robert Blair: "Alright.. Ah.. the gentleman from ah.. Cook, Mr. Maragos, has asked whether or not House Bill 4550 will be an exempt Bill. And, the Chair's Ruling is that it is. And ah.., the gentleman from Cook, Mr. Lechowicz, asked the same question with regard to House Bill 4386. And, that is an exempt Bill. Ah.. the Chair rules... For what purpose does the gentleman from ah.. Katz rise? Oh! Cook..."

Harold A. Katz: "Ah.. Mr. Speaker, will ah.. House Bill 1171 ah.. be considered an exempt Bill?"

Hon. W. Robert Blair: "Ah.. on what basis?"

Harold A. Katz: "Well, on the basis that I've been patiently waiting quite a number of days and I would like to have a chance to.... have it heard. And, I don't want to keep anyone here late, but I would like an opportunity tomorrow, if I could to...."

Hon. W. Robert Blair: "Well, we'll go into... Let it address itself to Appropriations, Revenue or implementing the Constitution or Reapportionment."

Harold A. Katz: "Well, ah.., Mr. Speaker, then ah.. might I simply inquire as to whether you'd permit it to be heard tomorrow?"

Hon. W. Robert Blair: "Well, that.. that takes the suspension of the Rules tonight which we've been doing ah.. right along on the non-exempt Bills."

Harold A. Katz: "Well then, may I have a suspension of the Rules, Mr. Speaker, so that it can be heard tomorrow since I've been patiently waiting for a number of days for it to



be called?"

Hon. W. Robert Blair: "Alright.. The...."

Harold A. Katz: "Ah.. House Bill 1171, Mr. Speaker."

Hon. W. Robert Blair: "Alright.. The ah.. gentleman ah.. has asked to suspend the provisions of 32. Alright.. Objection has been heard. So, there will have to be a vote. The gentleman from ah.. Cook, Mr. Katz."

Harold A. Katz: "Ah.. you asked me on what basis I might ask that it be suspended. It does..."

Hon. W. Robert Blair: "No... I did not ask that question. I asked you on what basis you were asking if it were an exempt Bill."

Harold A. Katz: "Well, it does relate..."

Hon. W. Robert Blair: "And... And, I suggested to you was that Appropriation, Revenue and Constitutional Implementation or Reapportionment. And, you did not answer that but move to suspend. Now, ah.. that's.. that's the motion that is before the Body right now. Do you care to withdraw that motion or do you..."

Harold A. Katz: "I would temporarily withdraw it and answer the question, Mr. Speaker, that it does relate to Revenue. It is money that ah.. it is collected for the State of Illinois. And hence, is revenue for the State of Illinois."

Hon. W. Robert Blair: "No.. The Supreme Court in...when it upheld the constitutionality of the Illinois Toll Road Authority, made it quite clear that that was a separate and distinct body from the State of Illinois."



Harold A. Katz: "Well, but the purpose of the Bill is that it would go directly to the State of Illinois. But, Mr. Speaker, I'll abide by your Ruling and accept your Ruling. I'd simply desired to have a chance to have it heard. That's all. Ah.. you have been calling a number of Bills. Ah.. it seems to me that it should be that all Members should be treated alike. And, I would just like an opportunity tomorrow to have a go at it. That's all."

Hon. W. Robert Blair: "Well, we're..."

Harold A. Katz: "I will renew my...."

Hon. W. Robert Blair: "We're not... we're not..."

Harold A. Katz: "I will renew the motion, Mr. Speaker. I will renew the motion for the suspension of the Rules."

Hon. W. Robert Blair: "Right... We're letting every Member have his chance to get up and move whatever he wants to move. So, ah.. the gentleman is moving to suspend the Rules with ah.. regard to the... ah.. House Bill 1181... 1171 so that ah.. ah., it will not ah.. come under the provisions of... of Rule 32c. Ah.. all those in favor of the gentleman's motion to suspend will vote 'aye', and the opposed 'no'. Alright.. Have all voted who wished? The Clerk will take the record. On this question, there are 49 'Ayes' and 8 'Nays' and the Rule... and the gentleman's motion does not carry. Alright.. Mr. Scariano, what's your point."

Anthony Scariano: "You need only two-thirds vote of those voting."

Hon. W. Robert Blair: "Well, what Rule are you referring to?"



No.. you.. you.. No.. You do it...."

Anthony Scariano: "Who's my parliamentarian?"

Hon. W. Robert Blair: "I know you need help... He's attempting to suspend the provisions of Rule 32. And, Rule 93a says, 'However the provisions of Rule 32, 38 and Rule 41a may be suspended only on the affirmative votes of at least 89 Members'. The gentleman from ah.. Cook, Mr. Katz."

Harold A. Katz: "Ah.. Mr. Speaker, I'd like to explain my vote. Ah.. it would seem to me that ah.., since that I did ask that my Bill be called quite awhile ago and many days ago, I understand there's been many ah.. Bills that you've had to call, but it does seem to me that all Members should be treated alike. And, if a Member is here and asks his Bill to be called, that it's only fair that the Member be treated the same as any other Member. And, that the Bill be permitted to be heard. And, anyone who wants to vote against it, can vote against it at that time. Accordingly, Mr. Speaker, I will move that and request that the absentees be polled."

Hon. W. Robert Blair: "Alright.. Ah.. the Clerk will poll the absentees."

Fredric B. Selcke: "Alsup.. Anderson.. Arrigo.. Barry.. Blades.. Bluthardt.. Borchers.. Boyle.. Brandt.. Brenne.. Brinkmeier.. Brummet.. Burditt.. Calvo.. Campbell.. Capuzi.. Carrigan.. Jimmy Carter.. Chapman.. Choate.. Colitz.. Otis Collins.. Phil Collins.. Conolly.. Corbett.. Craig.. L. Cunningham.. W. Cunningham.. Day.. DiPrima.. Downes.. Dyer.. Epton..



Ewell.. Fennessey.. Fleck.. Flinn.. Friedland.. Gibbs..
 Glass.. Granata.. Hall.. Hamilton.. Hanahan.. Henss.. Houde..
 Hudson.. Jacobs.. Juckett.. Karmazyn.. Keller.. Kipley..
 Kleine.. Klosak.. Krause.. Laurino.. Lauterbach.. Lindberg..
 Londrigan.. Ed Madigan.. M. Madigan.. Markert.. McClain..
 McCormick.. McDermott.. McDevitt.. McGah.. McMaster..
 McPartlin.. Peter Miller.. Moore.. Neff.. North.. Nowlan..
 G. O'Brien.. Palmer.. Pappas.. Philip.. Randolph.. Rayson..
 Redmond.. Regner.. Rose.. Schisler.. Schoeberlein.. Sevcik..
 Shea.. Simmons.. Soderstrom.. Springer.. Stedelin.. Stone..
 Taylor.. Telcser.. Terzich.. Jack Thompson.. R. Thompson..
 VonBoeckman.. Wall.. R. Walsh.. W. Walsh.. Walters.. Wash-
 burn.. G. Washington.. Williams.. J. J. Wolf.. Yourell..
 Mr. Speaker.."

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

Robert E. Mann: "Mr. Speaker, I'd just like to remind the Clerk that the Indianapolis 500 Speed Race is not until next Saturday."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. Yourell, for what purpose do you rise?"

Harry Yourell: "How am I recorded?"

Hon. W. Robert Blair: "How's..."

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

Harry Yourell: "Vote me 'aye'."

Hon. W. Robert Blair: "Vote the gentleman 'aye'. Alright..

On this question, there are 50 'Ayes' and 18 'Nays' and the



gentleman's motion to suspend fails. For what purpose does the gentleman from Cook, Mr. Scariano, rise?"

Anthony Scariano: "Mr. Speaker, a parliamentary inquiry. House Bill 1856 and House Bill 2476 deal with the taxing powers of Junior Colleges. Are those exempt Bills? Permits Junior Colleges to ah.. raise rates on educational fund, building fund and working cash fund. I'm wonder if the Speaker is considering those as Revenue Bills, and therefore, exempt?"

Hon. W. Robert Blair: "Well, what was the other number other than 1856?"

Anthony Scariano: "Ah.. 1856 and 2476.."

Hon. W. Robert Blair: "Yes ah.. The Chair would ah.. rule that those matters affect Revenue. So, they would be in the exempt category."

Anthony Scariano: "They.. They are exempt Bills, and therefore, can be considered after tonight?"

Hon. W. Robert Blair: "Ah.. that.. that's right.."

Anthony Scariano: "Okay.. Thank you."

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

Henry J. Hyde: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, there are only... we have several Resolutions. But, there are two that I would request leave to ah.. ah.. to read as Agreed Resolutions. Ah.. I do not have the number on the Birthday Resolution, but Mr. Selcke does and.. and I would ask Mr. Selcke if he would read House Resolution



669."

Fredric B. Selcke: "Ah.. House Resolution 669, Craig , et.al.

WHEREAS, This date, May 22nd, 1972, marks the 59th anniversary of the birth of our illustrious and highly respected colleague from the 17th Representative District, the Honorable Benedict Garmisa; and WHEREAS, Representative Garmisa was elected State Senator from the 23rd District, in Cook County, Illinois, in 1954, and was the Democratic candidate for Clerk of the Circuit Court of Cook County in 1956; and WHEREAS, He has a great career of service to his country in W.W. II as well as in commission and committee chairmanships for the State and Cook County Governments; and WHEREAS, He has been an outstanding member of this body since his election to the 74th General Assembly and can always be depended upon to incisively analyze a procedural point and bring light to the substantive matter in any legislation before this body; there, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we heartily congratulate our beloved colleague, the Honorable Benedict Garmisa, on his 59th Birthday; that we wish him many more birthdays as our colleague; and that a suitable copy of this preamble and resolution be presented to him with our loud exclamation of: 'HAPPY BIRTHDAY TO YOU'."

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

Henry J. Hyde: "Ah.. Mr. Speaker, the other Resolution that I would like ah.. this evening is House Resolution 671 ah..



which ah.. I would like the Clerk to read."

Hon. W. Robert Blair: "Proceed.."

Fredric B. Selcke: "House Resolution 671, Lechowicz, et.al.

WHEREAS, the President of the United States has today arrived in Moscow to discuss important international issues with the leaders of the Union of Soviet Socialist Republics; and WHEREAS, the President carries with him to this important summit conference the hopes and aspiration of all Americans for peace and for the reduction of international tensions, and the respect and friendship of the people of the United States for the peoples of the Soviet Union; and WHEREAS, the Moscow summit conference of 1972 is important to men of good will throughout the world, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 77TH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we convey to the Honorable Richard M. Nixon, President of the United States, our support and our highest hopes for his mission to Moscow, and our prayers for the success of the summit conference and for the safe return of the President; AND BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the Clerk of the House to the office of the President at the White House."

Henry J. Hyde: "Mr. Speaker, I move adoption of those two Agreed Resolutions."

Hon. W. Robert Blair: "Alright.. All those in favor of the Agreed Resolutions say 'aye', opposed 'no' and the Agreed Resolutions are adopted. The gentleman from Cook, Mr. Hyde."



Henry J. Hyde: "Mr. Speaker, I now move that this House stand adjourn until the hour... until... Excuse me, I'm being ah.. ah.. distracted here by Mr. Mann, some tirade, ah.. in Jewish. Ah.. "

Hon. W. Robert Blair: "Wait.. Wait.. Wait.. The gentleman from ah.. Lake, Mr. Murphy, for what purpose do you...."

W. J. Murphy: "A parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "Ah.. yes.."

W. J. Murphy: "A Resolution that I have on the desk there. Ah.. can I be heard on that tomorrow?"

Hon. W. Robert Blair: "Oh, yes."

W. J. Murphy: "I.. I mean you're not going to assign it or anything?"

Hon. W. Robert Blair: "Ah.. no. Ah.. there just in a position of not having even gotten to the Speaker's table for consideration yet ah.. just in the position of being heard. You can make any motions you care with respect to that tomorrow. The gentleman from ah.. Cook, Mr. Hyde."

Henry J. Hyde: "Ah.. Mr. Speaker, I move that the House stand adjourn until the hour of 11:00 A.M. tomorrow morning."

Hon. W. Robert Blair: "All those in favor of the gentleman's motion say 'aye', opposed 'no' and we stand adjourned."

ADJOURNMENT AT 11:08 O'CLOCK P.M.

5/22/72
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