

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED SEVENTH LEGISLATIVE DAY

NOVEMBER 5, 1971

10:00 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR,

SPEAKER IN THE CHAIR



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Due to faulty equipment, the verbatim transcript of the One Hundred Seventh Legislative Day of the Seventy-seventh General Assembly, November 5, 1971, from the opening gavel was not obtained. In lieu thereof, we are attaching herewith, such information as was secured from the Journal for that day.

Fredric B. Selcke,
Clerk of the House of Representatives



Contents of the House session missed due to faulty equipment are as follows according to the House Journal: The House met pursuant to adjournment. The Speaker in the chair. Prayer by Mr. Joseph Carey of Seatonville, Illinois. (The contents of the prayer are not available from the Journal.) Messages from the Senate. 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. 1296. A bill for 'An Act to amend Sections 1-3, 7-9, 7-10, 7-11, 7-12, 7-14, 7-56, 7-58, 7-60, 7-63, 8-9, 8-10, 8-15, 9-6, 10-2, 10-6, 10-7, 10-9, 10-10, 10-14, 11-2, 21-1, 21-2, 22-5, 22-6, 22-7, 22-9, 23-13, 23-16, 23-17, 24-3, 24A-4, 24A-5, 24A-16, 24A-17 and to add new Article 1A to 'The Election Code', approved May 11, 1943, as amended.' Senate Bill No. 1309. A bill for 'An Act to authorize the Department of Public Works and Buildings to vacate, extinguish, abandon and release an easement for highway purposes held by the State of Illinois over and through certain land located in Lee County, Illinois.' Passed by the Senate, November 4, 1971, by a three-fifths vote. Kenneth Wright, Secretary of the Senate. The foregoing Senate Bills 1296 and 1309 were taken up, read by title, ordered printed and to a first reading. A message from the Senate by Mr. Wright, Secretary: Mr. Speaker, I am directed to inform



the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit: Senate Joint Resolution No. 57. 'Whereas, The firm and able guiding hand of Mr. Dick E. Viar at the helm of the Legislative Audit Commission will be sorely missed, for he was the faithful pilot of his craft when the sea was uncharted, visibility was poor, and the storm winds of political adversity raged above; and Whereas, Mr. Viar has announced his retirement as Executive Director of the Legislative Audit Commission, and the General Assembly has relied heavily through the years on the high quality of the recommendations and reporting the Commission has rendered regarding the revenues and expenditures of the State, its departments, subdivisions and agencies; Whereas, His experience, faithful service, talent and helm-smanship will not be lost to the State but only translated in that Mr. Viar has accepted a new position with the Department of General Services of the State of Illinois, and his guiding spirit will remain in the Commission to light the way for those to follow; therefore, be it Resolved, by the Senate of the Seventy-Seventh General Assembly of the State of Illinois, the House of Representatives concurring herein, that we highly commend Mr. Dick E. Viar for the excellent services he has rendered to the Legislative Audit Commission through the past 14 years; that we are pleased to congratulate him and wish him well in his new position

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with the Department of General Services; and that a suitable copy of this preamble and resolution be forwarded to Mr. Dick E. Viar.' Adopted by the Senate, November 4, 1971. Kenneth Wright, Secretary of the Senate. The foregoing Senate Joint Resolution 57 was ordered to lie on the Speaker's table. A 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 of Representatives in the passage of a bill of the following title, to-wit: House Bill No. 1314. A bill for 'An Act relating to certain agreements in connection with fire insurance claims.' Together with the following amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit: Amendment to House Bill 1314 in Senate. Amendment No. 1. Amend House Bill 1314 in Senate on page 1, line 15, by inserting after the word 'furnish' the following: 'in writing'; and on page 1, line 17, after the word 'and' by inserting the following: 'obtain written acknowledgement of receipt of notice from the party represented. If'; and on page 1, line 17 by striking the word 'if'. Passed the Senate, as amended, November 4, 1971. Kenneth Wright, Secretary of the Senate. The foregoing message from the Senate reporting Senate amendment to House Bill 1314 was ordered to lie on the Speaker's table and the amendment was ordered printed. A 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 of Representatives in the passage of a bill of the following title, to-wit: House Bill No. 1512. A bill for 'An act to amend Sections 1 and 4 of and to add Sections 1a, 4.1, 4.2, 4.3 and 4.4 to 'An Act to revise the law in relation to county treasurer , approved February 25, 1874, as amended.' Together with the following amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit: Amendment to House Bill 1512. Amendment No. 1. Amend House Bill 1512 on page 3, by inserting after line 15, the following: 'Section 2. The amendatory Act of 1971 becomes effective December 1, 1971.' Amendment to House Bill 1512. Amendment No. 2. Amend House Bill 1512 on line 16 by striking 'elected and'. Amendment to House Bill 1512. Amendment No. 3. Amend House Bill 1512 on page 2, line 21, by inserting after the word 'clerk' the following: 'and chairman of the county board'. Passed the Senate, as amended, November 4, 1971. Kenneth Wright, Secretary of the Senate. The foregoing message from the Senate reporting Senate amendments to House Bill 1512 was ordered to lie on the Speaker's table and the amendments were ordered printed. A 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 of Representatives in the passage of a bill



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of the following title, to-wit: House Bill No. 1564. A bill for 'An Act to add Section 11-5-7 to the 'Illinois Municipal Code', approved May 29, 1961, as amended.' Together with the following amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit: Amendment to House Bill 1564 in the Senate.

Amendment No. 1. Amend House Bill 1564 in the Senate on page 1, by striking lines 8 through 12 and inserting in lieu thereof the following: 'Sec. 11-5-7. The corporate authorities of each municipality may regulate mobile homes, house trailers or similar portable structures used or so constructed as to permit their being used as a dwelling place for one or more persons. The corporate authorities may also locate or prohibit such structure which are not within the confines of a mobile home park as authorized by law. This amendatory act of 1971 does not apply to any municipality which is a Home Rule unit'. Passed the Senate, as amended, November 4, 1971. Kenneth Wright, Secretary of the Senate. The foregoing message from the Senate reporting Senate amendment to House Bill 1564 was ordered to lie on the Speaker's table and the amendment was ordered printed. A 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 of Representatives in the passage of a bill of the following title, to-wit: House Bill No. 2167. A



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bill for 'An Act to add Sections 13-40, 13-41, 13-42, 13-43, 13-44 and 13-45 to 'The School Code', approved March 18, 1961, as amended'. Together with the following amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit: Amendment to House Bill 2167. Amendment No. 1. Amend House Bill 2167 on page 1, line 30, by striking 'in this Act' and inserting in lieu thereof 'in the School Code'; and on page 1, line 32, by inserting after the word 'Corrections' the following: 'and the Office of the Superintendent of Public Instruction'; and on page 1, line 34, by striking the words 'within the Department,'; and on page 2, by striking lines 11 through 25 and inserting in lieu thereof the following: 'Sec. 13-41. The Board of Education for this school district shall be composed of the Director of the Department of Corrections, the Assistant Director of the Juvenile Division and the Assistant Director of the Adult Division of said Department. Of the remaining members, 2 shall be appointed by the Director of the Department of Corrections and 4 shall be appointed by the Superintendent of Public Instruction, at least one of whom shall have knowledge of, or experience in, vocational education and one of whom shall have knowledge of, or experience in, higher and continuing education. Subsequent to this initial appointments all members of the Board shall hold office for a period of 3 years. One of the initial appointees of the Director of the Department of Corrections



and the Superintendent of Public Instruction shall be for a one-year term. One of the initial appointees of the Superintendent of Public Instruction shall be for a two-year term. The remaining initial appointees shall serve for a three-year term. Vacancies shall be filled in like manner for the unexpired balance of the term. The members appointed shall be selected so far as is practicable on the basis of their knowledge of, or experience in, problems of education in correctional, vocational, and general educational institutions. Members shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in the performance of their duties.'; and on page 2, lines 29 through 31, by striking 'The Director shall hold regular meetings at such times as they may designate and special meetings at the call of the President or of any 3 members.' and inserting in lieu thereof the following: 'The Board shall hold regular meetings upon the call of the Chairman or any 3 members at such times as they may designate so long as they meet at least 6 times a year.'; and on page 2, line 36, by striking the word 'Directors' and inserting in lieu thereof 'Board'; and on page 3, line 21, by striking '17' from the Section number and inserting '20'; and on page 4, line 23, by inserting the words 'school districts' before the word 'junior'; and on page 4, lines 23 and 24, by inserting after the word 'colleges' and before the word 'for' the following: ', and public and private colleges and universities'; and on page 4, line 33, by striking



the following 'The participating junior college'; and on page 5, by striking lines 1 through 6 in their entirety, and inserting in lieu thereof the following: 'If a student of this school district, because of his educational needs, attends a class or school in another school district or educational facility, the Corrections school district where he resides shall be granted the proper permit, provide any necessary transportation, and pay to the school district or educational facility maintaining the educational facility the proportional per capita cost of educating such student.'; and on page 6, by inserting after line 30, the following: 'Sec. 13-43.18. To develop through consultation with the staff of the Department of Corrections and the staff of the Office of the Superintendent of Public Instruction educational goals and objectives for the correctional education programs planned for or conducted by the district, along with the methods for evaluating the extent to which the goals and objectives are or have been achieved and to develop by July 1, 1973, a complete financial control system for all educational funds and programs operated by the school district.' 'Sec. 13-43.19. To develop and annually revise an educational plan for achieving the goals and objectives called for in Sec. 13-43.18 for both the Adult and Juvenile Divisions of the Department of Corrections with specific recommendations for inmate educational assessment, curriculum, staffing and other necessary considerations.' 'Sec. 13-43.20. To develop a method or methods for alloca-



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ting state funds to the Board for expenditure within the various divisions and/or for programs conducted by the Board, and to annually determine the average per capita cost of students in the Juvenile Division and the average per capita cost of students in the Adult Division for education classes and/or programs required to accomplish the educational goals and objectives and programs specified in Sec. 13-43.18 and Sec. 13-43.19 and recommend to the Superintendent of Public Instruction by July 15 of each year the per capita amount necessary to operate the correction school district's educational program for the following fiscal year.'; and on page 8, line 19, by striking the words 'A trust' and inserting in lieu thereof 'An educational'; and on page 8, line 23, by striking the word 'Trust' and inserting in lieu thereof 'educational'; and on page 8, by adding after line 31, and before line 1 on page 9, the following: 'Beginning in 1972, the Board of Education shall, by November 15, adopt an annual educational fund budget for the next school year which it deems necessary to defray all necessary expenses and liabilities of the district to be assumed by said fund, and in such annual budget shall specify the objects and purposes of each item and amount needed for each object or purpose. The budget shall contain a statement of cash on hand at the beginning of the fiscal year, an estimate of the cash expected to be received during such fiscal year from all sources, an estimate of the expenditure contemplated for such fiscal year, and a



statement of the estimated cash expected to be on hand at the end of such year. Prior to the adoption of the annual educational budget, said budget shall be submitted to the Department of Corrections and the Office of the Superintendent of Public Instruction for incorporation.'; and on page 9, line 16, by inserting between the figures '17' and '19' the figure '18'. Passed the Senate, as amended, November 4, 1971. Kenneth Wright, Secretary of the Senate. The foregoing message from the Senate reporting Senate amendment to House Bill 2167 was ordered to lie on the Speaker's table and the amendment was ordered printed. A 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 of Representatives in the passage of a bill of the following title, to-wit: House Bill No. 2674. A bill for 'An Act to permit banks to suspend business during certain emergencies and to establish the legal effect thereof on the banking business affected thereby.' Together with the following amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit: Amendment to House Bill 2674. Amendment No. 1. Amend House Bill 2674 on page 2, line 27 by striking the period and inserting in lieu thereof the following: 'and the public.'; and on line 32 by inserting after the period the following: 'In addition the bank shall post notice of the temporary closing and the authorization



for the closing on the main entrance doors of the bank affected.' Amendment to House Bill No. 2674 in Senate. Amendment No. 2. Amend House Bill No. 2674 in the Senate on page 1, line 30 by inserting immediately after the word 'both' the following: 'at one or more or all of the offices of a bank'; and on page 1, by striking line 33, and inserting in lieu thereof the following: 'following: natural disasters; civil strife; power failures; interruption of communication facilities; robbery or attempted robbery;' and on page 3, by striking lines 1 through 7. Passed the Senate, as amended, November 4, 1971. Kenneth Wright, Secretary of the Senate. The foregoing message from the Senate reporting Senate amendments to House Bill 2674 was ordered to lie on the Speaker's table and the amendments were ordered printed. A 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 passage of a bill of the following title, to-wit: House Bill No. 2948. A bill for 'An Act to authorize the Department of Public Works and Buildings to vacate, extinguish, abandon, and release an easement for highway purposes held by the State of Illinois over in and through certain land located in Fayette County, Illinois.' Passed by the Senate, November 4, 1971. Kenneth Wright, Secretary of the Senate. A 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 passage of bills of the following titles, to-wit: House Bill No. 3640. A bill for 'An Act to vacate, extinguish, abandon and release an easement for highway purposes held by the State of Illinois over and through certain land located in Greene County, Illinois.' House Bill No. 3641. A bill for 'An Act to vacate, extinguish, abandon, and release easements for highway purposes held by the State of Illinois over and through certain lands located in Jersey County, Illinois.' Passed by the Senate, November 4, 1971, by a three-fifths vote. Kenneth Wright, Secretary of the Senate. A 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 following preamble and joint resolution, to-wit: House Joint Resolution No. 99. House Joint Resolution 99. 'Whereas, Mr. J. D. 'Jack' Myers has been a professional journalist for over 55 illustrious years, beginning as a cub reporter on the Dayton Daily News, and moving through the ranks, he served at the copy desk of the Toledo News, he was a sports writer for the News League of Ohio, and rose to the city and managing editorships of the Illinois State Register; and Whereas, He has served with great distinction as speech writer to three Illinois Governors, the Honorable Henry Horner, the Honorable John H. Stelle and the Honorable Dwight H. Green, he has also served on the school board both as member and president; and Whereas, Jack Myers has been diligent through-



out his career in seizing opportunities for community service, he organized and directed the first polio immunization campaign in Springfield and Sangamon county, he organized and directed the campaign to build the Charles A. Becker library at Springfield College in Illinois, he also aided the drive to build the present Springfield Memorial Stadium and helped to form the Junior Chamber of Commerce in St. Louis and was a charter member of the organization; and Whereas, He is the author of two published works, the Album of American Presidents and 2002 Household Helps; therefore be it Resolved, by the House of the Seventy-Seventh General Assembly of the State of Illinois, the Senate concurring herein, that we commend Mr. Jack Myers for the high standards of professional journalism that have made praiseworthy his career; and that we heartily commend him for the many unselfish acts of community service he has so generously rendered; that we wish him well in his current position as Public Relations Director of the Illinois State Employees Association; and that a suitable copy of this preamble and resolution be forwarded to Mr. J. D. 'Jack' Myers.' Concurred in by the Senate, November 4, 1971. Kenneth Wright, Secretary of the Senate. A 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 following preamble and joint resolution, to-wit: House Joint Resolution No. 104. 'Resolved, By the House of Representa-



tives of the Seventy-seventh General Assembly of the State of Illinois, the Senate concurring herein, that when the House adjourns on Friday, November 5, 1971, it stand adjourned until Monday, November 8, 1971, at 1:00 o'clock p.m., and when the Senate adjourns on Thursday, November 4, 1971, it stand adjourned until Monday, November 8, 1971, at 12:00 o'clock noon.' Concurred in by the Senate, November 4, 1971. Kenneth Wright, Secretary of the Senate.

Motions. Pursuant to Rule 79, I move that the Committee on Judiciary - Division II be discharged from further consideration of House Bill 3562 and that it be placed on the calendar on the order of second reading, second legislative day. Dated November 5, 1971. Signed, George W. Lindberg.

Mr. Katz re-submitted the following: Motion. Pursuant to Rule 79, I move that the Committee on Conservation and Water Resources - Division of Environment be discharged from further consideration of House Bill 2903 and that it be placed on the calendar on the order of second reading, second legislative day. Dated November 5, 1971. Signed, Harold A. Katz. At the hour of 10:10 o'clock a.m., Mr. Londrigan moved that the House do now adjourn. The motion prevailed. And in accordance with and pursuant to House Joint Resolution 104, the House stood adjourned until Monday, November 8, 1971 at 1:00 o'clock p.m.

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

11/5/71
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