

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

NINETY-FIFTH LEGISLATIVE DAY

OCTOBER 20, 1971

10:00 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR,

SPEAKER IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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

Representative Bruce L. Douglas - family illness;

Representative John P. Downes - illness;

Representative Benedict Garmisa - illness;

Representative Louis Janczak - family illness.



Hon. W. Robert Blair: "All right, the House will come to order. We have a visiting clergy with us today to be introduced by House Chaplain, Dr. Johnson."

Dr. John Johnson: "Mr. Speaker, Members of the House, our guest chaplain today is Reverend Father Michael Hussey of King's House Retreat of Belleville, Illinois."

Reverend Father Michael Hussey: "Almighty and eternal God, ruler and legislator of all, make us instruments of your justice and peace, where there is hatred, let me so love, where there is injury prompted by ignorance, let me so pardon, where there is doubt in our legislators and in our institutions, let me restore faith, where there is despair due to the lack of information, let me so hope, where there is darkness, let me be a sower of light, where there is sadness, let me so joy, for it is in serving that I serve myself. Oh, divine Master, give me the courage and strength to recognize my own shortcomings and the fortitude to do something about it. Amen."

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

Daniel M. Pierce: "Ah, Mr. Speaker, may the Journal show that Representatives Garmisa and Downes are excused because of illness and Representative Douglas is excused because of the illness of his wife who was in a serious accident last night."

Hon. W. Robert Blair: "The Journal will so show. The gentleman from Cook, Mr. Capuzi."



Louis F. Capuzi: "Mr. Speaker, would you have the Journal show that Representative Janczak is absent because of illness in the family."

Hon. W. Robert Blair: "The Journal will so indicate. Messages from the Senate."

Fredric B. Selcke: "Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that pursuant to the recommendations of the Governor, the Senate has adopted amendatory provisions to a bill of the following title in the adoption of which I am instructed to ask the concurrence of the House: Senate Bill No. 1196. The amendment is as follows: Action taken by the Senate, October 19, 1971, Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that pursuant to the recommendations of the Governor, the Senate has adopted amendatory provisions to a bill of the following title in the adoption of which I am instructed to ask the concurrence of the House: Senate Bill No. 1098. The amendment is as follows: Action taken by the Senate, October 19, 1971, Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill No. 438. Concurred in by the Senate, October 19, 1971, Kenneth Wright, Secretary. Message from



the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill No. 535. Concurred in by the Senate, October 19, 1971. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill No. 549. Concurred in by the Senate, October 19, 1971. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill No. 584. Concurred in by the Senate, October 19, 1971. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill No. 1186. Concurred in by the Senate, October 19, 1971. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill No. 1875.



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Concurred in by the Senate, October 19, 1971. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill No. 1959. Concurred in by the Senate, October 19, 1971. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill No. 1963. Concurred in by the Senate, October 19, 1971. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill No. 2006. Concurred in by the Senate, October 19, 1971. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill 2572. Concurred in by the Senate, October 19, 1971. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:



Senate Bill No. 1268, Senate Bill No. 1269. Passed by the Senate, October 19, 1971. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, the veto of the Governor to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit: Senate Bill No. 1225. Passed by the Senate, October 19, 1971, by a three-fifth's vote, the veto of the Governor to the contrary notwithstanding. Kenneth Wright, Secretary. No further messages."

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

Robert S. Juckett: "Mr. Speaker, after consulting with the leadership on both sides, I wish to announce that the executive committee on Consumer Protection will meet immediately after the session and that the Executive Committee meeting as scheduled on Friday will meet one hour after adjournment today. And also, I would like to ask leave that the following bills be heard in Executive this afternoon. Three bills from John Leon, House Bill 3633, 3635, 3637. Two bills from Representative Lehman, House Bill 3621 and 3622 and one bill from Representative Sims, House Bill 2475."

Hon. W. Robert Blair: "All right, is there objection? All right, hearing none, then consent will be given to have Executive meet this afternoon as requested and those bills



heard that were indicated. All right, there are on second reading a number of House Bills that would appear that the members probably intend to move them along, we're going to have to indicate to the Chair if you want me to have those bills read a second time. 3638."

Fredric B. Selcke: "House Bill 3638. Bill for an act to amend Section 28-4 of 'The Election Code'. Second reading of the bill. No committee amendment."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 3690."

Fredric B. Selcke: "House Bill 3690. Bill for an act to amend Section 2 and 3 and the title of and to add Section 7 to an act concerning the application for return of future administration of assets of 'The Illinois Rural Rehabilitation Corporation'. Second reading of the bill. No committee amendment."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 3691."

Fredric B. Selcke: "House Bill 3691. Bill for an act to amend Section 1 of an act in relation to receipt, custody and disbursement of money allotted by the United States of America or any agency thereof for use of this State. Second reading of the bill. No committee amendment."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 3556."

Fredric B. Selcke: "What?"

Hon. W. Robert Blair: "3556."



Fredric B. Selcke: "House Bill 3556. A bill for an act to make an appropriation to Michael Sercusa. Second reading of the bill. No committee amendment."

Hon. W. Robert Blair: "No amendments from the floor. Third reading. 3574."

Fredric B. Selcke: "House Bill 3574. Bill for an act to make an appropriation to James W. Farrow. Second reading of the bill. No committee amendment."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. Yes, the Chair recognizes the gentleman from Cook, Mr. Frank Wolf, in connection with Senate Bill 1268."

Frank C. Wolf: "Ah, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1268 is on the Speaker's table. Senate Bill 1268 provides an appropriation of \$48,000.00 to the Pension Laws Commission. The Pension Laws Commission failed to appropriate money for themselves for the fiscal year. It has the clearance of the leadership of both sides of the aisle. I'd like to have leave of the House to advance Senate Bill 1268 to the order of second reading without reference to the committee."

Hon. W. Robert Blair: "Is there objection? Hearing none, the bill will be read a first time and advanced to the order of second reading without reference."

Fredric B. Selcke: "Senate Bill 1268. A bill for an act to provide for the ordinary and contended expense of 'The Illinois Public Employees Pension Laws Commission'. First reading of the bill."



Hon. W. Robert Blair: "Second reading. All right, on the calendar on the order of vetoes, Amendatory Vetoes Motions appears a motion with regard to House Bill 1842, on which the Clerk will read the motion."

Fredric B. Selcke: "I move that the attached amendment be adopted as changed to engrossed to House Bill 1842 in acceptance of the Governor's specific recommendation for change, dated October 13, 1971. Representative Terzich."

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

Robert M. Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, amendment of House Bill 1842 concurs with the Governor's recommendation. The only change was changing the word chapter to title, otherwise, there is no change in the amendment. And, I would appreciate concurrence with this amendment."

Hon. W. Robert Blair: "All right, is there any further discussion? The gentleman from Cook, Mr. Stone."

Paul Stone: "Well, Mr. Speaker, on this bill 1842, I have on my desk four different amendments, they're all similar but none identical. Now which one are we going to adopt?"

Hon. W. Robert Blair: "Read, the Clerk will read the amendment, to which the motion is addressed."

Fredric B. Selcke: "Amend House Bill 1842 on page 2, by adding the following language at the end of line 5: 'Nothing herein shall limit the effect of any section of this Title with respect to any form of asbestos, or the spraying of any form of asbestos, or limit the power of the Board under



this Title to adopt additional and further regulations with respect to any form of asbestos, or the spraying of any form of asbestos.'"

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

Arthur E. Simmons: "That amendment has a number two at the top of it. Does it bare a number or should that come off?"

Fredric B. Selcke: "That number two, Mr. Simmons, is just for our information up in the Clerk's office."

Arthur E. Simmons: "Okay."

Hon. W. Robert Blair: "All right, the question is shall the House adopt the amendment? All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. Yourell, 'Yeas'. Schoeberlein, 'Yeas', Hyde, 'Yeas'. On this question, there are 143 'Yeas' and no 'Nays' and the amendment having received the constitutional majority is hereby declared adopted. All right, on Amendatory Vetoes Motions, House Bill 3032."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House accept the specific recommendation for change as to House Bill 3032 as set forth in the Governor's message of September 10, 1971, that the Clerk inform the Senate thereof and request that the Senate concur herein. Signed, Kenny Miller."

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

Kenneth W. Miller: "Ah, Mr. Speaker and Members of the House,



House Bill 3032 is an attempt to make some definitions concerning the construction of statutes that are passed in this same General Assembly. The bill as originally drafted and passed by both Houses, was a product of Mr. Bobbitt of the Reference Bureau, and after the bill was passed, the Governor's office was of the opinion, that perhaps some better language could be inserted and therefore the Governor sent back to us some proposed or suggested amendments. This again has been checked with the Reference Bureau with Mr. Bobbitt, and it is now in somewhat better form that it was previously, and Mr. Speaker, I now move that the amendment to House Bill 3032 in accordance with the motion that we adopt the same."

Hon. W. Robert Blair: "Objection? The question is shall the House adopt the amendment. All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 146 'Yeas' and no 'Nays', and the amendment having received the constitutional majority is hereby declared adopted.
785."

Fredric B. Selcke: "I move that the attached amendment be adopted as changed to engrossed House Bill 785 in acceptance of the Governor's specific recommendation for change, dated October 14, 1971. Representative Schneider."

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

J. Glenn Schneider: "Thank you, Mr. Speaker. House Bill 785



has asked, the Governor has asked that the decibels as a unit of measurement of noise, pollution, and also the requirement of a 1973 date for categorization of noise be stricken at this time. There are still some of the essence of the bill remaining, and I ask that the House support the specific changes that the Governor has forwarded to the House."

Hon. W. Robert Blair: "Discussion?"

Fredric B. Selcke: "The amendment is as follows. Amendment to House Bill 785. Amend engrossed House Bill 785 on page 1 by striking lines 14 through 29."

Hon. W. Robert Blair: "The question is shall the House adopt the amendment? All those in favor will vote 'Yeas', and the opposed 'No'. Pappas, 'Yeas'. Have all voted who wished? The Clerk will take the record. Randolph, 'Yeas'. On this question, there are 134 'Yeas' and 2 'Nays' and the amendment having received the constitutional majority is hereby declared adopted. House Bill 1309."

Fredric B. Selcke: "House Bill 1309. Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House accept the specific recommendation for change as to House Bill 1309 as set forth in the Governor's message of September 24, 1971, that the Clerk inform the Senate thereof and request that the Senate concur herein. Signed, Representative Caldwell."

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

Lewis A. H. Caldwell: "Thank you, Mr. Speaker. Mr. Speaker,



and Ladies and Gentlemen of the House, this summer the Governor signed a bill which lowered the age of majority for men to 18 years of age. Thus, in Illinois, both men and women now have the rights and responsibilities of adults when they become 18. Unfortunately, we also passed House Bill 1309 which was amended to provide that the statute of limitations could not bar a cause of actions brought by any person until two years subsequent of his 21st birthday. To conform with the legislation enacted into law, House Bill 1309 should grant a grace period of two years beginning at 18, not age 21. The recommendation offered by the Governor accomplishes this. If we do not adopt the Governor's suggestion we will have in effect, given 18 year olds the right to sue without requiring them to exercise that right as all other adults must. The current state of the law is ambiguous at best. Chapter 83, the Statute of Limitations Act, seems to state that males under 21 are under a 'disability'. This is directly contrary in to our intent to lowering the age of majority. To remove this ambiguity and this inconsistency, I now request that we vote to adopt the recommendation of the Governor. Mr. Speaker, Ladies and Gentlemen of the House, I would appreciate your cooperation in giving me an 'Yeas' vote on this measure."

Hon. W. Robert Blair: "Any further discussion? The question is shall the House adopt the amendment? All those in favor vote 'Yeas', the opposed 'NO'. Have all voted who wished?"



The Clerk will take the record. On this question, there are 138 'Yeas' and 3 'Nays' and this amendment having received the constitutional majority is hereby declared adopted. Now, as you know, today is the last day for consideration of these vetoes as far as motions is concerned. There have been a number of motions filed. If you want the Chair to consider calling those motions, I would suggest that you advise the Chair that you'd like to have them considered, otherwise, they'll not be considered for calling. All right, 1764."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House accept the specific recommendation for change as to House Bill 1764 as set forth in the Governor's message of September 17, 1971, that the Clerk inform the Senate thereof and request that the Senate concur herein. Signed, Arthur Berman."

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

Arthur L. Berman: "Thank you, Mr. Speaker. House Bill 1764 deals with the public availability of records which are submitted in support of requests for reduction in assessment evaluations by the assessors office. The bill as originally introduced was limited to Cook County, but by a series of amendments was broadened to include the entire State of Illinois. The bill as originally introduced provided that all records submitted on behalf of a tax payer seeking a reduction in assessed evaluation would be open to



the public. A number of questions were raised in the committees concerning the advisability of these records of the public nature of these records, and a series of amendments were put on these bills in the House and the bill was passed out of the House and went over to the Senate and additional amendments were placed on it in the Senate. The bill came back for concurrence and as it left this House, it provided that summaries of information would be available for the news media to investigate a body and upon review of this bill by the Governor, the Governor felt that a constitutional question was raised by these amendments whereby only certain categories of the public would have access to this information. The amendatory veto provides that as a property owner submits information in support of his request for a reduction, the and if there are tax returns submitted, the actual portion of the tax return that relates to the request for reduction shall be made public. In addition, there is a provision for making available copies of the other documents which are submitted in behalf of a request for reduction and the essence, Ladies and Gentlemen, of the Governor's amendatory veto is to allow the public access to all of the documentations which is relevant to a reduction and as a further step in the openness of public records throughout the state of Illinois I would ask your support in my motion to adopt the Governor's amendatory veto."

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



question is shall the House adopt the amendment to House Bill 1764. All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. Houlihan 'Yeas'. Frank Wolf 'Yeas'. Gene Hoffman 'Yeas'. Gene Schlickman 'Yeas'. Jaffe 'Yeas'. Houlihan present. Stedelin present. Tipsword, turn him on."

Rolland F. Tipsword: "I want to vote present."

Hon. W. Robert Blair: "Tipsword present. Craig present. Fennessey present. Barry present. Carroll present. Kennedy present. D. J. O'Brien present. James Carter present. Fred Smith, present. Kosinski present. Markert present. Yourell present. Brandt present. Shaw present. O'Hallaren present. Terzich present. Leon present. Bradley present. Bradley's vote is a change from 'Yeas' to 'Present'. Thompson present. All right, Hamilton 'Yeas'. Frank Wolf changes from 'Yeas' to 'Present'. Neff 'Yeas'. 91 'Yeas', 1 'Nay', 21 'Present'. Well change, mark Lenard from 'Yeas' to present. For what purpose does the gentleman from Cook, Mr. Shea rise?"

Gerald W. Shea: "Could you get a new roll call on this please?"

Hon. W. Robert Blair: "No, I don't need a new roll call, we've got one, and it's 90 'Yeas', for what purpose does Mr. O'Hallaren rise?"

Bernard J. O'Hallaren: "Mr. Mr. Speaker, I request a verification of the roll call, please."

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



Ogle, Mr. Brinkmeier rise?"

Robert E. Brinkmeier: "Mr. Speaker, how am I recorded, please?"

Hon. W. Robert Blair: "Well, we'll get to that on the roll call, verification. The Clerk will verify the affirmative votes."

Fredric B. Selcke: "Alsup, Anderson, Bartulis, Berman, Blades, Bluthardt, Brenne, Brinkmeier, Burditt, Caldwell, Campbell, Capuzi, Clabaugh, P. W. Collins, Conolly, Cox, Craig, L. Cunningham, R. D. Cunningham, William Cunningham, Day, Duff, Dyer, Epton, Fennessey, Friedland, Gardner, Gibbs, Glass, Graham, Granata, Hall, Hamilton, Harpstrite, Henss, Gene Hoffman, Ron Hoffman, Holloway, Hunsicker, Hyde, Jaffe, Jones, Juckett, Karmazyn, Katz, Keller, Kipley, Klosak, Lehman, Lenard, Mann, Markert, McAvoy, McCormick, McDevitt, Kenny Miller, Peter Miller, Moore, Neff, North, Nowlan, George O'Brien, Pappas, Philip, Randolph, Rayson, Scariano, Schisler, Schlickman, Schneider, Schoeberlein, Sevcik, Shapiro, Soderstrom, Springer, Stedelin, Telcser, Tuerk, Wall, R. Walsh, W. Walsh, Walters, Washburn, G. Washington, Welsh, Williams, J. J. Wolf, B. B. Wolfe, and Mr. Speaker."

Hon. W. Robert Blair: "Lindberg, 'Yeas', Palmer, 'Yeas', Thompson, Lindberg, 'Yeas', Palmer, 'Yeas', Thompson, 'Yeas', Jack Thompson, 'Yeas', Waddell, 'Yeas', Kahoun, 'Yeas', Rose, 'Yeas', McMaster 'Yeas', Simms, 'Yeas', Hill, 'Yeas', McClains, 'Yeas', for what purpose does the gentleman from Cook, Mr. O'Hallaren rise?"



Bernard J. O'Hallaren: "Mr. Speaker, is Mr. Alsup on the floor of the House?"

Hon. W. Robert Blair: "Oh, he's not, he's not in his seat. How is the gentleman recorded?"

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

Hon. W. Robert Blair: "Take him off the record. Ah, Mr. O'Hallaren."

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

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

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

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

Bernard J. O'Hallaren: "Representative Craig?"

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

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

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

Bernard J. O'Hallaren: "Representative Epton?"

Hon. W. Robert Blair: "How's, he's in his seat."

Bernard J. O'Hallaren: "I couldn't see him. Representative Caldwell?"

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

Bernard J. O'Hallaren: "Representative Brinkmeier."

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

Fredric B. Selcke: "Who?"

Hon. W. Robert Blair: "Brinkmeier."

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



'Yeas'."

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

Bernard J. O'Hallaren: "Representative Conolly?"

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

Bernard J. O'Hallaren: "Representative Fennessey?"

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

Bernard J. O'Hallaren: "Representative Hamilton?"

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

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

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

Bernard J. O'Hallaren: "Representative Katz?"

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

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

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

Bernard J. O'Hallaren: "Representative Ron Hoffman?"

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

Bernard J. O'Hallaren: "Representative Lenard?"

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

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

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

Bernard J. O'Hallaren: "Representative Scariano?"

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

Bernard J. O'Hallaren: "Representative Markert?"

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



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

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

Bernard J. O'Hallaren: "Representative Stedelin?"

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

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

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

Bernard J. O'Hallaren: "Representative Ray Welsh?"

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

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

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

Bernard J. O'Hallaren: "Representative B. B. Wolfe?"

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

Bernard J. O'Hallaren: "Representative Jake J. Wolf?"

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

Bernard J. O'Hallaren: "Representative Schlickman?"

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

Bernard J. O'Hallaren: "Representative William Walsh?"

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

Bernard J. O'Hallaren: "That's all, Mr. Speaker."

Hon. W. Robert Blair: "91 'Yeas', 1 'Nay', and 21 'Present'

and this amendment having received the constitutional majority is hereby declared passed. For what purpose does the gentleman from Cook, Mr. Katz rise?"

Harold A. Katz: "Ah, Mr. Speaker, I was in the Reference



Bureau, could I have leave to be shown as I voted yes on the last amendment, please. It would not change the results. I did vote that way, but I did not get back up here in time."

Hon. W. Robert Blair: "Well, you're aware that Rule 63 provides that after a verification no member shall be permitted to change his vote as recorded, and the result declared. Now, are you asking for unanimous consent to suspend that rule?"

Harold A. Katz: "Yes, I am, Mr. Speaker. In view of the circumstances, I had left the floor for a minute and was down at the Reference Bureau and it would not change the results, and so I would ask leave of the House and suspend that rule and have my vote appear as it was voted, which was in the affirmative on that roll call."

Hon. W. Robert Blair: "Well, that does make a difference. Show the gentleman, is there objection? All right, show the gentleman as having voted 'Yeas' on that last roll call. House Bill 677."

Fredric B. Selcke: "All right. Motion. Pursuant to paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House Bill 677 do pass the amendatory veto of the Governor of the contrary notwithstanding, dated October 18, 1971. Representative McGah."

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

Joseph P. McGah: "Mr. Speaker, Ladies and Gentlemen of the House, this is a bill that would allow the building of five



court houses in suburban Cook County. So inadvertent, I filed a motion to overrule the Governor's veto and I now ask leave of the House and unanimous consent in lieu thereof to file a motion to concur with the Governor's amendment. I have checked this with the Majority Leader, Mr. Hyde."

Hon. W. Robert Blair: "All right, what we'll do is a you're moving to table that amendment that was read by the Clerk, and with no objection, consent will be given to table that motion, and all right, leave's granted, and now he's asking unanimous consent to suspend the Rule requiring the motion to be made in writing and on the calendar on one day before it can be considered. Is there objection? The gentleman from Cook, Mr. Simmons."

Arthur E. Simmons: "I wonder if he shouldn't also move to suspend the Rule requiring a printed amendment on it, I don't think we have one."

Hon. W. Robert Blair: "The Clerk advises me that it is printed and distributed. See that the Clerk sees that Mr. Simmons gets a copy of it. All right, would the Clerk read the motion, the new motion. Oh, is there no objection for that purpose? All right, the Clerk will read the motion and the amendment."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House accept the specific recommendation for change as to House Bill 677 as set forth in the Gov-



ernor's message of August 20, 1971, and that the Clerk inform the Senate thereof and request that the Senate concur therein. Representative McGah. Amendment is as follows: Amend engrossed House Bill 677 on page 2 by striking lines 14 and 15 and inserting in lieu thereof the following: 'for housing courts'."

Hon. W. Robert Blair: "All right, that was the wrong motion form, that was the one with regard to House concurrent with Senate amendments, and now the Clerk will read the correction motion form."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House accept the specific recommendation for change as to House Bill 677 as set forth in the Governors' message of August 20, 1971, and that the Clerk inform the Senate thereof and request that the Senate concur therein. Representative McGah."

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

Joseph P. McGah: "Thank thank you, Mr. Speaker. The only change the Governor made in this bill was instead of using the words county offices that these buildings could be built to house courts. I'd appreciate the support of the House in concurring in the Governor's amendment."

Hon. W. Robert Blair: "Discussion? The question is shall the House adopt the amendment? All those in favor will vote 'Yeas', the opposed 'No'. Mann 'Yeas'. Have all



voted who wished? The Clerk will take the record. On this question there are 138 'Yeas', no 'Nays' and 1 'Present' and this amendment having received the constitutional majority is hereby declared adopted. 1034."

Fredric B. Selcke: "Pursuant to paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House accept the specific recommendation for change as to House Bill 1034 set forth in the Governor's message of September 10, 1971, the Clerk inform the Senate thereof and request that the Senate concur herein. The amendment is: Amend engrossed House Bill 1034 on page 1, line 28, by striking 'programs' and inserting in lieu thereof 'purposes'."

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I move the adoption of the amendatory language."

Hon. W. Robert Blair: "Is there any discussion? The question is shall the gentleman from Cook, Mr. Simmons."

Arthur E. Simmons: "I don't have a copy of that amendment, a, everybody else may have."

Hon. W. Robert Blair: "All right, the Clerk advises that it has been distributed and a copy is on it's way to Mr. Simmons' desk. Is there any further discussion? The question is shall the House adopt the amendment to House Bill 1034. All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. Harber Hall 'Yeas'. On this question there are



147, 148 'Yeas' and no 'Nays' and this amendment having received the constitutional majority is hereby declared adopted. For what purpose does the lady from DuPage rise?"

Mrs. Robert C. 'Giddy' Dyer: "A I guess that is a personal privilege, Mr. Speaker. I would like to introduce some distinguished guests who are here to visit, my colleagues from the 38th District, Mr. Ray Hudson. We have his brother-in-law and sister-in-law from Indiana, Mr. and Mrs. Cliff Pettit and also his wife, Barbara Hudson, and I was wondering if they would stand up."

Hon. W. Robert Blair: "All right, on the calendar under the order of Total Vetoes Motions appears House Bill 3042."

Fredric B. Selcke: "Motion to override veto. I move that engrossed House Bill 3042 do pass the veto of the Governor notwithstanding, dated October 13, 1971, Representative Choate."

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

Clyde L. Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I wish you would give me your attention because this bill is probably one of the really important pieces of legislation that we considered in the last session of the General Assembly, and I'm going to move, Mr. Speaker and Members of this House, that as Chief Sponsor of House Bill 3042 that we do override the veto of the Governor and that we make this bill a part of the election statutes of this State as the Constitutional Convention ask this legislative body to do. House Bill 3042,



as most of you members know, provides an appointive mechanism for filling legislative vacancies when and wherever they might exist in the State. The bill also accomplishes a progressive reform made possible by the recent Constitutional Convention. That is the bill consolidates the old representative committees and senatorial committees into one system of the legislative committee. These are modeled after the old senatorial committees that are composed of county chairman, downstate county chairman, and ward and township committeemen in the County of Cook. Now, before I discuss with you this morning the Governor's action and his veto, I would point out to you that there's one crucial element to this bill that has not, has not been widely discussed as far as the merit of the bill is concerned, and it is extremely crucial to several members of this House and to the Senate. And this aspect of the legislation has nothing to do with legislative vacancies. The bill provides for the certification of the number of the number of House candidates to be nominated in the new legislative districts and especially those that overlap the Cook County Line. Now the present law that is a part of the legislative, a election statutes of this State, does not provide any representative committees in this district to make the choice of whether to run two or three candidates under the cumulative voting system that we have here in the State. And the reason that the present law does not cover these overlapping districts, is because the present law was written



under the old constitution where there could be no districts overlapping the Cook County line. Now, we must in this session of the General Assembly, provide this mechanism or else it is completely and absolutely unclear what will happen in the nine overlapping districts and this must be done by December. The Governor made no objections, did not draw any attention to this provision in his veto message. This is the only bill that was introduced and passed in the last session of the General Assembly, that will attempt to solve this problem and it's a matter of implementing the redistricting provisions of the new constitution that the Constitutional Convention brought about. And the main point in overriding this veto is that there is a Senate district in Southern Illinois, there is a Senate district in Southern Illinois, that is without representation presently in the State Senate. You all know, that unfortunately, Senator Bill Lyons passed away the latter part of this summer. His district, my friends, is entitled to representation in the Senate as well as other districts in the State of Illinois. The veto of this bill prevents any successor from replacing him under the provisions of the new constitution. The constitution specifies that we are to implement the new constitution that we live under today. And the only implementation possible on this issue is an appointed system where the successor is of the same political party of the incumbent who has vacated his seat. On these points, there is no room, there's no room for debate, or there's no room



for contention, because the constitution is explicitly clear in this important matter. The system of filling vacancies which House Bill 3042 provides, Mr. O'Hallaren, maybe you ought to listen rather than calling roll call, passed this General Assembly practically unanimously. It was worked on by Representative Rose, it was worked on by Senator Laughlin, it was worked on by many members of this House in a bi-partisan effort to implement the new constitution. Members of both Houses, members of both parties, were consulted and were unanimous in their agreement that House Bill 3042 and Senate Bill by Senator Laughlin would both be passed and give the Governor the prerogative of implementing the constitution by choosing one of these two bills. Changes in the bill was made to satisfy members of both political parties, because it was a sensitive political matter. And I say to you, the Governor's veto message did not deal with the basic policy matters of House Bill 3042. The only real point that the Governor raised concerned independence, and I point out to you, that evidently he or the members of his staff that researched the bill, did not notice that the bill indeed did provide for the filling of legislative vacancies as far as independence was concerned. And all of the other points made by the Governor were technical and legal points, and I point out to you that if he had a been sincere, as far as implementing the constitution is concerned, he could have vetoed in part and let this legislature brought about the



change as far as his technical and legal points are concerned, but he did not see fit to veto in part, he saw fit as far as I'm concerned, to treat it as a straight political matter and deny the members of Senator Lyon's district representation in the Senate, because he brought about a complete and absolute veto, veto of the thinking of bi-partisan efforts in this House and in the Senate. And I say to you that if ever in the history of this State, a piece of legislation deserved the required number of votes to override a Governor's veto, this important matter does and I urge your consideration."

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

Henry J. Hyde: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I must respectfully disagree with the distinguished Minority Leader, he made a statement that this bill does provide for the filling of vacancies by independence, but of course it does, but not by independence, by members of the Republican or Democratic legislative committee, which is rather important. Now, I am not hung up on this problem with the bill, because I firmly believe in the two party system and I think that the only thing wrong with the City of Chicago is it doesn't have a strong two party system. Ah, now another factor that is fatal to the bill, in filling these vacancies, the procedures aren't uniform. The committeemen have weighted votes which lie wholly or partly within Cook County, but they don't have weighted votes in districts that lie wholly outside Cook County. This is



certainly a violation of Article III, Section 4 of our new constitution, which calls for uniform election laws. The bill does not provide, Ladies and Gentlemen, for any official notice to set the time that a vacancy occurs, the Illinois Constitution gives only 30 days to fill a vacancy, but this bill doesn't indicate when the time period begins to run. The bill doesn't provide for any official certification of appointees, the bill provides no mechanism for filling vacancies caused by the death or incapacity of a member elect. The bill makes no provision for filling vacancies in districts that lie wholly within a part of one county with less than 500,000 persons. For instance, the new 40th and 41st Districts lie within DuPage, the 34th district lies within Winnebago, and the 57th within St. Clair. We could read the words 'comprises only one county' to include districts such as these, but that would lead to the obscurity of members of the County Central Committee from outside the district, serving as the legislative committee of a district. Now, the Governor has been accused of vetoing this bill to avoid filling a vacancy in the Senate, but the fact is, Gentlemen, this bill gives no one the authority to fill the current vacancy in the Senate. Had the bill been acted into law, no legislative committee would have been empowered by this bill to fill the current vacancy. The bill clearly abolishes existing Senatorial vacancy committees and their authority to act. The bill also provides for the establishment of new



legislative vacancy committees but they don't get formed into the bill until next March, until the coming March primary. The only authority for filling vacancies before the primary is the authority granted at the very end of the bill, and that authority permits existing representative, not senatorial, committees to fill vacancies occurring in the House of Representatives. Now, what what this bill did really, it abolished the old system for filling vacancies, set up a new system of committees, but these committees are not formed until next the next primary. However, they did provide for the interim, that existing Representative Committees could be empowered to fill House vacancies. There is no similar provision for the Senate so the bill is inadequate, it's inept, it doesn't meet the problem that so concerned the gentleman on the other side of the aisle. This fact has been recognized in the Senate, because the President Pro Tempore has drafted a bill a bill that meets the objections as far as their concern of the Governor, and by implication certainly recognizes that the objections are valid. So, for the fact that if this bill became law, it wouldn't provide the mechanism to fill the vacancy for the late Senator Lyons, I submit the Governor's veto is not political, it was legally sound, legislatively correct and I trust we'll get a lot of red lights on the board on this motion. Thank you."

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the



House, the distinguished Majority Leader analyzed the bill which he thinks was not a political veto. For two weeks, I've stood in Springfield and voted on bill after bill after bill, where my Governor sent back a bill with amendatory language in it. If Mr. Hyde can show how to correct all these things, I'm sure the Governor of my state with the staff he's got could have done the same thing. He could have sent back this bill in amendatory form, we could have passed it out of both Houses and we would have had Senator Lyons' position filled in the Senate, and maybe we would have got the money for aid to education over out of the Senate into this House. It was a political field and Gentlemen I ask you to think about something. I ask you to think that you ruled this House by 90 votes and by the I just hope that nothing happens to any member of either side of the aisle, but I hope you realize that if you lose one or two members by resignation, by some fate of God, and you don't have a way to replace the members on your side of the aisle, what are the people of the State of Illinois going to do? Why didn't the Governor follow the new constitution and use his amendatory veto or why did he make this a political issue? Now, for Lord's sake, think that you're members of this great legislative body and don't let any Governor, be he Democrat or Republican, take any more power away from this legislature. I ask you to sit and vote, not on party lines, but as a member of this legislature, sent down here by the members of your district



GENERAL ASSEMBLY

STATE OF ILLINOIS

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to be a legislator."

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

Jerry Corbett: "Mr. Speaker, Ladies and Gentlemen of the House, there is a vacancy in the 52nd Senatorial District, this is my district, due to the death of the late Senator Lyons. He served the 52nd District for 22 years. He served 202,000 people well. Now we have over 202,000 people without Senatorial representation. A new state charter state that a legislative vacancy must be filled within 30 days. The Governor's veto of this legislative matter was very unfair. This veto denies the people of Senator Lyons' district of Senatorial representation. This is not a part of the issue. This is a provision of our new constitution. This is our responsibility as legislators to implement the constitution. The people are the prime concern. I hope you'll give the 52nd District your favorable consideration. These people are without Senatorial representation."

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

Ken Boyle: "Mr. Speaker, Ladies and Gentlemen of the House. Bill Lyons was not only my friend, but he was from Macoupin County. That's my county. I want to tell you folks here that by the Governor's veto he has effectively disenfranchised 200,000 tax-payer voters, not only in Macoupin County, but in the whole district. Many important bills to be passed upon in this session, aid to non-public schools, ethic legislation and other important matters. These people,



200,000 voices, will be silent as a result of this Governor's veto. Our founding fathers never intended for us to have the chaos that's been wreaked upon the Illinois Senate by Governor Ogilvie's veto on this bill. It was never intended, it was never intended, Ladies and Gentlemen of this House, that neither party would have the majority in the Senate. He said that one of the reasons for his veto was the fact that the 'independent were not represented'. Ladies and Gentlemen of this House, I don't think there is a member of this House or a member of the great Illinois Senate that ran and was elected on the independent ticket in the last election or any proceeding election in the State of Illinois. This is pure and simple politics, pure and simple politics. The Governor of this State told me in his office on September 2, 1971, when he signed my first bill, House Bill 499, that he would sign one of these two bills into law. Now, I don't know and I don't care to guess what changed the great Governor's mind, but I would submit to this body that the simple fact of the matter is that partisan politics changed his mind. I just consider this, Mr. Speaker, to be another one of the Governor's broken promises, because he promised us he wouldn't have an income tax and we've got one, he promised us we wouldn't have an increase in the gas tax and we've got one, and I submit to you, Mr. Speaker, that this is another of his broken promises, and I submit to you that the people of Macoupin County and the people of Bill Lyons' district



will not forget this political skullduggery."

Hon. W. Robert Blair: "Any further discussion? The gentleman from Union, Mr. Choate to close."

Clyde L. Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'm glad that politics was not brought into this bi-partisan effort. I'm glad that we have an opportunity to reassert our legislative prerogative. I'm glad that we have an opportunity to discuss from a bi-partisan standpoint, the real importance of this piece of legislation. Now, those on the Governor's staff who researched this legislation for him, were so desperate in their attempt to find something for him to lay his hat on as far as the veto is concerned, that they evidently engaged in nitpicking. to attempt to find something valid for the Governor to hang his hat on and veto this piece of legislation. I'm going to refer to one part of the veto message. One of the objections that the Governor objected to, one of the portions that he objected to, and that was to the expression and I quote 'comprise only one county!'. Now in the veto message the Governor claims that this term is ambiguous. Apparently those on his staff who researched this legislation didn't notice that this term is not really a part of House Bill 3042. Because it isn't. The bill does not insert that expression into the new law. In fact, if you will read the statute of the State of Illinois, you will find that that expression has been has been a part of our election code for at least 100 years. Yet, the Governor objected to this



being a part of this bill. Now you have an opportunity this morning to not allow the erosion of the legislative process, because as other speakers have said here this morning, if the Governor had been sincere in his veto or his objections rather, he would have amended this bill in part, he would have amended out these minor objections that he has stated, and given this legislature the right, the opportunity and the prerogative of accepting his amendment if he so desires, and the objections he has raised, as chief sponsor of this bill, I'll tell you I would have accepted those amendments. As newspaper and other news media throughout this state has suggested, every since his veto and just prior to his veto, this is important legislation and it should become a part of the statutes of this state. It should become a part of the statutes of this state, so the people will have 100 per cent representation from the House of Representatives and the Illinois State Senate. I ask you today to approach this on a bi-partisan manner, I ask you to assert your bi-partisan legislative prerogative, I ask you to make this good piece of legislation a part of the election code of this state and I would hope that you would vote with me in overriding the Governor's veto."

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

Henry J. Hyde: "Well, Mr. Speaker, Ladies and Gentlemen of



the House, it's enough to make one cynical to listen to the remarks of the distinguished opposition on the other side of the aisle because I, my memory is still ringing with their words of the last few days of resentment and even bitterness that the Governor would dare to rewrite legislation. The assertion of legislative prerogative and primacy has been almost continual from their side of the aisle until they get to this bill, and now their objection is that the Governor didn't rewrite it, that the Governor didn't cause Easter to occur here and resurrect from a totally dead bill some life so that they could fill a Senatorial vacancy. As I say it's enough to make one cynical."

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

Clyde L. Choate: "So that the distinguished Majority Leader will understand completely and absolutely how I feel about this, I'm not objecting, I'm saying to you that let's be consistent. I'm saying to you that he has amended other pieces of legislation in this legislature, that was not nearly so important as this bill, and I'm saying to you that his objection in his veto message are not nearly so germane as they have been in other pieces of legislation. I'm saying to you that if he is amending other legislation of lesser importance and this is the way he reads the new constitution, and then certainly he should have been consistent and done it in this case."

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



Kennedy."

Leland J. Kennedy: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to explain why I am voting green and I don't imagine it will have too much reaction to get more green lights, but these are frightening times in American history and what you're doing here we're not failing to override the Governor's veto, and no one has mentioned this. The distinguished Majority Leader says he's cynical and my leader regrets that he can't get anymore green votes, and what you're doing, you hear many legislators say that they believe in a two party system, but what you're doing when you read the Governor's veto and don't override it, you're giving the independents a chance to win control over the General Assembly in the session that starts in January, 1973, and just imagine, just imagine, if all the kooks joined the third and fourth movement, the Democrats lose the left wingers and the Republicans lose the right wingers, and you'll come down here in January, you might have five or six independents, and I plan to return, I plan to return in January of 1973, I think I've got enough political power to win, if I don't win I won't cry about it, but mark my words, if you come down here in January, 1973 and have five independents sitting in this House, you'll never organize this House, and this General Assembly needs talent like it never needed it in its' life, and you'd better make it simple for them to come back here, you ought to override the distinguished Governor's veto to save him



from being, if he does by chance be reelected, or if the Democrats elect a Governor, you ought to let them have a House that has talent and not a bunch of right wingers and left wingers that don't know precinct politics is. You ought to forget your party and vote green. Thank you gentlemen."

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

John S. Matijevidch: "Mr. Speaker, Members of the House, my first session in this General Assembly, as some of you who came into the General Assembly at the same time as I did, might recall that during that biennium we lost at least eleven, it may have been thirteen of our members, I think, when such as that happens, I think it's a shame that we don't in our laws, in our statute books have the means whereby the people in those districts do have representation. If there's anything undemocratic and in violation of the one man one vote principle, I think it's that a district is left without any responsible representation in this great body of both the House and the Senate. I think we are mandated to do something about that, I think all of us are mandated. I think that men on both sides of the political aisles ought to realize that this is the legislative responsibility, after all, I think that anybody has got to admit that the Democrats have more than an even chance to win the gubernatorial election come next year. So I think we've got to think both as Democrats and as Republicans that we had a vehicle here, that we had a vehicle



here that we had a vehicle for change to fill these legislative vacancies, it ought to be done. Now, as one who in recent days has criticized the Governor, any Governor, for getting involved in the amendatory process, let me say Representative Hyde, that I feel strongly that any Governor, I don't care what political party he may be the leader of, ought to get his cotton pickin' hands off of the legislative substantively, so. . . ."

Hon. W. Robert Blair: "And you're in the red."

John S. Matijevich: ". . .and I think strongly that we, gentlemen, we legislators, we ought to protect our legislative branch."

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

Roman J. Kosinski: "Mr. Speaker, may I yield my time to Mr. John Matijevich?"

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I know that there won't be any votes changed up there and I know from the numbers that the veto won't be overridden, but gentlemen, I want you to look at the board and I want you to think what we're doing here today, and hope that the action doesn't come back to haunt us the rest of this session."

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

John F. Leon: "Mr. Speaker, Ladies and Gentlemen of the House in explaining my votes, I will have to go back to my days



as a delegate to the Constitutional Convention, in which we delegate thought that this Illinois General Assembly, which I am now a member, would be able to recognize the opportunities that we gave them to provide implementation to a constitution which the people of Illinois adopted. I am sorry that the members of this General Assembly have seen fit to negate the valiant efforts of the Constitutional Convention for their benefit. Thank you."

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

Thomas C. Rose: "Mr. Speaker, I'd like to be recorded as voting 'Present' on this motion."

Hon. W. Robert Blair: "Record the gentleman as 'Present'. Have all voted who wished? The Clerk will take the record. Duff, 'Present'. On this question, there are 83 'Yeas', and 62 'Nays' and the motion having failed to receive the required 3/5ths vote, is hereby declared lost. On the calendar on the order of Vetoes, Amendatory Vetoes, Motions, appears House Bill 844. All right, read Choate's motion and Barry is going to explain it."

Fredric B. Selcke: "I move that the attached amendment be adopted as changed to engrossed House Bill 844 in acceptance of the Governor's specific recommendation for change, dated October 19, 1971, Representative Clyde Choate."

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

Tobias Barry: "Mr. Speaker, I think there's a similar motion on 845, may we consider them together?"

Hon. W. Robert Blair: "All right, a leave of the House, while



why we'll consider them, but we'll have separate votes.
845, please."

Fredric B. Selcke: "I move that the attached amendment be adopted as changed to engrossed House Bill 845 in acceptance of the Governor's specific recommendation for change, dated October 19, 1971, Representative Clyde Choate."

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

Tobias Barry: "Mr. Speaker and Ladies and Gentlemen of the House, these two bills, a motions, involve the Workmens' Compensation Occupational Diseases Act, which we contested rather hotly, you may remember, that for a while we were reading all 94 pages of each of the bills on a Saturday in the last session, and as Mr. Choate, my leader, called upon me to handle his motions on these bills, I had to be reminded of one Jack Touhy, whom we all loved, who served this House so well, because you have to stay loose in this game. The fact is I filed motions to override, but I find myself explaining motions to accept the Governor's amendatory veto. I should explain to you so that you know what you're voting about. But the Governor at some length amended both the Workmens' Comp Act and the Occupational Diseases Act that I amended on this House floor and was approved over in the Senate. They're quite extensive amendments, and I think very good ones, now the Governor has amended those to such a great extent that I feel as though we have to accept the increases, but I don't like it. Those increases are for your edification, are these:



he increased temporary total compensation by twenty per cent, or we did, and he approved that portion of it; increased by twenty per cent the specific rates for specific injuries; increased the death benefit and the burial benefits for some degree and then allowed for a little bit of an easier method of proving a black lung case. However, as I move to adopt those amendatory vetoes on those two bills that give the increases that I've just mentioned, I'd feel that I would be remiss if I didn't explain to you what he didn't approve. Because ifi come back here in this next session, let me assure you I'll be back here trying to do the very same thing, trying to take care of the people who are not helped by what we are about to accept hopefully. There is no provision for increase of the poor devil who only makes \$30.00 or \$35.00 a week. No increase whatsoever in minimum benefits. Those are the people who don't make me any money as a practicing attorney in the field of Workmens' Compensation part of the time. These are the people who aren't trying to help. That is why I say to you I've got to come back here hopefully in the next session and do this very thing over again and attempt to override the Governor's position in this instance, and I know that I can't get a106 votes, so I know that I can't I can't be successful with my motion, but let me tell you what the Governor did not give in this amendatory veto. In other words, he has set conditions precednt upon what we're what we have to accept. He did not increase at all death



benefits or compensation benefits for the guy who is on the lower rung of the economic ladder. Also, if a child, for example, is left fatherless, that child receives compensation for only six years instead of until that child reaches his or her minority or majority, rather, at age 18. Six years instead of caring for that child until he or she is 18 years old and hopefully that would keep them off our welfare rolls, you know. But there's no improvement in our act, even though this House voted for this improvement, it's not included in the amendatory veto. Also, we tried to give an increase in the number of weeks to a person who is totally disabled, we tried to increase that, in fact, we did by what we passed in 64 to 78 weeks, but the Governor's amendatory veto takes that away from us. Also, we tried to increase the annual pension for those people who just can't work anymore, totally disabled from twelve per cent of the death rate to fifteen per cent. We didn't get that, even though we voted for it because it's not included in the amendatory veto. Also in cases of silicosis and asbestos, there is no allowance for the payment of medical bills for the man's entire life if necessary, but instead restricted to only two years of medical costs following the onset of that disease as opposed to what Workmens' Compensation calls for, to pay for all of the bills that are incurred because of an industrial accident. One other item I think is worthy of note, and this might hit home to you, under our current Workmens' Compensation



Act if you suffer the fracture of several vertebrae or a fractured skull and maybe another vertebra or two, under our current law, you are paid for either one or the other. Now, the act that we passed here allows for the payment, for example, if you fractured your skull and also injured or fractured a vertebra in your lower back, you'd be paid for both. We passed that. But the Governor's amendatory veto does not allow for a man to be paid based upon what we passed. The amendatory veto just knocks that out completely. One other item I think that's worthy of note, is the and I think especially so, is the fact that many people don't recognize that they must file their Workmens' Compensation Act or forever be out of court, so to speak, within one year of the injury, or the last payment of compensation. I think everyone, layman, lawyers and non-lawyers alike know that you've got a couple of years to file suit if you have an accident. You don't have under Workmens' Comp. Under Workmens' Comp you must file that within a year. Now what we passed through this House with some 93 votes as I recall, was an extension of that statute from one year to two years, but the Governor's amendatory veto takes that two years out of the law and it remains at one year. One other item that I think the Governor's staff fouled up on quite considerably, is that we were merely putting in statutory language what the case of Village -vs- The Industrial Commission, decided some time ago, and that is that if the surgeon says that he must take the hand off



at the wrist, then the man shall be paid for part of the arm. That's one example of the sight selection provision and that has been decided by the Supreme Court of our State. Now, I put in statutory language that decision of the Supreme Court of our State and the Governor's amendatory language did take that out. So once again, much as my seat mate Mr. Choate was suggesting, we don't think that the Governor's staff has done such a good job. All of that notwithstanding, as a practitioner of Workmens' Compensation and recognizing that the increases that have been given us by the amendatory veto are really for the poor devil that may be hurt, with or without the negligence of the employer or with or without his own negligence, which is little enough, has to be increased and it would be unconscionable to turn it down and I have to move the motion, Mr. Speaker."

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

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, I, of course, oppose, support the distinguished gentleman a from Bureau in his motion, but I think some comment on his remarks is appropriate. First of all, I think it should be pointed out that the bill as amended by the Governor, does increase maximum comp rates and those are the people who really need it the most, not the marginal worker who works for two or three days, but the fellow with a large family who has sustained a serious injury. They have been increased by twenty per cent. The court,



the commission appointed physician examination charge has been increased; in the event of the death of an employee, under the bill, incurred medical costs can be paid directly to the person who incurred the expense. The burial expense has been increased from \$750.00 to \$1,250.00, and the gentleman explains that the statute of limitation remains at one year. I doubt if there is a worker under compensation in the State of Illinois who doesn't know that he has a cause of action and will learn it in the second year if he didn't know it in the first year. Just to pick at random some of the remarks, a 60 week allowance for each vertebral fracture is very unfair. Why not base the award on the man's total disability or temporary disability, why arbitrarily given him a 60 week allowance for a vertebral fracture? You can fracture transverse processes of a vertebra, and they don't mean anything. A fractured vertebra can be serious or it can be nonserious and why not make the award based on the actual disability rather than on an arbitrary and in many points, unfair allowance. The asbestos and silicosis limitation on medical, if within two years the man is still disabled, he should get permanent total disability, why continue the medical on indefinitely. And lastly, I would remind you that five states that border on Illinois don't even have compulsory workmens' compensation laws, and that those that do our rates schedules are much higher, so I think that should be pointed out, and I do support the motion of the gentleman from Bureau."



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

Thomas J. Hanahan: "Mr. Speaker, and Members of the House, I think the real issue here is not what the two former speakers have said, it's the whole concept. A concept of what this General Assembly and what the members of the Illinois House and Illinois Senate have already indicted on passage of a Workmens' Comp increase bill. You know, all of us here are subjected to pressures and things of this nature, but I think the most rare position I've ever been in as a member of this General Assembly is the new constitutional provision giving a Governor the reduction veto powers that he's expanded even into the area of not direct appropriations, but into the area of of reducing amounts that this General Assembly said that private concerns would have to pay. I think this is really the issue that is at hand. The issue that whether or not the people that represented in this General Assembly wanted to give to the working people of the State of Illinois increase in Workmens' Comp or not. Nor the Governor, by reducing veto, puts guys like myself and many representatives on both sides of this aisle that are very aware of the unique problems of an injured worker. He puts us in the position that we either take what he says or nothing. And I think that's the issue. It goes back to the phony constitutional amendment that was passed by the people of this state without the members of this General Assembly actually realizing



the power that we gave to that Governor. I don't care, a Republican or Democratic Governor, this type of power in areas outside of appropriation is wrong, and he has used it and it is highlighted before us today. That the General Assembly has edicted through legislation, increases in Workmens' Comp, that has been negated by the Governor's action and reduces our question before us today of whether we want whether he said, not what we said, but what he said, or nothing. Because if we don't concur, the total package goes down. And it's an unfair position for any member of this General Assembly to be put in. I think it's wrong in the Governor's action, Representative Hyde alluded to my picture being torn out of a blue book, but let me tell you something, that's only a start and an indication of working peoples' feelings towards what the Governor of this State has done on this action and other labor issues, that are the real issues that are before the General Assembly. This body is placed in a bad position, I'm forced to say to you, ladies and gentlemen, that we we in the trade union movement are forced to accept this kind of reduction even though we recognize it is not fair, it is not proper, and it is not what we have given to the hopes that we've given to the working man. But four and a half months have gone by that working people have not gotten any increases, and now we have to at least accept a little bit, not what we wanted, and I'm going to support this motion, but I'll join with Representative Barry and other enlightened legis-



lators in the next session in trying to increase Workmens' Compensation to the proper level what working people need in this State."

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

Rolland F. Tipsword: "Mr. Speaker and Ladies and Gentlemen of the House, it is with great reluctance that I rise to support this motion, and I rise to support it solely and only because this is apparently all that the people can get from this fine piece of legislation. I would like to echo and say 'Amen' to the statements and statistics that have been brought to your attention by Representative Barry in presenting this motion to the members of this body. I would tell you however, that I view with shock and dismay and when I observe the very gall of the apparent intent that people of the lower economic strata and of lower wages should be considered less by this body than anyone else. It is a great shock to me that we should consider the needs of those who are in the higher income brackets or in the higher wages, their needs and their desires far before or with greater attention than we should observe the needs of those who are in the lowest economic strata in this state. It is my intention in serving here and it has always been my belief that the members of this body and the elected executive officers of this state are here for the purpose of serving all of the people in all of their needs and with attention to the welfare of all of the people



of the State of Illinois. I regret that we have this kind of amendment to this kind of bill which is very necessary for the welfare and the economic well being of this state, and yes, very necessary in giving attention to decreased welfare rolls in the State of Illinois. This bill would have one of the greatest effects upon the present demand for welfare in the State of Illinois and decreasing the same of any legislation that we could possibly have. This is one of the most forward looking pieces of legislation in reducing the burden upon the tax payers of the State of Illinois. I regret very much that we must accept these reductions and I regret exceedingly that we should look to the economic strata of the people in the State of Illinois, when we consider what attention should be given to their need and to their requirements. Thank you."

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

Eugene M. Barnes: "Mr. Speaker and members of the House, I rise to say in essence and 'Amen', to what the previous speaker has said and what the previous colleague on my, Tom Hanahan, reiterated a few minutes ago. I'm caught in a very bad position, for voting for something that I feel is not of the best interest of many of the people who saw fit into saying into giving me the responsibility of coming here to these halls to try to do something to help them in their lot of everyday living. It behooves me when legislation of this type that has in its original form at least some small measure of helping people that I have seen



defamed from day to day from bill to bill, down hill, people that are on the lowest rung of the ladder, people who are trying to seek out the barest existence, and when these people can not be helped, in terms of Workmens' Compensation and other forms of social legislation that I have seen, literally sloughed off in my short months of this General Assembly, it simply behooves me to think to wonder just exactly where our priorities lie. I'm in the position of supporting this motion at this time, but I would like to go on record to say that any legislator in this House that will be working to improve on this legislation in the coming months in the coming General Assembly, I without a doubt will support his efforts, for I feel that the action that was taken by the executive branch after this legislation passed out of these halls was inadequate and ill-timed and ill-conceived."

Hon. W. Robert Blair: "Have all. . . Any further discussion? The question. . . the gentleman care to close? All right, the question is, we'll vote on them one at a time. First on House, on the motion with respect to 844. The question is shall the House adopt the amendment? All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are 144 'Yeas' and 2 'Nays' and the amendment having received the constitutional majority is hereby declared adopted. Bluthardt. Bluthardt. The gentleman from Cook, Mr. Bluthardt."



Edward E. Bluthardt: "Mr. Speaker, I'm recorded as voting 'No', that's by inadvertence and by inattention, so will you kindly grant me leave to record my vote as 'Yes'."

Hon. W. Robert Blair: "All right, record the gentleman as voting 'Yes'. Houlihan 'Yeas'. 144, 146 to 1. All right, yes, the question is shall the House adopt the amendment with respect to 845? All those in favor vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 152 'Yeas', and 1 'Nay' and this amendment having received the constitutional majority is hereby declared adopted. All right on Total Veto Motions appears House Bill 2058."

Fredric B. Selcke: "Motion. I am moving that engrossed House Bill 2058 do pass the veto of the Governor notwithstanding, dated October 13, 1971, Representative Chote."

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

Richard O. Hart: "Mr. Speaker, and Ladies and Gentlemen of the House, this is a bill that I sponsored during the regular January to July session, to establish a school for the deaf children in southern Illinois, in Williamson County. The Governor vetoed the bill and I believe that in this situation the Governor made a mistake and the motion therefore is to override the veto. I would like briefly to explain the purpose of the bill. In our area of southern Illinois, as which most of you know, is sparsely populated, we have presently a school for deaf children



in Marion in Williamson County. The purpose of the bill was to establish a facility for these children and to equip it it would have provided a sum of \$325,000.00 to build a wing on a school in Jefferson School in Marion for deaf children and to equip it. The Governor in his veto message said that this bill is a special grant to a stable school district which is not used as non-referendum special education building tax to date. This bill would interfere with the statewide program. I think the Governor was totally inaccurate when he made that statement. The statewide program, if there is such a program at all, is consistently, is consistent with this bill. As I pointed out for the past four or five years in southern Illinois, there has been a deaf school in Williamson County in Marion. Now this school covers 22 counties and 152 school districts. Many attempts have been made to establish a program to work out some kind of a joint agreement between 152 school districts to provide a facility for special education. The Office of the Superintendent of Public Instruction under the its predecessor, Ray Page, determined that it was not practical in this area to have a joint agreement, because of the number of districts involved and the number of counties involved. So they got together and through a screening process, located some deaf children and established this school in Marion. The present facility is totally inadequate. You may recall that I advised you that presently in the kitchen and other facilities of the Presbyterian Church



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in Marion, this special education school is being carried on. This year there are enrolled some 35 children, deaf children, in this school. The school provides education for deaf students from age 3 through grade 8. This facility that we have envisioned here by this bill would accommodate up to 85 or 90 children, deaf children, which we estimate in the near future, we will have that many. It would provide an education for them and in an environment where there are other children of their age. They would be able to use the lunch room of the school and be associated generally with other children of their own age. I'm sure you're all aware that for many years, the State of Illinois and the people, totally ignored the needs of deaf children. You'll remember, at least when we were kids, that we always sort of ran together, deaf and dumb, and we didn't even know that deaf children could be educated, that they could be treated, that that there are ways of making them aware of their environment, and aware of the learning that is available to them, and I would like all of you to sometime if you have occasion to be in Williamson County to go by this present facility and see the education that's going on there. These children are receiving an excellent education, but the facility where they are getting it are inadequate. Every night, the teachers have to put away all of the equipment, every weekend they have to permanently store it, and it it there's no certainty that the church, that they're receiving their



education in presently, will continue this as the volume of these children continue. We need, now, we need now to provide this facility for these children in these 152 school districts and 22 counties. These children need special attention. I hope that the members of this Assembly will give it to them. I'm advised that the Governor of the State of Illinois has received over 10,000 communications from the people in these 152 school districts urging him to pass, to sign this bill. The bill, my motion needs 106 votes, I would hope that it would get 177. Let's don't turn our backs on these children. This bill passed the Education Committee of this House by a vote of 13 to 2, it passed the Appropriation Committee, it passed the House, it passed the Senate Committee, it passed the Senate. The Senate put on an appropriate amendment on the bill that it could only be used for special education purposes. We concurred in that amendment. On behalf of the deaf children of these 22 counties, I urge all of you to support my motion to override this veto and correct what I consider to be an error of the Governor and get him off the hook."

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

Charles W. Clabaugh: "Mr. Speaker, Members of the House, I know it's a difficult assignment to talk on anything that even gives a hint that it's for the benefit of handicapped children. I was one of those votes in the committee of on



education, that voted against it, and I suspect I voted for more dollars and for more bills to aid special education than anybody in this House. I relative to what Representative before me said, that we have no program for education of deaf children, I've been into this thing, body and soul, for twenty years, and that's the first damn time that I've ever knew that we don't have a program for deaf children in the State of Illinois. Like all of this kind of program that is lately developed, there's much more to be done and this last session, we appropriated \$200,000.00 to the Office of Superintendent of Public Instruction to make a state-wide planning and to do some more research in this particular field. My main objection to this kind of legislation, and it isn't because it's for this specific purpose, but if this legislature starts to listen to the plea of individual districts throughout this state to appropriate \$300,000.00, \$400,000.00, \$3,000,000.00, \$4,000,000.00, \$5,000,000.00, that 10,000 letters that the Governor received and the hundreds that I received on this bill will only be a drop in the bucket. This would be a particularly bad precedent to start. Now, we thought, and I believe we did take care of this situation some years ago, and if the people down there would use it, there is a tax referendum, or a tax without referendum, that those people can levy, they can go together, one, two, three, four, or as many districts as they want and they can do this job. Now, I think this would be a bad precedent to start, I know these

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people have done a good job, and they've done it under some difficult conditions, but so have many other districts in the state done difficult jobs and just under just as difficult conditions. I think that the Governor's veto should be upheld in this case simply because of the precedent that we would start."

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

George M. Burditt: "Mr. Speaker, Ladies and Gentlemen of the House, sharing of course Representative Clabaugh's feelings, it's a very difficult thing to get up and speak about a bill like this, not only because the bill is so worthy in its' own merits, but also of because of my respect for the gentleman who's made the motion. But the fact of the situation are, Ladies and Gentlemen, that we simply can not do it. If we do it for this one school district, we're going to be opening ourselves to all school districts throughout the state with the same kind of legislation. We're going to be opening ourselves to all school districts with similar bills and unfortunately as sad as it is that we do not have the money for this particular community unit district in Williamson County. It is a special bill for that one county and therefore I very reluctantly and with a heavy heart must also oppose the bill and ask that you defeat this motion. It isn't a great deal of money involved, but the principle is equally important as the amount of money that is involved. If we start going down this route, there's going to be no end to it, and certainly Representa-



tive Hart, I'd be very delighted to work with you in January when we come back to do what we can to take care of this situation either through monies that have been appropriated to other agencies, to the Superintendent of Public Instruction or some other other group within the State, one of the code departments, and see if the money can be found there, and if it can't be, certainly I'll be the first one to co-sponsor a bill with you to take care of this problem when we come back in January, 1972, but Mr. Speaker, Ladies and Gentlemen of the House, I respectfully request that we defeat the motion voting 'No'. Thank you."

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

Daniel J. O'Brien: "Mr. Speaker, Ladies and Gentlemen of the House, just a word in the in defense of overriding the Governor's veto. As Representative Clabaugh said, there has been an appropriation of money to the Office of the Superintendent of Public Instruction, to conduct a state-wide survey to determine need for facilities such as the school for the deaf. I submit to you that if we had the request of school districts or counties such as Williamson County, we would not have the need to spend \$200,000.00 and some for commissions to survey the state and see the appropriate locations where these schoolings should be placed. I think Representative Hart, before this House and Senate committees had demonstrated that there is a valid



need for this facility in this area, I don't think that three hundred and some thousand dollars is an extreme appropriation to care for handicapped children. I would ask everyone in this body to vote to override the Governor's veto and to put this facility where it is needed."

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

Thaddeus S. Lechowicz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. In reply to Representative Cla-
baugh's comments, and I think they were quite appropos, as far as having an appropriation within the Superintendent of Instructions budget with having \$200,000.00 allocated to make a study throughout the State, just proves the fact that this area is long overdue in consideration, to implement a program on a statewide level providing corrective procedures, and providing proper schools for the handicapped and especially the deaf people. Representative Hart's motion is trying to do here is to provide \$325,000.00 to a school district that is already providing this service to 22 counties within the State of Illinois. This bill was heard in the Appropriations Committee in June and passed unanimously, and it passed this House with a wide margin. I'm hoping that everyone will realize the fact that this is one school district, but in turn it's one district that's really a jewel in the State of Illinois, and we should provide them with the necessary facilities to expand and also include to hear our plea to the Superin-



tendent of Public Instruction that this should be included in every district in the State of Illinois."

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

C. L. McCormick: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, I think I know exactly what's going to happen to this bill, and I think it's wrong. I think I've been as good a supporter of the Governor and the administration as any other member of this House, and I understand when leaders on the school propositions get up and talk in opposition to a program that a lot of people listen to them, and and rightfully so, but last, oh, about the first day of September, something like that, I stopped over at Shawneetown at Paul Potters' watermelon stand, and I bought a watermelon, and the little boy who was a playing around the stand, his mother come up and she said C.L., she said we sure did appreciate your vote on the bill before for the deaf at Marion. And I said well I was glad to do it. She said C.L. she said this morning the first time in two years, that boy said a word, and he said 'mama, water', he wanted a drink of water. For five years he lived with her in her home and was deaf, and he couldn't get any special training, because in that area down there the school districts can't have individual training for each kind of a disability, and this school was tried out over at Marion, and it's been a success, and I think, sincerely believe that us on this side of the aisle, that we ought to stop instead of voting for



maybe the practical things that you can put on paper and make it look right, to vote for the human element in this thing. Now, let me make one more comparison to what's been happening in the past. They say don't start a special school or a special program. Maybe that's right, I won't say it isn't. But if you'll remember in 1959, you appropriated the money for a penitentiary, a new concept in a penitentiary in Illinois, to be located somewhere, and in the Senate, you know, the Republican leadership over there said that it ought to be located up in the Pontiac area, do you remember? But we were able to talk Governor Stratton into locating it in Vienna. Then we got a Democrat Governor in 1960 and we got Raygon and Randolph and neither one of them give a hoot about this down there. They built one building and let it sit there. We were able in 1968 to convince a new Director to try Vienna, just give it a try, and today, after trying it, without any problem, without any program for the State as a whole, remember this, the planning wasn't done, today the brightest star in the Governor's program for penal reform is Vienna, Illinois. It's been recognized all over the State, all over the nation, and a even well enough that the Director has announced that they want to build six more like it in the rest of Illinois. Maybe, Ladies and Gentlemen on this side of the aisle, if you'd give us the vote to override the Governor's veto on this particular bill, and I'm not doing it because I want to do anything to hurt the Governor, my God, I've voted



for everything he's wanted. It might be that this little \$300,000.00 that would be spent at Marion, Illinois, for 22 counties in southern Illinois for fifty or sixty people that can't hear, that can't go away a long way to school, it might be that it would be the program that Bakalis and the rest of us here next year would be want to start all over the whole state. And all respect in the world to Governor Ogilvie and all respect to you people in the leadership on this side that are putting the squeeze on for this thing, I think this bill is wrong and I think we ought to override the Governor's veto on this particular bill."

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

Clyde L. Choate: "Mr. Speaker and Gentlemen and Ladies of this House, now there's no need to further belabor this body with the humanity that is included in this piece of legislation and the good that it's going to do for these handicapped children of southern Illinois. Now, we remember when the new concept of mental health was brought about that we would build buildings close to the relatives of these mentally handicapped peoples. And it was said that it would be good for them to be visited, to be able to go home occasionally, to have the open door policy and walk the streets and associate with people. And this is the important part of this legislation. Yes, these children could be sent to a deaf school somewhere within the confines of the United States, but by providing this facility in southern Illinois, they will be home at night with their



parents, they will be home at night with their brothers and sisters. They will be able to associate with peoples in their communities. Now, the only objection to this legislation on the floor of this House, has been the lack of financing. Now listen to me closely, because the Governor has the statutory authority to transfer from funds from some special account, there is an unappropriated surplus in the Service Recognition Bond Interest and Retirement Fund in the amount of \$6,090,000.00, unappropriated service, surplus. There is a surplus in the Drivers' Education Fund of over \$9,500,000.00. There's a surplus in the Agricultural Premium Fund of over \$5,270,000.00. There is a surplus in the Fair and Exposition Fund of better than \$3,000,000.00, and all we're asking for is \$325,000.00, and the Governor has the statutory authority to transfer this \$325,000.00 from any of these surpluses, in the interest of helping handicapped children in southern Illinois. I ask you as my colleague from across the aisle did, join with us, give us the necessary 106 votes to override the Governor's veto and let's ask him to transfer from some of these large surpluses a small amount of \$325,000.00 that could be used for these handicapped children in southern Illinois, and I urge you to vote 'Yeas'."

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, we're asking for \$325,000.00 for people, for children. The Director of the Budget says he's going to have



fiscal lapses in this year of \$274,000,000.00. We talk about building over a billion dollars worth of roads in this state. We talk about spending money for buildings. Let's talk about the people, about the children. Have some compassion in your heart for somebody that can't hear and let them hear a voice from Springfield saying we're interested in them. Can't we just this once say that we in this General Assembly, want to do something for people? Thank you."

Hon. W. Robert Blair: "All right, the Minority Leader and I are in agreement that it's 107, not 106 votes that he needs. Any further discussion? The gentleman from Franklin, Mr. Hart to close."

Richard O. Hart: "Mr. Speaker, I just wanted to clear up a couple of points. In the first place, the Governor didn't veto this bill because of any objection to the amount of money involved. That was not a part of the Governor's message, anyway, maybe somebody else got a message in that regard, but anyway, that had nothing to do with the bill. The Governor said it was didn't conform with the state plan and what I'm telling you is that the Governor was misinformed about that, because there is presently in the state plan a school for deaf in Marion. The unfortunate thing about it is that it's in the Presbyterian Church rather than in a school building. It started out with about 4 children, they have teachers, they have staff, they have equipment in this thing, for its all part of the education process of



the State of Illinois, for deaf children, but they do not have any assurance that next year when the enrollment is expected to go from 35 to 50, that there will be any place to have them. How long can the State of Illinois ask the Presbyterian Church in Marion, Illinois, to take care of the problem for them? Now, I didn't say, somebody on the floor here said that there is no program for deaf, of course there is. I say that the Governor is wrong in saying that this bill in providing for this facility does not conform as a state plan. The Office of Superintendent of Public Instruction under Ray Page cooperated with people in these 22 counties and 152 school districts involved, in attempting to set up a joint agreement and determined as we have that it was not practical because of the number of districts involved. It still isn't practical. The only practical way is to ask the State of Illinois when local people have a problem that they can't solve, to solve it for them, and its a \$325,000.00 solution, which we believe will accommodate the needs of this area for now and in the future for many years to come. I'd like to indulge for just a minute and read to you a part of a letter that I received this week from a mother of one of the deaf children in West Franklin. This is a five year old girl who ah became deaf at about age two as a result of a bee sting. She is totally and permanently deaf, always will be, and she and her husband, who is a physician, appeared before the House Education Committee and testified about this bill



and they sent me a card and they quote from William Shakespear and it says 'I'll speak to thee in silence'. And she says 'Dear Dick, The Shakespearian quotation on this card reminds me of how our Dawn, (that's the little girls' name) might express her love for you. For a deaf child of five years, mastery of the English language seems an almost insurmountable task. Because of the beauty of sign language in our home, we often speak in silence of our love for each other. By the grace of God, Dawn improves each day in her speech and comprehension. She makes each day an exciting adventure for us. Her big blue eyes dance as she reads to us, practices her arithmetic and teaches us to articulate properly. By the time you receive this, perhaps you will know the outcome of House Bill 2058. Dick, words are too small to express our love for you and our appreciation for your untiring efforts'. I want this body to share this love with me."

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

Brian B. Duff: "Mr. Speaker, I rise to explain my vote. I have supported the Governor's vetoes, amended vetoes and every other Republican position in these two or three days and my record will speak for my support of his position and my respect for his statements. But I am very firmly of the opinion that under our new constitution, there are unequiv-



ical words which say that the State of Illinois has the primary responsibility for the education of every child to the maximum of his capabilities, and I have a very strong feeling that we don't live up to those words, and I have a very strong feeling that this is an incident and a time in which we can express our resolution to live up to those words. I vote 'Yeas'."

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

Harold D. Stedelin: "Mr. Speaker and Ladies and Gentlemen of the House, it's been hard for me to speak on this this evening, because it's hard for me to keep from breaking down in tears. 'Cause you see, I've been close to this, and I live in that district and I've gone to visit those folks and these little children come to me and say 'Mr. Stedelin, we don't want to leave mama and papa, please.' Now at beginning of each session, we have a man of God pray for us and I think this is the time when we get on our knees and pray, 'God, let me forget my politics, let me forget whether I'm a Democrat or Republican, for goodness sake, God, make me a human being and make me believe in others that are suffering and let me first be a good Christian or god loving man and send the State of Illinois and the United States and when you do that you will have to vote to override this veto. Please, for humanity sake, do that. Thank you."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk



will take the record. On this question there are 96 'Yeas' and 21 'Nays' and, what purpose does the gentleman from Franklin, Mr. Hart rise?"

Richard O. Hart: "I would respectfully request a poll of the absentees."

Hon. W. Robert Blair: "Poll the absentees."

Fredric B. Selcke: "Bartulis, Blades, Bluthardt, Borchers, Brenne, Capuzi, Conolly, Cox, Day, Douglas, Downes, Dyer, Epton, Fleck, Gardner, Garmisa, Granata, Hall, Henss, Gene Hoffman, Ron Hoffman, Houde, Hudson, Janczak, Jones, Juckett, Kahoun, Karmazyn, Kleine, Klosak, Lauterbach, Lehman, Lindberg, Madigan, Ed, McAvoy, McDevitt, McMaster, Peter Miller, Moore, Murphy, Nowlan, George O'Brien, Palmer, Pappas, Redmond, Rose, Schlickman, Schoeberlein, Shapiro, Simmons, Timothy Simms, Soderstrom, Springer, Telcser, Jack Thompson, Tuerk, Wall, Washburn, Genoa Washington, Zlatnik."

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

Richard O. Hart: "Mr. Speaker, I would request that further consideration of this matter be postponed."

Hon. W. Robert Blair: "Is there objection? All right, place it on postponed consideration. Under Total Vetoes Motions appears House Bill 684."

Fredric B. Selcke: "Motion. I move that House Bill 684 do pass the veto of the Governor contrary notwithstanding dated October 14, 1971, Representative Caldwell."



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

Lewis A. H. Caldwell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move that the House do pass over the veto of the Governor. This bill, which in effect, allows 18 year old men to marry without parental consent. As most of you know, for the past several years, a series of bills which would give 18 year old men all of the rights and privileges and responsibilities of adulthood have been considered in this House. During the past summer, the Governor signed a bill, allowing 18 year old men to sign contracts, to be responsible for their acts in purchasing houses, furniture, automobiles, etc. Also, you will recall the various states legislators have made it now possible for 18 year old men to vote. One of the things that I and others have argued is that it is logical for adulthood rights to be extended to 18 year old men when these same privileges have been exercised by 18 year old women for a many, many years. I believe that we are being unrealistic when we say to 18 year old men, go to Viet Nam, fight, get killed, if you happen to be lucky enough to get back home and you want to marry your childhood sweetheart, you're going to have to take mama and papa along to give their consent if you want to get married. I think the time has come when we need to bring out lives full force with the times. All of us know that the 18 year old of today is as sophisticated as the 50 year old was some 10 or 20 years ago, so I think we are really kidding ourselves when



we have our laws cluttered up where youngsters, young men can now engage in contracts, they can vote, they can do everything that adults should do, but they can't get married without parental consent. Finally, Mr. Speaker and Ladies and Gentlemen of the House, I think that the marriage rights ought to be emphasized more than ever now. We know that men and women in all segments of our culture, in high and low places, are shacking up without marriage, and I believe that in overriding this particular bill, I believe that we would be saying to them that the marriage rights are sacred, that they should be retained as a part of our culture and our civilization, and Mr. Speaker and Ladies and Gentlemen, I would hope that you would vote 'Yeas' in overriding the veto which denies the right of 18 year old men to get married without parental consent."

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

Leland H. Rayson: "Thank you, Mr. Speaker, I become somewhat intimidated when I see the Majority Leader rise, but I think he wants to wait for a swab later on. But I suggest as the previous speaker did, is that we move with this motion and that we should override this veto and support the gentleman. As a matter of fact, he implied that we should be in favor of the right of young people to shack up in marriage, as adults seemingly do, but what I'm really trying to say in support of this motion is this. We allowed the 18 year olds to do many things, contract, vote, ah



somehow a a by this veto, there is a serious flaw in this great overwhelming legislative package this year. I might add, Senate Bill 931 passed with which suggested among other things that adults need not support their children who are not minors any longer, once they attain the age of 18 years old. So it isn't anomaly to say that I need not support you at 18, go get a job or go to school, but if you latch onto some lass, you know, you don't do a thing without my consent. Now none of us know, none of us know really the social reason for the height of divorce rates in the young, but I would guess that in part it is parental interference. Imagine, Mr. Speaker, Mr. Speaker, imagine if when we ah passed these votes for those that at 18, that we said women can vote at the age of 18, but men still have to wait until they are 21. Now, I say to you that I'm I'm not trying to build a case that people are at age to marry at 18, but that we must be consistent in what we're doing, so that equal opportunity applies to all, and that in addition to womens' lib, we have mens' lib, and I suggest that we should override this veto."

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

Henry J. Hyde: "Well, Mr. Speaker, there are those people who think that marriage is like a scalding bed, once you get in, it's not so hot. But, I'm not one of those, and I must object to the remarks of the, not object to the remarks, but object to the sentiments of the people who wish to override the veto of the Governor on this bill. Actually this



bill does two things, it removes parental consent entirely for males, while returning the parental consent requirements for females between the ages of 16 and 18. The bill gives an unrestricted right for both males and females to marry at 18. The Governor's veto message cited the views of the American Academy of Matrimonial Lawyers and the Cook County Court Divorce Conciliation Service, both groups and organizations were outspoken in their opposition to reducing the marriage age, because of the statistical information and a the high incidence of divorces and broken homes and children that who suffer from a broken home as a result of too youthful marriages. Now, I happen to think that 18 is a beautiful age, but a lot has to be learned and I do think that it's too young to be married without parental consent. As to the shacking up that was adverted to by the chief sponsor, I have no statistical information on this, but I don't think requiring them or authorizing them to get married is going to contribute to the stability of the family, which is the basic keystone of our society. So I would urge that the Governor's veto be sustained and the gentleman's motion be defeated."

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

Webber Borchers: "Mr. Speaker and Ladies and Gentlemen of the House, I think a little historical note along at this time might aid in the decision of the House in supporting the provision of Representative Hyde. Now, you go back



five thousand years, this so called shacking up, it was not allowed in the bible, you could be executed for it, you were killed, there was no permissiveness whatsoever. Two thousand, one thousand years ago, up to maybe forty years ago, this maybe didn't, the penalty was not as great, but it was still as against the best interest of society and was frowned severely upon. Now with the continuation and permissiveness that we are seeing in our society today, in relation to this particular bill, it is obvious that if we continue this shacking up with another twenty to twenty-five years, it will become mandatory. I think it's time to stop it now."

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

Bernard B. Wolfe: "Mr. Speaker, Ladies and Gentlemen of the House, the vetoes of the Governor on any bill before this House certainly must be considered from best interests of the people of the State of Illinois, and this bill is no different. I don't think we can approach any veto on a partisan basis. Now, the divorce statistics in this state have reached an alarming stage, and one of the factors determined by the Family Study Commission was that in the teenage marriage group, four out of seven of the marriages wound up in the divorce courts. I think that the stability of the family, the relationship of age in this particular category is certainly not related to the other aspects, either of voting, contract rights, drinking, etc.,



because in this category the State has a definite interest. You get a license to get married and in this area the State has the right to impose certain restrictions based upon historical data. Now, our commission unanimously supported the doctrine that we do not lower the voting, the marriage ages of either the female or of the male and I would respectfully ask that you support the Governor's veto message in this area."

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

Roman J. Kosinski: "Will my colleague yield to a question?"

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

Roman J. Kosinski: "Mr. Caldwell, I'm certain you have a point to pushing this bill, it must be a point in terms of your district, it must be a point in terms of your philosophy, it must be some point and I'd like to know what it is."

Lewis A. H. Caldwell: "Yes, ah, Senator, it's in my philosophy. I believe that as we emerge from biblical times I believe that as we rise on the scale of civilization that we must keep abreast of what's happening to us. A hundred years ago, many of us and our ancestors did not know how to care for ourselves in many ways. We did not have the facilities with which to anticipate how to improve our lives from day to day. I think that if we are going to learn anything, certainly the types of wars in which we are engaged, the manner in which we waste billions of dollars without attempting to benefit our society in general would



indicate that we are not learning, that there is question of whether or not we are progressing, but I certainly would say to you that in this situation when we tell and when we have approved of 18 year old women exercising their rights of getting married without parental consent and say to the 18 year old man that you are not sufficiently mature, that you are not going to stay together that long, and it is very interesting to me when we get into citing statistics as to how many divorces occur in the 18 to 20 year old bracket, when we do not at the same time indicate how many divorces occur among those who are beyond 21, so I think that's a fallacious argument. I think in this instance, that the Governor has been ill advised, and I regret that I did not have an opportunity because of serving here in the legislature, to address the matrimonial lawyers who invited me to speak, I intend to do that if this bill is not passed, but I certainly hope it will be."

Hon. W. Robert Blair: "Representative Kosinski."

Roman J. Kosinski: "Thank you, Mr. Caldwell. I wanted to justify my voting against it. Thank you."

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

Edward L. Kipley: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "The previous question has been moved. All those in favor say 'Yeas', opposed 'No', the gentleman's motion prevails and Representative Caldwell is recognized to close the debate."



Lewis A. H. Caldwell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, first of all I would like to make it very clear, even though for many years I have earned a livelihood as a consultant, at no time have I engaged in marriage counseling, so I have no conflict of interest here. I would like to read Section 18 of the new constitution. It says 'the equal protection of the laws shall not be denied or bridged because of sex by state or its units of local government and school districts'. Mr. Speaker, all that I am asking here is to have you recognize that thousands of 18 year old men will be going to the polls next March or presumably later, and vote you into or out of office. I think that is a consideration, but that is not what is motivating my action here this afternoon. I think that if we extend this right to 18 year old men, we will be recognizing the fact that we have a responsibility and an obligation to represent the people as leaders, we should anticipate the social needs and figure out what can be and what must be done to strengthen the fabric of our social order, and God knows its in a mess right now. I think that 18 year olds once we extend this right to them will assume all the responsibilities, one of the reasons that they act like children, because we as adults treat them like children and do not recognize their sophistication. As a matter of fact, I think that many of these youngsters are laughing at us and they find ways to in which to downgrade our social order. I think that we would be



acting in good faith, I think that we would be acting intelligently and I think that we would be carrying out our responsibilities and obligations by voting 'Yeas' on this bill. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "The question is shall the House override the Governor's veto in respect to House Bill 684.

All those in favor of overriding the veto, signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. On this question, the 'Yeas' are 63, the 'Nays' are 61, and the gentleman's motion to override the Governor's veto in reference to House Bill 684 fails. Representative Phil Collins, for what purpose do you rise, sir?"

Philip W. Collins: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, the Speaker has discharged House Bill 3563 from the Committee on Township and County Affairs and has re-assigned it to the Committee on Elections. I would move that the provisions of Rule 17 be waived so that this bill may be posted and heard tomorrow in the Committee on Elections."

Hon. W. Robert Blair: "Are there any objections? Hearing none, the rule will be suspended as to the gentleman's request. Representative Palmer, for what purpose do you rise, sir?"

Romie J. Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like permission of the House to waive provisions of the Rule 32b for the introduction of a bill, which is now on the Clerk's desk."



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

Gerald W. Shea: "Mr. Speaker, as I understand the rules, there is no prohibition about introducing of bills, and as I read Rule 32 and I ask you to inquire of your parliamentarian, all bills may be introduced in numbers and they will be laid on the Speaker's table and until such time that we return the first meeting day in January."

Hon. W. Robert Blair: "All right, Representative Palmer, with your leave, we'll take this out of the record for now, and come back to it on introduction of bills. Thank you."

Romie J. Palmer: "Thank you."

Hon. W. Robert Blair: "On the order of Amendatory Vetoes Concurrence Motions appears Senate Bill 262."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House concur with the Senate in the specific recommendation for change of Senate Bill 262, as set forth in the Governor's message. Signed Representative James Washburn."

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

James R. Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 262 amends an act relating to consent by minors to medical operation by adding emergency dental treatment by a licensed dentist on the



minor with the with his consent. The amendatory veto recommends a slight change in wording, but does not alter the intent or the concept of the bill, therefore, I move that the House concur with the Senate in the specific recommendation for change to Senate Bill 262 as set forth in the Governor's message."

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

Gerald W. Shea: "Mr. Speaker, we're looking for the amendment and can't find it. I'm wondering if he just might hold it for amoment or two."

Hon. W. Robert Blair: "The Clerk advises me that they're out. Mr. Simmons has one in his hand. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Will the sponsor yield to a question?"

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

Gerald W. Shea: "As I understand the language, what they're saying is when a dentist gives the aid and for some dental type need, rather than just complete exclusion for any aid, is that it?"

James R. Washburn: "That's right."

Hon. W. Robert Blair: "Is there any further discussion? The question is shall the House concur in the Senate action with regard to the Governor's specific recommendations concerning Senate Bill 262. All those in favor vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. McPartlin, 'Yeas'. On this question, there are 133 'Yeas', no 'Nays', and the House concurs with



the Senate action respecting this bill. For what purpose does the gentleman from Cook, Mr. Shea rise?"

Gerald W. Shea: "I would like to take the floor on a point of personal privilege."

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

Gerald W. Shea: "I would just like to inform this chamber that the bill introduced in the Senate by Senator Partee to provide for the filling of legislative vacancies has just been defeated in the Senate on a roll call vote."

Hon. W. Robert Blair: "That was really an announcement, wasn't it? Not a point of personal privilege."

Gerald W. Shea: "I felt that the distinguished Majority Leader ought to know about that, because he made such a point of it this morning and I certainly felt that he should be informed of it."

Hon. W. Robert Blair: "All right, with leave of the House; we'll go to House Bills third reading. House Bill 2379."

Fredric B. Selcke: "House Bill 2379. An act to add Section 6.1 to the 'Consumer Fraud Act'. Third reading of the bill."

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

Arthur A. Telcser: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2379 which passed on to Judiciary Committee during our regular session is a bill dealing with the overall problems of consumerism. As I recall the bill passed out of committee without any dissenting votes. I spoke this morning with Representative Berman and O'Brien



so we could all refresh our memories about the bill and I believe I'm correct in making that statement. The bill provides that when a violator is called into the Attorney General's Office for the violation of an existing statute, the Attorney General can have a violator sign a statement admitting to the violation and if the individual again repeats the violation, that signed statement can be used in courts as prima facie evidence. The Attorney General's Office informs me that this will help expedite the prosecution of repeated violators and helps save the state some money. And I would appreciate a very favorable roll call on House Bill 2379."

Hon. W. Robert Blair: "Discussion? All right, the question is shall House Bill 2379 pass? All those in favor shall vote 'Yeas', shall House Bill 2379 pass? All those in favor vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are 139 'Yeas' and 1 'Nay', and this bill having received the constitutional majority is hereby declared passed. 2382."

Fredric B. Selcke: "House Bill 2382. An act to amend Section 2B of the 'Consumer Fraud Act'. Third reading of the bill."

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

Arthur A. Telcser: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2382 is another bill in a series of consumer bills passed by the Judiciary Committee early this year. I also discussed this bill with Representatives Ber-



man and O'Brien who served on that committee, and this bill merely adds a section to the law which I believe we passed in the 75th General Assembly, providing that individuals who purchased items from door to door salesmen had a period of three days in which to return that merchandise. This bill merely sets out for the seller the type of form which the seller must provide to the buyer indicating that the buyer does in fact have those three days in which to return the items and how he has to inform the seller that he wants to return the items. As I recall early in the session, we discussed this bill with people from the industry, they have no objection to this legislation, as best I can recall and I'd certainly appreciate a favorable roll call on House Bill 2382."

Hon. W. Robert Blair: "Further discussion? The question is shall House Bill 2382 pass? All those in favor vote 'Yeas' the opposed 'No'.. Have all voted who wished? The Clerk will take the record. On this question, there are 146 'Yeas' and 1 'Nay' and this bill having received the constitutional majority is hereby declared passed. 22-. The gentleman from Morgan, Mr. Rose."

Thomas C. Rose: "Mr. Speaker, Ladies and Gentlemen of the House, two bills which were formerly referred to the House Elections Committee for hearing have been reassigned to the Committee on Constitutional Implementation. They are House 3625 and 3651, one by Representative Bradley, one by Representative Hirschfeld. It is my understanding that



leadership on both sides of the aisle has cleared this for hearing, these two bills for hearing by our committee on Friday morning at 10:00 A.M. in Room 212. I now move that the appropriate rules be suspended so that those two bills may be heard at that time, Mr. Speaker."

Hon. W. Robert Blair: "The, ah, is there objection? If not, then consent will be given. House Bill 2222."

Fredric B. Selcke: "House Bill 2222. An act relating the reporting of cases of suspected lead poisoning investigations by the Department of Public Health and the prohibition of the manufacture and sale of certain products containing lead. Third reading of the bill."

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

J. Horace Gardner: "Mr. Speaker and Ladies and Gentleman of the House, House Bill 2222 creates a new law on lead poisoning substance control act, prohibits our restrict manufacturers and use of substances containing lead, authorizes the Department of Public Health to investigate dwellings, to investigate reported cases of lead poisonings and make violations punishable by misdemeanor. At the present time, the state has no laws dealing with the violation of lead poisoning. House Bill 2222 would correct the present situation. I ask for your support. I know damn well it is."

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

Clyde L. Choate: "I'd like to ask the sponsor of this bill



the number of it again, I didn't didn't get the number clearly."

J. Horace Gardner: "2222."

Clyde L. Choate: "That a boy!"

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

Gerald W. Shea: "Ah, Representative Gardner, I have a proposed amendment to the bill, do you know if that amendment was put on the bill?"

J. Horace Gardner: "The amendment that we put on the bill was in the Senate, not the House."

Gerald W. Shea: "Well, as I read the bill, I'm quite concerned about Section 8, do you mind if you and I sit down and discuss it, or would you. . ."

J. Horace Gardner: "Will you hold the phone while I get my book?"

Gerald W. Shea: "Could we take it out of the record for a few minutes?"

J. Horace Gardner: "Mr. Shea, ah, you're objecting to what in the bill?"

Gerald W. Shea: "I'm questioning the section 8 of House Bill 2222."

J. Horace Gardner: "Section 8, . . ."

Gerald W. Shea: "It says as I read it, my copy, 'Any Representative of the Department may inspect dwellings or dwelling units for the purposes of ascertaining the existence of lead bearing substances and may remove samples or objects



necessary for laboratory analysis', and I thought that we were going to amend that to require that to happen during normal working hours."

J. Horace Gardner: "We realize, Mr. Shea, that this still needs some attention, and we have agreed that it would be amended by some department rules, that they would apply to the bill when it gets to the Senate. This was an opportunity on Second Reading for any amendment to be offered, and this. . ."

Gerald W. Shea: "Well, well, ah, well, ah, ah, well, seeing how, I just wonder if you might hold the bill, Representative, if we passed this bill in its present form without any quicker effective date, it would not become effective until July 1, 1972, and I think that since we're going to be here for another two or three weeks that we could take this bill back to second reading, amend it so it would be satisfactory to all parties, and put on it a quicker date so that we might get it law say by January 1 if that is what we want to do."

J. Horace Gardner: "I'll graciously do that if I can depend on you, sir."

Gerald W. Shea: "Thank you."

Hon. W. Robert Blair: "All right, take it out of the record. 631."

Fredric B. Selcke: "House Bill 631. An act in relation of dissolution of marriage, legal separation, marital rights, and parental responsibility. Third reading of the bill."



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

Bernard B. Wolfe: "Mr. Speaker, I have a motion concerning House Bill 631, and ask leave to take it back to the order of second reading for the purpose of an amendment."

Hon. W. Robert Blair: "All right, with leave, we'll recall the bill from third reading to second reading. All right, read read the amendment."

Fredric B. Selcke: "Amendment Number Seven. Amend House Bill 631 on page 36 by striking all of lines 20 and 21. B. B. Wolfe."

Bernard B. Wolfe: "Briefly, Mr. Speaker and Ladies and Gentlemen of the House, the amendment was suggested by Chief Judge, the amendment was suggested by Chief Judge Hunter, who is the head of the Divorce Division of the Circuit Court of Cook County, which merely deletes lines 20 and 21 which presently requires that administrative aides shall not be used as marriage counseling and Chief Judge Hunter informed me that the practice in Cook County was to use their administrative aides for this purpose because they were all qualified people with Ph.D. degrees and that they were performing in this area in a highly satisfactory manner and I have no objection and I ask that the House support Amendment Number Seven."

Hon. W. Robert Blair: "Any further discussion? All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No'. The 'Yeas' have it and the amendment is adopt-



ed. Third reading. With leave of the House, we'll go to reports of the committees."

Fredric B. Selcke: "Committee Report. Mr. G. L. Hoffman, Vice-Chairman of the Committee on Higher Education to which was referred House Joint Resolution Number 94, offered by Mr. Henss on October 20, 1971, reported the same back with recommendation to resolution be adopted. No further committee reports."

Hon. W. Robert Blair: "Resolutions."

Fredric B. Selcke: "House Resolution 421, Tuerk, et.al. House Resolution 422, Frank Wolf, et.al. House Resolution 423, Ron Hoffman."

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

Henry J. Hyde: "Mr. Speaker and Ladies and Gentlemen of the House, these are the Agreed Resolutions. House Resolution 421 congratulates Byron DeHaan for his leadership as Chairman of the Illinois Commission on Human Relations. House Resolution 422 is a memorial to Thomas Matousek, former chief examiner of titles in the Cook County Recorders Office, and House Resolution 423 is a memorial resolution to Marshall Quandt of Proviso Township. I move adoption of the agreed resolutions."

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

Fredric B. Selcke: "House Resolution 424, Caldwell, et.al."



Hon. W. Robert Blair: "All right, with leave of the House, we'll go to introduction, all right, introduction and first reading of House Bills."

Fredric B. Selcke: "House Bill 3728, Berman, et.al. An act to provide for the allocation of certain amounts to school districts of the State of Illinois. First reading of the bill. House Bill 3729, Berman, et.al. Amends 'The School Code'. First reading of the bill. House Bill 3730, . . ."

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

Arthur L. Berman: "I would like to make a motion, Mr. Speaker in relation to the two bills just read by the Clerk, 3728 and 3729. May I proceed?"

Hon. W. Robert Blair: "Yes."

Arthur L. Berman: "Thank you, Mr. Speaker, I would like to move the suspension of the appropriate rule, Rule 32b in connection with House Bills 3728 and 3729, if these bills could be referred to the House Committee on primary and secondary education and could be heard, ah, tomorrow. These bills deal with the ah public schools throughout the State of Illinois, because of the problem of getting these bills drafted, they were late in being filed. I think there is a great deal of merit and a great deal of need in this legislation, and I would request that my motion to waive the appropriate rule be allowed."

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

Henry J. Hyde: "Mr. Speaker, I just want to ask the distinguish-



shed gentleman from Cook a question if he will yield. Are these the bills that appropriate \$26,000,000.00 to the City of Chicago?"

Arthur L. Berman: "They are not appropriation bills, they are formula bills that change. . ."

Henry J. Hyde: ". . .that change the formula to provide that amount of money or approximately to the city?"

Arthur L. Berman: "Well, no, let me explain, Mr. Hyde, exactly what the two bills do. House Bill 3728 would be an earmarking of the State Income Tax. One twelfth of the State Income Tax for purposes of public school education and House Bill 3729 would allow the school districts in submitting their request for the state formula allocation to use an alternative of either the preceeding year or the current year for basis of the allocation of the state aid formula."

Henry J. Hyde: "Well, Mr. Speaker, ah, ah, if I may be heard in opposition of the motion to suspend the rule."

Hon. W. Robert Blair: "All right, ah, an objection's been raised to the suspension."

Arthur L. Berman: "That's correct, sir, I understand. . ."

Henry J. Hyde: "I do object."

Hon. W. Robert Blair: "Now, I really can't put that motion because it's a double motion. In the first place, the motion would have to be with regard to Rule 32c and then the extraordinary motion would be to have the House floor assign the bill to a specific committee and set it for hearing



at a specific time and that ah would be in any event a secondary question, so we'll divide it, and the question is on the gentleman's motion to suspend Rule 32c, for the purpose of introduction and first reading of the two house bills and for there to be for them to be considered in the normal course of of a committee activity as the rules provide. For what purpose does the gentleman from DuPage, Mr. Hoffman rise?"

Gene L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, a point of information, what is required on this vote, is it 89 or 2/3rds of those voting or 89?"

Hon. W. Robert Blair: "89."

Gene L. Hoffman: "89, thank you, sir."

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

Charles W. Clabaugh: "Mr. Speaker, I didn't know whether the gentleman from Cook, Mr. Hyde, had the floor, if not, I would like to present some argument against the motion that the gentleman has made. I have looked in a sketchily manner over these bills and I tell you what I think is involved and now, we've been members on this side for particularly, there's a good deal of money involved in these bills and I think you people had better look at them. This question of the state using the same year, the same assessed value for the supplementary claim that it does in the other, would cost about \$25,000,000.00 a year at the rate we have been increasing assessed values in Illinois. As it is, the



for instance this year, we're using the '69 assessment, it had gone up to the 70 census if we should pass this bill. Under the present law, the supplementary claims would be made on the basis of the '70 assessment, which would be higher in 22 counties of the State in all probability and would cost about \$25,000,000.00 more from the State treasury if we use the same the '69 census. Something that I think that is of much importance to you men down state is, that I was just informed, that there are some 80 counties in the State, whose assessed value went down in 1970 and the result would be that those counties would lose money. There would be \$25,000,000.00 in that. Now, if we're going to give 12 per cent of the income tax which is running around \$900,000,000.00 a year, that's a \$108,000,000.00 to go to the common school fund. Now, I don't know just exactly where we're going to go if we're going to add these millions of dollars one place and another here and particularly when practically all of the people who are pushing this legislation didn't even vote for the income tax to start with. I don't know what we would have done if some of us didn't have the courage to stand up and do it. Now, there's I don't know whether they're going to induce the balance of these bills, but the figures that I'm giving you are pretty well borne out by the figures that they used. Now, we did make a change on this matter of the assessment year, and it took \$29,000,000.00 to make the difference. Now, probably, there wouldn't be quite that much of an



increase but the estimate of the fiscal department is that it would cost around \$25,000,000.00 for that one alone."

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

Arthur L. Berman: "Well, Mr. Speaker, to close on the motion, I would merely point out that I think that some of the good reasons for supporting my motion to suspend the rules has just been cited by the previous speaker, because we are talking about the needs of schools, we are talking about complex issues, the whole purpose of this motion is to allow the bill to be referred to a committee so that we can send it to a very fine committee chaired by a fine chairman and that has always tried to give a full and complete hearing on all of our bills, so that we can determine whether there is merit or not to these bills. What we are dealing with is a subject of great importance, and the only thing that we are asking for here is to be allowed to be given a hearing tomorrow in this session while we are still here and while we can still act upon bills and perhaps if we find merit, either as the bills are introduced, or by amendment, that we can act upon them and be responsive to the needs of the school children throughout the State of Illinois. I would solicit your support of the motion to suspend the rule."

Hon. W. Robert Blair: "The question is shall the shall Rule 32c be suspended. All those in favor shall vote 'Yeas', the opposed 'No'. It takes 89 votes for it to pass. The gentleman from Cook, Mr. Shea."



Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, in explaining my vote, all we're asking to do is get the bills heard. How or why you vote on them, that's your concern, you can go back and tell the people of your district how or why you voted on them. But here again, we're talking about school children, the greatest greatest thing we have going for us are our children. You know, we talk about we're not going to do this and we're not going to do that, but we put these kids in hock for 40 years, a ten year old kid in school today is going to be paying off a debt until he's age 50 to build roads, to make capital improvements in this State. Until age 50, Gentlemen, that's 40 years down the pipe. I don't know, I probably won't be here then, nor will many of us, but we can put them in hock for roads, we can do a lot of things with them, but let's try to get them the education to pay for the debts we're giving them. Let's try to give them the chance to get the education. The City of Chicago or the Chicago schools got an additional state aid last year a little over \$2,000,000.00, now I know there's probably lots of reasons that you don't want to vote for the bills, but at least let's have an opportunity to have them heard. I ask you to think just one more time and see if we can't get 89 green lights up there for the children of our schools."

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

Henry J. Hyde: "Well, Mr. Speaker, as a brush away a tear or two, I'd like to respond to the remarks of the distinguished



Assistant Minority Leader, in the first place, he mentioned roads. We hear that all the time about roads, as though people don't use roads, as though the passage of the road program wasn't a bi-partisan program and as though they didn't provide 58 votes for it, and he knows as well as I, and as well as everyone in this House, that the payment for the roads comes from a road fund, that the money from which the money in which comes from the users of the road, not a dime of general revenue goes to pay for roads, so there's a vast distinction that he seems unwilling to bring to the attention to this House. Now, we're talking about school children. Now, we're talking about millions of dollars in additional taxes. We're talking about the how the present Chicago Board of Education spends the millions of dollars that they get from the State of Illinois and from other taxing bodies. This legislature would like a little assurance that the money they get is well spent before they get anymore. We'd like some assurance that the leasing practices engaged in by the Chicago Board of Education are fair and adequate. We'd like some assurance that the high rises in the City of Chicago are properly assessed, so that the tax dollars that they ought to be paying into the treasury go to the schools. We'd like to know why this introduction is being made now. This need has been forseen for some time, as they describe it, why did they wait until now. I wonder if it's being cynical to suspect that politics is the motive. I would also bring out that the twelve day holiday at the



Christmas time is another example of a rather shabby strategy. Every other school in the State of Illinois, or most schools closes their school in the first week in June. Chicago goes up until June 25th. Why not drop the twelve days off in June, than in Christmas time, when they can assert maximum pressure on this legislature. No, it's too much a politic to come in after the deadline is established to ask for more tax money for the City of Chicago and hurry up and hear these with one day's notice, I think it's an imposition, a rank imposition on this House, and I reject it and I hope this House does, too. Thank you."

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

Arthur L. Berman: "I found quite interesting the remarks of the Majority Leader when he talked about rubbing a tear from his eye, just a short time ago, we saw no tears whether it affected crippled children and we see now tears whether it affects well children. But the point is that we have a situation in the City of Chicago, and a situation throughout the State of Illinois, in Chicago where the children are going to be off of school for twelve days, whether it be in December or whether it be in June, it's a tragedy that these schools have to be closed. Now, we are down here to do some work. The purpose of this motion is to allow us to direct our attention to bills that are meaningful throughout the State of Illinois. The purpose of this motion is to say that we are here to work, regardless of whether it is a couple days late or not, I think that the overriding



need to consider this bill, and that's what we're asking for, is the opportunity to consider them, far outweighs the imposition that may have been imposed upon by on this legislature, but there are many times that when we waive rules that I think that this is certainly one of the overpowering needs for us to get some attention to the school children of the State of Illinois. I would appreciate seeing some more green lights so we can at least consider the merits of these bills."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 83 'Yeas' and 69 'Nays' and this motion having failed to receive the necessary eighty-nine votes, is hereby declared lost."

Fredric B. Selcke: "House Bill 3730, Caldwell, et.al. An act to add Section 14c to the 'School Code'. First reading of the bill. House Bill 3731, Caldwell, et.al. An act to add Section 14d to the 'School Code'. First reading of the bill. House Bill 3732, Palmer, et.al. Amends 'The Unemployment Compensation Act'. First reading of the bill."

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

Romie J. Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, in reference to House Bill 3732, I would like unanimous consent of the House to move this to second reading without reference to a committee."

Hon. W. Robert Blair: "Hearing no objection, unanimous con-



sent will be given to advancing House Bill 3772, 3732, all right, to the order of second reading without reference to committee. Let's see, the agreed unemployment compensation bill. The gentleman from Cook, Mr. Caldwell."

Lewis A. H. Caldwell: "Mr. Speaker, and in connection with House Bills 3730 and 3731, I would ask to have unanimous consent under Rule 32c to have these bills considered immediately, without reference to committee."

Hon. W. Robert Blair: "Hearing objection, the gentleman from DuPage, Mr. Hoffman."

Gene L. Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House, the question of the sponsor?"

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

Gene L. Hoffman: "Representative are you asking for the same consideration that Representative Berman ask for?"

Lewis A. H. Caldwell: "What did he ask for?"

Gene L. Hoffman: "Are you asking for the same consideration that Representative Berman ask for, are you asking that they be moved to second reading?"

Lewis A. H. Caldwell: "No, I'm asking for the same thing that Representative Berman ask for."

Gene L. Hoffman: "Would you. . ."

Lewis A. H. Caldwell: "No, wait a minute, hold it. Hold it."

No, ah, yes, that's what I'm asking, Representative Hoffman."

Gene L. Hoffman: "What?"

Lewis A. H. Caldwell: "Well, . . ."

Gene L. Hoffman: "Take your choice, but you know, let me know



where you're going. That's all."

Lewis A. H. Caldwell: "I'm asking for the same consideration that was requested by Representative Berman. These are two different bills, however."

Gene L. Hoffman: "Thank you. Representative, would you mind just telling us briefly what each of the bills does before we consider them."

Lewis A. H. Caldwell: "Let me say this. You know, the legislative sub-committee has held meetings to develop a legislative program for the fall session in Springfield, to aid in the attainment of educational objectives in the Chicago Public Schools and to alleviate the fiscal crisis facing the schools. I would suggest that this is the time for for this matter to be considered. We have, not only in Chicago, but we have problems throughout the State in education, and in my view, that is what the legislature is for, and I would hope that we would have the opportunity to present these matters for your consideration. Someone suggested a few minutes ago that why come up at the last minute, why belate it, but it seems to me that that is why we are here, to address ourselves to the problems of of of our state and certainly the education of our young children is one of prime importance, and this is the reason for this request."

Gene L. Hoffman: "With all due respect to the sponsor and his concern, which is the same as mine, for the fine work of a legislative sub-committee of some group, the only thing I



ask and I don't seem to be picayunish about this, but what does each of the two bills do, what do they say, what are we doing in each of the bills, that's all I really care to know. I did appreciate your previous remarks, though."

Lewis A. H. Caldwell: "Do you want me to read the bills or do you have the Speaker. . ."

Gene L. Hoffman: "No, no I wouldn't ask you to do that, just tell me what is in each of them, that's all."

Lewis A. H. Caldwell: "Well, I'll read the synopsis to to the bills, says 'adds Article 14d by lingeral education to 'The School Code', authorizes school districts to submit programs for approval to the Superintendent of Public Instruction for providing educational, okay, let me back up here just a moment, Representative Hoffman, I think I have it here, it says 'add Section 14c to the 'School Code' to assist and encourage local school districts in the development and improvement of educational services in the public schools of Illinois. Equalize the education of children in the State and to assist local school districts through such programs to achieve accountability.' Now, if you want to get into the dollars and cents of it, 'provide an appropriation of \$24,200,000.00 of the implementation of this program through 1971-72 school year. On the basis of the state plan, developed by the Department of the Budget, assistance to Chicago would be approximately \$17,000,000.00."

Gene L. Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House, during the discussion, I had an opportunity to get a



brief synopsis of this, and I appreciate this, and one who has always been interested in the welfare of the schools for no particular peculiarly reason, I must rise in opposition to the motion. We're talking about the expenditure of sums of money which are not available, I think that if we do any one a disservice in the legislative process, we do it when we give people false hopes, and that's what we're doing right here, and I think we need to be reasonable and responsible, rather than carry this charade on, that the time is now to say, no, we can not do this during this session, this will take care of the problem, today, and I urge your opposition to these two bills, although I understand the concern and rationale for their introduction now is not the time."

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

Gerald W. Shea: "To attempt to get or garner some votes to this good legislation."

Hon. W. Robert Blair: "Did you say 'are we'?"

Gerald W. Shea: "No, I said to garner some votes for this all important legislation. Mr. Speaker. . ."

Hon. W. Robert Blair: "Motions to suspend are not debatable."

Gerald W. Shea: "Well, I don't want to debate, I just want to explain."

Hon. W. Robert Blair: "All right, you can do that when we take the vote."

Gerald W. Shea: "Like Representative Hoffman did."



Hon. W. Robert Blair: "No Nobody raised that objection. All right, go ahead, and, go ahead."

Gerald W. Shea: "I think that Representative Hoffman hit the nail on the head in his explanation of why you should vote yes. He and the distinguished Majority Leader talk about not enough funds available, I've heard other places where we say we should maximize their federal assistance. Give us a chance to get the bills heard in committee. Give us an opportunity to find out if there are additional federal funds available for some of these programs. I'm sure that Representative Telcser understands the programs and the problems of the bilingual education. I'm sure that he wants to support an opportunity to have these bills heard, because maybe people like he can shed some light on the problems of the people, the Spanish speaking people in the City of Chicago. All we ask is give us an opportunity to bring these bills to a committee, to let us get them heard, to find out if there are funds available, or if there are not, why there are not. I'd appreciate the support of the membership of the House to get these bills heard in committee this week."

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

Jacob John Wolf: "Oh, . . ."

Hon. W. Robert Blair: "Oh, all right, the question is shall Rule 32c be suspended regarding House Bill 3730 and 3731. All those in favor will vote 'Yeas', the opposed 'No', and



this takes 89 votes to suspend. Have all voted who wished? The Clerk will take the record. On this question, there are 82 'Yeas' and 63 'Nays' and the motion fails. Further agreed resolutions?"

Fredric B. Selcke: "House Resolution 424, Choate, et.al., Whereas, October 12, just past marked the birthday of our redoubtable champion of the 'right to choice' in the all important area of flouridation of drinking water, the Honorable W. J. 'Bingo' Murphy; and Whereas, Representative Murphy has suffered no dental defects while confining himself to the pure spring water found in certain sections of our southern states, otherwise known as 'Kentucky Rare'; and Whereas, he is a man who has served this body and his constituents some eight slightly interrupted terms; and Whereas, Representative Murphy has brought to us those outstanding qualities of personality and verbosity which have made him near and dear to the hearts of those of us who enjoy hearing said what we are thinking, but often do not say publicly; therefore, be it resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we congratulate the Honorable Representative Murphy on this, his 65th birthday; that we wish him many more uninterrupted terms of service in this body in service to the good people of his district who put him here; that we wish him many years of continuing good dental health; and that a suitable copy of this preamble and resolution be presented to the Honorable Gentleman."



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

Clyde L. Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the House, you know during the sessions of the General Assembly, quite often distinguished peoples are introduced from the Speaker's rostrum and there is introductions of distinguished peoples from the balcony, I'd like to take this opportunity to introduce the champion of champions from the floor of the House to the people in the balcony, Representative Murphy, stand and let the people see you."

W. J. Murphy: "Thank you."

Clyde L. Choate: "And now, if my colleague, Rollie Tipword, would be so kind as to put the finishing touches to this resolution, beautiful resolution, let's all join and wish Bill a happy birthday, Rollie."

Rolland F. Tipword: "I hope this is appropriate to that, join me, please. Happy Birthday to you, Happy Birthday to you, Happy Birthday Dear Bill, Happy Birthday to you."

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

W. J. Murphy: "Luckily I have a little laryngitis, so I won't make this very long. I've got a little deal going with Representative Douglas. I'm going to support his racing bill if he supports my fluoride bill, and normally, you know, I wouldn't support a racing bill, because that's not my kind of bill to support, you know that, anyway, Clyde, all of you, thank you very much, I'm very touched by that very fine resolution. Thank you."

Hon. W. Robert Blair: "Adjournment Resolution."



Fredric B. Selcke: "House Joint Resolution Number 96, Hyde. Resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, the Senate concurring herein, that when the House adjourns on Friday, October 22, 1971, it stand adjourned until Tuesday, October 26, 1971 at 1:00 o'clock p.m. (Central Daylight Saving Time), and when the Senate adjourns on Friday, October 21, 1971, it stand adjourned until Tuesday, October 26, 1971, at 1:00 o'clock p.m. (Central Daylight Saving Time)."

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

Henry J. Hyde: "Mr. Speaker and Ladies and Gentlemen of the House, there will be perfunctory sessions tomorrow morning at 9:00 A.M. and Friday morning at 9:00 A.M. and this House will return to plenary session at 1:00 P.M. next Tuesday, October 26, 1971, so we will be back in full session 1:00 P.M. next Tuesday. Perfunctory sessions tomorrow morning at 9:00 A.M. and on Friday at 9:00 A.M. and of course, the committees are scheduled for today, tomorrow and Friday.

I now move, Mr. Speaker, adoption of the. . . "

Hon. W. Robert Blair: "Does the lady wish to be heard with regard to the adjournment resolution? The lady from Cook, Mrs. Chapman."

Eugenia S. Chapman: "Mr. Speaker, I have filed four motions in regard to two House Bills, I hope that I would be permitted to have these heard today, because I believe this is the last day on which we can hear these motions."



Hon. W. Robert Blair: "That's right."

Henry J. Hyde: "Shall I withdraw my motion for the moment, Mr. Speaker?"

Hon. W. Robert Blair: "We're not moving to adjourn, all we're doing is adopting the resolution so we can get it on its way over to the other chamber for its consideration. It'll take a motion later on about adjournment."

Eugenia S. Chapman: "Just, just, just checking."

Hon. W. Robert Blair: "All right, all those in favor of the adjournment resolution say 'Yeas', the opposed 'No', the 'Yeas' have it. All right, there are some announcements, the gentleman from Cook, Mr. Randolph."

Paul J. Randolph: "Ah, Mr. Speaker and Members of the House, the Revenue Committee posted for 7:00 P.M. Thursday, October 21st, will meet at 5:00 P.M. instead, 5:00 P.M. Thursday in Room M-5."

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

Carl W. Soderstrom: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to make an announcement in regard to the House Education Committee which was scheduled for 10:00 A.M. Friday, October the 22nd. Since all of the sponsors have requested that their bills not be heard, there is no further business before the Education Committee, so there will be no meeting this Friday."

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



James R. Washburn: "Washburn."

Hon. W. Robert Blair: "I'm sorry, Washburn."

James R. Washburn: "Ah, thank you, Mr. Speaker and Ladies and Gentlemen of the House, House Bills 3621 and 3622 have been reassigned from Exec to Appropriations and I ask leave to suspend the appropriate rule so that they might be heard tomorrow in Appropriations Committee at 2:00 P.M."

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

Gerald W. Shea: "Could he tell us what these two bills are, please?"

James R. Washburn: "3621 was introduced by Representative Lehman, they regard a new state office building in the East St. Louis area, through the Illinois Building Authority, one is an appropriation for the building, the other for rental payments to the IBA."

Gerald W. Shea: "In other words, these two bills, one of them appropriates \$302,000.00 to build a new building, is that right?"

James R. Washburn: "Rental payments to the IBA."

Gerald W. Shea: "Oh, this is just. . ."

James R. Washburn: "For general services."

Gerald W. Shea: "This is just the first years rent on a new building they want to build, just a little over \$300,000.00?"

James R. Washburn: "\$302,706.00 says my synopsis."

Gerald W. Shea: "All right."

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



James R. Washburn: "Do I have leave to suspend the Rule?"

Hon. W. Robert Blair: "All right, no objection? All right, then the rule, Rule 17 will be suspended so that the bill or bills may be heard without the notice being required.

For what purpose does the gentleman from Cook, Mr. Caldwell rise?"

Lewis A. H. Caldwell: "Parliamentary inquiry, Mr. Speaker."

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

Lewis A. H. Caldwell: "About an hour ago I brought a Resolution to the podium and later on I had sought recognition, I was going to ask for permission to suspend Rule 53a to have that resolution read and acted upon. I heard the Clerk say 'Caldwell', and said 'Resolutions and said Caldwell' and maybe I was asleep at the switch, but I I I would like to know if where I slipped up."

Hon. W. Robert Blair: "Well, there, I don't think you slipped up anyplace. Further resolutions were called after the agreed resolutions and I recall that as being in those further resolutions and ah ah subsequent to the act I assigned that particular resolution to the Executive Committee."

Lewis A. H. Caldwell: "Well, I mean, I it was done so fast, Mr. Speaker, I'm not no reflection upon you, it may be that, I mean, I was still standing here trying to get recognition, and in view of that, what I have to do now to get to carry out my original intent?"

Hon. W. Robert Blair: "Well, . . ."

Lewis A. H. Caldwell: "If I'm in order now, Mr. Speaker,



I'd like to move to suspend Rule 53a to to have the Resolution read and adopted."

Hon. W. Robert Blair: "All right, we'll be at ease for just a moment here. All right, the ah a the a motion to suspend Rule 53a inasmuch as I have already referred that resolution to the Executive Committee. Now, if you desire to take action with regard to that, it would necessitate a discharge, a motion to discharge."

Lewis A. H. Caldwell: "Well, Mr. Speaker, I want you to know, that I have no, I I I would like to get this matter heard, and as a matter of fact, if it isn't heard, . . ."

Hon. W. Robert Blair: "I have suggested to you exactly how you can do that if you desire, and that is a motion to discharge, and if you care to make that motion, you make it."

Lewis A. H. Caldwell: "I'd like to make that motion, please."

Hon. W. Robert Blair: "All right, the gentleman is moving to discharge the House Executive Committee of of House Joint Resolutions 95. For what purpose does the gentleman from Cook, Mr. Harold Washington rise?"

Harold Washington: "I I think my suggestion will be constructive, Mr. Speaker, may I suggest to Representative Caldwell, since the Executive Committee is meeting today, that he move to suspend the rules and have the Executive Committee hear that bill today, that resolution today."

Hon. W. Robert Blair: "Well, well that suggestion, if it were to come in the form of a motion, would not be in



order because you you can not you know require that the Chairman of the Committee set it and in that sort of fashion. So, the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, Mr. Speaker, I I am, yes, I am just objecting to the gentleman's motion, this is a political resolution really, and I think it deserves being heard in the Executive Committee, which is designed to hear these types of resolutions."

Hon. W. Robert Blair: "All right, the question is shall Rule 79 be suspended or suspended so that this HJR may be discharged therefrom. All those in favor vote 'Yeas', the opposed 'No', and this takes 89 votes to pass. Have all voted who wished? The Clerk will take the record. On this question, there are 82 'Yeas' and 50 'Nays', and the motion having failed to receive the 89 votes required is declared lost. The gentleman from Perry, Mr. Cunningham, for what purpose do you rise?"

William J. Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, I hate to arise at a time when you are trying to adjourn, but I put a bill in, House Bill 3070, back in June, and it was referred to the Executive Committee. Since that time I have tried to get this bill heard before a committee, but I have been unsuccessful. I have asked the Chairman if it was possible to hear it towards the close of this week and he indicates that there are other bills that have precedence. I have no alternative and as much as I dislike to do so, I have no alternative but to ask that the



appropriate rule be suspended so that I might discharge the committee and have House Bill 3070 advanced to second reading without reference."

Hon. W. Robert Blair: "Are you moving to suspend 79?"

William J. Cunningham: "Yes, Mr. Speaker."

Hon. W. Robert Blair: "Oh,"

William J. Cunningham: "I have no other alternative, Mr.

Speaker, that I know of, other than to follow the dictates of the Chairman of the Executive Committee and try to keep the bill alive. He says he likes it, but we just don't have time to hear it. I don't know how else to do it. This is because of the posting rule and because of the precedence of other pressing matters in the Executive Committee and the fact that a lot of the boys want to go home and they don't want to stay around here. Don't have time for another committee."

Hon. W. Robert Blair: "All right, ah, there, the gentleman has ruled moved to suspend the provisions of Rule 79 and order to discharge committee. That ah requires 89 votes on roll call. So those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are, Hart, 'Yeas' on this question, there are 27 'Yeas' and 3 'Nays' and the motion failed. Now, on the calendar on the with leave of the House, to Senate Bills third, Senate Bill 1242."

Fredric B. Selcke: "Senate Bill 1242, an act to provide for the distribution of certain funds awarded to the State of



Illinois collected in accordance with the 1967 Amendments to the Service Occupation Act, and making appropriations therefor. Third reading of the bill."

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this bill was put in at the request of the Attorney General's Office. This would be distribution of part of the money due the municipalities from the amount of money left over in the use tax fund and I would move to the passage of this bill. It will entitle every municipality and county in the state to its pro rata share of the return of these funds. They tell me they have enough money to do this. It has an earlier effective date, so it will take 3/5ths."

Hon. W. Robert Blair: "Discussion? The question is shall this bill pass with 107 votes? All those in favor will vote 'Yeas', and the opposed 'No'. Have all voted who wished? The Clerk will take the record. Sims, 'Yeas', Phil Collins, 'Yeas', Jones, 'Yeas', On this question, there are 144 'Yeas' and no 'Nays', and this bill having received the required 107 votes is hereby declared passed. With leave of the House, we'll go to House Bills second reading, House Bill 3727."

Fredric B. Selcke: "House Bill 3727, House Bill 3727, Bill for an act to add Section 11-2.1 to the 'Election Code'. Second reading of the bill. No committee amendments."

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



Fredric B. Selcke: "Amendment Number One, Shea. Amend House Bill 3727 on page 1 by adding after the period on line 14 the following, 'the county board or board of election commissioners which draws the boundaries of precincts pursuant to this section, shall be paid from the State Treasury \$50.00 for each precinct, the boundaries of which are so redrawn by the board. The State Treasurer shall pay the foregoing amount pursuant to appropriations made for this purpose upon presentation of warrants, issued by the State Auditor, who shall issue warrants in the appropriate amount upon presentation to him of a certified statement by a county board or a board of election commissioners of the number of precincts or boundaries of which have been redrawn together with a certified copy of the resolutions or other official acts making the precinct changes."

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

Arthur E. Simmons: "Ah, I don't have a copy of this bill."

Hon. W. Robert Blair: "It's not back from the printer, so take it out of the record. On the order of Total Vetoes Motions appears House Bill 1677."

Fredric B. Selcke: "I move that engrossed House Bill 1677 do pass the veto of the Governor notwithstanding. Eugenia Chapman."

Hon. W. Robert Blair: "The lady from Cook, Mrs. Chapman."

Eugenia S. Chapman: "Mr. Speaker, Members of the House, these



four motions are worth waiting for. The motion which you have just heard read is one of four, which altogether would have the effect of restoring eleven point eight million dollars in cuts which the Governor has made, which the Governor has denied to our public junior colleges. Two bills which this legislature approved overwhelmingly. Appropriations which this House approved without a single negative vote, and with 160 affirmative votes. What is the commitment that we in the legislature have to the public junior colleges of this state that we would provide for these appropriations with a vote of 160 to nothing? Let's go back to 1961. In 1961, the Illinois General Assembly with the approval of the Governor, established a State Board of Higher Education and charged them to come back in 1965 with a master plan for higher education in this state. And this they did. The major recommendation of the master plan was for a system of junior colleges throughout this state, under state guide lines, but locally established, locally managed and controlled and with substantial amounts of state financial aids. After all, funding higher education has been a one hundred per cent state responsibility except for the few junior colleges which existed previously to 1965, to which to a great extent represented the 13th and 14th grades of high school. What was proposed in the master plan was a 75 per cent contribution by the State to capital improvement, which so far has moved very slowly, to put it mildly, and a 50 per cent contribution by the State to the



financing of these junior colleges. How in House Bill 1710 the Illinois Junior College Act, how was this 50 per cent funding established? But we didn't have. . ."

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

David C. Shapiro: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, I'm sure we all appreciate the distinguished lady's remarks about a master plan and so forth, but the motion to override House Bill 1677 concerns itself with a total veto, and in that bill, the only items involved are the flat rate grant, special grants and the filing of amended forms and I think the remarks should be confined to the bill under consideration."

Hon. W. Robert Blair: "All right, the Lady will confine her remarks to the motion under consideration respecting House Bill 1677."

Eugenia S. Chapman: "I assure you, Mr. Shapiro, that that is my intent, for the very simple reason that this \$1550 funding which occurs with the Governor's veto of this bill, 1677, will provide this state public junior colleges with only 30 per cent of funding, and what I am pointing out is that our legislature committed itself in 1965 to a 50 per cent funding. That we have not kept this commitment, and that if we do not override the Governor's veto of 1677, our effect will be to slip back even further, so that instead of a 35 per cent funding by the State, we'll have only a 30 per cent funding. And there will be people, I



am sure, who will say that we don't have a 50 per cent commitment and I am going to point out that in my belief we do. And the reason we do is that after careful figuring, by the person in the Office of the Superintendent of Public Instruction, Bob ah Berkheimer, when he was asked for what the 50 per cent funding would be, and it was difficult to estimate because the few junior colleges we had were inside high school buildings at that time and were sharing facilities and administrative staff and facilities with high schools, the figure that was arrived at was \$11.50 per student per credit hour. But this was \$11.50 represented the best estimate of what would turn up with a 50 per cent state contribution, so in this legislation in 1965, the General Assembly provided for what it believed to be a 50 per cent contribution. Now, I realize that we do not need to keep a promise which a General Assembly in 1965 made, but I for one, intend to do my part in keeping that promise. Ah, how about the junior colleges, how do they feel about this veto that will make it possible to increase funding to the public junior colleges? Are they tickled pink that the two bills that they worked so hard to pass in the Spring, have failed? Will this provide any problems for them? Let me read to you directly from a letter which the legislators in our district received from the President of our junior college, William Raney Harper College, and the situation is the same for every single one of you with your junior college. For Harper college,



the difference between increasing state aid to the \$19.00 level and keeping it at the current level of \$15.50 per credit hour amounts to \$460,000.00 for 1971-72 with annual budgets running from \$7,000,000.00 to \$8,000,000.00. This represents a major loss for the college. This loss is especially difficult to bear in view of the fact that the commitment was made in the 1964 Illinois Master Plan for Higher Education, that the state share for financing operations of junior colleges should be approximately 50 per cent. Maintaining support at the \$15.50 level would reduce state aid from its current 35 per cent share to about 30 per cent. As a result we're faced with about three undesirable alternatives: A substantial increase in tuition, second, increased property taxes, and third, widespread cut backs in educational programs and services. The state is falling even further behind. If this action of the Governor is allowed to stand, and I'm not quoting from Dr. Lawdee anymore, if this action of the Governor is allowed to stand, local property tax payers will be faced with the possibility of higher taxes and students with higher tuition. I move that House Bill 1677 do pass the veto of the Governor notwithstanding."

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

David C. Shapiro: "Mr. Speaker and Ladies and Gentlemen of the House, in rebuttal to the distinguished lady's from Cook, I think possibly you might all like to know exactly what is in House Bill 1677. First of all, I think if all



of you that have reviewed the statutes, will note that every year that an appropriation is made and a flat rate grant is made changed, it is specified in the act. House Bill 1677 as it was passed by the General Assembly would eliminate any reference to the dollar amount of the flat rate grant and specify that the rate of the flat rate grant shall be specified for each year in the act making the appropriation for this purpose. In addition, there is another new provision in 1677. It states that special grants shall be made to those junior college districts qualifying for such grants according to the provisions of the act making the appropriation for each year. Now, a special grant could be anything, it could be an equalization grant, it could be a grant for in poverty school districts, it could be a grant for rich school districts, it could be anything that the junior college board would specify when they make the appropriation. In addition, 1677 carried new language so that junior college districts could file amended claims for any semester, quarter or term. The Governor, in vetoing 1677 did so to be consistent with his reduction veto of the flat rate grant from \$19.00 back to the original grant as it now stands at \$15.50. Ladies and Gentlemen of this House, Mr. Speaker, there just wasn't any \$19.00 money available. This \$19.00 flat rate grant, if it had been enacted, would have cost the state approximately \$11,500,000. I ask that the Governor's total veto of House Bill 1677 be sustained."



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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, my good friend, Dr. Shapiro, the chief sponsor of this legislation thought at the time that this bill came out of this House, that we had the money to pay for this. I read where Director McCarter says we're going to have \$274,000,000.00 in lapses this year. I find funds that have great deals of money in them that could be transferred by the authority of the Governor. You say we want to take \$11,500,000.00 out of here, but we still want to educate the children, we still want to educate the those students in those junior colleges. But I'll tell you where the additional money will come from, gentlemen, it will come because, with the action on this bill, the real estate taxes will go up in the district, and I'm telling you that if you vote 'No' to override the veto, what you're doing is voting 'Yes' to raise real estate taxes and they're just too high already. So just think about it. Think that with the money that we have down here, the commitment that we made to higher education, that we should be funding the junior college program, and if we don't fund it here, you are going to have to fund it out of real estate taxes. And what you're doing is forcing real estate taxes up back in your home community, and those taxes are too high now, they are almost confiscatory, so if you want to raise real estate taxes, vote to overriding this veto."

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



Henss."

Donald A. Henss: "Mr. Speaker and Ladies and Gentlemen of the House, the various junior college organizations are not pushing for an override of this veto. In fact, the State Board has passed a resolution opposing any attempt to override the veto. They want the veto to stand. The trustees association which represents junior colleges in the various parts of this state, is not pushing for an override. I've talked to the Legislative Chairman of that organization, I've also talked to the lobbyist who represents them here in Springfield, he doesn't want to hear about any attempt to override. Already, these people are working on the formula and their various problems for next year. They are going to come in here with a legislative program and within the next few months. I think the problems that they are going to have. They know how much money they have for this year, and even after this veto, after this veto, some of those people did conceive that they did not need \$19.00 per semester hour. They would've like to have had \$17.50 per semester hour and I frankly predict that this is the amount they are going to be asking for next Spring, so I would suggest to you that the figure of \$19.00 is way too high, that the veto should be sustained and that we should not at this time further unbalance this budget by adding an additional \$11,800,000.00 of expenditures. Please vote 'No'."

Hon. W. Robert Blair: "The Lady care to close?"

Eugenia S. Chapman: "The junior colleges looked very care-



fully into the possibility of an override, and they talked with a good many legislators on both sides of the aisle, and they found that the legislators on this side of the aisle were sympathetic to their plea. But much to their disappointment, they did not find the same response from legislators on the other side of the aisle, and it was their decision that they couldn't override, so that gave up perhaps for this year some of them, and said if the legislature, essentially, the legislature chooses not to keep its promise by overriding the Governor's veto, we'll just have to sock it to the property tax payer, sock it to the student with increased tuitions. The loser if you fail to vote 'Yeas' on my motion, will be the men and women who will leave Illinois and to future development. The taxpayers also, who were lead to believe community colleges would provide a low cost and low tuition mast education."

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

Bernard B. Wolfe: "A point of parliamentary inquiry, Mr. Speaker. Is the constitutional vote 107 or 106?"

Hon. W. Robert Blair: "Three-fifths of 177 is 106.2, so 106 is not 3/5ths, so you have to go to the next number, which is 107. Take the record. On this question, there are 84 'Yeas' and 55 'Nays' and the motion is lost. The bill's lost. 1676."



Fredric B. Selcke: "I move that the item on page 1, line 30 of engrossed House Bill 1676, be restored, the item reduction of the Governor notwithstanding, signed Eugenia S. Chapman."

Hon. W. Robert Blair: "The lady from Cook, Mrs. Chapman."

Eugenia S. Chapman: "This is the appropriation bill we are considering, the one that was passed by a vote of 160 to nothing by this House and the Governor calls this a reduction veto. Truly, it is not an appropriation, but rather it is the formula in which he changes the \$19.00 per semester hour to \$15.50 for the very same reasons that I asked for your approval of my motion to override on House Bill 1677, I would again ask for your 'Yeas' vote in order that we keep our promise to the tax payer and students of this state and keep our junior colleges in a healthy condition."

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

David C. Shapiro: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, I don't want to be boring about this matter, we're going to be hearing two more motions to override so in anticipation of those two, I'm going to read a letter to you dated October 16, from the President of the Junior College Board. The intent of this letter will apply to the rest. It says 'Dear Dr. Shapiro: For your information, the position adopted by the Illinois Junior College Board is that it does not favor an override of the reduction veto of its appropriation bill. This is a position urged by the Illinois Board of Higher Education. Illinois Junior Colleges



already have made adjustments in adopted budgets. Programs for the current school year are set. Downstate districts have already adopted tax levies and the deadline on that is passed. The availability of extra state funds at this time would not affect next May's tax levies and would provide no local tax reductions. Local districts in the Illinois Junior College Board jointly are now in the process of developing plans for the school year, which begins next September, and are in the process of planning budget requirements for the fiscal year 1973. For your information, our junior colleges in Illinois are serving more than ten per cent more students this fall and are providing educational opportunities for more than 187,000 Illinois residents. Sincerely, Ray W. Brunne, Chairman, The Illinois Junior College Board.' Mr. Speaker, Ladies and Gentlemen of the House, I urge that the Governor's veto, the item veto on this particular part of 1676 be sustained."

Hon. W. Robert Blair: "The lady care to close?"

Eugenia S. Chapman: "A retorted question, Mr. Speaker. Who appoints the President of the Illinois Public Junior College Board and the answer, the Governor. As a person who frequently who has been in favor of gubernatorial appointments, this kind of shakes my commitment to the idea of appointments by the Governor, and I can only say that I am grateful that the Governor is elected and that he is required to stand for election every four years, and when the tax bills start rolling in, I believe we will hear the voters



and the tax payers of this state speak out as they discover what is happening to their real estate tax bills and it will be one direction, up. I hope you will vote 'Yeas' on this motion."

Hon. W. Robert Blair: "All right, the question is shall the item be restored over the veto of the Governor. This question requires 89 votes. All those in favor vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are 83 'Yeas' and 66 'Nays' and ah this item having failed to receive the 89 votes required is hereby declared lost. What purpose does the lady from Champaign want?"

Eugenia S. Chapman: "Request recognition in order to ask for a poll of the absentees. I think it's important to be recorded on a vote like this, I'd want to be recorded."

Hon. W. Robert Blair: "All right, poll the absentees for the lady."

Fredric B. Selcke: "Bartulis, Blades, Borchers, Capuzi, William Cunningham, Douglas, Downes, Garmisa, Gibbs, Graham, Granata, Houde, Janczak, Kahoun, Karmazyn, Kleine, Lauterbach, McCormick, Kenny Miller, Rayson, Redmond, Rose, Schlickman, Soderstrom, Jack Thompson, Washburn, Williams, Zlatnik."

Hon. W. Robert Blair: "Rayson, 'Yeas'. All right, read the next motion with regard to this bill."

Fredric B. Selcke: "I move that the item on page 1, line 32 of engrossed House Bill 1676 be restored, item reduction of



the Governor notwithstanding. Eugenia Chapman."

Hon. W. Robert Blair: "The lady from Cook, Mrs. Chapman."

Eugenia S. Chapman: "Ah, thank you, Mr. Speaker, I didn't hear what the vote was on that previous motion."

Hon. W. Robert Blair: "84 'yeas' and 66 'nays'."

Eugenia S. Chapman: "Ah, this motion is to restore to \$59,-046,954.00 the appropriation required for the flat rate grant. The Governor reduced it to \$48,200,000.00. This is a difference of \$10,800,000.00 and it affects the tax payers of every junior college district in this state and it affects the students in every junior college district in this state. For my district, it is a figure of over \$400,000.00; for the Chicago public junior college district it's a figure of \$2,300,000.00; for the college of DuPage, it's a figure of close to \$400,000.00; for Illinois Central it's over \$400,000.00; for the college of Lake, it's \$132,-000.00 and down the line, every single one of us as a tax payer or a student or a resident of this state is going to be affected by this act of the Governor which pushes from the state level to the local level the additional responsibility for financing junior colleges. I hope you'll vote 'Yeas' on this motion."

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

David C. Shapiro: "Mr. Speaker and Ladies and Gentlemen of the House, the motion to restore the ah total amount of money for the apportionment to \$59,000,000.00 is now more or less superfluous because the law now calls for a flat



rate grant or an apportionment of \$15.50 per hour based on full time equivalency which would lead to an expenditure of \$48,200,000.00. So even if the \$59,000,000.00 were restored to the budget, it couldn't be spent, but above and beyond that, we just don't have the \$11,000,000.00 and I ask that the Governor's reduced item veto be sustained."

Hon. W. Robert Blair: "Any further discussion? The question is shall the item shall the item reduced be restored to its original amount over the reduction of the Governor? All those in favor shall vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are 83 'Yeas' and 61 'Nays' and the motion is declared lost. Further motions on this bill?"

Fredric B. Selcke: "I move that the item on page 3, lines 1 to 5 of engrossed House Bill 1676 do pass, the item veto of the Governor notwithstanding. Eugenia Chapman."

Hon. W. Robert Blair: "The lady from Cook, Mrs. Chapman."

Eugenia S. Chapman: "Mr. Speaker, Members of the House, here's a fresh chance for you. A new opportunity, because this motion is not related in any way to any of the previous three motions on which you voted. This is not tied to the formula, this is not a part of the previous appropriation. Let me read this to you in full, 'for distribution and special grants to qualifying junior college districts, maintaining a recognized junior college for disadvantaged student projects as approved by the Illinois Junior College Board and the Board of Higher Education,



\$1,000,000.00'. The main thrust of the master plan was to make education more readily available at a lower cost and close to home to broaden opportunities for education. This is something that the junior colleges have done and remarkably well. By voting for this appropriation, you will be supporting this kind of a position, something that we almost all of us give lip service to, and that is to offer to the less advantaged, to the deprived, whether economically or culturally, an opportunity to catch up, an opportunity that will be more nearly equal to that which some of our more privileged citizens have. This is an extremely important motion for anyone who is concerned with doing anything about race relations, about poverty, about children in need, deprived or disadvantaged children. On this last, last chance, fresh opportunity, I ask you to vote 'Yeas'."

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

David C. Shapiro: "Mr. Speaker and Ladies and Gentlemen of the House, in addition to maintaining the fiscal integrity of the State, this particular item veto pertains to special grants. Now, I submit to you that the present legislation of the junior college act contains no mention of special grant, so more than likely, this line item is out of order. I sympathize with the lady's argument about providing programs for the disadvantaged student project, but there are ongoing programs at the present in our junior colleges throughout the State, in including the city of Chicago and the community colleges thereof. I ask that the Governor's



item veto of as it pertains to this special grant be sustained."

Hon. W. Robert Blair: "The lady from Cook, Mrs. Chapman."

Eugenia S. Chapman: "Ah, . . ."

Hon. W. Robert Blair: "The question is shall the item be restored over the veto of the Governor. All those in favor shall vote 'Yeas', and the opposed 'No'. This required 89 votes. Have all voted who wished? The Clerk will take the record. Duff, 'No'. On this question, there are 83 'Yeas' and 59 'Nays' and the motion and bill fail. On the order of consideration postponed, Amendatory Vetoes Motions, appears House Bill 1460."

Fredric B. Selcke: "What?"

Hon. W. Robert Blair: "All right, it's been read the and the Chair recognizes the gentleman from Kane, Mr. Friedland."

John E. Friedland: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1460 is a bill which emanated from the Judiciary Advisory Council, bends a circuit court act, to increase the compensation of the administrative secretaries to each chief circuit judge from \$7,000.00 to \$8,500.00 per year. The Governor's amendatory veto in no way changes the monetary figures in the bill. It puts the bill under the President's Executive Order and I would urge adoption of the amendatory veto."

Hon. W. Robert Blair: "Discussion? Shall the House adopt the amendment? All those in favor will vote 'Yeas', and the opposed 'No'. This requires 89 votes. Have all voted who



wished? The Clerk will take the record. On this question, there are 133 'Yeas' and 1 'Nay' and the amendatory amendment having received the required votes is hereby declared adopted. All right, on the calendar, under vetoes consideration postponed, Reduction Vetoes Motion appears a motion with regard to House Bill 2221."

Fredric B. Selcke: "It's been read."

Hon. W. Robert Blair: "All right, then, it's been read and the Chair recognizes the gentleman from Cook, Mr. Berman."

Arthur L. Berman: "Thank, you, Mr. Speaker and Ladies and Gentlemen of the House, this is the motion to restore to the Illinois State Scholarship Commission \$3,200,000.00 that was a reduction veto by the Governor. Now, we debated this issue yesterday and we fell three votes short of fulfilling our promises to these young people concerning the availability of money for them to enter and continue their college education. There was much debate, I think most of the points were well covered in the debate. The opponents to the motion indicated that there was an increase, and that was not denied by myself or the other speakers who were urging the motion the support of the motion to the veto, but I would point out very quickly that as a result of certain cuts in the total higher education appropriation, tuitions have increased, job availabilities to students have decreased, and with the combination of the reduction veto on House Bill 2221, you have young people who are not able to get in or to continue their college education. The Min-



ority Leader yesterday pointed out that as a result of the increased tuition, the decreased job availability, that we, and the increase in the scholarship fund, that we are making our colleges an elite institution. Where those people who are from the wealthy and the upper income families are the ones who can afford to go to college, not from the middle income and not from the low income. If we're going to allow our great university in the State of Illinois, to render the services that we have always been proud of of trying to make available a higher education to all students through the Illinois State Scholarship Commission, then we must fulfill our commitment by allowing the state scholarship commission to award the money to those needy applicants that submitted applications after April 1, 1971, applicants who would have gotten money, but for this reduction veto. I don't think that we as a legislative body can allow the executive branch of government to go back on a commitment that has been made in October of 1971, that those needy students who made application up until June 1, would get money. But that in the Spring of this year were denied money because of the requirement of the Scholarship Commission that no applications received after April 1, 1971 would be processed. I think we made a commitment, we will be faced with the same dollar obligation when we consider the appropriation for fiscal year 1973, because these same students again will be in need and I think that we are just compounding our short sightedness by not restoring the veto of only \$3,200,000.00,



Ladies and Gentlemen, which is a small amount, in comparison to the total money that we appropriate to our higher education institutions. I hope that in the 24 hours that have passed since yesterday that you have had an opportunity to reconsider your position and to allow needy young people to get the kind of funds that will allow themselves to work towards an education, to get their tuitions partly paid for, through the State Scholarship Commission, and so that we can make and fulfill a commitment towards these young people in the form of a restoration of \$3,200,000.00 toward the Illinois State Scholarship Commission. I plea and I urge your support for this motion to restore this amendatory, this reduction veto imposed by the Governor."

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

David C. Shapiro: "Mr. Speaker, Ladies and Gentlemen of the House, again, it's almost as though the Scholarship Commission were wiped out completely with the reduction veto of \$3,200,000.00. Again, I want to repeat that monetarily the awards this year over last year are is shows an increase of \$6,400,000.00. In addition, there is an increase of 11,000 new recipients, 58,000 for scholarships and grants and 10,000 veterans awards. In addition, a a point that may have been overlooked yesterday, I want to point out to you that per recipient the average award has increased \$13.00 over last year to an estimated average award of \$700.00. In contrast to the preceding year, where the increase was only \$7.00, so the increase on a per capita



basis was double this year over what it was a year ago. It is indeed unfortunate that the Scholarship Commission saw fit to move the deadline from April 1st to June 1st when they were told that there would not be enough money available. In the meantime, more than likely, those that were eligible have received other scholarships because we did not do away with the tuition waiver. I pointed out to you before that there has been an increase in the average amount. Ah, in contrast to the statement made that there are going that there have been tuition increases made, I want to point out to you that the Board of Regents is the only governing board that is voted to increase the tuition. Again, I repeat as I did yesterday that I personally would like to see the Governor's veto of this particular item sustained."

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

Samuel C. Maragos: "Mr. Speaker and Members of the House, again I rise in support of the motion to override the veto on this particular item. As explained to you and not to repeat myself extensively again today, I still have in mind those four students in my district who were short changed because of the moving up of the dates and it could not qualify and did not receive the awards, although they were qualified in every other respect, and in answer to the distinguished Representative Shapiro who spoke about the fact that many of these students did receive other awards during the past year, of the four students, only one was able to



be placed, the other three are still waiting to get into some college because they don't have the funds. It was disheartening to see these young people who anticipated to have these awards given to them and then to find out that later in the summer time, as early summer, that they were not qualified because of a lack of funds. We give so much for so many other purposes. The \$3,200,000.00 which this would restore back for this purpose would be a boon to many of these students, not only for themselves, but for the state as a whole, because by giving them a good college education, they'll become useful tax paying citizens and pay our state back ten fold. Let us not be short-sighted. Let us support this motion. Thank you."

Hon. W. Robert Blair: "The gentleman care to close the, shall the item be restored to its original amount over the reduction of the Governor?"

Arthur L. Berman: "Am I correct. . .am I correct, Mr. Speaker, this requires 89 votes?"

Hon. W. Robert Blair: "That's right. All those in favor will vote 'Yeas', the opposed 'No'. On this question, there are 82 'Yeas' and 42 'Nays' and this, for what purpose does the gentleman from Cook, Mr. Berman rise?"

Arthur L. Berman: "To explain my vote, Mr. Speaker. We are faced with, we are presented here today, Ladies and Gentlemen, which is only allowing us to do or reconfirm what we did before June 30th. These same students who were denied this money will be back in this year and we're going to have



to give some consideration to the appropriations for these same students. The money, it's easier to allocate \$3,200,000.00 this year than to have to figure out where we can get \$6,400,000.00 next year, or even a higher figure. I think we're being very short-sighted in our approach to this State Scholarship Commission, and I would sure appreciate seven more green lights up on the board."

Hon. W. Robert Blair: "On this question, there are 82 'Yeas' and 42 'Nays' and the matter is lost. For what purpose does the gentleman from Cook, Mr. Harold Washington rise?"

Harold Washington: "I have a parliamentary inquiry, directed toward an interpretation of Rule 100, the last paragraph. As I read that a paragraph, Mr. Speaker, it says 'if the amendment', it deals with amendatory vetoes, 'if the amendment fails to be adopted after 15 days after entry of the objection of the Governor upon the House Journal, the Clerk shall return the bill to the Governor'. My question, Mr. Speaker, is this. By bill do you mean the bill in the original form, or do you mean the bill with the governor's amendatory veto attached thereto?"

Hon. W. Robert Blair: "Well, . . ."

Harold Washington: "The reason I ask is because you know, I have filed motions relative to House Bills 1163 and -64, which have on them amendatory vetoes, and I would like to know what form those bills will go back to the Governor if I do not take action on it?"

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



Stark, Mr. Nowlan rise?"

James D. Nowlan: "Mr. Speaker, I was inadvertently called off of the floor, and in rushing back here, failed to cast a vote on House Bill 2221, I think it was clear yesterday that I favored the override. My vote would not change the outcome unfortunately, but I do sincerely request leave of the House to be recorded as having voted in favor of House Bill, or in favor of the motion on House Bill 2221."

Hon. W. Robert Blair: "All right, if there's no objection, the gentleman will be allowed to have his vote so recorded. With regard now, to the parliamentary inquiry, the interpretation of the Chair puts upon Rule 100, is that if that event occurs, which you described, that the Clerk would be sending to the Governor the bill without the amendment that or the specific recommendation that he sent to the House for consideration."

Harold Washington: "In other words, all that would be accompanying those two bills will be an explanation from the Speaker or the Clerk that the House did not take action, is that correct?"

Hon. W. Robert Blair: "Well, the mechanics of it haven't been resolved, but what will be being done under Rule 100 will be that the Clerk shall be returning the bill to the Governor with an indication that no action was taken on the specific recommendations that he sent to us."

Harold Washington: "Thank you, Mr. Speaker."

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



desire to have his motion with regard to House Bill 1878 called? Not on 1878. All right, on the same question with regard to 1163 and 1164 which were taken out of the record, as I recall. Are you just going to let them stand? All right, now, the gentleman from Franklin, Mr. Hart, on his motion with regard to House Bill 2058 which earlier in the day was placed upon postponed consideration, has requested that that bill be called again."

Richard O. Hart: "Thank you, Mr. Speaker. I don't want take anymore of the House's time in debate, but this is again, for your information, the bill that I sponsored for the school for the deaf. After the vote earlier today, I know that there were several members of the House who were not in their seats and not recorded, and some of them have requested me to pursue the matter again, so in order to give everyone an opportunity to vote on this bill and not for the purpose of putting anyone on the spot, I would request that the motion to override the veto be affirmed by 107 members of this body."

Hon. W. Robert Blair: "Are there further, is there discussion? All right, the question is shall the bill pass over the veto of the Governor? All those in favor will vote 'Yeas' and the opposed 'No' and this requires 107 votes. Have all voted who wished? The Clerk will take the record. On this question, there are 100 'Yeas' and 23 'Nays' and this motion having failed to receive the required 107 votes is hereby declared lost. For what purpose does the gentleman from



St. Clair, Mr. Lehman rise?"

Ed Lehman: "A point of personal privilege, Mr. Speaker."

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

Ed Lehman: "Could I say that House Bill Senate Bills rolling, I hope we can quit arguing about those and Bill Murphy's birthday has been celebrated, now we have another bill, Cunningham's 55th birthday, let's give him a hand. As well, sir, if Mr. Tipsword would like to lead the cheers and the songs, I'd appreciate it if Mr. Tipsword would sing 'Happy Birthday' to Bill Cunningham."

Rolland F. Tipsword: "Loudly. Happy birthday to you, Happy birthday to you, Happy Birthday, Dear Bill, Happy Birthday to you."

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

Horace L. Calvo: "Well I guess I got the answer, I just wondered if this was the birthday of all three Cunninghams or which one. I guess it was Bill."

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

John S. Matijevich: "Mr. Speaker, Members of the House, could I have unanimous consent to table a House Bill, House Bill 1566 of which I am the chief sponsor."

Hon. W. Robert Blair: "Where, where is this? Is it in committee?"

John S. Matijevich: "Yes, sir."

Hon. W. Robert Blair: "All right, hearing no objection, the bill will be tabled. For what purpose does the gentleman



from Cook, Mr. Shea rise?"

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, on the Speaker's table is Senate Joint Resolution 53 and I would move for the suspension of the appropriate rule for an immediate hearing."

Hon. W. Robert Blair: "Well, that bill has since been taken from the Speaker's table by the Speaker and is in the House Executive Committee. For what purpose does the gentleman from Cook, Mr. Juckett rise?"

Robert S. Juckett: "Mr. Speaker because of the lateness of the hour, the Executive Committee will meet immediately after the adjournment of the House, rather than one hour after the adjournment of the House."

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

Edward R. Madigan: "Well, I don't want to respond to Mr. Juckett, I'd like to make a motion on another subject."

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

Edward R. Madigan: "On the calendar, on the order of Friday committee hearings appears a notice for a meeting of the Reapportionment Committee, and with leave of the House, I'd like to ask for unanimous consent to suspend Rule 17 for the purpose of hearing those bills in the Reapportionment Committee at noon tomorrow, Thursday, rather than at 2:00 P.M. Friday, and I have discussed this with both the Speaker and the Minority Leader and have their consent."

Hon. W. Robert Blair: "All right, if there's no objection, then leave will be given to have those two bills heard to-



morrow in the Reapportionment Committee. Where, where are you going to hear those bills?"

Edward R. Madigan: "212"

Hon. W. Robert Blair: "212. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, I now move that this House do stand in recess until tomorrow morning at 9:00 A.M. prefunctory. There will be a perfunctory session on Friday at 9:00 A.M. and Saturday at 9:00 A.M. Regular session next Tuesday at 1:00 P.M. I would urge and admonish the membership to attend their committee meetings, because they are an important part of our legislative process and I now move for the recess as stated."

Hon. W. Robert Blair: "All those in favor of the motion say 'Yeas' and the opposed 'Nay' and the 'Yeas' have it and we stand adjourned."

Recess at 4:03 O'Clock P.M.

10/20/71
skn.



Fredric B. Selcke: "We've got the travel checks up here, and if you fellows will come to the desk, we'll try to give them to you. Thank you.

