

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED TENTH LEGISLATIVE DAY

NOVEMBER 10, 1971

12:00 O'CLOCK NOON

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 Lewis A. H. Caldwell - no reason given;
Representative Bruce L. Douglas - family illness;
Representative John P. Downes - illness;
Representative Louis A. Markert - death in family;
Representative John W. Thompson - no reason given.



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

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

Dr. John Johnson: "We pray. Almighty and merciful God, as we come together in this session to deliberate upon issues which affect our citizens as well as our public servants, and elected officials, give us the willingness faithfully to serve those offices to which we have been elected. Drive away from us the anger or the mistrust which we may have encountered this week. Give us simple, steady reliance on your promise to be with and strengthen all who commit their way to you. Help us to remember that your will is to be done. And that we are accountable to you for the life, the talents and the stewardships which you have committed to us. Give us all the wisdom and the ability to use purposefully the time which you have given and the opportunities which confront us as a legislative body and trust it with the well-being of commonwealth. We offer such a prayer today because we are confident that you hear us in the name and for the sake of our redeemer. Amen."

Hon. W. Robert Blair: "Roll call for attendance. Messages from the Senate."

Fredric B. Selcke: "Messages 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, in the passage of which I am instructed to ask the concurrence of the House of Representatives: Senate Bill 1302. Passed by the Senate, November 9, 1971. Kenneth 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: House Bill 3700. Together with the following amendments thereto, in the adoption of which I am instructed to ask the concurrence of the House. Passed the Senate, as amended, November 9, 1971, by a three-fifths vote. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of bills of the following titles: House Bills 3652 and 3732. Passed the Senate, as amended, November 9, 1971, by a three-fifths vote. Kenneth Wright, Secretary. No further messages."

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

Fredric B. Selcke: "Mr. Regner, from the Committee on Appropriations, to which Senate Bills 1284, 1286, 1287, 1299, 1301 were referred, reported the same back with the recommendation that the bills do pass. Mr. Springer, from the Committee on Pensions, to which Senate Bill 1281 was referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bill, as amended, do pass. Mr. Capuzi, from the



Committee on Pensions, to which Senate Bill 1282 was referred, reported the same back with the recommendation that the bill do pass. No further committee reports."

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

Fredric B. Selcke: "House Bill 3758, Hart. A bill for an act to amend sections of the 'Local Governmental and Governmental Employees Tort Immunity Act'. First reading of the bill. House Bill 3759, Gibbs. An act to amend Section 2 of an act concerning jurors. First reading of the bill. House Bill 3760, Rose, et.al. An act to amend Section 2 of an act concerning jurors. First reading of the bill."

Hon. W. Robert Blair: "Yes, there are some corrections on the calendar on the way they have been printed. Ask the Clerk to make those corrections."

Fredric B. Selcke: "If you will look at your calendar on the first page, the lower right hand corner, we have pasted on an addition of seven bills which the printer left off the calendar last night and I think they're all on all calendars, if they're not, let us know and we'll see that you get a copy. At the top of the second page, the left hand column where it says 'Speaker's table continued', that should be 'Concurrences continued'. That's all."

Hon. W. Robert Blair: "With leave of the House, we'll go to Senate Bills third reading. Senate Bill 1188."

Fredric B. Selcke: "Senate Bill 1188, a bill for an act to



amend the 'Public Junior College Act'. Third reading of the bill."

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

William D. Walsh: "Mr. Speaker, Members of the House, when the legislature in 1965 enacted the Community Junior College Act, they did not and intentionally did not include all of the State in a junior college district. The thinking at that time was that they would let the local areas form junior colleges districts and leave the matter pretty much up to the local high school districts and from that time to this the idea worked pretty well. About 90% of the population of the state at this time is now in a junior college district, about 10% is not. But the problem is that that was about the situation two years ago and it hasn't changed much since then, so that there are many areas now that are not, there are large geographical areas that are not in junior college districts and really should be. These areas are not served by any kind of vocational higher education. Their people are denied that. These people are given the benefits, those who are not interested in education are in the far lower tax rate and ah Mr. Speaker, the time has come for this movement for the state to provide or mandate that all of the area be in a junior college district. The Illinois Association of Junior College Trustees is on record as supporting this bill unanimously, the Lieutenant Governor has supported it by letter to me, I think that the



opposition has declined considerably and I solicit your support."

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

Tobias Barry: "Mr. Speaker, will the speaker yield to a question?"

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

Tobias Barry: "Bill would this would this piece of legislation then cause people not in a junior college district to become part of one and therefore have their real estate tax, whether they had an opportunity to vote for it or not?"

William D. Walsh: "Well, ultimately, yes. It gives them until December 1, 1972 to voluntarily become a part of a junior college district existing now or to form a new junior college district, after December 1, 1972, the machinery within the bill providing that the State junior college board districts would take effect."

Tobias Barry: "Therefore they wouldn't be if they didn't make any motion in the direction of making or joining a district, they wouldn't they would be taxed without having voted for a junior college district?"

William D. Walsh: "The answer to your question in a word is yes. However, Toby, these people are taxed now without having any voice whatever and whether they should be taxed or not. . ."

Tobias Barry: "Even though they're not in a junior college district?"

William D. Walsh: "Yes."



Tobias Barry: "They're taxed for that purpose?"

William D. Walsh: "They're taxed for junior college purposes. High School districts now have the authority to levy whatever tax is necessary to pay for junior college costs for their students."

Tobias Barry: "But up to the limits that we have set by the legislature."

William D. Walsh: "No limits at all. They may levy up to the cost."

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

Horace L. Calvo: "Would the sponsor yield for a question?"

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

Horace L. Calvo: "Mr. Walsh, as I understand the present situation, if a an area or a high school district, shall we say, is not in a junior college district, they may send students who desire to go to these junior colleges into the district they wish to go, whatever that might be, usually adjacent to them. At the end of the year, they may levy sufficient tax to pay all those they sent, the tuition charged, is that correct?"

William D. Walsh: "That is correct."

Horace L. Calvo: "There is no levy otherwise, is that correct? In those areas that are not within a junior college district?"

William D. Walsh: "Yes, that's correct. It's just a charge back levy."

Horace L. Calvo: "Right. Thank you."



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

Gerald A. Bradley: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to speak on this bill for a minute if I may."

Hon. W. Robert Blair: "Proceed."

Gerald A. Bradley: "This is the same bill or a facsimile or a very close facsimile of the bill that we defeated time and time again in this House and I hope that we defeat this one. In our area, we have given the electorate the opportunity of referendum to decide whether they wanted to have a junior college district created and tax themselves for the cost of that junior college district or not to have a junior college district form. In a referendum, they defeated the issue for a very good reason. In our areas, we're very happy to have them there, we have a number of institutions of higher education, including junior colleges. We have Illinois State University, Eureka College, Lincoln Junior College, Illinois Wesleyan and they are tax supported, many of them, even the private institutions now are receiving funds based on students attending those universities from Illinois. I see no reason why we should have imposed upon by this General Assembly, junior college districts and formation of junior college districts when they are not needed, when the people have already spoken and say they don't want them. We are very willing to tax ourselves in this area to pay to send students to



other junior colleges as provided by law and we're very willing to do this, but to demand is, thank you, Mr. Speaker, but to demand as this bill says, and that we shall create a junior college district where it is not needed is one of the poorer types of legislation we have and we've defeated this time and time again and I urge everybody to give this serious thought and I hope to defeat this bill. Thank you, Mr. Speaker."

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

Brian B. Duff: "Mr. Speaker, Members of the House, I'm happy to join with Representative Bradley in those sentiments. The people in my district have expressed their opinion that they do not want to be taxed for the junior college board. Understandably when some child or some student does go to the local junior college, then they are willing under those circumstances to affect the taxes that the sponsor has referred to, but I don't believe that it's appropriate or apt under the same principles that we have approached these kinds of bills many times, tax people for something they don't want without any referendum at all. I will vote 'No' against this bill."

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

Clarence E. Neff: "Mr. Speaker and Ladies and Gentlemen of the House, I think I would have to follow through on the last two speakers on their reasons why this bill should be



defeated. As it's been brought out here, these same bills have been brought up several times before here, almost similar. I think that the people, the way it is now, the way the law is now, the people in the districts have a right and they can choose, they can make a decision if they want to be in a junior college district, and I think it should be left that way. We talk about leaving it up to the rights of the people and this is one place we can do it, and as it's been pointed out here before, many of our areas downstate have private junior colleges that are doing a service to the community. The people in that area are using these junior colleges privately, private junior colleges, and this would automatically do away with these private colleges, and therefore I would hope that we soundly defeat these bills."

Hon. W. Robert Blair: "The gentleman from Moultrie, Representative Stone."

Paul Stone: "Mr. Speaker, Mr. Speaker and Ladies and Gentlemen, I think this is a very good bill and it deserves the support of each and every one of us. We've had statements made that in order to be fair to the people of certain districts, that you should vote against this bill. However, if you're going to be fair to all of the people, approximately 80% to 90% of the people of this state, you're going to have to vote for this bill, because those who don't want the bill primarily are those who lives in districts where there's already state universities that all of us



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are paying for and all of us are supporting. And to make to bring the people that are not in junior college districts in in areas like this, you only see to it that they pay for what they're getting, the same as the rest of us do. Now, the statement was made that you should tax people for what they get and not what they don't get and that is the very reason that you should vote for this bill, because the people in non-junior college districts, just as the people in the old non-high school districts, in days gone by, with only paying a per centage of what they should be paying and their fair share of what they're getting. The people in non-junior college districts can now send their high school graduates to junior college districts that are being paid for by other people, by only paying the tuition and the tuition charge does not pay their fair share. And since they're getting the good of these junior colleges, they should be required to pay their fair share, whether they think they want to or whether they think they shouldn't. The state by population. . ."

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

Elwood R. Graham: "Mr. Speaker, could we have some order?"

I'd like to hear what the gentleman's saying."

Hon. W. Robert Blair: "Proceed, sir."

Paul Stone: "Thank you, Representative Graham, and thank you Mr. Speaker. I do think this is an important thing and you should be listening to the discussion, whether it's



what I'm saying or not. As I said, before a area would be brought into a junior college district, it would have to be approved by the junior college board and by the State of Illinois, Board of Higher Education, and I think that this is inevitable that we are soon going to have all of the state of Illinois in a junior college district and I think that this bill which gives a reasonable time for the areas to decide where they want to go is a good thing, we should be for it and we should get it passed now. Thank you very much."

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

Charles W. Clabaugh: "Mr. Speaker and Members of the House, I'm glad to join with Representative Walsh and with my colleague from Moultrie in support of this bill and I should like to review some of the things that were said by the other members. Now, I live as you know in Champaign, we have the University of Illinois there, and for many years we thought we didn't need a junior college in that area, but some other people thought that we did. Maybe they were tired of having their children writing and eating off of the rest of us by going to the University of Illinois, but I presumed the reason most compelling was that there were a good many young people in our area and there in your area who want to go to a college, but they simply couldn't meet the requirements, there wasn't room in the University for them. If they'd gone there, we would have all paid



for it but we established a junior college in Champaign-Urbana area that takes in a good many counties around. The result then has been that there are 2,000 or 3,000 young people going there that either didn't want to go to the University of Illinois or they couldn't go there and so in answer to the gentleman from McLean, he will find that there is an equal percentage of his young people that would like to go to a junior college. Number two, as has also been stated, but I have learned long ago that repetition does not is not hurtful on this floor, but there's a bit of selfishness involved in saying that we have a college in our community, a state college, where everybody is paying for it. The 90% that have junior colleges as well as the rest and so we will continue to impose upon them, but you are also doing great harm to your high school districts, because anyone of these young people can go to another junior college, some don't because they're too far away, and they're charged back to the high school. In fact, we found a few years ago that some high schools were getting a greater charge back from to pay junior college tuitions in other places than those high schools were districts were receiving from the state in state aid, and lastly this whole question boils down to the same old story that we had beginning 50 years ago or more, and coming down to about ten on this matter of non-high territory and it took a tremendous long time, longer than we've worked on this to abolish non-high territory and it was one of



the great forward steps we made. Now, I have some areas in my district that do not have and have voted down a junior college, but nevertheless I knew it would be better for them in the long run and this is going to happen eventually and I can think of no better time to start than now and I hope you will vote for the interests of your own constituents as well as from the young people in your area and give them the opportunity that we gave them in our university town to go to a school where they can get what they want and where they can get in the school. Thank you."

Hon. W. Robert Blair: "The gentleman from Vermilion, Representative Cox, or Campbell."

Charles M. Campbell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Everytime that this bill has been brought before this House, before I have opposed it. And I have some of those non-areas in my particular district and one of the mistakes that we have made and I have finally come to the conclusion that I'm going to support this legislation and the reason I'm going to support it is that we made a mistake when we first set up the various junior college districts in the first place. We simply should have set aside certain sections of the state to equalize the various districts, and these non-districts certainly are not going to vote themselves a tax as long as they can pay these charge backs and the only way in the world that we're going to solve this problem is to do it in the manner



that we're now doing it and I urge everyone of you to vote for it."

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

Elmo McClain: "Mr. Speaker, Ladies and Gentlemen of the House, just to correct some statements that have been made here, where they say that the big opponents to this are people who have state universities in their districts. My district there is none. We already paid for the students who go to the college, we're already assessed, we're happy to pay. What you're saying and what Mr. Campbell is saying is that even though the people in our district don't want a junior college, we're going to force them to take a junior college anyhow and pay for it. The people where I live are happy to pay for density up in Chicago, they're happy to pay for impaction over in Champaign, and they're happy to pay money so they can support the private and state universities, but in the district where I live we've got colleges, private colleges all over. We've got Quincy College, Robert Marshall, we enticed to come into our district, telling them that we would encourage students from our area to go in there, we've got McMurray, we've got Illinois College, and here we pass bills to try to build up their schools and by the same token now we're going to come to bat and put another tax on our people. I think it might be wise for everyone in here to realize how much money this is going to cost. I haven't done any research on your district at all



but I have on mine. In the city of Quincy, it increased its taxes 26 times, not 26%, but 26 times. As a consequence of this, I'm going to vote for the people where I live and I'm going to vote 'No'."

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

Harber H. Hall: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, I'll try to avoid repetitious argument on this, but I rise and point out that this would be breaking faith with the every voter in my district who voted soundly against this proposition of entering into a junior college district. They've done it on more than one occasion and to force this on them and I would remind the members of this House that at the time this program was initiated by the legislature it was stated that you had an opportunity to enter into a district and be a part of a formation of a district or you had you right not to do that and I think that it would break the faith to now go back to the people and say we are thrusting this upon you, you didn't want it but you are going to take it and you are going to pay for it irrespective of your desires, and I hope that we can get this message across to the members of the House and defeat this bill."

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

Carl T. Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House, I agree wholeheartedly with what the Representa-



tive Hall has just said. When this program was instituted several years ago, it was on a voluntary basis. That's the way these programs usually start, not this particular one, but many of them. They're voluntary to start with but in the final wind-up they become compulsory and this is breaking faith with the people that we are representing back home and I'm going to have to be opposed."

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

J. Glenn Schneider: "Thank you, Mr. Speaker, very briefly I think we ought to make this observation about the legislation. And that is that the cost of education in the higher education institutions is exorbitant inasmuch as it also includes tuition and room and board. I think we ought to give serious consideration to the reality that junior college education, that it is available in the community at a rate that excludes room and board inasmuch as the student will be living at home and therefore offers a reduction in the cost of survival for the student and the family in trying to educate for our time, and the junior college also offers the notion of what we mean by junior college. It feeds into the local ideas about education, it gives many students who have the opportunity to have a two year terminal education which is valued again in the psychological time in which we live and so I suggest that certainly we're looking at the cost, the expenditures and trying to sustain a junior college system, but on the other hand we are deny-



ing from the local communities and the students in that community the opportunity to attend a quality school and be able to economize while doing so. So rather than feel the pressures and the apprehensions that I think have been expressed about tax increases and the costs to individuals, I think we ought to look at it as a potential cost reducer, so I hope that many of you will support this bill with this kind of possible outlook. Thank you."

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

Robert Craig: "Mr. Speaker and Members of the House, I want to rise and say a few words on behalf of this bill. I happen to come from an area that is not in the junior college district. We have a junior college in Danville, Illinois, and I believe that this bill will benefit all of the colleges in the state as well as providing other areas to have junior colleges that would have junior colleges to it could benefit these areas that say they don't want to be in an area, they only want to pay for the students that they have going to the schools and then quit as soon as they're out of those two years. I wonder how far our public education system, our elementary and high schools would get along if they were considered the same way and I in a group of people would want out of them, out of those districts and not pay anymore taxes since our children are out of school. As far as being compulsory, it is now and this will only make them pay the fair share and I do think this



is by far the most economical way for these students to get an education and these vocational training schools that a lot of these students don't need to go to a four year college and I urgently want everyone to give a green light and support this bill that I think will benefit the state of Illinois and all the junior college districts. It will give them an area of a tax face that will be more economical for everyone concerned than it is in the present form. Thank you."

Hon. W. Robert Blair: "The gentleman from Sangamon, Representative Londrigan."

James T. Londrigan: "Mr. Speaker and Ladies and Gentlemen of the House, I again rise to vigorously oppose this bill. When I was on the higher education committee we beat it several times. It has made it to the floor again several times always being defeated, and it's being it has been defeated for a very good reason. The state and the people were sold on this junior college program on a voluntary basis. Now, after several of the districts said we do not want it, we don't want to increase our real estate taxes, we, the legislature are asked to overcome the vote of the people and tell them that despite your vote no, we're going to force you to raise your real estate taxes. I do not think we are ready to do that to destroy our people's faith in their vote. Thank you."

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



Bradley M. Glass: "Thank you, Mr. Speaker. Will the sponsor yield for a question?"

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

Bradley M. Glass: "Ah, Bill, do you know what percentage of the cost of operating junior colleges is paid by the state?"

William D. Walsh: "Ah, the cost is if I recall correctly is about one third of the operating cost."

Bradley M. Glass: "Well, I'm somewhat sympathetic with the people who oppose the bill as much as I hate to oppose the bill with such excellent sponsorship, but I'm wondering and I do not feel that it's fair for people to get a free ride and enjoy the benefits of a junior college if they're not paying their fair share, what would be wrong with charging out of district students a charge back to their district the exact operating cost of a student? In other words, if they do that now, it seems to me that they are paying their fair share of the cost. Am I correct on that?"

William D. Walsh: "Well, that's exactly what happens. The problem with that is two-fold. The first is that the districts that are sending a great number of students to a out of district junior college, the people in that district are paying in some cases more to do that than the people within the junior college and area are paying and those people who are paying it have no voice whatever in the way the junior college is run. The second problem is those areas that are not in junior colleges and do not want to be in junior colleges simply do not provide their students



the opportunity to attend a community college."

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

George Ray Hudson: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I oppose this particular bill in committee and I will oppose it again today on the floor on principally philosophic grounds, I suppose. These have been mentioned before but it gets back it seems to me to the people's given right in the given district to have a say as to how they're being taxed and for what they're being taxed and this would appear to be one of the last vestiges or chances of the people have of this right of referendum to which we pay lip service, but this in effect would take that right away, so I have opposed this. I do feel it's somewhat unfair to compare high school districts to junior college districts, I don't think there's any question of the fact that the people throughout the State of Illinois had a chance to vote on whether or not they would have a high school district. Each and every each and every area involved would vote for a high school district. There just happens to be that many youngsters who need a high school education. But I think it's unfair to draw an air tight parallel between high school districts and junior college districts, and in some areas these are not actually needed, they're not wanted, they will cost the tax payers money that he does not feel he has to pay and this bill would do it without his consent, so therefore I have opposed it and



I will oppose it today and urge a 'No' vote."

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 signify by saying 'Yeas', the opposed 'No', the gentleman's motion prevails and the gentleman from Cook, Representative Bill Walsh to close the debate."

William A. Walsh: "Well, Mr. Speaker, Members of the House, I think that the most serious objection brought out against this bill is the mandate part where we, as some opponents have said, force areas against the wills of the people in those areas to join a junior college district and may I submit to you that if the question of whether they should pay charge back tuition were submitted to those people by referendum, they would resoundingly say no. We in the legislature did this. We said that the high schools could charge this. We said that there would be no limit on what was charged. We said that they could charge what was spent, they could levy for that amount and indeed there have been instances where there have been serious question that they didn't levy more than what was spent, so I submit to you also that when the community junior college act came about in 1965, it wasn't for amoment thought in my opinion, and I served in that session, by the members of this legislature that the entire state would not be in a junior college district. It would make no more sense to do that than to say



that we will let townships or even counties opt out of high school districts. And if you don't think that townships or counties in some instances wouldn't opt out of high school districts or elementary school districts, then I think you're dead wrong, I think that they would and would be glad to relieve themselves of that burden. Now, I suggest to you that in some parts of this state they are not offering vocational education, they're not offering their students health services education and all the many things that junior colleges offer that are offered in the more popular parts of the state. I suggest to you, Mr. Speaker, that this is equity, so this bill should pass and I solicit your support."

Hon. W. Robert Blair: "The question is shall Senate Bill 1188 pass? All those in favor will signify by voting 'Yeas', the opposed by voting 'No'. The lady from Cook, Mrs. Chapman, to explain her vote."

Mrs. Eugenia S. Chapman: "Mr. Speaker, Members of the House, funding higher education is a matter of great concern to this legislation and should be. If you truly want to see us open the doors for higher education to as many students as possible at the most economical cost possible you do not have any choice that I can see that you can make except to vote 'Yeas' on this bill. Our junior colleges are costing us, this is the local property taxpayer and the state, approximately \$1,500.00 per student per year. No other kind of higher education is being offered to the public at



this price. This is the best buy in education for the students, for the students' parents, for the taxpayer and for the State of Illinois. Ah, that's a wonderful vote. Thank you."

Hon. W. Robert Blair: "Representative Choate, 'Present'. Have all voted who wished? Take the record. On this question, the 'Yeas' are 104, the 'Nays' are 33, 1 answering 'Present' and record Representative Gene Hoffman voting 'Present', 2 answering 'Present' and this bill having received the constitutional majority is hereby declared passed. Senate Bill 1303."

Fredric B. Selcke: "Senate Bill 1303, a bill for an act to amend 'the Illinois Pension Code'. Third reading of the bill."

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

Peter C. Granata: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1303 is permissive legislation that must be approved by each pension board and then finally passed on by the state board of investments. All it does is permissive legislation allowing the pensions boards to invest up to five per cent in bonds for Israel. It passed the Senate with no opposition. It's good legislation, it's permissive legislation and I'd appreciate the vote of every member on the board."

Hon. W. Robert Blair: "Is there any discussion? The gentleman from Macon, Representative Borchers."



Webber Borchers: "Ah, Mr. Speaker and Fellow Members of the House, now you certainly know I'm not anti-Israel, I'm pro Israel when it comes to the situation, but this has got to do with money and there is no certainty that there will not be a destruction by superior force of Israel and these bonds would be worthless just like the German bonds were worthless. I'm certainly not seriously going to oppose it because as I say I am pro Israel in this business and plus, but this financial matter."

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

Ira Colitz: "Mr. Speaker, I rise in support of Senate Bill 1303. This is the fourth bill of a series that allows investments to be made by regulatory agencies in State of Israel bonds. Now, they have never really reneged on any bonds, so tell Mr. Borchers. This particular bill deals with the pension funds and I so ask for your support."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Christian, Representative Tipsword."

Rolland F. Tipsword: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this bill. I appreciate the comments of my colleague from the 52nd District. I would just merely wish to say that the sponsor of this legislation in this House has spent a lifetime of service in this body and in that lifetime of service in this body, he has done more than I presume any other individual to promote a sound pension system not just for this body but for all of the



employees and all of the people paid by and any way associated with the State of Illinois who would fall under their pension system, and I know that he would never lead us astray nor would he ever stand for everything that would render the pension plan of this state unsound and I'm very pleased to support him and to thank him for the very great job he's done for the pensions in the State of Illinois."

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

Jacob John Wolf: "I wonder if the sponsor would yield to a question?"

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

Jacob John Wolf: "Representative Granata, can you tell me, are there any other nations now in which we invest our pension funds? In any other governments?"

Peter C. Granata: "They've bought some bonds, yes."

Jacob John Wolf: "There is, so it is now permissible?"

Peter C. Granata: "Yes. It is permissible."

Jacob John Wolf: "Then why do we need a special bill? Why do we need a special bill for a specific country?"

Peter C. Granata: "We are starting this here now so the state investment board will have the authority if they see fit."

Jacob John Wolf: "Well, I'm not quite clear. If we already are investing in other foreign countries, why. . ."

Peter C. Granata: "Yeah, but they aren't buying them."

Jacob John Wolf: "Beg your pardon?"

Peter C. Granata: "They're not buying any."



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Jacob John Wolf: "They're not buying any."

Peter C. Granata: "No, sir."

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

Gerald W. Shea: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "The previous question has been moved.

All those in favor will signify by saying 'Yeas', the opposed 'No', the gentleman's motion prevails. Does the gentleman from Cook, Representative Granata, wish to close the debate?"

Peter C. Granata: "Gentlemen, I wish to see all green lights up there. Thank you."

Hon. W. Robert Blair: "The question is shall Senate Bill 1303 pass? All those in favor will signify by voting 'Yeas', the opposed by voting 'No'. The gentleman from Livingston, Representative Hunsicker."

Carl T. Hunsicker: "I'd just like to explain my vote, Mr. Speaker and Ladies and Gentlemen of the House. I didn't get to ask questions before we voted on this and I'm wondering on our pension fund if we're going to invest in bonds in the State of Israel, we're going to wind up with Egypt owning them? I'm going to vote 'No'."

Hon. W. Robert Blair: "Have all voted who wished? After my seat mate changes my vote, please? Have all voted who wished? Take the record. On this question, the 'Yeas' are 132, the 'Nays' are 5 and this bill having received the constitutional majority is hereby declared passed.



Senate Bill 597."

Fredric B. Selcke: "Senate Bill 597, a bill for an act to amend sections of the 'Illinois Pension Code'. Third reading of the bill."

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

Frank C. Wolf: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, you will find Amendment 3 on your desks to Senate Bill 597. Senate Bill 597 amends Article VIII, the Illinois Municipal Employees Annuity and Benefit Fund at Chicago. The bill contains a group changes in the law governing the fund applicable to the employees of the City of Chicago. The formula pension for the service retirement was revised in keeping with the pension commission's regulations to a greater basis with the rates increasing according to the lesser service, conforming to the same standards as those recently enacted for the state employee, the teachers, and other employee groups in the City of Chicago, the County of Cook, including the change of final average salary period from five to four years. To finance these changes, the employee makes a additional contribution of .5%. The changes made by these bills are all in accord with the established commission policy and the front the pension fund, the municipal pension fund of the City of Chicago as all times it hurt appeared to the standards and recommendations of the commission on its legislative programs. I do have to have a 60% required vote and I ask for



a favorable vote."

Hon. W. Robert Blair: "Is there any discussion? The gentleman from Cook, Representative Palmer."

Romie J. Palmer: "Will the sponsor yield to a question?"

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

Romie J. Palmer: "How much money will this cost the people of the City of Chicago annually, Frank?"

Frank C. Wolf: "Ah, if you do look at Section 2-150, I believe I've amended that particular section whereby we're spreading the tax levy to financing of this particular project over a period of six years instead of three years. I do not at this actual moment have the actual figure of what it would cost, but we're alleviating the condition or the tax levy by that particular section."

Romie J. Palmer: "I would like ah do you have an estimated dollar amount?"

Frank C. Wolf: "Ah, off hand, I do not but I think that it would probably be somewhere in the vicinity of \$3 million to \$4 million."

Romie J. Palmer: "Per year?"

Frank C. Wolf: "Yes."

Romie J. Palmer: "All right, there's one further thing. In the digest, it states that the bill permits the board to register the securities in the name of a nominee. Is that still in the bill?"

Frank C. Wolf: "That's still in the bill."

Romie J. Palmer: "Well, what is the reason for that?"



Frank C. Wolf: "Ah, I believe that because of the work necessary, that is the administrative work within the pension fund that it's a lot easier to put in the name of a nominee."

Romie J. Palmer: "That would mean the name of an individual or corporation or somebody else, is that right?"

Frank C. Wolf: "The name."

Romie J. Palmer: "Yes."

Frank C. Wolf: "Name or bank."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Cook, Representative Duff."

Brian B. Duff: "Will the sponsor answer a question?"

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

Brian B. Duff: "I notice it says this bill gives temporary non-civil service employees the right to vote in trustee elections. Ah, how many temporary non-civil service employees are there in Chicago now?"

Frank C. Wolf: "Ah, I believe ah off hand of course, you're asking me a figure, an exact figure to how many non-civil service employees there are, but I know that the majority that shall I say the civil service agency throughout the city of Chicago is building up that particular system on a merit system and I believe that there's quite a bit of people nowadays in the City of Chicago that are not on a patronage job, but more on a civil service basis."

Brian B. Duff: "Well, if you can't tell us how many non-civil service temporary employees there are in Chicago, can you



give us a percentage of the temporary civil service people as compared to the total number of civil service employees?"

Frank C. Wolf: "I would venture to say that it would be my guess to be that about ten per cent temporary."

Brian B. Duff: "I wonder, sir, if you would tell us why you feel it is important that temporary employees be given the right to vote in this area."

Frank C. Wolf: "Are you talking about the vote within the department?"

Brian B. Duff: "Right, for trustees."

Frank C. Wolf: "Well, I believe that basically all trust funds, that all pension funds do have a non-civil service status trustee. And I feel from this standpoint firmly that they have a right to vote because of the fact that they make contributions to the fund. And I'm not going to do anything in this particular bill that I haven't done on behalf of the State Retirement Board, the Chicago Teachers and this bill is identical to those other eight particular bills which I have passed out of this House."

Brian B. Duff: "Can a temporary non-civil service employee stay in a temporary status long enough to qualify for pension benefits?"

Frank C. Wolf: "Yes, he can."

Brian B. Duff: "Thank you, Mr. Speaker."

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

Jacob John Wolf: "A question of the sponsor."



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

Jacob John Wolf: "Yes, Frank, this this bill contains a provision for a non-referendum tax levy. Do I understand that correctly?"

Frank C. Wolf: "Yes."

Jacob John Wolf: "No referendum."

Frank C. Wolf: "No."

Jacob John Wolf: "Thank you."

Hon. W. Robert Blair: "Is there further discussion? Does the gentleman wish to close the debate?"

Frank C. Wolf: "No, I'll take the chances here of the General Assembly to the point that I believe that again if I may stress the point that this bill was originally an omnibus bill under Senate Bill 647 and this is the product of the Pension Laws Commission and they found that the most satisfying one the fact that is most agreeable to all pension funds outside of the City of Chicago Police or Firemen is our legislative or the judicial. These, this is basically the formula throughout all entities, throughout the State of Illinois, County of Cook and the City of Chicago, and I ask for a favorable vote."

Hon. W. Robert Blair: "The question is shall Senate Bill 597 pass? All those in favor will signify by voting 'Yeas', the opposed by voting 'No'. The sponsor indicates that an emergency clause, will require 107 votes. Have all voted who wished? Take the record. On this question, the 'Yeas' are 132, the 'Nays' are 4 and this bill having received the



constitutional majority is hereby declared passed. Campbell, 'Yeas'. Schoeberlein, 'Yeas'. This bill having received the constitutional 60% majority is hereby declared passed with the emergency clause. Senate Bill 670."

Fredric B. Selcke: "Senate Bill 670, a bill for an act to amend Sections of 'The Illinois Pension Code'. Third reading of the bill."

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

Frank C. Wolf: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, the amendment again, Amendment 2 to Senate Bill 670 is on your desk. 670 amends Article XI of 'The Labor Annuity and Benefit Fund in Chicago.' As stated before, I highlighted the various features of this particular formula. In addition to this particular or in this particular amendment, this also permits the Labor Annuity to make an investment in common stock, increasing the investment from that of 10% to 25%. The maximum prescribed by the commission was 33 1/3% of the book value of the total investments. Ah, this still again is stated before in discussion of Senate Bill 597 reflects the standards and recommendations that of the commissions. These bills are in according to the pension commission's policies and as I stated before both of these being both city pension funds, they have it here to be committee policies and recommendations and have worked along very steadily and patiently to build up a formula that would be most satisfactory at the lowest cost."



I ask for a favorable vote on Senate Bill 670."

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

Jacob John Wolf: "A question of the sponsor."

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

Jacob John Wolf: "Frank, how much will this increase the property tax for the residents without referendum?"

Frank C. Wolf: "Well, if you'll look over to your Section 170, this bill is also spread over another period of six years instead of three. Now, you're asking me a direct question as to how much would it. Off hand, I'm not in a position to state how much, but I would say that it would be the same. In fact, before I do make this statement, the Labor Pension Fund outside the Chicago Park District, if you would check out, it has a funding of 81% and I believe that it is classed second best in the State of Illinois outside the Chicago Park District, which is funded about 95% and when you talk about pension funds like that of the Laborers of the Chicago District, where they're funded to that percentage, I feel that they're well financed and that they can take care of themselves, and I'm sorry that I can't direct that question to you directly as to what it would cost the taxpayers."

Hon. W. Robert Blair: "Is there further discussion? The question is shall Senate Bill 670 pass? All those in favor will signify by voting 'Yeas', the opposed by voting 'No'. This will require 107 votes. Have all voted who wished?"



Take the record. On this question, the 'Yeas' are 142, Tipsword, 'Yeas', Campbell, 'Yeas', the 'Nays' are 0 and this bill having received the constitutional 60% majority is hereby declared passed. Senate Bill. 1182."

Jack O'Brien: "Senate Bill 1182, a bill for an act to amend sections of 'The Illinois Harness Racing Act.' Third reading of the bill."

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

Anthony Scariano: "Mr. Speaker and Ladies and Gentlemen of the House, I'm handling this for the present temporary speaker. 1182 and 1183 should be considered as companion bills, Mr. Speaker. May we have leave?"

Hon. W. Robert Blair: "Are there any objections? Hearing none, will the Clerk please read Senate Bill 1183."

Jack O'Brien: "Senate Bill 1183, a bill for an act to amend sections of 'The Illinois Horce Racing Act'. Third reading of the bill."

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

Anthony Scariano: "Ah, Mr. Speaker, as the speaker knows, this is a joint effort of the speaker and myself. We've collaborated and in amending Senate Bills 1182 and 1183 and they are very important bills. They revise both the flat track racing bill act and the harness racing act to provide that all applications for racing needs in the State of Illinois must contains the names of the applicants together with a



list of all the people who own any kind of interest in the association itself, whether it be as a shareholder direct or indirectly or a partnership or corporation of trusts nominee or any form of ownership at all. Ah, the application is to list nominees and for whom they hold and they're to list trusts and who the beneficiaries of the trusts are and if requires a recording of a change in ownership at any time such ownership change shall occur. There are fines of \$20,000.00 involved and there is the possibility of losing a meet in the event that compliance is not had with the law. We also provide that any real estate or personal property leased to the tracks, there must be disclosure to who the people are who own beneficial interests, whether in the form of direct ownership, a nominee, a trust or corporation. And concessionaires must also to the extent that they do 5% of any kind of business at all with the race track, they must disclose who owns any interest at all in the concessions. Mr. Speaker and Ladies and Gentlemen of the House, I urge your adoption of these two bills."

Hon. W. Robert Blair: "Is there any. . .the gentleman from McHenry, Representative Hanahan."

Thomas J. Hanahan: "Would the gentleman yield for a few questions?"

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

Thomas J. Hanahan: "First of all, Representative Scariano, the synopsis says a few things that you haven't said in your presentation. I was wondering whether or not if in



the amendments, because I don't have the amendments before me, if you still changed the racing dates in harness racing in Senate Bill 1182 to February 14th and December 15th?"

Anthony Scariano: "Those were taken out, those were in the Senate Bill and I might say that one of the things that I omitted saying is that there's a prohibition of contributions by race tracks for political purposes."

Hon. W. Robert Blair: "Representative Hanahan, the Clerk informs me that everything after the enacting clause was eliminated, so that the summary in the digest would have nothing whatever to do with the bill in its present form. Everything in the digest is now out of the bill."

Thomas J. Hanahan: "So now right now then Representative the bill that is before, the two bills that are before us, the a there's strictly a bill to make stock holders solicited, and nothing to do with the racing act itself, except to granting of dates or the publication of the ownership of the racing stock."

Anthony Scariano: "No, no. It's purely and simply a disclosure bill only and a prohibition on contributions."

Thomas J. Hanahan: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I you know it's pretty difficult to come into a session and vote on a bill of this nature when without it ever having going through the processes of hearings in both houses and the Senate so you can see what is going on. I don't know if this is a good bill or not, Representative, it probably is, but I have some hesitancy that if



you're going into disclosures, I would like to know what you're going to do on the granting of racing dates to the newspapers. Is there any change in that that you're granting free dates?"

Anthony Scariano: "No, we're not touching the granting of dates at all and I might say that virtually all of the provisions of these bills are contained in two bills of mine which passed committee, and I referred to the temporary speaker as the chief sponsor of the Senate Bill by striking everything after the enacting clause of these bills as they passed the Senate and to put in there things that he and I got together on and most of these have been considered by the Agriculture Committee and passed on out of the Agriculture Committee a couple of weeks ago. They gave consideration to these bills and as I recall it, I think it was an unanimous vote."

Thomas J. Hanahan: "Well, then I've got another question then. Ah, if at a race track, let's say Arlington Park or Hawthorne or one of the racing race tracks, you say that concessionaires, you define concessionaires to include service employees, such as the janitorial service at a race track and the rest of the window washing outfits that come in one day every couple weeks. Do you include also all the employers that are employed by the race track for the need to operate. Or is it strictly the restaurateur?"

Anthony Scariano: "No, no, these are concessionaires in the traditional sense. Let me read to you that portion. These



requirements shall apply to any person holding five per cent or more legal or beneficial interest or controlling legal or beneficial interest in any person or beneficiary selling anything used or consumed at any racing meet covered by this act."

Thomas J. Hanahan: "Well, does that include, the question was the direct question I had, would that include let's say the window washing contractor?"

Anthony Scariano: "No. No."

Thomas J. Hanahan: "He would not be included? All right, I have no objection to the bill, sir."

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

W. J. Murphy: "Mr. Speaker, you know even the sponsor of the bill isn't germane to the bill. And so a parliamentary inquiry. Could I question on third reading if this subject matter is germane? The original bill?"

Hon. W. Robert Blair: "Representative Murphy, the same question was asked on the order of second reading yesterday and the Speaker ruled that it was germane. The gentleman from Livingston, Representative Hunsicker."

Carl T. Hunsicker: "Now, the calendar shows the bill on third reading. Did we return it to second for the purpose of this amendment?"

Hon. W. Robert Blair: "We're on third reading right now."

Carl T. Hunsicker: "Yeah, but isn't he putting on a new amendment?"



Hon. W. Robert Blair: "No, he's not, sir."

Carl T. Hunsicker: "I understood it was. Thank you."

Hon. W. Robert Blair: "No, he's not. Is there further discussion? The gentleman from Cook, Representative Scariano to close the debate."

Anthony Scariano: "Mr. Speaker, the sponsor may not be germane, he happens to be of Italian extraction."

Hon. W. Robert Blair: "The question is shall Senate Bills 1182 and 1183 pass with the emergency clause? All those in favor signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. On this question, there are . . . take two records. On these questions, the 'Yeas' are 159, the 'Nays' are 0 and these bills having received the constitutional 60% majority are hereby declared passed with the emergency clause. Simmons, 'Yeas'. Representative Palmer, for what purpose do you rise, sir?"

Romie J. Palmer: "Mr. Speaker, how am I recorded?"

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

Jack O'Brien: "The gentleman is recorded as voting 'Yeas'."

Romie J. Palmer: "All right."

Hon. W. Robert Blair: "Senate Bill 1223."

Jack O'Brien: "Senate Bill 1223, a bill for an act to amend sections of the Safety Inspection Education Industrial Commercial Establishments Act. Third reading of the bill."

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



Leland J. Kennedy: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to have unanimous consent to return Senate Bill 1223 to the order of second reading for the purpose of amendment."

Hon. W. Robert Blair: "Are there any objections? Hearing none, Senate Bill 1223 will be returned to the order of second reading for the purpose of amendment. The Clerk will please read the amendment."

Jack O'Brien: "Is the bill amended now? Amendment Number Three, Hanahan. Amend Senate Bill 1223 on page 1, line 14, by inserting after the words 'under the', the following: 'Illinois'; on page 2, by striking lines 26 through 34; and by striking all of page 3; and so forth."

Hon. W. Robert Blair: "Is the gentleman from McHenry, Representative Hanahan on the floor? The gentleman from Madison, Representative Kennedy perhaps can handle it."

Leland J. Kennedy: "Mr. Speaker and Ladies and Gentlemen of the House, these are just technical amendments. They have been corrected by the Department of Labor. Representative Hanahan was to ah handle them and I'd like to move for the adoption."

Hon. W. Robert Blair: "Is there any discussion? If not, the gentleman has offered to move the adoption of Amendment Number Three to Senate Bill 1223. All in favor of adoption signify by saying 'Yeas', the opposed by saying 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments? Third reading. On the order of con-



sideration postponed appears Senate Bill 208, for which purpose the lady from DuPage, Representative Dyer is recognized."

Mrs. Robert C. 'Giddy' Dyer: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, I would like to amend Senate Bill 208 simply, I would like to have Senate Bill 208 which is on first postponed consideration moved back to second reading for purposes of an amendment."

Hon. W. Robert Blair: "Hearing no objection, Senate Bill 208 will be returned to the order of second reading for the purposes of an amendment. Yeah, the Clerk please read the amendment."

Jack O'Brien: "Amendment Number Two, Dyer. Amend Senate Bill 208 on lines 10 and 28, by striking '5' and inserting in lieu thereof '8'; and by inserting after line 26 and before the paragraph added by Amendment Number One, the following: and so forth."

Hon. W. Robert Blair: "The lady from Dupage, Mrs. Dyer."

Mrs. Robert C. 'Giddy' Dyer: "Ah, Mr. Speaker, the purpose of this amendment is simply to conform Senate Bill 208 to House Bill 69 which was passed earlier in this session, just to make the language conform. I would move for the adoption of this amendment."

Hon. W. Robert Blair: "Is there any discussion? If not, the lady has offered to move the adoption of Amendment Number One to Senate Bill 208. All those in favor will signify by saying 'Yeas', the opposed 'No', the amendment is adop-



ted. Are there further amendments? Third reading. Senate Bill 1223."

Jack O'Brien: "Senate Bill 1223, a bill for an act to amend sections of the safety inspection, education, industrial, commercial establishments act. Third reading of the bill."

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

Leland J. Kennedy: "Mr. Speaker and Ladies and Gentlemen of the House. This is repetitious again. I would like unanimous consent to move Senate Bill 1223 back to second reading for the purpose of amendment."

Hon. W. Robert Blair: "Are there any objections? Hearing none, Senate Bill 1223 will be brought back to the order of second reading for the purposes of amendment, tabling an amendment."

Leland J. Kennedy: "Now, Mr. Speaker and Ladies and Gentlemen of the House, I move to table Amendment Number Three to Senate Bill 1223, . . . Amendment Number Two to Senate Bill 1223."

Hon. W. Robert Blair: "The gentleman has moved to table Amendment Number Two to Senate Bill 1223. All those in favor of the gentleman's motion to table signify by saying 'Yeas', the opposed 'No', the amendment is tabled. Are there further amendments? Third reading. Three has been adopted. Third reading. On the order of postponed consideration appears Senate Bill 606, for which purpose the lady from DuPage, Representative Dyer is recognized."



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Mrs. Robert C. 'Giddy' Dyer: "Ah, Mr. Speaker, I would like request permission to bring Senate Bill 606 back to second reading for purposes of an amendment."

Hon. W. Robert Blair: "Are there any objections? Hearing none, Senate Bill 606 will be returned to the order of second reading for the purposes of amendment. Will the Clerk please read the amendment."

Jack O'Brien: "Amendment Number Two. Amend Senate Bill 606 as amended, in the first sentence of the last paragraph by striking 'December 31, 1971' and inserting in lieu thereof 'July 31, 1972'."

Hon. W. Robert Blair: "The lady from DuPage, Representative Dyer."

Mrs. Robert C. 'Giddy' Dyer: "Ah, Mr. Speaker, this change is necessary because of provisions for a referendum in the original bill which would have had to be completed by December 31, 1971, whereas we're changing that just to make it possible."

Hon. W. Robert Blair: "Is there any discussion? The gentleman from Cook, Representative Maragos."

Samuel C. Maragos: "Mr. Speaker, would the sponsor of the amendment yield to a question?"

Hon. W. Robert Blair: "She indicates that she will."

Samuel C. Maragos: "Ah, Mrs. Dyer, could you tell us specifically why you are asking for this change as to the other six months, and what does the ah referendum, what are the purposes of the referendum under this bill?"



Mrs. Robert C. 'Giddy' Dyer: "Ah, this was a bill pertaining to forest preserve districts, as you know, and it pertained to a tax rate, it permits a tax rate increase, therefore I have put a referendum on it and this is just to extend the date for the referendum."

Hon. W. Robert Blair: "Is there further discussion? The lady has offered to move the adoption of Amendment Number Two to Senate Bill 606. All in favor of adoption signify by saying 'Yeas', the opposed 'No', the amendment is adopted. Are there further amendments? Third reading. On the order of postponed consideration appears Senate Bill 233, for which purpose the lady from Cook, Representative Chapman is recognized."

Mrs. Eugenia S. Chapman: "Mr. Speaker, House, Senate Bill 233 amends the Chicago School Law so that it would prohibit firing a student from a public school on the basis of sex. We had a discussion on this fairly lengthy one in June and there was some question as to what this would do in areas of vocational opportunities that would be offered to students. Since then, I have checked with the A.F.L.-C.I.O and Stan Johnson tells me that I may stay, that they are in support of Senate Bill 233 because they are opposed to the discrimination based on sex as it affects employment and passage of this bill would make it clear that both sexes would be eligible to enter any vocational program for which they were qualified and would not permit exclusion on the basis of sex. Ah, I would appreciate your support for this



legislation."

Hon. W. Robert Blair: "Is there any further discussion? The gentleman from DuPage, Mr. Hoffman."

Gene L. Hoffman: "Would the sponsor yield for a question?"

Hon. W. Robert Blair: "She'll answer, she indicates she will."

Gene L. Hoffman: "Do you feel that a local school district should have the option to maintain a a trade school or any type of a school, let's say a trade school, and on the basis of making it a local decision, if that school board should decide that that should just be for boys, that we should deny them this right on the basis of local control?"

Mrs. Eugenia S. Chapman: "Mr. Hoffman, it's our new state constitution which denies them this right, which was approved by the people last November. This implements the constitution in this respect."

Gene L. Hoffman: "Thank you."

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

Leland J. Kennedy: "Mr. Speaker, Ladies and Gentlemen of the House, I wonder if the sponsor would yield to a question?"

Hon. W. Robert Blair: "She indicates she will."

Leland J. Kennedy: "Mrs. Chapman, ah, isn't this a similar bill to the one that was defeated in the House in the spring session with reference to. . ."

Mrs. Eugenia S. Chapman: "Ah, this is one of the pair of bills which was considered by the House in June. This one amends The Chicago School Law and it did not have enough votes to pass in June. I believe it was because of a lack of under-



standing of the bill, so I welcome this opportunity to respond to questions."

Leland J. Kennedy: "Well, Mr. Speaker, may I speak to the bill?"

Hon. W. Robert Blair: "Yes, proceed."

Leland J. Kennedy: "Mr. Speaker and Ladies and Gentlemen of the House, ah I'd like to refresh your memory a little bit on this bill. As I recall the contents of the House Bill, there was a bitter debate with reference to whether organized labor would approve this bill or not. And I wish the gentleman from McHenry would stay in his seat, some to file his leads sometime would know just what we're supposed to do, but if I recall, this bill received considerable opposition from trade unions in Cook County. And I wish Mrs. Chapman would delay passage of this bill so I could get clear of it. I thank you, Mr. Speaker."

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

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

Hon. W. Robert Blair: "She indicates she will."

Romie J. Palmer: "Is the Board of Education of the City of Chicago in favor of this bill?"

Mrs. Eugenia S. Chapman: "Ah, yes, I'm glad you asked that and let me respond to both previous questions. First, the A.F.L.-C.I.O. supports Senate Bill 233 and 234 and secondly the Chicago Board of Education does support this bill because an amendment was accepted on the Senate side which



clarifies the situation as regard to the Chicago parental school, and let me repeat again the Chicago Board of Education supports this bill, the A.F.L.-C.I.O. supports this legislation."

Hon. W. Robert Blair: "The ah any further discussion? The lady care to close?"

Mrs. Eugenia S. Chapman: "I'd like an opportunity to explain my vote if that seems necessary, Mr. Speaker."

Hon. W. Robert Blair: "All right, the question is shall House Senate Bill 233 pass? All those in favor signify by voting 'yeas', the opposed 'No'. Have all voted who wished? The lady want to explain?"

Mrs. Eugenia S. Chapman: "Would you mind? Ah, Mr. Speaker, I'm trying to save time, if you'd run the total line, sir, ah, thank you, sir."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 129 'Yeas' and no 'Nays' and this bill having received the constitutional majority is hereby declared passed. 234. All right, on the calendar under consideration postponed, appears Senate Bill 234, which has been read a third time and on which the Chair recognizes Mrs. Dyer."

Mrs. Robert C. 'Giddy' Dyer: "Mr. Speaker, Ladies and Gentlemen of the House, I would hope that we would receive the same roll call on Senate Bill 234 that we just received on 233. This bill does the exact same thing for schools downstate that 233 did for Cook County. It simply bars discrim-



ination in public schools on the basis of sex for qualified applicants. I would welcome your favorable vote."

Hon. W. Robert Blair: "Is there further discussion? All right, the question is shall Senate Bill 234 pass? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are 131 'Yeas' and 3 'Nays' and this bill having received the constitutional majority is hereby declared passed. All right, with leave of the House we'll go back to Senate Bills, oh. . .all right, with leave of the House, we'll go for a moment to a couple of resolutions which have been requested to be read at this time, and then we'll go back to our order of business. Ah. . ."

Jack O'Brien: "House Resolution 468, McMasters."

Hon. W. Robert Blair: "All right, the gentleman from Knox, Mr. McMaster."

A. Thomas McMaster: "Ah, Ladies and Gentlemen of the House, Mr. Speaker, I would like to read House Resolution 468. 'Whereas, The Victoria-Copley Fire Department and the Victoria-Copley community face a crisis in fire protection arising from the need to maintain a minimum number of firemen on duty; and Whereas, The Pressures of out of town employment have dangerously decreased the number of men available to take up the demanding and dangerous task of fighting fires; and Whereas, Mary Lou Bock, Pat Henry, Ida Kenough, Diana Wetterow, Doris Wetterow and Mary Wetterow, have courageously come forth to aid in this protection of



their community; and Whereas, In order to fulfill their civic duty in a professional manner these brave women have enrolled in and completed the exacting training program conducted by the University of Illinois' Extension Fire Training Service and thus become the first women in the State of Illinois to complete this course; therefore, be it Resolved, By the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we commend and congratulate Mary Lou Bock, Pat Henry, Ida Ken-
naugh, Diana, Doris and Mary Wetterow upon completion of their firefighting training; that we express our admiration and sincere appreciation for the services they render to their community; and be it further Resolved, That a suitable copy of this resolution be presented to these ladies. Ladies and Gentlemen of the House, I move the adoption of this resolution."

Hon. W. Robert Blair: "All right, any discussion? All those in favor of the adoption of the resolution say 'Yeas', the opposed 'No', the 'Yeas' have it and the resolution is adopted. For what purpose does the gentleman from Knox, Mr. McMaster rise?"

A. Thomas McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, I rise on a matter of personal privilege. I would like to introduce the ladies involved in the resolution I have just read. Ah, these ladies are in the gallery ahead of us. Will you stand, please? I would also like to introduce Mr. Bock, the husband of Mary Lou Bock



and the fire chief of these lovely ladies, Ed Morgan."

Hon. W. Robert Blair: "Further resolution?"

Jack O'Brien: "House Resolution 269, Granata."

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

Peter C. Granata: "Could Mr. Hyde."

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

Henry J. Hyde: "Well, Mr. Speaker, this resolution I've been asked to read. 'Whereas, November 6, 1971, marked another Buon Complianno, I hope I'm right, in the ever expanding life our highly respected and dearly beloved colleague, the Honorable Louis F. Capuzi, Representative from the 19th District in Chicago, now serving his 8th term in this body; and Whereas, The heavenly bodies that rule our destiny are in such juxtaposition on November 6th that anyone born on that day is endowed with incomparable creative ability and innovative genius as is conclusively demonstrated by James A. Naismith born on that date who invented the game of basketball, to say nothing of the musical creativity of such minor geniuses born on that date as John Philip Sousa and Jan Paderewski; and Whereas, Our gifted colleague, zodiacally speaking, is first of all a man in every sense of the word that begets respect, admiration and warmth in personal relationship - family man with a charming and gracious wife, Geneva, and three adoring children; a patriot who earned the Bronze Star and Purple Heart while serving 27 months in the European Theater in World War II; and a legislator of great ability and serious



dedication to the interests of all the people in his district; and Whereas, During his many years in this body his creative endowments could be sloganized as: No good cause which involves financial institutions, pensions or motor vehicles shall lack a champion, and no Italian-American selected as 'Man of the Year' or 'Woman of the Year' or honored for any such ethnic award, service or jubilee, or any special day like Columbus Day, shall pass without appropriate recognition in Resolution or Memorial to Congress adopted by this body; therefore, be it Resolved, By the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we extend our warmest congratulations to our most beloved, highly respected and creatively gifted colleague, the Honorable Louis F. Capuzi, on his 51st birthday; that with befitting creativity and joyous salutation we wish him a most happy completion of this year and many more to come; and that a suitable copy of this preamble and resolution be presented to him.' Mr. Speaker, Ladies and Gentlemen of the House, I now move adoption of this resolution."

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

Peter C. Granata: "Mr. Speaker, Ladies and Gentlemen of the House, to go on and extoll the virtues of my pal Louie Capuzi, I could go on forever, because if it were possible for one man to love another I could truthfully say I would love Louie Capuzi. I have the respect for him that I have for my children, and all that I can say Louie is that Al-



mighty God shower you with his choicest blessing and in closing, I'm going to ask Representative Tipsword to lead us in singing Happy Birthday Dear Louie."

W. Robert Blair: "All right, the gentleman from Christian, Representative Tipsword."

Land F. Tipsword: "If you'll joining with me. 'Happy birthday to you, Happy Birthday to you, Happy Birthday dear Louie, Happy Birthday to you."

W. Robert Blair: "The gentleman from Cook, Mr. Granata."
 Peter C. Granata: "No."

W. Robert Blair: "Oh, Capuzi."

Louis F. Capuzi: "Thank you, thank you very much Ladies and Gentlemen. I certainly appreciate this and especially from Pete and the rest of you, but you know after you hit that 50, you want to forget your birthdays, so thank you very much."

W. Robert Blair: "All those in favor of the adoption of the resolution say 'Yeas', the opposed 'No', the 'Yeas' have it and the resolution is adopted. Ah, with leave of the House, we'll go to House Bills third reading, on which there appears House Bill 3748."

Jack O'Brien: "House Bill 3748, a bill for an act to amend sections of an act establishing the Judicial Districts. Third reading of the bill."

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this bill is sponsored by Representative Madigan

and myself. It's with regards to judicial reapportionment. Hopefully the Senate will make a minor amendment in it and we can get it in a conference committee so that we may accomplish judicial reapportionment before the filing for the primary election. As this bill is performed, this bill is in at the present time, its the way the present law reads, so we are making no changes in it, nobody should be embarrassed by voting for it and I'd appreciate the support of the House."

Hon. W. Robert Blair: "All right, the gentleman asks leave to suspend the provisions of Rule 32c so that this bill may be considered for passage at this time. Is there objection? All right, the leave's been given. The gentleman from Logan, Mr. Madigan."

Edward R. Madigan: "What Mr. Shea says is correct, Mr. Speaker. The procedure we are following is an agreed procedure between the Republican and Democrat leadership and this bill does simply represent the present descriptions of the present judicial districts and we are required to do something about this by the new constitution, so we are just moving this along to the coference committee stage in the hopes that we'll have some agreement by that point. Now, . . ."

Hon. W. Robert Blair: "Is there any discussion? All right, the question is shall House Bill 3748 pass with the provision that it shall become effective immediately upon its becoming a law. All those in favor will vote 'Yeas' and



the opposed 'No', and this will require 107 votes. The gentleman from Cook, Mr. Simmons."

Arthur E. Simmons: "Ah, this bill has a little different wording about the emergency. It says it will be effective January 1st, and I just wondered if a petition signed prior to January 1st, would be valid?"

Hon. W. Robert Blair: "Well, there are no there are not, that is not really a question for the Chair as to whether a petition would be valid, ah, the petitions unless those bills pass out that we sent over to the Senate, I don't think we would be these contests being involved with the selections being involved prior to next August. I don't think, . . . unless those bills passed, then your question would be, yes, Mr. Simmons?"

Arthur E. Simmons: "Yes, I just brought it up for the benefit of the sponsors, they may want to deal with the subject in the Senate."

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

Joseph Fennessey: "Will the sponsor yield for a question, please."

Hon. W. Robert Blair: "Well, we're on explanation of vote, so on his explanation of vote, why he can. . . answer if he cares to."

Joseph Fennessey: "Well, Representative Madigan, does this bill, I was off the floor, but oh, it's your bill? Does this have anything to do with the reapportionment of the



appellate districts?"

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

Joseph Fennessey: "Have you got a map that we can look at or anything?"

Hon. W. Robert Blair: "All right, the gentleman from Cook, Mr. Shea, on explanation of vote."

Gerald W. Shea: "Ah, Mr. Speaker, Ladies and Gentlemen, this bill contains the exact present districts, as they are now constituted. We're hoping to get it over to the Senate amended in a conference committee so that we may accomplish this task before we go home this time."

Hon. W. Robert Blair: "All right, the question as put by as indicated by Mr. Simmons is that this bill become effective on January 1, 1972, which requires 107 votes, so have all voted who wished? The Clerk will take the record. . . On this question, there are 144 'Yeas' and 2 'Nays' and this bill having received the required vote under the constitution is hereby declared passed. For what purpose does the gentleman from DuPage, Mr. Redmond, rise?"

William A. Redmond: "Mr. Speaker, Ladies and Gentlemen of the House, I am the House sponsor of Senate Bill 1271 which is identical to a bill that Representative Rose passed out of here. It has to do with the appointing of a a member of a water commission because of a judicial appointment has been taken away. At least the commission now has only two members and I have an amendment that I would like to put on it and as far as I know there is no opposition to



having this advanced to second reading without reference. I've spoken to the leaders on both sides, and I ask for the suspension or the appropriate rule and leave to advance Senate Bill 1271 to second reading without reference."

Hon. W. Robert Blair: "Well, when we when we get to that order of business, we'll consider it. We're on House Bills third reading at this time. All right, Senate Bills second reading. Senate Bill 1272."

Jack O'Brien: "Senate Bill 1272, a bill for an act to divide the State's legislative districts. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. Senate Bill 1273."

Jack O'Brien: "Senate Bill 1273, a bill for an act to amend Section 2-11 of 'The Election Code'. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. Senate Bill 1293."

Jack O'Brien: "Senate Bill 1293, a bill for an act to require the recording of the Governor's actions on bills to the Members of the General Assembly. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. Senate Bill 938."

Jack O'Brien: "Senate Bill 938, a bill for an act to amend Section of an act of the Business Corporation Act. Second reading of the bill. No committee amendments."



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

Jack O'Brien: "Amendment Number One, Pierce. Amends Senate Bill 938 on page 3, by inserting between lines 6 and 7 the following: and so forth."

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

Daniel M. Pierce: "Mr. Speaker, Senate, Amendment Number One to Senate Bill 938 which I am offering is an effort to take care of some of the matters raised in committee, judiciary committee, by providing more adequate information to the dissenting shareholders and to protect their rights in court. We would require under this amendment that the dissenting shareholders be entitled to the latest balance sheet and profit statement of the companies being merged and if the offer is materially less than the fair value later determined, that the court may order the corporation to pay not only court costs but also compensation and expenses of the appraisers, as well as the fees of experts employed by the dissenting shareholder. The purpose of the amendment, therefore, is to protect the dissenting shareholder in mergers, and the bill only applies to mergers where the pair of corporations owns 99 per cent or more of the stock of the superior corporation and is a short form merger bill similar to New York, Delaware, District of Columbia and other major states."

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

Leland H. Rayson: "Would the distinguished gentleman from Lake yield to some questions?"



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

Leland H. Rayson: "On this bill as you know, I've been collaborating with Representative Katz and we hope to offer some amendments to this bill and an amendment of which I have submitted to you. Have you had a chance to look at the amendment and look it over?"

Daniel M. Pierce: "Ah, you submitted your amendment to me about half hour ago and I have read it over."

Leland H. Rayson: "Yes. Ah, you say you have read it over?"

Daniel M. Pierce: "I read it over as very fast as I could in that period, yes."

Leland H. Rayson: "Do you have any comments on it at this time?"

Daniel M. Pierce: "Your amendment is not before the House at the present time. I will volunteer this. I will volunteer that the amendment surely appears to be more appropriate as an amendment to the Public Utilities and not the Business Corporation Act, because it affects regulation of public utilities. Therefore, I don't feel it is particularly germane, but as I said we have before us now only Amendment Number One."

Leland H. Rayson: "Well, this is all right. The question though since we're in the process of getting this amendment ready and we're not really complete at this time to confer with you on it, would you agree after your amendment is adopted to hold this bill on second reading for some future consideration on these amendments?"



Daniel M. Pierce: "Ah, Mr. Rayson, our problem is here these are the last few days of the session. When I took this bill over from the Senate sponsor last Spring, ah, I determined that I would do my best to give it a chance to come before the floor of the House, and the bill was introduced way back in April 20th and did pass the Senate without a dissenting vote and was heard a week ago today in judiciary committee and was recommended to pass. It was also heard in judiciary committee in May and postponed, so or June and postponed, so I would say I would like to see this bill go to third reading, ah, advanced to third reading, ah, I will look at your amendment and talk it over with Senator Lyons, the Chief sponsor and Senator Harris on the Senate side and if they're willing to accept the amendment, of course, I'd bring it back to second reading and it could be voted on, of course, we could waive the rules and maybe vote on it, but I think in fairness to the Senate sponsors of this bill who want it heard in this session, I would ask that you present your amendment which is already drafted today while we're on second reading. I did hold this an extra day on second. It was on second reading first legislative day on Friday, then again yesterday, it was held yesterday and it is now today. So, I would suggest that you present the amendment which is prepared today."

Leland H. Rayson: "All right, thank you."

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

J. Theodore Meyer: "Question of the sponsor, Mr. Speaker."



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

J. Theodore Meyer: "Representative Pierce, is this true that this is Illinois Bell's bill?"

Daniel M. Pierce: "Illinois Bell Telephone Company is in favor of this bill and I think they are for the bill, yes, definitely."

J. Theodore Meyer: "Do you have any other corporations other than Illinois Bell approached you?"

Daniel M. Pierce: "No other corporations have approached on this bill, the Chicago Bar Association issued legislation in the past for 95% ownership for short merger and other states have 90%. The uniform merger, the Uniforms Corporation Act have a 90% figure. This bill is not unique to Illinois. One lawyer did testify against it in fairness in Committee, Arnold Schurer, and I'd like to mention his name because he worked hard in opposing the bill. Had a had a union representative testify in opposition to it. The pro testimony came from a Chicago attorney in committee. As I said, this is a Senate bill that I agreed to handle and I don't know all the background of it, but you are correct when you say that does that company favor the bill, I understand that they do."

J. Theodore Meyer: "Thank you, Mr. Speaker."

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

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

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

Bradley M. Glass: "Ah, Dan, referring to page 3 of the amend-



ment, I noticed this provides for procedures for a dissenting shareholder ah to have the cost of ah an appraisal as well as court costs paid by the surviving corporation in the event that the fair value of the shares is determined by the court materially exceeds the amount the surviving corporation is offered. Ah, I it's my understanding that at the present time it would be within the discretion of the court to award those costs anyway. Is that consistent with your views?"

Daniel M. Pierce: "Ah, I believe the court could under our present Civil Practice Act award costs."

Bradley M. Glass: "Well, I'm wondering whether this amendment really changes what the law is now and also if the word 'materially' adds a great deal to the amendment?"

Daniel M. Pierce: "Yeah, I think it I think it strengthens the right to have the corporation pay the cost of the appraisal and the cost of because the statute directs the court where it materially where the appraisal materially exceeds the offer to to pay these costs and I think it would strengthen the argument of the dissenting shareholder that the corporation should pay the costs of the appraisal and the court costs in the event that there's been no offer or a unfair offer unfairly low offer, so I feel that it strengthens and gives direction to the court to order the corporation to pay the stock holder's cost."

Bradley M. Glass: "Well, my only concern with the language in the amendment is that ah you might read the converse into it."



... words, if the court found that the offer of the corporation did not materially exceed the amount ... it might therefore feel it should award it should ... cost against the dissenting share owner. Of ... think under the present law it would have the ... determine how those costs should be charged. In ... words, I think the dissenting share holder might be ... position of having to to prove that the the offer ... fair value materially exceeded the offer, otherwise ... stuck with the cost and I'm just wondering if some ... to clarify that point would be advisable so that ... clear that the courts would still be able to award ... even if it didn't meet the test that this amendment ... in."

Mr. Pierce: "Ah, Mr. Glass, as I as I recall in com-
 mitter, Attorney Arnold Scherer specializes in these matters
 if the court could not charge the cost to the corporation
 that each party would pay its own costs, and I think this
 amendment was put in to overcome his objection so that the
 court could order the corporation could to pay the cost
 appraisal and other court costs in case the offer no
 was made or the offer was unfairly low. Although, I
 with your interpretation, I don't practice in this
 particular field and Mr. Scherer disagreed with us and
 that the man would have to pay the dissenting shareholder
 have to pay his own costs under the present statute.
 you know more about this field than I do though and

because I'm I may not be familiar with all the requirements of notice. Under the amended Section 7 which you have here you give 30 day notice opportunity with 30 days and 20 days throughout this particular section for the dissenting shareholder to take action. Is it in the rest the remainder of the corporate act allowing whether a short term merger or a long form merger is it in the act itself adequate statements as to when notice shall be given and how evidence of notice shall be proved up at the time that a consolidation or a merger is adopted?"

Daniel M. Pierce: "Under the present law, of course, if they had a stockholder's meeting, they'd only have to give 20 days notice, as I recall. Here, because there's not to be a stockholder's meeting, we provide for a 30 days notice, and also the stockholder under the amendment can demand and receive the latest profit and loss statement and the latest balance sheet of the corporations involved. That's put in by the amendment 1 which is under discussion today. Of course, the entire bill is really not under discussion today under second reading."

Samuel C. Maragos: "No, no, what I'm trying to bring out is that the notice of provision here says that he shall file a dissent or objection prior to the meeting. Now, my question is are there no safeguards in the remainder of the act regarding this where they would allow when the man has adequate notice before the meeting in order to be able to file his objection. That's my question on that. I believe



what you say sounds right to me, but Mr. Scherer didn't agree with us and that's when we put that language in there hoping to strengthen the right of the dissenting shareholder and that's what I expected this division does, to strengthen his right to have the corporation pay his costs.

Bradley M. Glass: "Well, do you feel that if ah under the language of the bill now if the court did not find that the ah ah fair value materially exceeded the offer of the surviving corporation in that event, it could not charge the costs to the surviving corporation."

Daniel M. Pierce: "In that event each party would probably pay their own costs which would probably be the case now anyway, if the offer, if the court found them out to be the amount being offered in a pre-hearing conference or at the time the legal action was commenced, I imagine now the court would require that each party pay its own costs."

Bradley M. Glass: "All right, thank you."

Hon. W. Robert Blair: "All right, the gentleman from Cook, Representative Maragos."

Samuel C. Maragos: "Will the sponsor of the amendment yield to further questioning?"

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

Samuel C. Maragos: "Representative Pierce, I know this is an attempt by you and the people who are interested in this particular bill to make it more palatable and less stringent as it was at the time it passed the committee. However, one thing that bothers me and it may not be positive

it does, but I want to ask that it be verified if you know.

Daniel M. Pierce: "I believe it does. Mr. Scherer apparently does not agree with me, but I believe it does. That's why I'm presenting the bill today."

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

Daniel M. Pierce: "Ah, I'll offer Amendment Number One. All this amendment does is further protect the minority shareholders that we're all concerned with by providing them the right to a profit statement, a balance sheet, and by providing the appropriate cases the court will order the corporation to pay the cost of the shareholder for the appraisal. I believe the amendment improves the ah bill. We can all agree on that and adopt Amendment Number One."

Hon. W. Robert Blair: "The gentleman has moved to adopt Amendment Number One to Senate Bill 938. All those in favor of the adoption signify by saying 'Yeas', the opposed by saying 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments?"

Jack O'Brien: "Amendment Number Two, Katz. Amend Senate Bill 938 as amended on page 1, lines 11, 14 and 15 by inserting immediately before 'corporation' each place it appears the term 'public utility'; and so forth."

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

Harold A. Katz: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, Amendment Number Two to Senate Bill 938 attempts



as far as possible to correct some of the problems in connection with this kind of bill. Now, so that it will be clear to the members of this House, the problem involved is the situation where a majority of the stockholders of the corporation want to do something that is opposed by a minority of the stockholders. Now, what Senate Bill 938 does is to say that if the minority is no more than I think it's 1% then the minority can go ahead and change the whole corporation. Now, I would point out to you that the special problem that is behind this kind of legislation relates to the relationship between the Illinois Bell Telephone Company or could relate to them and the Illinois Telephone and Telegraph Company. What this amendment does is to provide that should Senate Bill 938 be utilized as a vehicle to secure a merger with Illinois Bell Telephone and have it formally taken over by American Telephone and Telegraph, the parent corporation that owns 99% plus of the shares, that A.T.&T. could not then utilize some of the overhead of A.T.&T. operating nationally to inflate the amount of monies that they could show to the Illinois Commerce Commission as a justification for increase. In other words, as the law now is and as the situation now is, Illinois Bell Telephone Company goes before the Illinois Commerce Commission and presents its cause, it's justification for a rate increase but if they were to merge with A.T.&T. which is permitted under this kind of bill and which I have heard is behind the bill, then they might seek to allocate the expenses of



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American Telephone and Telegraph Company to increase the amount of money that could be charged here in Illinois for telephone lines. So, this bill does two things. It first of all it prohibits what I've just said. In other words, it says that if A.T.&T. took over Illinois Bell Telephone that the expenses of Illinois Bell would have to be used as the basis of rate evaluation by the Illinois Commerce Commission and not the expenses of A.T.&T. nationally. And secondly, it limits the operation of this kind of statute to the particular problem that gives rise to it, which is the situation where A.T.&T. owns more than 99% of the stock of Illinois Bell. I would want to say to you that there is no unhappier situation in the business world than a minority stockholder who is trying to be gobbled up by the people who own the corporation and trying to be done out of his interest, and so I would urge that this House as in previous years, steadfastly resisted the efforts of corporation lawyers to make it easier for them to try to utilize so called short merger forms or divesting small shareholders of their interest in the corporation and I would think that at the very least we should adopt this amendment which does protect Illinois telephone users by not permitting the charges of Illinois Telephone and Telegraph to inflate the telephone rate structure here in Illinois and also at least exclude the application of this from all of the many corporations in Illinois, so that the mere fact that you are one of a few shareholders will not prevent you from having



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the same rights that you have if you are an owner of large stock. There is nothing magic about whether you own 5% or 8% or 1% of a corporation. You ought to be entitled to be treated fairly just as a citizen, you are entitled to be treated fairly in civic matters, whether you are one per cent or a half of a percent or whether your group is greater than that. There is such a thing as recognizing your rights as this amendment to Senate Bill 938 will go at least a long way toward eliminating the unhappy consequences that could come from Senate Bill 938 in the original form."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Cook, Representative Rayson."

Leland H. Rayson: "Mr. Speaker and Members of the House, I rise in support of this amendment. I would like to see to suggest on the outset that this kind of short merger bill has been up in this legislature before many times. Ah, under a different kind of basis, but now it seems like it is geared for the kind of merger as expressed by the last speaker and this is the A.T.&T. merger with Illinois Bell. And he suggested in the outset that a 1% of minority stockholders, some 2300 in Illinois can be safeguarded under this bill and that the law with reference to corporate mergers can be changed. The law in effect now really doesn't permit a majority of stock holders to take over a corporation's business to the exclusion of minority shareholders, no matter how small the percentage of the holdings. For the purpose



of this amendment, Mr. Speaker, is to make a bad bill a little less bad and to make it applicable to the public utilities only because this is the real purpose of this bill at this time. And also it's to suggest a better way in which the rights of the minority can be protected, particularly the minorities of Illinois Bell stock who have a unique kind of holding and for which on some takeover their rights are not necessarily secured in a court of law. So perhaps one of the fundamental issues of this bill and the reason for this amendment that it should be adopted is that I feel one of the purposes of the bill is to allow Illinois Bell to merge with A.T.&T. without a shareholders' meeting and without the right of dissent or minority shareholders to be (an express.) This amendment goes to correct that problem, it still doesn't make this a good bill, but it makes it a far far better bill than the bill that it is now in its present form, so I move that we adopt this amendment."

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

Daniel M. Pierce: "Ah, Mr. Speaker, I'm going to oppose this amendment. The amendment changes this bill from a corporation amendment to a very specialized amendment for public utilities, and substitutes the words 'public utility' for 'corporation'. Yet, this bill is an amendment to the business corporation act, no where in that act is public utility defined. I think Mr. Rayson should have amended,



Mr. Katz should have amended the Illinois Public Utilities Act, because he's using the term public utility here without any definition in the Business Corporation Act as to what a public utility is. At the same time, he's directing the Illinois Commerce Commission in this bill how to conduct the rate cases. Of course, now the commission must separate the interstate charges and costs of the Bell system from the Illinois charges and costs, and that has to be done by all our 50 state commissions. These gentlemen seem to have some special knowledge, they don't, that Illinois Bell is to be merged into A.T.&T., but I do not have that knowledge. I sincerely doubt that this is the intention. This has not been done anywhere in the country, has the operating company been eliminated. I don't think that is the intention here. They may have some special knowledge, I would guess that that is incorrect on that point. I think the amendment which was not offered in committee in either the House or the Senate should be drafted in the Senate as a separate bill or as an amendment to the Illinois Public Utilities Act. It attempts to determine whether this bill should be turned from the amendment to the Business Corporation Act giving all corporations this right to a specialized bill for public utilities which are nowhere defined in the amendment, the bill or the business corporation act. I am therefore going to oppose this amendment and I would like the Speaker to check the amendment too to see whether it is inconsistent with Amendment Number One."



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

Arthur E. Simmons: "Well, Mr. Speaker, I'm sure you'll find that Amendment Number Two is in conflict with Amendment Number One as it deals with page 3 of the bill."

Hon. W. Robert Blair: "Representative Katz, it appears that Amendment Number Two, as offered, is in conflict with the adoption of Amendment Number One. Now, if you still wish, we could label Amendment Number Two an Amendment Number Two to Senate Bill 938 as amended, but you will then be striking some language that was adopted in Amendment Number One."

Harold A. Katz: "Mr. Speaker, of course when the amendment was prepared Mr. Pierce had not offered his amendment and of course the Reference Bureau had no way of knowing that. Now, it is sort of difficult to hear, but if there is a way of by simply making a change there conforming it to the requirements of your procedures, I would like to do so."

Hon. W. Robert Blair: "The if the Clerk will then label it Amendment Number Two to Senate Bill 938 as amended, and of course, you will be changing some language in Amendment Number One which was adopted. The gentleman from Cook, Representative Maragos."

Samuel C. Maragos: "Mr. Speaker, Members of the House, this is an important amendment. What we're trying to do here, even though some technical language. Personally, this bill is not a bad bill if these amendments are left to be



put on. Therefore, protecting both the minority stockholders who are involved under the 1% and also the rate making bodies and the public at large. We have to be careful not only of the fact that 99% of the shareholders are wishing to control, which is all they do is control for all practical purposes, even though now with the amendment that Mr. Pierce put on it makes it more compatible in that the minority stockholder who is being bought out against his will will have a better refuge in court and better equities in order to get his true value of his stock, but now the second amendment which Mr. Katz has presented is also approaching the problem from the Public's viewpoint and as we know in the corporate structure, especially in the utilities which are monopolies, they're putting they're book-keeping systems are very complex and many times we throw in the whole packages of losses and profits and many other endeavors which are not really controllable by the State of Illinois, and I think this is a good amendment to insure that any rate increases to be given any public utility, and in this case presumably the Illinois Bell Telephone, we will make sure that the losses and profits made by that particular entity and not the whole majority or the controlling share of the company. Therefore I urge that we support the Number Two Amendment offered by Mr. Katz, because I think it will make this bill more palatable and make it easier for some of us who had some objections to it, support it on third reading."



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

Bradley M. Glass: "Mr. Speaker, will the sponsor yield for a question?"

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

Bradley M. Glass: "With reference to the amendment, Representative Katz, as I understand, not having seen it, but as I understand one portion of it, it would seek to ah ah protect the rates of Illinois users by application just to this particular merger that's proposed by Illinois Bell and A.T.&T., is this correct? Is that the gist of it?"

Harold A. Katz: "Yes, it says that if Illinois Bell wants to utilize the merger provisions of this bill and merge with A.T.&T. that Illinois users of Illinois telephone services can not have their telephone charges increased by allocating A.T.&T.'s costs here in Illinois, so that Illinois users would then be worse off as the result of that merger."

Bradley M. Glass: "Now, if the merger were to occur under the normal procedure, that is without the short form merger, then your amendment would have no affect, is that correct?"

Harold A. Katz: "Ah, the amendment would only have application to a merger that took place utilizing Senate Bill 938."

Bradley M. Glass: "Well, I'm. . ."

Harold A. Katz: "In my opinion."

Bradley M. Glass: "I'm a little bit concerned about the bills generally because it seems to me that the merger could take place under the normal procedure of holding a stockholders'



meeting and having the 99.5% stockholder vote in favor of the merger. Ah, . . ."

Harold A. Katz: "Obviously, Senator, if the merger were taking place under other provisions, then they would not have put this bill in. This is a special provision that they seek to utilize and all we say is that if this procedure is utilized in the first place it can only be utilized in the public utility field so that this does not make the great and sweeping changes in our corporation law generally and second if they use it they can not do so at the expense of Illinois Telephone users."

Bradley M. Glass: "Thank you."

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

Harold A. Katz: "Very briefly. . ."

Hon. W. Robert Blair: "Oh, I'm sorry. . .Mr. Davis ah."

Corneal A. Davis: "Thank you, Mr. Speaker, I'm I don't usually take part in these kinds of arguments, but little people are involved. The admitted purpose of Senate Bill 938 is to enable the Illinois Bell Telephone Company to merge into A.T.&T. without a shareholders' meeting. Without federally required disclosures through approximate statements and so forth. Let's assume that A.T.&T. owns 99% of the Illinois Bell stock and we assume that this happens, the impact against the public interest and telephone rate making could be disastrous. A.T.T could charge part of its overhead and expenses for that part of its then operation



now owned by the Illinois Bell. Let's assume if you wish that A.T.&T. as a dominant shareholder would treat the 2,200 or 2,300 minority shareholders benevolently. The interest of the entire citizenry of the State of Illinois in telephone rate making should be a major consideration and every Illinois telephone user or users of telephones could suffer through the intent and confusion of asset, through charges of overhead and other expenses which A.T.&T. could then more skillfully attribute to the Illinois Bell Telephone Company. And this would result in higher rates being charged all Illinois users of telephones and the only answer to it is an amendment my distinguished friend offered over there. This will protect the poor people and will leave the Illinois Commerce Commission in charge of the rate making. I think it should be adopted."

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

George M. Burditt: "Mr. Speaker, Ladies and Gentlemen of the House, with all due respect to the gentleman who just spoke, it doesn't seem to me in any way that this bill is going to affect adversely the interests of Illinois users of the telephone service. The commerce commission is still going to be in complete control of the situation. This particular amendment it seems to me thus has the disadvantage that Representative Pierce pointed out in his rebuttal to it, that it it's a special amendment designed to affect a particular situation, and that isn't the kind of a law that we ought to be passing here. Our laws ought to be a general



applicable covering all situations which might come up under the statutes that we're we're enacting, so with all due respect to the gentleman who just spoke as well as to the ones who also spoke in favor of this amendment, I'm going to vote against the amendment."

Hon. W. Robert Blair: "Have all, . . . any further discussion? The gentleman care to close?"

Harold A. Katz: "Ah, the amendment makes sure what we hope would not ah take place, but it certainly buttons up that possibility. It says that if ah A.T.&T. does use this provision to take over Illinois Bell and then an application is made to the Commerce Commission for a rate increase, that in that situation the Illinois Bell Telephone users could be not any worsely affected than if the merger had not taken place. It simply says that A.T.&T. can not allocate it's fast national charges here in Illinois and proceeding before the Illinois Commerce Commission, so that the telephone users here in Illinois would be the ones who had been hurt by the merger. In other words, as long as it is an internal matter, it provides that notice must be given to shareholders, that truthful representations must be made to the several thousand people who are shareholders in Illinois Bell but it does go beyond that, it seeks to protect not only to protect those several thousand people who are the smaller share holders in Illinois Bell who might be eliminated in such a merger, this bill also seeks to protect the people who really need the protection above all else



and those are the people who use telephone service here in Illinois. I believe that the bill would be considerably improved by the addition of Amendment Number Two to Senate Bill 938 and I would urge its adoption for the reasons so elegantly stated by Deacon Davis and others."

Hon. W. Robert Blair: "All right, all those in favor of the amendment will vote 'Yeas' and the opposed 'No'. The gentleman from Lake, Mr. Pierce."

Daniel M. Pierce: "Ah, Mr. Speaker, in explanation of my vote the gentleman from Cook, Mr. Davis, stated that the purpose of this bill was to merge Illinois Bell and A.T.&T., the admitted purpose, that is not the admitted purpose and as far as I know, it is not the purpose of the bill. Secondly, the Illinois Commerce Commission is required to separate interstate and intrastate costs, expenses, services, and now, in their bookkeeping, accounting and rate making functions, and that would be done whether there was one company or many companies. Actually right now Illinois Bell operates, I understand, in Indiana and a good portion of southwestern Illinois, around East St. Louis, is under another company, Southwestern Bells, so it is necessary to make those divisions right now and they're made routinely by the commission. I had a little experience, having been a hearing officer of the Illinois Commerce Commission, in my opinion neither the bill nor this amendment will they affect our rate making. The only people we should try to protect are the stockholders, the owners of stock and those



people, I believe, are protected by Amendment Number One, and by the bill. As far as the rate payers go, neither Senate Bill 938 or Mr. Katz's amendment will have any effect one way or the other on rate making by the Illinois Commerce Commission, the company seems to be doing all right with the Illinois Commerce Commission under the present law, and I don't think this bill will improve that or make it any worse. I don't think this amendment will improve that or make it any worse. The Amendment Number Two does make the amendment a special public utilities bill, Amendment Number One strengthened the bill which we adopted. I'm going to oppose Amendment Number Two."

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

J. Theodore Meyer: "Mr. Speaker and Ladies and Gentlemen of the Illinois House; if you don't think this is an Illinois Bell bill and an Illinois Bell amendment, I predict that if this amendment is adopted the bill will not be called on third reading."

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

Samuel C. Maragos: "Mr. Speaker and Members of the House, in explaining my vote, this amendment will insure that the rate paying public in the State of Illinois will only be paying for the rates and the use of the telephone service in the State of Illinois or any public utility if there's any other besides Illinois Bell. We are making this more powerful to protect the consumer and to make it more powerful to make it easier for us to adopt something like this



in the third reading because of the fact by making sure that even though Illinois Bell does use and has services in Indiana, services in other states, possibly besides Illinois, we are only going to be concerned that we in Illinois pay for costs of service in Illinois. Therefore, we ask for this amendment."

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

Charles J. Fleck: "Well, Mr. Speaker and Ladies and Gentlemen of the House, for the life of me, and I was a member of the committee who heard this bill, I do not understand how the rate making got involved in this. It's very clear that this is just a matter of procedure, to simplify the technicality of the corporation or presently Illinois Bell or any other corporation that might have over 51% of the stock in the company can merge. And there's nothing that's going to stop that merger unless a lot of derivative suits which might delay it, but there will be a merger. Now, this appears to be mainly a change in procedure. And to say if I want to walk to New York and take the slow way, I can raise my rates, but if I decide to fly, you're going to punish me to raise my rates, there's a built-in contradiction. If they're going to raise their rates under the slow form, they're going to raise their rates under the high form and there's nothing you can do to stop it. And if they're not going to raise their rates, they're not going to do it. And this is just a matter of procedure and I don't think rate raising or lowering has anything to do



with it at this point."

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

Corneal A. Davis: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, my distinguished friend let me say that if such a merger if such a merger of the Illinois Bell and A.T. & T. could be accomplished under existing conventional merger laws, if it could be accomplished under the merger laws, why do you have to have this bill? I didn't say it wouldn't but I'm telling you there's a danger that your telephone rates are going to be raised and if you don't need it why do you have to have this bill?"

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

Leland H. Rayson: "Mr. Speaker and Members of the House, I wish to explain my 'Yeas' vote here. There has come up in this debate the matter of should this apply to a utility company, a special class, and seemingly an undesirable way of doing it and then there was the debate matters pertaining to rate making. First as I explained before, short merger bills has been up before this legislature and never before have we talked in terms of a 1% bill, so it seems quite apparent it's designed for the proposed merger of Illinois Bell with A.T.&T. Now, bear in mind the arguments raised by Representative Maragos when he says that right now that in this state we are concerned for rate making with all of the factors involved with Illinois Bell. We have a \$1.4 billion healthy public utility in this state and paradoxically the A.T.&T. is not so healthy although it's



a \$25 billion or \$26 billion national if not an international cartel yet, it deals with all of the jurisdictions of all of the states plus the Interstate Commerce Commission. Why should it come to Illinois merge under a formula where shareholders will get so-called fair value for their shares when the peculiar stockholders of Illinois Bell look at this as investment stock for which they get decent dividends every year and they look to it for some sort of an income kind of producing investment and why should this income future actuarially market value concept be negated by the formula expressed in this bill as amended. So, I suggest that if we want to have rate making as before in this state we should do so hopefully with Illinois Bell intact. Ah, if we don't want this kind of horrendous new concept to creep upon us and be applicable to all corporations, then I think we're opening up a Pandora's box in a field that is already rife with difficulty and swindling and not too good regulation."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 71 'Nays' and 55 'Yeas' and McClain, 'Yeas', and the amendment. . . amendment number two is lost. Oh, all right, Amendment Number Two is lost. Third reading. Ah, the gentleman from Cook, Mr. Burditt."

George M. Burditt: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, I move for a fifteen minute recess during which time we can hear our colleague, C. L. McCormick, give us a

pitch on insurance."

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

Henry J. Hyde: "Before we do that, Mr. Speaker, I'd like to say something not by way of personal privilege, but just because I'm the Majority Leader and I would claim that right. The newspaper has published in the Chicago last evening, the 'Chicago Daily News' has a columnist who is more noted for his wit than his fairness and his honesty, and he wrote an article that I read and I wasn't shocked by it because this gentleman has a talent for invective really exceeded only by his disregard for the truth and I read it and I thought to myself I know the gentleman for whom he's writing and if there ever was anybody that is not a hustler, it is this gentleman. If there ever was a man's man, ah, he certainly isn't perfect. There's no one in this assembly who could throw any stones or who would claim to be without sin, but I think the vicious, unprincipled, below the belt, filthy article that was written ought to be labeled as just that and I want to so label it. Thank you."

Hon. W. Robert Blair: "All right, ah, this is a bit of an unusual procedure, but Representative McCormick has the information that all of us would be interested in concerning the insurance program and I don't want to do it while we're in session, so we will then recess for fifteen minutes, we will stay out here of course, but we'll go back then into the session at 3:00 P.M. So, the House will be in recess for fifteen minutes then and the Mr. McCormick



will proceed to inform us."

Recess at 2:45 O'Clock P.M.

C. L. McCormick: "Ah, Mr. Speaker and Members of the House, last year people from both sides of the aisle, we passed the Illinois State Employees Group Insurance Program. Now, we're down to the wire on it and we have to, Mr. Walterman from the Department of Personnel who is in charge of the section of the state employees group that would affect us is here and I would like to present him so he can present to you the program."

Mr. Walterman: "Thank you, Mr. McCormick, and I'm here, good afternoon Mr. Speaker, Ladies and Gentlemen. I'd like to present the program that was presented to us to provide benefits which is paid for by a bill passed in your House. This bill will provide life insurance paid for entirely for yourself up to equal one half of your gross state income. It will pay for your health insurance in full. This also provides optional life insurance which you can purchase, equal to the state paid life insurance, at the rate of 68¢ a thousand. You will have an option to purchase \$2,000.00 worth of life insurance on your spouse, at the rate of 54¢ per thousand. Your children, up to age 18, if not in school, you can purchase \$1,000.00 worth of life insurance on each child, of one or ten for 54¢ a month, which is very cheap. Your health insurance on your dependents, you have three options available, the high option which is given



to all the representative, senators and the state employees free, paid by the state, is available to your dependents. If you have one dependent, the rate as indicated in your booklet, \$18.98 for two or more dependents, \$36.18. If you should choose one of the lower options which is equal or better than any benefit provided by one of the state programs prior to this time, this high option program has been specifically designed for out of hospital care. This will provide for tests, x-ray lab tests in the doctors' office or out-patient hospital department or treatment if necessary at the rate of 100%. It also provides in-hospital care for 365 days, full cost for whatever the hospital may charge for 365 days. This also will provide for the doctor for the first \$1,000.00, 80% of the doctor, 90% of the next \$2,000.00 and 100% of the of all over \$2,000.00 of the doctor's charges. There is no top dollar limit, but the thing that I want to really explain to you, you were all given a booklet, read it over, you'll be given this free insurance, if you want your dependents covered, fill out the enrollment card that is attached and leave in the Speaker's office and I will pick it up. My phone number, my name is on the letter enclosed in the booklet if you need additional help or information, please call me, I'd be glad to talk to you at any time. Only other thing that I would want to say before I close that this is a one time opportunity, if you don't enroll at this time, if your health is not good, you'll not be able to enroll your de-



pendents until the next open enrollment, which could be 18 months or 2 years away, so take advantage of enrolling your dependents because this is a program, one of the better programs in the United States and I can say that with sincerity. There will be information on the billing mailed to you on how you will pay for your dependent coverage. This will be provided before January 1, so that the coverage will become effective as of January 1, 1972, to provide the best health care program available for all state employees. I thank you for your time."

Hon. W. Robert Blair: "There's a question there. The gentleman, Mr. Murphy, the gentleman from Lake."

W. J. Murphy: "Ah, I was going to suggest, Mr. Speaker, that if Mr. Walterman would take one of these applications and go right through it and let me show the members how to answer it, because there are some questions here that might be of a little doubt in our minds. Will you do that?"

Mr. Walterman: "Yes, I'd be glad to. The application card on the upper right hand side there's three boxes, new, change and termination. Check the new box, because you'll be a new member. And if at any time you would have a new dependent to be added, then you would need to fill out a new card, so this is the reason we would need the change and termination boxes. Over on the upper left you will print your last name, first name and middle initial. Please print heavily or have your secretary type this application



because we have to have the last copy clearly, because this is the information that we're backing up your enrollment, if you should incur a problem, our office is going to refer to this card and we're going to back it to the hilt of the policy and you have our word on that. So, please print heavily and clearly. Your home address that is city, county, state and zip code. Now, you would in the box below employee, and then below that your employer as you well know would then be the House of Representatives. Below this, the state paid insurance, yes, because it's given to you free. Below this, then if you want just your wife enrolled, or maybe one dependent, then you would check yes, but if you have more than one dependent, then you would skip this and then go to the next box below this where it says two plus, or plus two or more dependents, and check yes and the option which you desire, high option, low option one or low option two. Now, in case you just enrolled one dependent in the upper boxes, please print his name or her name in this box due to we need to know when there's just one dependent, because of the rate structure, the name of this dependent. And down below this, where it says sponsored dependents, if you should have an aged mother or father or an aunt who is a dependent, according to your Internal Revenue report, then you can sponsor them on this program and have health insurance and you would need to write their name in there and check the box rather whether they're eligible for med-



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icare or not, over on the right side. We need your birthday, the employees date of birth, your social security number, sex, marital status, single, married, divorced, or whatever. Employee eligible for medicare, yes, we need this. If you're not eligible for medicare, then we will provide benefits in full. If you are eligible for medicare, we'll pay benefits around what medicare doesn't pay. If your spouse is eligible for medicare, we need to know this, if she is not eligible, we need to know this also. Then below this would be the name of beneficiaries you would like to have on your life insurance in case of your death. Now, this is very important. You know well better than I what a legal technology this would be if you had no name and the money would go into your estate, so please put your beneficiaries name in there. And then below this the number of eligible number of dependent children you wish to enroll. Now, dependent children under the bill, 2601, are all children declared under your income tax, regardless of age as long as they're in an accredited college. If they become 19 years of age or older and not in college, then they are not eligible for your benefits unless they are a retarded or physically handicapped child. Your life insurance for the employee if you want just the portion which is half of your annual gross state salary, then you would check box marked yes. Then you're entitled to take an optional amount which would equal your state paid salary at the rate of 68¢ a thousand, then you would want to check



the next box which says yes. And below this employee A.D. and D. This means Accidental Death and Dismemberment coverage, meaning that if you would be accidentally killed, it would pay double the amount of life insurance that you have available. You can check 'No' or you can check on just what the state pays, or you can check on the entire amount of coverage available to you at the rate of 6¢ a thousand. The dependent life, as I stated a few minutes ago would be your spouse, a \$2,000.00 maximum at the rate of 54¢ a thousand. This is a good bargain. Dependent children, if you have one or ten, it's 54¢ a month and you mark yes or no on this. And sign it and turn it into the Speaker's office and I will pick them up there. If there are any questions on benefits or enrollment procedures, please get in touch with me, I'd be more than glad to help you."

Hon. W. Robert Blair: "Mr. Miller. Ah, Kenny Miller."

Kenneth W. Miller: "Ah, one question that several members have already asked me. And that is that if a member of the General Assembly should retire on and go on the legislative pension, does this continue the rest of his life?"

Mr. Walterman: "If he's eligible for retirement income, yes, it would continue, the state paid portion would continue the rest of his life."

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

W. J. Murphy: "Ah, the 68¢ a thousand and 54¢ a thousand, is that per month?"



Mr. Waltherman: "Yes, that is per month."

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

Gerald W. Shea: "Sir, at the present time I have a blue cross blue shield policy. Now, if I sign up for this plan for both myself and my family and continue my blue cross,-blue shield policy, what's the net effect of it?"

Mr. Waltherman: "The net effect would be that we'll pay up to 100% of the loss if it's a blue cross program that has been sponsored through the state employees' through the personnel office, this program will no longer be. . ."

Gerald W. Shea: "No, I have a separate policy."

Mr. Waltherman: "As an individual? You pay monthly."

Gerald W. Shea: "Yes. Now, if I have that policy and my state policy, assume that I'm in the hospital and the room is \$60.00 a day, you pay the \$60.00 and blue cross pays the \$60.00 or do you prorate it between you or how do you handle that?"

Mr. Waltherman: "Since it's not a group program, they we would pay the limit of our contract and they would should pay the limit of their contract."

Gerald W. Shea: "Now, if I'm under a group plan. . ."

Mr. Waltherman: "Then it would be non-duplicating or pay 100% of your loss and no more."

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

Tobias Barry: "Un-huh."

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

Jerome John Hill: "I think what Mr. Shea was referred to



coordinated benefits. There is no coordinated benefits in the state plan, is that correct?"

Mr. Walterman: "There is, coordination of benefits or non-duplicating benefits in the state plan against any other group coverage, individual coverage, it makes no difference."

John Jerome Hill: "All right, then, if there if a person belongs to another group that has coordinated benefits, then both of them split the cost of the visits to the hospital or the various bills that are presented, is that correct?"

Mr. Walterman: "That is correct."

John Jerome Hill: "And then if an individual has an individual contract with any of these outfits and they have a coordinated benefit in that policy, then that policy will coordinate those payments with the state policy but the policy of the state will not cover, is that right?"

Mr. Walterman: "There's very few ah if any I've ever seen individual contracts, other than group contracts that has this feature in it. Most individual programs, I'm going to leave it most, because there might be an exception, that has duplicating clauses, because it's only group and the reason for this is to reduce the group rate in order to keep it in line. If we had a non-duplicating clause in our contract and another group didn't, they'd end up paying all the bills, so we put it in our contract in order to keep the rate in line, to keep the state costs in line, so this is why the non-duplicating clause is placed under the contract."



John Jerome Hill: "All right, if I have a bill for \$1,000.00 with the House with the hospital and I have a plan, a private plan, what will the State pay on this? Of the \$1,000.00?"

Mr. Walterman: "It will depend on the type of plan, but if it's a hospital bill itself, if more than 10 days, it will pay the entire costs unless it was a private room charge."

John Jerome Hill: "All right, and if I have in the private plan a coordinated benefit, what then will that plan pay me?"

Mr. Walterman: "It will pay then what our plan didn't pay."

John Jerome Hill: "Okay."

Hon. W. Robert Blair: "All right, now, we're at 3:00 P.M., so I'd suggest that any of the rest of you that have questions he'll be here at the side of the rostrum and you can slip up there and ask those questions, because we could keep going all afternoon, you know."

Mr. Walterman: "I thank you, gentlemen."

Return at 3:00 O'Clock P.M.

Hon. W. Robert Blair: "All right, the House will be back in order. Ah, on leave of the House, Senate Bills second reading, there appears Senate Bill 1054."

Jack O'Brien: "Senate Bill 1054, a bill for an act to amend 'The School Code'. Second reading of the bill. No committee amendments."

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



Robert E. Brinkmeier: "Mr. . . ."

Hon. W. Robert Blair: "Further amendments?"

Jack O'Brien: "Amendment. . . ."

Hon. W. Robert Blair: "Read the amendment."

Jack O'Brien: "Amendment Number One, Brinkmeier. Amend Senate Bill 1054 on page 2, by inserting after line 15 the following: 'Section 2. This act takes effect upon its becoming a law'."

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

Robert E. Brinkmeier: "Mr. Speaker, Ladies and Gentlemen of the House, this amendment merely provides for an emergency clause which is necessary for this bill. Ah, I urge the adoption of Amendment Number One to Senate Bill 1054."

Hon. W. Robert Blair: "Any discussion? Any further discussion?"

All those in favor say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Further amendments?

Third reading: Ah, on Senate Bills first reading appears Senate Bill 1271 on which earlier today, the gentleman from DuPage, Mr. Redmond, ah ah asked for leave to advance it to the order of second reading without reference to committee. The gentleman from DuPage, Mr. Redmond."

William A. Redmond: "Mr. Speaker, Ladies and Gentlemen of the House, this is identical bill to one which was passed by the House by Representative Rose. It provides for the membership on water commissions and when we remove the judicial appointments, we didn't make any provision for



appointing the third member and I have an amendment which I'll seek to attach on second reading. I've checked with the leadership on both sides and they have no objections to advancing it."

Hon. W. Robert Blair: "All right, ah, is there leave? All right, hearing no objection, the bill will be read a first time and advanced to the order of second reading without reference."

Jack O'Brien: "Senate Bill 1271. A bill for an act to amend Sections 11-135-2 of 'The Illinois Municipal Code'. First reading of the bill."

Hon. W. Robert Blair: "Second reading. All right, Senate Bill 1297."

Jack O'Brien: "Senate Bill 1297. A bill for an act to amend 'The Vehicle Code'. First reading of the bill."

Hon. W. Robert Blair: "1309."

Jack O'Brien: "Senate Bill 1309. A bill for an act to authorize the Department of Public Works and Buildings to vacate certain easement in Lee County. First reading of the bill."

Hon. W. Robert Blair: "On the Speaker's table, appears a message from the Senate with regard to House Bill 3700, on which the Chair recognizes the gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Ah, Mr. Speaker, 3700. . . ah is the ah. . ."

Hon. W. Robert Blair: "Ah, I suggest you might want to lis-



ten ah closely to this because it's with respect to Senate action concerning House Bill 3700."

George W. Lindberg: "Ah, Mr. Speaker, I before I make a motion just to alert the House to the subject matter that is before us, House Bill 3700, as you indicated was the code of conduct for public officials, which was passed out of this House after extensive amendment and has been since been amended in the House and returned this morning to this House. Ah, Mr. Speaker, I would like to move that the House do concur in the amendments to House Bill 3700 to the Senate amendments in House Bill 3700, and in making that motion, Mr. Speaker, I would like to point out that one of the amendments that was adopted in the Senate, Amendment Number One, essentially grafts an early version of Senate Bill 81 which is now over here onto 3700 and essentially repeals everything that we have sent over to the Senate. Among the various deficiencies of House Bill 3700 as amended by the Senate is the fact that there is no provision now in 3700 to cover the matter of campaign disclosure, campaign contribution and expenditure disclosures which I consider extremely important. Interestingly enough House Bill 3700 as amended by the Senate does not provide does not provide for any disclosure by the third branch of government, the judicial. In addition to that, the prohibitions which we found in 3700 have been removed, those prohibitions which would have precluded a public official from dealing with the agency which he is a member.



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Also, of course, there's a \$5,000.00 threshold for the most part in the new bill that we're considering here today as designed by the Senate. In addition to that, there is another problem with the bill in its present form and that is that the Board of Ethics is composed of a legislative leaders, which I personally do not approve of and ah 3700 on the other hand would have had the leaders in each branch of government make name appointments regardless of political philosophy. In addition to that, the provisions of 3700 would have required the public disclosures to be filed with the Secretary of State and the County Clerk, which would have made it much more easy for citizens to check in their county court houses for the economic statements. Ah, Senate Bill 81 which is now engrafted on 3700 would make it more difficult, because we would have to come to the Secretary of State's Office to make that examination. Additionally, the bill, 3700, as in its present form, has no campaign spending limitation, so, in essence, in making my motion to concur, Mr. Speaker, what I am saying is that we are getting near the deadline in this session. I think it is extremely critical that we pass some bill during the ensuing few days so that we may improve the present ethics act which is on the books. 3700 has as it was treated by the Senate is now grossly deficient in my opinion, but the fact is that we still have the original Senate Bill 81 here in the House so we do have a vehicle to engraft some of the better provisions of 3700 on the Senate Bill 81 and 82.



for that reason, Mr. Speaker, I think it's imperative that we do get a piece of legislation all be it far from satisfactory, out of this body, down to the second floor, that we will not run the risk of failing to enact a substantial improvement, even though far from perfect over the present ethics laws in the State of Illinois. So, Mr. Speaker, with that I would now move that we concur in the Senate amendments to House Bill 3700."

MR. W. ROBERT BLAIR: "The gentleman from Bureau, Mr. Barry."

MR. THOMAS BARRY: "Would the sponsor yield to a question? Mover of the motion?"

MR. W. ROBERT BLAIR: "Yes, he indicates he will."

MR. THOMAS BARRY: "George, I'm unclear as to the prohibition. Would you repeat that aspect, please?"

MR. GEORGE W. LINDBERG: "Yes, I indicated that Article III of 3700 as it left the House, I think it's Article III, it might be Article II, I can check that very quickly, has certain prohibitions with regard to public officials dealing with the units of local government or state government upon which they were either members or in some capacity served. That is that they could not contract with that agency, they could not buy, sell or lease from or to that agency. That was in the original 3700. It does not appear now in 3700 as amended, and I consider this an unfortunate deficiency but nonetheless, I do feel it's critical that we get a bill out of this legislature and down to the Governor's desk."

Tobias Barry: "If I understand your answer, George, but I don't believe you're being specific about what the prohibitions are now. You said that 3700 in effect is not 3700 as it returns to us and I would like to know distinctly what the prohibitions are and I might announce that I'm going to vote for it regardless, but I think this House should know whether the so-called double dipper is still there, whether a school teacher can serve in this legislature or not and I don't believe you've answered that question."

George W. Lindberg: "Yes, well under the leadership of Senator Partee, the . . ."

Hon. W. Robert Blair: "All right, for what, I'm sorry, excuse me, for what purpose does the gentleman from Cook, Mr. Shea, rise?"

Gerald W. Shea: "Mr. Speaker, I don't have a copy of this document on my desk."

Hon. W. Robert Blair: "I've been advised by the Clerk that they were distributed this morning."

George W. Lindberg: "81 was. . ."

Hon. W. Robert Blair: "Jack, Jack advises me that they were distributed this morning, I just asked him."

Gerald W. Shea: "I don't think some of the members on this side have them."

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

Arthur L. Berman: "Well, Mr. Speaker, I don't see my copy and



I was just wondering if the sponsor could take this out of the record for a few minutes so we could look at these?"

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

George W. Lindberg: "Well, Mr. Speaker, Mr. Speaker, ah many of the members have come to me with the amendments all through the morning, I know they were on the desks early this morning. I'm sure they must be over there."

Arthur L. Berman: "Well, I've just been handed a set of the amendments, George, and you know we've worked very hard on this whole package for many many months, could you just take it out of the record for a little bit so we could look at it for a little bit?"

George W. Lindberg: "Well, Mr. Speaker, ah, I certainly would want to extend the courtesy ah to those who truly have not had an adequate opportunity to review these amendments. They are short for the most part and ah but if it is their desire to have some time to look at it, I hope that we can get through it today, then, Mr. Speaker. I think we should try to get a bill out of this House and down to the Governor as quickly as possible."

Hon. W. Robert Blair: "Ah, all right, the Gentleman's asked leave to have it taken out of the record. Hearing no objection, we will get back to it today. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, might I check with the principal sponsor, I have what reports to be Senate Amendments



One, Two, Five, Six, Eight, Nine, Ten and Twelve, is that correct? Now, are we going to vote on each of these amendments separately?"

George W. Lindberg: "Ah, no, I'm moving that we concur in the Senate amendments to this bill. You will note, Representative Shea, that the amendments subsequent to Amendment Number One do amend Amendment Number One in effect even though they do not specifically have that precise language except for Number Twelve that precisely said that. But the balance of the amendments would be meaningless without amendment number one, so there would be no reason to take them one at a time."

Gerald W. Shea: "All right, now, as I understand it, the rules provide that we vote on each amendment separately and ah is that correct, Mr. Speaker?"

Hon. W. Robert Blair: "Well, if you're having reference to the matter that was before this House, then your question's not in order, because that was taken out of the record."

Gerald W. Shea: "Oh, all right, I'll wait."

Hon. W. Robert Blair: "When we get to it, why I'll be happy to address myself to that."

Gerald W. Shea: "Thank you."

Hon. W. Robert Blair: "On the Speaker's table under the order of motions appears House Bill 3562, on which the Chair recognizes the gentleman from McHenry, Mr. . . ."

Fredric B. Selcke: "Yeah, 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. Signed, George Lindberg."

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

George W. Lindberg: "Well, Mr. Speaker, pursuant to the written motion, I would like to move to suspend the rules in Rule 79 so that Judiciary II of which I am Chairman would be discharged from further consideration of 3562, the purpose of which bill is to make the Circuit Judges in this state equal insofar as their salary is concerned. It would implement the transition section of the constitution. It is in itself is not a pay raise bill as such."

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

George W. Lindberg: "I've cleared with this with the other side of the aisle, Mr. Speaker."

Hon. W. Robert Blair: "All right, there has to be a preliminary motion, though as I see this matter to suspend the provisions of Rule 32c because that's the rule that provides that the final date for standing committees of houses that report house bills was October 23, and so is there objection to that? The gentleman from Union, Mr. Choate."

Clyde L. Choate: "I heard the gentleman say that he cleared it with this side of the aisle. I don't remember discussing it with him."

George W. Lindberg: "Ah, I checked with Representative Shea."

Clyde L. Choate: "I do like to be consulted occasionally,



George, all right?"

George W. Lindberg: "I thought he was your judicial expert, Clyde."

Hon. W. Robert Blair: "All right, is there objection to suspending the rule 32c? All right, hearing none, then leave is granted to do that and ah all those in favor of the motion to discharge. . .ah, is there unanimous consent to discharge the committee from further consideration of 3562. So that it can be placed on the calendar on second reading, second legislative day. All right, hearing none, then the committee will be discharged and placed on second reading, second day. The . . .1073, on the order of motion."

Fredric B. Selcke: "Motion. What is this, Senate Bill? Ah, motion. Pursuant to Rule 79, I move that the Committee on Cities and Villages, Division of Municipal Corporations be discharged from further consideration of Senate Bill 1073 and that it be placed on the calendar on the order of second reading, second legislative day. Signed, J. David Jones."

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

J. David Jones: "Mr. Speaker, Ladies and Gentlemen of the House, pursuant to Rule 79, I rise to ask for the discharge of Cities and Villages Committee as in relation to Senate Bill 1073. The proper motion has been filed and it's on the calendar. The purpose of moving Senate Bill 1073 to the floor is to allow that the amendment which would change the objective of the bill and to get it voted on in this



session. This particular legislation only affects the Springfield Community and the action is sponsored by the entire local legislative delegation on both sides of the aisle. We have cleared this with the Chairman Cunningham of the Cities and Villages Committee and he has no objection on it. I'd appreciate your vote."

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

Tobias Barry: "Will the sponsor yield to a question?"

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

Tobias Barry: "Dave, would this this have the affect of making monies available to the Springfield Authority that would otherwise be available to all of the communities in the state?"

J. David Jones: "No, it would not sir. This is not an attempt and I have the amendment I propose and I'd be glad to give you a copy of it when this gets on the board."

Tobias Barry: "All right, thank you."

Hon. W. Robert Blair: "Does the gentleman have consent for the adoption of the motion? All right, ah, hearing no objection, then a rule will be suspended and the committee will be discharged and the bill will be placed on the order of second reading, second legislative day. The ah leave of the House, go back to House Bills second reading, House Bill 3060."

Fredric B. Selcke: "House Bill 3060, a bill for an act to provide for a privilege tax on certain mobile homes and repeal an act herein named. Second reading of the bill. One



Committee amendment. Amend House Bill 3060 on page 1, by deleting lines 11 and 12. . ."

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

W. J. Murphy: "Mr. Speaker, the reason for calling this even at this late date is the fact that on account of personal property tax being ruled back in again we could not have this privilege tax and personal property tax both at the same time. This would be double taxation and so with this amendment we are making it so that this is not effective until April 1, 1972, which is the new kind of assessed evaluation again and hoping by that time that the personal property tax will either be straightened out by either exempting up to a certain amount or in some other fashion and consequently I move the adoption of this amendment."

Hon. W. Robert Blair: "Any discussion? All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No', and the amendment is adopted. Further amendments?"

Fredric B. Selcke: "Amendment Number Two, Hall. Amend House Bill 3060 on page 3 by adding the following: 'Section 9. This Act takes effect upon its becoming a law'. "

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

W. J. Murphy: "Ah, Mr. Speaker, this is an amendment by Harbor Hall to add the emergency feature to the bill so we need 60% of the vote for so that it can be law immediately upon its adoption. I move the adoption of this amendment."

Hon. W. Robert Blair: "Any discussion? All those in favor of

the adoption of the amendment say 'Yeas', the opposed 'No', 4 to 1, the amendment's adopted. Any further amendments? Third reading. Ah, for what purpose does the gentleman from Cook, Mr. Phil Collins, desire recognition? Oh, what purpose does the gentleman from Cook, Mr. Simmons, rise?"

Arthur E. Simmons: "Ah, I made a mistake, Mr. Speaker."

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

Philip W. Collins: "Ah, Mr. Speaker, I would ask suspension of Rule 32c, 38 and 79 to take Senate Bill 1285 from the Committee on Appropriations and then advance it to second reading without rereference to committee. I've talked with the Chairman of the Appropriations' Committees, the Assistant Minority Leader and the Majority Leader about this and we have an agreement based on the provision that I will hold the bill on second reading for further amendments."

Hon. W. Robert Blair: "Take it out of the record. All right, with leave of the House, we'll go to concurrences, House Bill 1951."

Fredric B. Selcke: "House Bill 1951, . . ."

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

Fred J. Tuerk: "Mr. Speaker, Members of the House, House Bill 1951 was the bill in which we raised the rate of interest on general obligation and revenue bonds for park purposes. The Senate put an amendment on it that there would be a cut-off date of January 1, 1972. Although I don't necessarily agree with this approach of short notice, rather



than get involved in a conference committee and so forth, I would move for concurrence in the Senate amendment to House Bill 1951."

Hon. W. Robert Blair: "Any further discussion? All right, this is final action. The question is shall the House concur in Senate Amendment Number One to House Bill 1951? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are 92 'Yeas', no 'Nays', and the House concurs in Senate Amendment Number One. O'Hallaren, 'Yeas', Davis, 'Yeas', Taylor, 'Yeas', Otis Collins, 'Yeas', McLendon, 'Yeas', Shaw, 'Yeas'; Granata, 'Yeas', Caldwell, 'Yeas', McDermott, 'Yeas', Lenard, 'Yeas', DiPrima, 'Yeas', 101 'Yeas', no 'Nays', the House concurs with Senate Amendment Number One. House Bill 1564. The gentleman from Cook, Mr. Kipley."

Edward L. Kipley: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to move at this time that the House concur with Senate Amendment Number One to House Bill 1564. It merely adds more so descriptive language to the bill and it's satisfactory to me as its original sponsor."

Hon. W. Robert Blair: "Further discussion? The question is shall the House concur in Senate Amendment Number One to House Bill 1564? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. Lechowicz, you want to explain your vote? Ewell, 'Yeas', Duff, 'Yeas'. On this question, there



111 'Yeas' and no 'Nays' and the Senate House concurs in the Senate Amendment Number One to House Bill 1564. 1197. The gentleman from Lake, Mr. Matijeovich."

John S. Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House, the Senate Bill, Senate Amendment Number One to House Bill 1197 was an agreed amendment worked out with the Attorney General's Office and the direct door to door sellers increased to \$25.00 from the now \$50.00 where as merchandise cash sales should meet the 3 day cancellation notice. I move to concur to Senate Amendment Number One to House Bill 1197."

Hon. W. Robert Blair: "Is there further discussion? The question is shall the House concur in Senate Amendment Number One to House Bill 1197. All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. Houlihan, 'Yeas'. On this question, there are 134 'Yeas', 1 'Nay' and this bill having received the constitutional majority is hereby declared passed. Laurino, 'Yeas'. 3015. The gentleman from Cook, Mr. Phil Collins."

Philip W. Collins: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, I move that the House concur with Senate Amendment Number One to House Bill 3015. Amendment Number One merely adds the emergency clause to the bill."

Hon. W. Robert Blair: "Any further discussion? The question is shall the House concur in Senate Amendment Number One to House Bill 3015 with the provision that it shall become



effective upon its becoming a law. 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 144 'Yeas' and no 'Nays' and the House concurs in Senate Amendment Number One to House Bill 3015. Conference Committees, House Bill 1121. The gentleman from Winnebago, Mr. Simms."

W. Timothy Simms: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, I move that the House concur in the conference committee report on House Bill 1121 signed by all members of the conference committee."

Hon. W. Robert Blair: "Is there discussion? All right, ah, the question is shall the House concur in the conference committee report with respect to House Bill 1121. All those in favor will vote 'Yeas' and the opposed 'No'. This is final action and requires 89 votes. Have all voted who wished? The Clerk will take the record. On this question there are 131 'Yeas' and no 'Nays' and this bill having received and this conference committee having received the constitutional majority is hereby declared passed. For what purpose does the gentleman from Cook, Mr. Phil Collins, rise?"

Philip W. Collins: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, a misunderstanding on my motion to discharge the Appropriations' Committee of Senate Bill 1285 and advance it to second reading without reference is now been resolved and I would move for the suspension of Rules 32c, 38 and



79 for that purpose."

Hon. W. Robert Blair: "Is there objection? All right, hearing none, leave will be given to suspend those rules and the bill will be advanced to the order of second reading, second legislative day."

Philip W. Collins: "Thank you."

Hon. W. Robert Blair: "All right, ah. . . oh, all right, ah, earlier today we were on Senate Bills first reading and we did read Senate Bill 1297, a first time and now the gentleman from Peoria, desires to ah be recognized concerning that bill. The gentleman from Peoria, Mr. Day."

Robert G. Day: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I ask unanimous consent to suspend the provisions of Rule 41a for the purpose of advancing this bill to second reading without reference to committee. It is the same bill that passed the House and as amended and I believe we have the approval of the leadership on both sides of the aisle."

Hon. W. Robert Blair: "All right, is there objection? All right, leave having been granted, the bill will be advanced to the order of second reading, second day, without reference to committee. All right, now we're back to the Speaker's table, House Bill 3700. The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Well, Mr. Speaker, I would now remove my motion that we do concur in the Senate amendments to House Bill 3700."



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

Gerald W. Shea: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House, under the rules of the House, as I read them, ah at Rule 68 any member may call for a division of the question when divisible and since these are each separate amendments, I ask that each amendment be voted on separately."

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

George W. Lindberg: "Mr. Speaker, with the particular clause that Mr. Shea just alluded to, when divisible, I think is the key here. These amendments are not divisible. Ah, if Senate Amendment Number One, for example, were not to be concurred in, it would make the balance of the amendments of no significance, whatsoever. So, I maintain that the question is not divisible."

Hon. W. Robert Blair: "I agree, it's not. Senate Amendment Number One deletes everything from House Bill 3700, sets up a new bill if you would on the same subject matter and the following amendments all amend Senate Amendment Number One. For that reason, they're partial of that amendment and this is not a divisible matter. Now, it'll have to be considered as an entire package."

Gerald W. Shea: "Mr. Speaker, is it possible to adopt Senate Amendment Number One, to refuse to concur in the other amendments and still have a live, viable bill?"



W. Robert Blair: "Well, if you can get to Senate Amendment Number One without considering any of the other amendments, I suppose that would be so, but as the matter stands right now with the way the Chair has ruled, the vote will be on the entire amendments to the package."

Ed W. Shea: "Well, under the rules of the House, as I read them, and I have read them wrong all session. . ."

W. Robert Blair: "I don't think that's correct."

Ed W. Shea: ". . . ah, . . ."

W. Robert Blair: "You've been right once or twice."

Ed W. Shea: ". . . ah, I think Rule 68 says that they are different and many times when we have voted on Senate Amendments before when they have come over, we have taken separate roll calls on each vote because that's what's required for final action."

W. Robert Blair: "I think the key or the key part of Rule 68 is the part to which the gentleman from McHenry, Mr. Lindberg, referred, and that is that any member may call for division of the question, when the divisible and the Chair is ruling that this is not a divisible one, because if you will look at the Senate Amendment, it's Senate Amendment Number One creates an entirely new bill if you will. All of the following amendments, then, amend Senate Amendment Number One. Now, if that's not correct, why, I say have I'd be very happy for you to point it out to me."

Ed W. Shea: "Well, as I as I read it, Senate Amendment Number One took House Bill 3700 and struck everything after

the enacting clause. Senate Amendment Number Two amends Senate Amendment Number One, because as I read it it says and I'm reading now from Senate Amendment Number Two, it says that amend House Bill 3700 as amendment, as amended."

Hon. W. Robert Blair: "That's right, it was amended by Senate Amendment Number One."

Gerald W. Shea: "So that we could adopt amendment number one, adopt amendments number two, and whatever, and just turn down one amendment, have a live viable bill. . ."

Hon. W. Robert Blair: "Well, you could, but the Chair's ruling is that you're going to have to consider all of the Senate amendments as a group, because they're not divisible and all of the amendments, Amendment Number Two, to which you refer, Amendment Number Five, to which you refer, Amendment Number Six, Amendment Number Eight, Amendment Number Nine, . . ."

Gerald W. Shea: "Well, Mr. Speaker, might I ask you a question?"

Hon. W. Robert Blair: "Amendment Number Ten, they're all they're all Senate or it all has amended and they were all amended by, see, none of these amendments after Number One refer to the bill in an unamended form, so they're really amending the bill which has to be a question that's not divisible and that's the ruling of the Chair and that's my ruling. The gentleman from Cook, Mr. Berman."

Arthur L. Berman: "Well, Mr. Speaker, on the same question, I think in the Spring you had ruled that we could not offer amendments to amendments. We would have to offer bills

amendments to the bill as amended. Now, in line with that, those were whenever a concurrence came over, we used to take, as I recall, separate roll calls, and as a matter of fact I think on occasion a sponsor indicated that he would ask for concurrence in one amendment and non-concurrence in another amendment on occasion. Now, with the bills that we with the proposed amendments that we have before us, I think definitely Amendment Number One is divisible from the rest of them, because we could as offered, adopt Amendment Number One and reject everything else and we would be concurring in Senate Amendment Number One. I think your point might have validity as to two and thereafter, but as to Senate Amendment Number One, that certainly is divisible as opposed to the amendment that follow it."

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

George W. Lindberg: "Well, Mr. Speaker, I I would continue to contend that this question is not divisible. All of these amendments relate to one basic issue, which is Amendment Number One and to consider them separately would be would make absolutely no sense whatever and ah again I renew my motion, Mr. Speaker, that we concur in the Senate amendments to House Bill 3700."

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

Bernard B. Wolfe: "Mr. Speaker and Ladies and Gentlemen of the House, pursuant to joint rule 3 I would respectfully

move that a conference committee be appointed on House Bill 3700."

Hon. W. Robert Blair: "You're asking for a conference committee under Rule 3? Under . . ."

Bernard B. Wolfe: "In the last, it may be a little premature, I don't know. . ."

Hon. W. Robert Blair: "Yeah, I think it is. Because the two Houses are not in disagreement at this point, and until they are their request for a conference committee is not in order."

Bernard B. Wolfe: "Yeah, the sentence that I'm looking at in that sentence says the motion for a committee of conference and the report of such committee shall be in order at any time, meaning what? At any time. . ."

Hon. W. Robert Blair: "Where are you reading that?"

Bernard B. Wolfe: "I'm reading that on page in our rule book, it's rule number three, it's on page 117 of our rule book under joint rules, it's next to the last sentence, the motion for the committee and the report shall be in order at any time. Well, does that mean at any time that we get a bill back that's been that has not been concurred in by the Senate or does it mean, ah. . .?"

Hon. W. Robert Blair: "Well, I think that that probably refers to order of business and as to when it would be in order and that's what the Chair's ruling will be."

Bernard B. Wolfe: "Well, then the point of order is that if we don't concur in these amendments, the bill goes back to



the Senate, is that correct?"

Hon. W. Robert Blair: "They'll be a message sent to the Senate that the House failed to concur. And ask for a conference committee to be appointed. For what purpose does the gentleman from Lake, Mr. Pierce, rise?"

Daniel M. Pierce: "Ah, Mr. Speaker, I only wanted to ask the gentleman from McHenry, a question or two about the amendments that we're being asked to concur in."

Hon. W. Robert Blair: "Sure."

Daniel M. Pierce: "Mr. . . ."

Hon. W. Robert Blair: "Ah, the gentleman from McHenry, McHenry, on the questions? Yes, he indicates he'll yield."

Daniel M. Pierce: "Ah, Mr. Lindberg, under the amendment, I have been reading through it quickly. What would a non-salaried, but elected school board member or park district member in our communities be required to disclose? What are his obligations?"

George W. Lindberg: "Ah, they would not be required to disclose, which again is one of the deficiencies, I believe, in this bill, but I think that that matter is overcome by the fact that it is nonetheless a significant significant advance over what we presently have on the statutes books and while it is not as good as what we should be passing, we still have Senate Bill 81 here which we continue to work on it, but I think it is extremely important that we meet the deadline and get vast improvement on what we do have on the books now, down to the Governor."



Daniel M. Pierce: "I'm not sure those are elected officials do not have to disclose. Local government elected officials who receive no salary."

George W. Lindberg: "Ah, maybe you'd better state it again."

Daniel M. Pierce: "I'm talking about elected school board members and park district commissioners, elected by the people. Are they required to disclose or not required to disclose under Senate Amendment Number One?"

George W. Lindberg: "All right, let me just check here for a moment, ah, . . ."

Daniel M. Pierce: "The reason I say this while you're checking it is that school administrators in my area have telegraphed me that they're going to have trouble finding board members, they're going to have trouble finding board members for these non-paid school boards, because they are technically elected, even though it's often caucus nomination and I'm opposed, because businessmen will have to reveal all their assets and income to serve in the thankless task of an unpaid elected school board member, so I was hoping that these non-paid local government officials who are elected like school board members and park commissioners, would not have to make full disclosure."

George W. Lindberg: "Ah, let me just check for a moment here, ah, it is my recollection that persons who are compensated less than \$5,000.00 are not required to file any statements under this act."

Daniel M. Pierce: "All right, thank you, then, I would favor



that provision because I think it's going to be very difficult in our areas in the suburban areas in the school small school districts which is a thankless job to administer these days, or to serve on the board, if we elect a member to the board, a woman, if we had disclosure, she'd have to disclose all her husband's income and assets and I'd be doubtful whether a professional man or business man would want his wife to serve on a school board if he had to reveal all his income and assets under the way the bill was originally when it came out of this House, so I would I would favor them not having to make full disclosure on these unpaid elected school board and park commissioners officers."

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

Roscoe D. Cunningham: "Will the sponsor yield to questions?"

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

Roscoe D. Cunningham: "George, did I understand you correctly in your opening statements to describe this bill as grossly defective as passed by the Senate with amendments?"

George W. Lindberg: "Ah, pardon? The last part?"

Roscoe D. Cunningham: "Did I understand you correctly in your opening statements to describe this bill as grossly defective as passed by the Senate with amendments?"

George W. Lindberg: "Ah, relative, everything is relative, Roscoe. This is a gross improvement over what is presently on the statute books, it is sadly deficient compared to ah the original provisions of 3700. Nonetheless, we are



near the deadline and it's my opinion that we should try to get something to the Governor's desk, which is a big improvement over what we have now because we still have Senate Bill 81 here which we can help to improve a little bit and hopefully get it out before the deadline."

Roscoe D. Cunningham: "But you did describe it as grossly defective, did you not?"

George W. Lindberg: "I can't remember."

Roscoe D. Cunningham: "Well, ah, are you familiar with 1302, did you check that bill that came over?"

George W. Lindberg: "No, I didn't say grossly defective, I said grossly deficient, deficient."

Roscoe D. Cunningham: "Okay, it's a question of semantics but I would ask you about Senate Bill 1302, have you checked that bill?"

George W. Lindberg: "Ah, is that the bill sponsored by Senator Partee?"

Roscoe D. Cunningham: "Yes."

George W. Lindberg: "What about it?"

Roscoe D. Cunningham: "Well, ah, what is your reaction to it as to whether or not it offers the proper vehicle for this expression of the will of the people to this House?"

George W. Lindberg: "Well I think any bill dealing with ethics is a vehicle for the expression of this House on the matter."

Roscoe D. Cunningham: "Sir?"

George W. Lindberg: "I think any bill dealing with ethics is a vehicle for the expression of this House on the matter



of ethics."

Roscoe D. Cunningham: "But Senate Bill 81 is also at a at a step procedurally beyond this step, is it not?"

George W. Lindberg: "What?"

Roscoe D. Cunningham: "Isn't this basically as it came back from the Senate the same as Senate Bill 81?"

George W. Lindberg: "Ah, I don't believe so, Roscoe, I'm not sure just what happened in the Executive Committee on 81 as to amendments that were adopted there and will be considered here on the floor."

Roscoe D. Cunningham: "Oh, all right."

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

Arthur L. Berman: "Ah, Mr. Speaker, I raise a point of order. I don't think the rules on my motion, I'd like to restate it and I'd appreciate a ruling. Under Rule 68 I now move for a division of the question on amendment number one, Senate Amendment Number One to House Bill 3700."

Hon. W. Robert Blair: "Well, I understood that and ah ah so that we're clear, what I have ruled is that for purposes of the discussion that's going on here, that these amendments can all be considered as a package. Now, when we get to the point of consideration of the matter as far as voting is concerned, I will entertain a further matter at that time, but for purposes of having the discussion on the floor, I've ruled that this is you know, that this is a matter that can be considered as a package for purposes of debate. The gentleman from Cook, Mr. Berman."



Arthur L. Berman: "Ah, thank you, Mr. Speaker. May I direct a question to the sponsor of the bill?"

Hon. W. Robert Blair: "Sure, the gentleman from McHenry, Mr. Lindberg."

Arthur L. Berman: "Ah, George, calling your attention to Senate Amendment Number Twelve, as I read it it would appear that any person who renders services to the General Assembly under our contractual expense account and they get paid any amount would have to file a disclosure form."

George W. Lindberg: "That's correct."

Arthur L. Berman: "So if they ah legislative aide or research person gets a \$50.00 fee he would have to file a full disclosure under this amendment, is that right?"

George W. Lindberg: "That's that's correct. He would have to consider that when he decided to undertake work for the General Assembly."

Arthur L. Berman: "Well, Mr. Speaker, if I may address myself to Amendment Number Twelve."

Hon. W. Robert Blair: "Sure, proceed."

Arthur L. Berman: "I think that this is one of the problems that we see by trying to take this as a package, I think this is a totally unreasonable imposition on people that all of us have occasion to use from time to time who do legislative research for us, who are legislative aides, secretarial work, if they're going todo \$50,00 or \$100.00 or even \$500.00 worth of services for us during the year, on our voucher accounts, they're going to have to file a



whole disclosure form. I think that's totally unreasonable and totally out of line with the intention of a proper disclosure act if the amendments have to be taken as a package on that basis alone, I couldn't get anybody to do any work really for me if they have to file a full disclosure for \$50.00 or \$100.00 bucks worth of services, I think that we would be throwing the baby out with the bath water if we have to adopt Amendment Number Twelve along with this whole package. Ah, if it's not divided, if it is divided, I'd certainly vote 'No' on Amendment Twelve and because of this unreasonableness, I'm thinking I'd have to vote 'No' on the whole package if it wasn't divided."

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

George W. Lindberg: "Ah, Mr. Speaker, I would like to make a correction. Earlier in response to Representative Pierce's question, I indicated that Senate Bill 81 itself had a \$5,000.00 threshold for government officials. As it turns out Amendment Number Eight includes all persons in local government regardless of the amount of their compensation and I just wanted to correct the record on that point."

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

Gerald W. Shea: "George, does that mean that every school teacher, every person employed in every unit of local government throughout this state will have to file such a economic disclosure? No, not until. . ."

George W. Lindberg: "Not until we start electing teachers."



You'll notice on line 1 of Amendment Eight, it says an elected non-statewide public office."

Gerald W. Shea: "Yeah, but then we get into I think it's elected or Amendment ah I see the difference here, George."
George W. Lindberg: "It's \$20,000.00 or more than they would start filing."

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

Harold A. Katz: "Ah, Mr. Lindberg, as I read Senate Amendment Number Eight, it would cover not only local governmental officials in the sense of municipalities and that sort of local government, it would cover would it not park districts, library boards, ah any kind of unit of government in which officials are elected by vote would be covered by the amendment as I read it. Would you please tell me the reason why people who serve on library boards and in that kind of body should be covered by this kind of stringent disclosure law and also would you please comment on what the effect you think this may be willingness of citizens in Illinois to be able to serve on library boards, or local park district boards, or even elected caucus members or any kind of local governmental body."

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

George W. Lindberg: "Well, Mr. Katz, as you know, you and I have extensive deliberations on the problems that we might be creating in regard to citizen participation in local government as a result of Amendment Number Thirty-Two which



Representative Choate had on 3700. And you know that my basic posture is that we should encourage people rather than discourage their participation in local government. I do not personally ah ah feel that this amendment is a desirable amendment, however, the fact is that the Governor does have the amendatory veto power and that provision can be removed from the bill and I think that that consideration outweighs any reason to further delay the enactment of a considerable improvement over what we have in existing law."

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

Harold A. Katz: "Ah, responding to your comments, Mr. Lindberg, you know that I just joined you and I voted against Amendment Thirty-Two. I do not see, however, how the because you were against Amendment Number Thirty-Two, you would now follow a practice and procedure that would deny to the members of the House an opportunity to vote against that which you say you were against. I fail really to understand how you who believe so strongly in the legislative branch of government would say that we should not have a right to vote out that which is bad and that in some way we should defer to the Executive Branch, who under the new constitution would have the power not only to do his work but ours as well."

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

Brian B. Duff: "Mr. Speaker, I having heard some of these questions, rise to support this motion. I think that some things have been overlooked here. For example, Amendment



Number Six which takes the information required under Section 4-106 and says that it will be filed in a sealed envelope. Now, there are a number of other amendments here which give integrity to this effort and I agree with the sponsor very much that while they are inadequacies in this bill after the many months that he and the other members of the committee, including myself, have spent trying to get some adequate piece of legislation, his motion is entirely appropriate at this time."

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

John S. Matijeovich: "Would the gentleman yield to a question?"

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

John S. Matijeovich: "Representative Lindberg, ah, you mentioned that the Governor by his amendatory veto power could take out some of the bad that you obviously feel that is contained in these amendments. Now, as a practical matter because the provisions of the bill do require that the disclosure be made at the last day of filing for petitions, which would be December 20, as a practical matter, wouldn't the Governor sign whatever we give to him so that we do have an ethics bill that would be in operation by the filing deadlines and therefore aren't we giving up our legislative prerogative in passing out a bill that we know and by your own words is deficient and we say that we can't improve it and as a practical matter the Governor won't approve it either so it will be as it is amended and in our hands right."



today."

George W. Lindberg: "Ah, if the in my opinion, if the Governor had that consideration for our intention, he may well approve this bill even with the amendment that Representative Katz is concerned about, and we would be back here of course since we're in continuous session or he may call us back for a special session, for all I know, and we could probably amend this act if we find that there are hardships being worked by it."

John S. Matijevich: "Well, Mr. Speaker, in response, I would only say that the Governor would have I believe 90 days to act and if we did come back we each House would have 15 days to approve or disapprove of the Governor's amendatory veto power and I would suggest that I think we're we're really not telling the truth when we say that the Governor would not sign this bill as we have it today."

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

Arthur E. Simmons: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "Well, it's not debatable. The gentleman from Cook, Mr. Simmons."

Arthur E. Simmons: ". . . across the aisle and if there are some people who felt my motion is shutting off debate, I'll withdraw it."

Hon. W. Robert Blair: "Well, I think that ah there's been quite some action taken with regard to 3700 in the other body and I think that might be worthwhile to withdraw that motion. Ah, the gentleman from Cook, Mr. Barnes."



Eugene M. Barnes: "Ah, Mr. Speaker, would the sponsor yield to a question? Ah, George, as I read this on page 2 of Amendment Number One, page 2, Section D; employee of the General Assembly who are paid \$20,000.00 a year or more and it goes on to say about contractual services and other basis for \$20,000.00 a year or more. Then Amendment Number Twelve as I understand it strikes the \$20,000.00 figure in both instances. Is this correct?"

George W. Lindberg: "Yes, it's obviously the Senate's desire that any person who renders services to the General Assembly shall be required to make financial disclosure."

Eugene M. Barnes: "Now, let me ask you this question. Does this mean in essence if I hired a kid to do \$50.00, \$25.00 research work for me on some project that this person ah would have to file a disclosure ah would have to file under this act, or any person that would do any type of service for for us."

George W. Lindberg: "Well, yes, that is true. And of course we're putting people to that same ah requirement who get no compensation for their services, so I don't think it is unreasonable to require persons who do get compensation no matter how small to meet the same requirements."

Eugene M. Barnes: "So that's down to \$1.00, correct?"

George W. Lindberg: "Down to \$1.00, is that what you said? Yes."

Eugene M. Barnes: "Okay."

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



Robert G. Day: "Would the sponsor yield for a question?"

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

Robert G. Day: "George, ah one thing that bothers me about this bill is the requirements that the candidate must file a statement of disclosure, of financial interest of his wife, or spouse and minor children. Now, as I understand it, he is obliged to do that in order to become eligible as a candidate and also to become eligible to take his seat in the event he is elected. What happens in the case where the spouse or minor children refuse to consent to this? As I read the bill, he would still have to go ahead and file to the best of his ability a statement of their financial interest, is that right?"

George W. Lindberg: "Well, I'd be inclined to think that a writ of mandamus would belie the issue to accept his filing under the doctrine of impossibility."

Robert G. Day: "In in in in other words, he he would have to file a law suit in order to be excused from filing the financial statement for his wife or minor children?"

George W. Lindberg: "Yes, I believe that that would be a reasonable course of action."

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

Bernard B. Wolfe: "Ah, thank you, Mr. Speaker. I felt like a lost step child for a moment."

Hon. W. Robert Blair: "Don't feel that way, Bernie."

Bernard B. Wolfe: "Thank you. Ah, act in haste and repent in



leisure is an old adage which is probably applicable to the situation for this House and reminds me of the old west when the necktie parties were out on the lynching and ah somebody in the crowd said what about a trial and they said after the necktie party is over we'll give the man a trial. Now, ah I as one member of the House don't intend to get involved in a hanging party because everything that the chief sponsor has said about House Bill 3700 as amended as by the Senate indicates to me that we should overwhelming vote not to concur in the Senate amendments. And looking over these amendments I don't think the Senate intended this House to concur. Now, writing bad legislation enacted the law might by some be said to be better than no legislation at all and I would say that no legislation at all is better than House Bill 3700 as amended by the Senate. In the first place it violates all of the constitutional guidelines, the requirements set up in a recent California Supreme Court case, the amendments violate intents of this body that spent four whole days in writing 3700 with some more than 33 amendments attached thereto. It was not given as I understand it, a committee hearing in the Senate, but the bill was advanced to second reading without reference to a committee. Now, we can in a matter as important as this, we can't get involved in the legislative process, that does not give due deliberation to the matter at hand and particularly in a situation that is as important to this House and every state official whether he be elected or not in the State of



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Illinois, and I would respectfully ask this House not to concur in the motion stated by Representative Lindberg in concurring with the amendments attached to this particular bill by the Senate. Each one of the amendments appears to be, we have Senate Bill 81 before this House and members of the House have worked on amendments on Senate Bill 81 all that has been done here is to attach Senate Bill 81 in its original form to 3700 with about 8 or 9 or 10 amendments attached thereto. This is very bad legislative process and I would respectfully ask the members to vote against concurrence."

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

Arthur L. Berman: "Thank you, Mr. Speaker. I would like to raise a point of order. . ."

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

Arthur L. Berman: "As to the consideration of Senate Amendment Number One when the Chair deems it timely. Now, I don't know whether you're going to take one first or the whole package, so I merely want to advise the Chair that I will make a point of order to the consideration of Senate Amendment Number One if you would like me to state the point now, I'd be glad to."

Hon. W. Robert Blair: "At the appropriate time, Representative Berman, the Chair will recognize you for your point."

Arthur L. Berman: "Thank you."

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



Representative Calvo."

Horace L. Calvo: "Mr. Speaker, would the sponsor yield for two short questions?"

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

Horace L. Calvo: "Ah, George, do I understand these Senate amendments to mean that my seat mate maybe here would have to file his income tax return if this bill passed? As amended? In other words every boy of the legislature, regardless of page or anybody would have to file a return, is that correct?"

George W. Lindberg: "Ah, no there is no income tax filing in connection with this bill."

Horace L. Calvo: "They have to make a filing of their financial interests, etc.?"

George W. Lindberg: "Yes, if they earn, if they're compensated."

Horace L. Calvo: "Et al."

George W. Lindberg: "Et al."

Horace L. Calvo: "All right, one other question considering the bill as now amended and all the amendments. I have a young attorney who makes \$1,200.00 a year as town as township attorney as one of the small townships. And ah this would preclude him by being employed by me as a legislative staff aidé, would it not?"

George W. Lindberg: "Ah, I think that there's a question. You're referring to the double dipper provision that the Senate restored, Senator Partee, I believe supported the motion to restore the double dipper provision in the bill."

Now, as I read it ah it would not relate to persons who have a relationship of independent contractor to a ah agency of local government. It would be salaried positions in my opinion."

Horace L. Calvo: "Well, are we saying that a township attorney is not in other words, he would be considered an independent contractor? Or is it or is it the aide to me would be an independent contractor of the legislature?"

George W. Lindberg: "If he if he is, a salaried employee holding a formal position as such then he would be embraced in Amendment Number Two, Section 2-104, but on a retainer, an independent contractor basis, it's my interpretation, I believe that is correct, that he would not be prohibited from holding another position."

Horace L. Calvo: "Thank you."

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

Harry Yourell: "Would the gentleman yield to a question?"

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

Harry Yourell: "George, under the Senate version of the bill that was sent out of this House, which, of course, nobody recognized at this point, the question that concerns me is a matter of compensation. Now, I understand that the news-media of this state has provided that with facilities, . . ."

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

Peter C. Granata: "Do we have a little bit of order on this



I can't hear what's going on."

Hon. W. Robert Blair: "Yes, you may, sir."

Harry Yourell: "I understand that many of the provisions of this revised version of House Bill 3700 includes certain forms of compensation. Now, my question is to you is the news media in the State of Illinois is provided with certain facilities in this capitol building and other areas and they cost the state a considerable amount of money every year to maintain those facilities and I'm wondering under the provisions of the compensation has defined in this bill whether they are then liable for disclosure?"

George W. Lindberg: "Ah, I doubt very much whether the word 'compensation', Representative Yourell, would be construed by court. Certainly it doesn't by the sponsor, it isn't by the sponsor so construed to include accommodations of which you're speaking."

Hon. W. Robert Blair: "The gentleman from St. Clair, Representative Krause."

James G. Krause: "Will the sponsor yield to a question?"

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

James G. Krause: "George, under this double dipper, this is Amendment Number Two, Section 2-104. You know, historically it's been down with the history of the State of Illinois that the township supervisor has always been a member of the county board. Now, with the reapportionment, the Attorney General has ruled that the township supervisor can be a member of the county board and elected to both offices."



Now, what does this do here in this section 2-104 in regard to the township supervisor in his serving also as a member elected to the county board of supervisors?"

George W. Lindberg: "Ah, just one minute, Jim, I'll tell you and check it out. I think the answer is that under the provision known as dual employment, to which you are referring and specifically the last clause, he would, such persons would probably be prohibited from holding both offices."

James G. Krause: "All right, then. . ."

George W. Lindberg: "Or let me put it this way, Jim, at least yes, from holding, that's right. I was going to say that he could probably be salaried for one and not the other, but it does say that he shall not hold two offices."

James G. Krause: "Well, then, George, what what we would really be doing if we accepted this amendment as it now stands is that we would be breaking with the precedent that has been handed down throughout the history of the State of Illinois. Is that a true statement? With. . ."

George W. Lindberg: "Jim, with with this legislation, we're breaking with a lot of precedences."

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

John C. Hirschfeld: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "I have a motion to move the previous question, is not debatable. Representative, the gentleman indicates that he'll withdraw that motion. Now, is



there further discussion? The gentleman from Cook, Representative McGah."

Joseph P. McGah: "Ah, Mr. Speaker, will the sponsor yield for a couple of questions?"

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

Joseph P. McGah: "Ah, Mr. Lindberg, directing your attention to Amendment Number Two, Article II, Restricted Activities, it occurs to me, I'm not talking about an attorney or an accountant that's a member of the legislature, but how about the attorney or the accountant that's in private practice and the lawyer, say represents three or four different municipalities as a Village Attorney. Wouldn't that be prohibited under this section?"

George W. Lindberg: "Well, as I responded earlier, it's my interpretation that if he is not on a retainer basis, he is in the nature of an independent contractor and would not be considered holding a position as such. That's my opinion."

Joseph P. McGah: "I think in cases it would hold otherwise. Ah, yeah, how about the the situation in a village where the village president or mayor, in addition to being the mayor or the village president is also Liquor Commissioner of the community?"

George W. Lindberg: "Now, as I understand most of those ordinances, Representative McGah, he is the Liquor Commissioner by virtue of his office as Mayor."

Joseph P. McGah: "Ah. . ."

George W. Lindberg: "Specifically spelled out by state law."



Joseph P. McGah: "In other words, you don't think that there's any problem in this area at all."

Hon. W. Robert Blair: "Is is is there further discussion, Representative McGah? The gentleman from Grundy, Representative Washburn."

James R. Washburn: "Ah, one question, Mr. Speaker."

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

James R. Washburn: "George, are those persons salaried or otherwise, the legislature appointed, have any authority in determining land use, are they covered under this bill now?"

George W. Lindberg: "Ah, Bud, that is one of the deficiencies of the proposal, ah, but they are not covered based on what the Senate has done. Again, as I told you, I think that they should be, but I think the merits of getting ah a much stronger ethics bill than we presently have on the books and the fact that we're running near a deadline and the fact that we have Senate Bill 81 still here, ah it makes it worthwhile passing this bill and getting it down to the Governor."

James R. Washburn: "But they are not covered."

George W. Lindberg: "They are not covered."

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

Robert E. Mann: "George, ah, with all due respect, George, you're not making much sense, when you indicate that a, you don't like the bill, b, we still have Senate Bill 81,



but c, we ought to get the this bill down to the Governor for his signature. Now, let me say just one other thing. George, we're going to have an ethics bill, but wouldn't it make a little more sense for us to try to find out what we're going to do with some of these other measures because remember if the House doesn't concur, you're entrusting your ethics bill to a conference committee, and ah, I don't see ah ah I don't see how you can ask us to vote for a bill which you say is grossly inadequate, get it down to the Governor while we're waiting for Senate Bill 81."

George W. Lindberg: "Well, my answer to that is that it's been demonstrated time and time again that Representative Mann, that both bodies of the legislature are in substantial disagreement on any specific ethics proposal taken one point at a time and for that reason my point is that we have if you wish a half of a loaf; which is better than no loaf at all and pass it with out present ethics law. The fact is that we do have in this package the anti-dual employment provision, which I think is, which I personally think is a significant advance. That ah happens to be my personal opinion. Now, I'm not demanding that everybody concur or not concur. I'm moving for concurrence, because I am satisfied that ah this is a significant step forward and ah and better than not having any bill at all. I don't know what's going to happen to Senate Bill 81, I don't know, but I do know that we have this bill, this bill has been through both of these bodies, it's had hours and hours



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of debate and this is what's come out of it and so I would suggest that we do concur."

Robert E. Mann: "Well, ah, Mr. . . ."

W. Robert Blair: "Proceed."

Robert E. Mann: "Thank you, Mr. Speaker. Well, George, I think in view of what you have said, a much more sensible course of action would be to hold this thing here until you see exactly what Senate Bill 81 looked like and then you will have an opportunity to choose between the two of them and I think that it would get some assurance from this House that one of them will pass, but let's determine which is the best one."

George W. Lindberg: "Ah, Representative Mann, I wish that I had the confidence that you do as to what the balance of this week is going to be like. We had a motion yesterday to adjourn that some members considered rather spontaneous and I'm afraid that that could happen in this session and for that reason I think we should run with what we've got here and use the balances of the week, or whatever is left of it to try to engraft some of the provisions of 3700 on to Senate Bill 81 and ah you know work on that vehicle, but in the meantime, let's lock this one up."

Robert E. Mann: "Well, I would just say this. I'm sure ah if the leadership of this House asked the Speaker for some assurances that this bill would be called after we've had an opportunity to look at Senate Bill 81, I for one would certainly trust the speaker to insure that we had another

opportunity to vote on ethics bill, but I still feel, Mr. speaker and Members of the House, that we might be better off if we had an opportunity to look at both bills before we precipitously send one down to the Governor for his signature."

George W. Lindberg: "Mr. Speaker. . ."

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

George W. Lindberg: "Ah, Mr. Speaker, I'm persuaded by some of the questions that have been raised here ah obviously not all the members have had the opportunity to analyze what is admittedly a very complex Senate Bill 81 which is now in the form of 3700, so with leave of the House, I would like to take this bill out of the record at the present time."

Hon. W. Robert Blair: "Is there objection? Choate objects. All right, we'll take it out of the record over night and the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Mr. Speaker, ah, I'd like to move that this House stand in recess for 30 minutes for purposes of a Republican conference in Room 212. Will the Republicans please report to 212 immediately for 30 minutes."

Hon. W. Robert Blair: "All right, ah, we'll be back on the floor at 5:15 P.M. and ah it is the thought of the Chair that unless we get involved in a lot of difficulty when we come back on the floor, that we should not be here too awfully long once we come back on tonight. All right, we'll

cess now until a quarter after five."

Recess at 4:40 O'Clock P.M.

Return at 5:15 O'Clock P.M.

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

Hon. W. Robert Blair: "Resolutions. Agreed resolutions."

Fredric B. Selcke: "House Resolution 459, Mann, et.al. Mann. House Resolution 460, Mann. House Resolution 461, Ron Hoffman. House Resolution 462, Tuerk. House Resolution 463, McCormick, et.al. House Resolution 464, M. K. Anderson, et.al. House Resolution 465, Laurino, et.al. House Resolution 466, Corbett. House Resolution 467, Pappas, et.al. House Resolution 470, Gene Hoffman, et.al. House Resolution 471, Moore, et.al. House Resolution 472, Stone, et.al. House Resolution 473, Bluthardt, et.al. House Resolution 474, O'Brien. Okay, all right."

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

Henry J. Hyde: "Well, Mr. Speaker, the agreed resolutions, 459 commends Sybille Fritzsche for her contributions as an attorney. 460 congratulates Keith A. Mann on his recent election as Mayor of Stephen Decatur Elementary School. I believe he is the nephew of our distinguished gentleman from Hyde Park, Robert Mann. Resolution 461 is a happy birthday resolution to our tall and highly popular coll-

eague from the 14th District, the Honorable Jacob John Wolf who is very recently 42 years old, so we wish him a very happy birthday to Jake Wolf. Ah, I suppose fairness dictates that I read this one. 'Whereas, our tall and highly popular colleague from the 14th District, the Honorable Jacob John Wolf celebrated his 42nd birthday on October 31, 1971; and Whereas, Mr. Wolf has, for 3 terms, consistently served Illinois and each of his constituents with distinction and direction, always bringing honor to this body, he is Vice-Chairman of the Committee on Transportation and he knows intimately the problems of mass transit, he also serves on the Executive Committee and the Committee on Financial Institutions; and Whereas, He is a Chicagoan by birth, he received his education from parochial schools and LaSalle Extension University in Chicago; and Whereas, the United States Navy cited his exemplary and courageous conduct in the Korean Conflict, he was nominated for the American Spirit Award, to the pride of each citizen of Chicago and Illinois; and Whereas, His marriage to Donna Jean Collins extending over a period of almost 2 decades 'with the wind at their back' continues to be blessed, they have a wonderful daughter; and Whereas, In addition to serving in the General Assembly, the very versatile Representative Wolf continues to play a prominent role in voluntary organizations and vital civic affairs, he is an officer and member of the 40th Ward Republican Organization, he is also a member of the American Legion Post No. 124,

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North West Citizens Committee, Kiwanis, Holy Name Society, Knights of Columbus, North River Commission, Chicago Citizens Radio League (past president), and he has been active in the Gabriel Richard Leadership, the Tzaak Walton League and the Executive Council of the Boy Scouts of America; therefore, be it Resolved, By the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we heartily congratulate our colleague and friend, the Honorable J. J. Wolf, on the occasion of his 42nd birthday and wish him many more years of success and happiness; and, be it further Resolved, that a suitable copy of this preamble and resolution be presented to our colleague, Representative Jacob John Wolf.' House Resolution 462 resolves that we have shorter birthday resolutions, Mr. Speaker. I'm sorry, it doesn't. It extends our appreciation for the planning and administration that has made Peoria a place the Peoria Pleasure Driveway and Park District outstanding in the nation. House Resolution 463 congratulates Mrs. Nora Lee Price on her election to the high office of President of the Rebekah State Assembly. House Resolution 464 is a death resolution in memory of Monroe 'Mac' McDowell of Dixon, Illinois. House Resolution 467 is a memorial to Ben Potter, editor and publisher of 'The Argus'. House Resolution 465, Mr. Speaker, if I may. 'Whereas, The leprechauns have gathered on the green to dance in a ring and click their heels over the joy of our esteemed colleague, the Honorable Thomas J. Hanahan, Jr.,



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one of our proud Sons of Erin, who celebrates his 37th birthday November 10, 1971; and Whereas, Our most respected colleague brings to this body an appreciation of all the finer things of life, a dram or two of good Irish whiskey on a cold day, and a dish he has erstwhile come to know and love, spaghetti and meat sauce with a touch of Parmesan; and Whereas, This young Irish rogue from the 33rd district ranks first in our hearts when we consider all the Sons of Erin who have made their impression on the legislative landscape of our great State Illinois for we 'remember' none more radiant with Irish Charm and good nature than Thomas Hanahan; and Whereas, This body is cognizant of his many legislative achievements, his civic and fraternal associations and his union affiliations, he is a hard working, industrious, steady contributor to the progress made in this body; and Whereas, If he is chagrined at turning 37 we wish to remind him that Notre Dame is having a magnificent year and is more than certain of a bowl bid; therefore be it Resolved, By the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we congratulate our highly respected colleague, the Honorable Thomas J. Hanahan, Jr., on the celebration of his 37th birthday; and that we wish him well and that he will be celebrating his birthday for many years to come in this body; and that a suitable copy of this preamble and resolution be forwarded to the Honorable Thomas J. Hanahan, Jr. Ah, Mr. Speaker, House Resolution 466 commends the



Pittsfield High School, it's Principal, Coach and the players for their 53rd consecutive football win. House Resolution 470 commends Gerald Weeks for an outstanding performance as Chairman of the DuPage County Board. House Resolution 471 congratulates the University of Illinois track team for its fine performances. House Resolution 472 commends Mr. R. A. Stipes for his distinguished service to higher education in the State of Illinois and House Resolution 473 commends the athletes of East Leyden High School football team for an undefeated season. I now move adoption, Mr. Speaker, of the agreed resolutions."

Hon. W. Robert Blair: "All right, all those in favor of the adoption of the agreed resolutions list say 'Yeas', the opposed 'No', the 'Yeas' have it and the agreed resolutions list is adopted. Further? The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, ah, this item of business so it might not get lost. At least not on my desk. The following Senate Bills have passed out of committee and I would move that they be advanced to the order of second reading, second legislative day. I refer to Senate Bills 1284, 1286, 1287, 1299, 1301, 1281 and 1282."

Hon. W. Robert Blair: "Is there objection? All right, the rules will be suspended so that we can have those bills appear on second reading, second legislative day tomorrow. Further resolutions?"

Fredric B. Selcke: "House Resolution 474, O'Brien, George.



House Joint Resolution 105, Meyer, et.al."

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

J. Theodore Meyer: "Mr. Speaker, I move for the to suspend the appropriate provisions of Section 53a for the immediate consideration and adoption of House Joint Resolution 105."

Hon. W. Robert Blair: "Is there objection? No. All right, there has been objection, so unanimous consent has not been given."

J. Theodore Meyer: "Would the Clerk please read the resolution."

Hon. W. Robert Blair: "All right, the Clerk will read the resolution."

Fredric B. Selcke: "House Joint Resolution 105, Meyer, et.al.

'Whereas, prominent members of this General Assembly of the State of Illinois have sought to compel the State of Illinois by statute to make extraordinary appropriations and transfer of funds to be used by the Cook County Department of Public Aid and the Chicago Board of Education; and Whereas, the City of Chicago and particularly its mayor, the Honorable Richard J. Daley, have long promulgated the motto 'I will' as the essence of the spirit of that great city; and Whereas, the State of Illinois shall, during the course of fiscal year 1971, provide more than \$120,000,000 to the City of Chicago and more than \$30,000,000 to the County of Cook from the sales tax, the income tax and the motor fuel tax; and Whereas, both the City of Chicago and the County of Cook have been granted unprecedented home rule powers



under our new Constitution; and Whereas, these aforementioned funds combined with the new home rule powers provide the City of Chicago and the County of Cook with ample resources to solve the problems confronting the Cook County Department of Public Aid and the Chicago Board of Education provided of course that these resources are used in the spirit of the motto 'I will'; be it therefore Resolved, by the House of Representatives of the 77th General Assembly of the State of Illinois the Senate concurring herein, that we urge the Mayor of Chicago and the President of the County Board to abandon the recent uncharacteristic 'You will' attitude taken by them in legislation proposed to this General Assembly; and be it further Resolved, that we urge these same leaders to return to the 'I will' spirit which has made the City of Chicago and the County of Cook great so that they may solve the problems now confronting both of these communities by using their own very considerable resources."

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

J. Theodore Meyer: "I renew my motion, Mr. Speaker."

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

Harold Washington: "A parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "What's your inquiry?"

Harold Washington: "Is this motion debatable?"

Hon. W. Robert Blair: "No, it's not. And no debate's been made with regard to it. All right, the question is on the suspension of the rules. Of Rule 53a. All those in favor



of the suspension of the rule will vote 'Yeas' and those opposed will vote 'No', and now this takes 89 votes or two-thirds of those voting on the issue."

Harold Washington: ". . .formulated, discussed and presented to this body. And presumably both parties addressed themselves to a viable solution to the welfare crisis. The great Republican elephant strained and strained with the welfare crisis and they've come up with this map. It's an insult to common sense. It seems to me that the opportunity for the two parties to resolve this question was presented yesterday. I would go along with this little innocuous amendment or rather resolution if the party on the other side of the aisle would just show a little bit of faith and if the Speaker of this House, Mr. Speaker, and if the Speaker of this House would determine Section Rule 38 and as he has interpreted it in the past and rule that there is a demonstrable emergency and no one could possibly deny it. And take House Bills 753 through -57, bypass committee and place them on the order of second reading so that we could have a full fledged meaningful debate over the question of diversion of funds, not only on the state level, but also on the state on the county level, but to take this silly little amendment and to present it to the hungry people of the State, Cook County and downstate as well, as an asset to the problem seems to me to be the height of insanity. Nothing is going to be gained by this. I still hope that you don't think that the press is so stupid that



they will say that the Republican Party has come up with a solution to the welfare crisis, that they conclude by imposing with a parliamentary inquiry, which I assume that the Chair will not answer at this time, and the inquiry is this. Mr. Speaker, do you have it within your power to rule on Rule 38, the demonstrable emergency section, and if you have that power, will you rule that House Bill 3753 through -57 address themselves to the demonstrable emergency and if you so rule will you please advance those bills to the order of second reading."

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

J. Theodore Meyer: "Just a point of inquiry. Is his point of inquiry germane to House Bill. . ."

Hon. W. Robert Blair: "If it were, I'd address myself to it."

J. Theodore Meyer: "Oh, thank you, Mr. Speaker."

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

J. Theodore Meyer: "Briefly in explaining my vote, Mr. Speaker. I have for the last several weeks listened to and attended meetings as have most of the members of this body. We've read about, we've heard about the two pressing crises that face the particular the residents of the City of Chicago, of whom I attended represent as well as any other member of this body. But, Mr. Speaker, to me it seems to be quite ludicrous that every time the City of Chicago runs into a financial problem, that they would come to go to another unit of government, specifically the State of Ill-



for the federal government to look for their money. I can only cite you two examples. The City of Chicago has transferred a portion of the Department of Aeronautics on the Department of Education by not charging fair rent on the airport. A substantial portion of the reported Board of Education is for health services for the children. This is a municipal function, Mr. Speaker, but yet the citizens of the State of Illinois are asked to contribute towards a municipal function. Thank you, Mr. Speaker."

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

Mr. M. Barnes: "Mr. Speaker, Members of the House, I have read and listened in the last few days concerning the responsibility that we have as the legislature to the people of the State of Illinois. I've read many comments, I've read many articles, stating what should not have been done by various people at various levels of government. I also have read and I listened intently a few weeks back when a Senior Senator from this state stated in a public form his proposed proposal at the federal level to relieve the problem and take it out of the hands of the State. I refer to an article that appeared in today's Tribune concerning that very same thing and it seems that that very Senior Senator from this state has yet to file that legislation in the federal government. I also refer to an article that appeared also in today's Tribune that states that an attorney, a Special Assistant Attorney for the State

stated also that part of the reason for the problem that is existing is not enough money incorporated from the General Assembly for all the welfare recipients. Now, this attorney as I understand from this article is working for the State and this is a statement that he made just yesterday to the courts concerning this matter. Now, apparently there is a lack of communication somewhere. I don't know whether that lack. . ."

Hon. W. Robert Blair: "Bring your remarks to a close."

Eugene M. Barnes: ". . . is at the Executive Level or in the General Assembly, but I think that proposals of the type that have been presented before us to really not address itself to the emergency problem that is at stake in our state, it's really something for the world to behold. I believe that the people in this state will not be fooled and I think that it is important for the people here voting green on this to realize that fact."

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

Webber Borchers: "Mr. Speaker, Fellow Members of the House, I'm not going to give you the figures this time. I've given you enough of them and they're all right to the point. I'm just telling you the people in my part of the country are sick and tired and no longer desire to have their money always to go and to help Chicago out of their inefficiency and their delimma. Now, you've got the money up there, you can get it, do it."



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

Raymond W. Ewell: "Mr. Speaker, I think what we're doing here is a mockery of our system. We well know that the City of Chicago is not the paramount authority in the State. We're kicking the problem back down instead of trying to move it up to higher levels where it can be handled. We all know that the money that comes to this legislature, a great deal of it comes from the City of Chicago. Now, if the legislature is willing to say we'll give all the income tax to the City of Chicago collects, all of the personal property tax and all of the motor fuel tax and all of the other taxes to the City of Chicago, then perhaps the City of Chicago would indeed solve its problems. Mr. Speaker, I suggest to you that the City of Chicago has carried this state and this legislature on its back for many a year and I suggest to you that the problems do not arise in the City of Chicago, they arise in every province in this state, they arise in every province outside the state and for this legislature to now decide by hypocrisy that the City of Chicago is responsible for the entire problems, it is sheer hypocrisy and we ought to be ashamed of ourselves."

Hon. W. Robert Blair: "The Clerk will take the record. On this. . .for what purpose does the gentleman from Cook, Mr. Shea, rise?"

Gerald W. Shea: "Request a verification of the roll call."

Hon. W. Robert Blair: "All right, the roll call now stands at 89 'Yeas' and 77 'Nays', and the Clerk will verify the



affirmative."

Fredric B. Selcke: "Anderson, Bartulis, Blades, Bluthardt, Borchers, Brenne, Burditt, Campbell, Capuzi, Clabaugh, Philip Collins, Conolly, Cox, L. Cunningham, R. Cunningham, W. Cunningham, Day, Duff, Dyer, Epton, Fleck, Friedland, Gardner, Gibbs, Glass, Graham, Granata, Hall, Harpstrite, Henss, Hirschfeld, Gene Hoffman, Ron Hoffman, Houde, Hudson, Hunsicker, Hyde, Jones, Juckett, Kahoun, Karmazyn, Kipley, Kleine, Klosak, Lauterbach, Lehman, Lindberg, Ed Madigan, McAvoy, McCormick, McDevitt, McMaster, Meyer, Kenny Miller, Peter Miller, Moore, Murphy, Neff, North, . . ."

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

J. Theodore Meyer: "Ah, Mr. Speaker, to conserve time, I'll withdraw the motion in reality of the situation."

Hon. W. Robert Blair: "All right, is there consent? All right. Further resolutions."

Fredric B. Selcke: "Ah, House. . ."

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

Robert S. Juckett: "Mr. Speaker, as long as we have all the members of the House here, I would like to announce that the Executive Committee's meeting which was scheduled for 2:00 P.M. in Room M-5 will commence immediately after adjournment in Room M-5."

Hon. W. Robert Blair: "Further resolutions?"

Fredric B. Selcke: "House Joint Resolution 106. . ."



Hon. W. Robert Blair: "Wait a minute, there's a problem on M-5, apparently it's not been cleared. Choate's using M-5. You have to clear those with the desk. Ah. . . ."

Robert S. Juckett: "Mr. Mr. Speaker, I'm informed that the Senate is using M-3 and there is no other committee room large enough for the Executive Committee."

Hon. W. Robert Blair: "Well, M-5's been prior assigned, so you're going to have to find another room. 520 is available, I'm informed. All right, . . ."

Robert S. Juckett: "All right, Mr. Speaker, Executive Committee will meet in at 9:00 O'Clock tomorrow morning in M-5."

Hon. W. Robert Blair: "M-5 is busy tomorrow morning. You have to clear these things with the desk. We have a service up here for that. All right, we'll get it straightened out and you can announce it later. Ah, further resolutions."

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

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

Lewis A. H. Caldwell: "Ah, Mr. Speaker, I I was wanting to ask unanimous consent to move a bill to second reading on second legislative day. I might explain that this is a bill that the Superintendent of Public Instruction Office had. It was in Appropriations' Committee yesterday and came out 16 to nothing. The back ground is that there was some misunderstanding and the bill was vetoed by the Governor. The matter has been straightened out and everybody seems to



be in agreement, but I believe if I could get unanimous consent to move the bill today, there would be a possibility that it could get back to the Governor's desk before we leave. 1301. Senate Bill 1301."

Hon. W. Robert Blair: "It's already been advanced to the order of second reading, second day. Now, we're on further resolutions."

Fredric B. Selcke: "House House Joint Resolution 106, Davis, et.al."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Davis, desire recognition?"

Corneal A. Davis: "Ah, Mr. Speaker, I'd like to have unanimous consent to suspend Rule 53a and to advance the House Resolution without reference."

Hon. W. Robert Blair: "Is there objection? Objection having been heard, consent's not given. The gentleman from Cook, Mr. Davis."

Corneal A. Davis: "Then Mr. Speaker, I would move that we suspend the rules for the purpose of, well then Mr. Speaker, I'd like consent to read the resolution, I'd like to read the resolution before I move to suspend the rules. Do you object to that?"

Hon. W. Robert Blair: "No, that's all right. The Clerk will read it."

Fredric B. Selcke: "House Joint Resolution 106, Davis, et.al. Be it resolved by the House of Representatives of the 77th General Assembly of the State of Illinois, the Senate con-



curring herein, that: I. There exists a state of crisis in Illinois concerning public aid; and II. Resolution of this crisis and the support of those persons in need who must depend on public aid must be the top priority of the government of the State of Illinois in these times of high unemployment regardless of the philosophic views held by individual members of this General Assembly towards the existing welfare system; and III. There are items in the budget of the State of Illinois for the current 1972 fiscal year for which appropriations have been enacted, which relate to projects and programs which are of lesser priority than the funding of public aid; these items can be held back and spending pursuant to them reduced by the Governor to insure the availability of state funds for the purpose of financing public aid; and IV. The Governor, pursuant to his authority under existing law, has the power to reduce spending in authorized programs and re-shape the priorities in state spending within the terms of the enacted appropriations for the current 1972 fiscal year; and V. The General Assembly urges the Governor to hold back expenditures as much as is possible in the following authorized items, which are hereby declared to be of lesser priority for the financing of public aid: Bill computerization for the General Assembly - \$338,800; Public Relations - \$537,800; State Transportation Department Study - \$608,000; Studying Horse Diseases - \$50,000; New building for Secretary of State - \$5,800,000; Tourism grants and promotion - \$222,300.



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Advertising to promote the 'New Illinois' - \$700,000; State offices in Belgium, New York and Washington - \$309,800; Construction of boat docks and recreation facilities - \$14,294,670; Appraisal and legal fees for purchasing land - \$1,000,000; Gymnasium for police trainees - \$1,242,900; Bathroom at State Fair - \$90,000; Awards for livestock breeders - \$150,000; Horsebarn and stages - \$128,000; Entertainers at the State Fair - \$400,000; Purses for Illinois colts at fairs - \$467,000; Remodeling highway district headquarters and building storage sheds - \$2,827,600; Total of authorized expenditures from items set out above - \$29,166,870. VI. The General Assembly declares its public support for the Governor in reducing expenditures under the items listed above; and VII. The General Assembly urges the Governor to save an additional \$51,375,000 by maintaining the state payroll at the September, 1971 level except where personnel increases must be made in instances of demonstratable emergencies, recognizing the fact that the foregoing savings in state funds may be realized notwithstanding a 5% pay increase for present state employees that the Governor may choose to authorize."

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

Corneal A. Davis: "Mr. Speaker, I now move that objections have been heard for unanimous consent. I now move that we suspend Rule 53a for the immediate consideration of this resolution."

Hon. W. Robert Blair: "All right, the gentleman has moved



for the suspension of Rule 53a for the immediate consideration and adoption of the resolution. All of those in favor will vote 'Yeas' and the opposed 'No' and this requires 89 votes or two-thirds of those voting. The gentleman from Cook, Mr. Davis."

Corneal A. Davis: "Mr. Speaker, Ladies and Gentlemen of the House, I do not wish to belabor this point. You've heard the resolution read and let me say to you that I believe this is what I believe, I believe that it's harder to achieve peace than it is to fight a war. Now, let me tell you something. We're talking about the shooting in Viet Nam, but if we don't do something about the situation we presented some bills here yesterday where the Department heads if they'd been heard would have come in the Appropriations' Committee and tell us why they needed this money. We wanted to ask why in the name of God did we need \$90,000.00 to build a bathroom at the state fair and \$400,000.00 for some can can girls and some huli huli dancers when the peace of this state is being threatened. Now, let me tell you something. People are hungry whether you believe it or not. You've shamed a lot of men from World War II from the bloody beaches of the Mediterranean and from the swamp infected jungles of the South Pacific, you've framed a few, you've framed them in Viet Nam to kill and the casualty of conflict is staring this nation in the face right now. Because these men who have been trained to kill is coming back, not able to obtain jobs here and I'm going to



tell you this, they will not go hungry, they will not go hungry, if this is a serious matter, I see some people laughing and smiling, but this is a serious matter. . ."

Hon. W. Robert Blair: "All right, bring your remarks to a close."

Corneal A. Davis: "They will not go hungry, do you hear, a time bomb is hanging over the head of this nation. They said that one help of the elderly people over 65 years of age who have to exist on Social Security are having to go to the lowest poverty level ever, frustration, angry people, desperate people, ill people. . ."

Hon. W. Robert Blair: "Take, take, you're time is up, Mr. Davis. Take. . ."

Corneal A. Davis: ". . .I ask you to give me the votes always sending to the Governor."

Hon. W. Robert Blair: "All right, turn him off. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, Mr. Speaker, Mr. Speaker, I think some time some place we should stop playing politics with the poor, and I'm afraid that's what's going on day after day down here. Now, if the gentleman is sincere and I don't doubt that he is sincere, he ought to know that some of the major items in this resolution, how about this one, \$5,800,000.00 new building for Secretary of State; remodeling highway district headquarters and building storage sheds, \$2,827,600.00; Gymnasium for police trainees, \$1,242,900.00 why those things are in the road fund and the only way to



get those monies out of the road fund is to tell your colleagues across the rotunda in the Senate to give us one vote for Senate Bill 1255, which permits the transfer from these funds. They're being held up by Democrats with a capital 'D' across the rotunda. Senate Bill 1255 has 24 Republican votes and not one Democrat vote, so we couldn't begin to implement your resolution, sir, if it were sound because we have to have 1255, so if you want to take a recess and walk over there and persuade the Pro Tempore to get his troops around 1255 then this has some meaning, but right now, it's just politics and demogogy."

Hon. W. Robert Blair: "Now, we'll be in order. The ah have all voted who wished? The gentleman from Cook, Mr. Carter."

Richard A. Carter: "Ah, Mr. Speaker and Ladies and Gentlemen of this House, I would just briefly like to answer the Majority Leader. He will probably realize, if he doesn't already, and he's a smart man, that the shoe fits the other foot sometimes. You are trying, Mr. Hyde, to make the Governor the legislature. If that's what you want, then we might give you the vote, but there might come a time when we'll have the House and you'll rue the day you ever brought it up. Thank you."

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

J. Theodore Meyer: "Mr. Speaker, I think that all in this House concur with Representative Corneal's feeling for the poor and I might add for the school children of the City of Chicago, but Mr. Speaker, if I may briefly get back to my



resolution, there's \$120,000,000.00 in funds that the Mayor and the City Council. . ."

Hon. W. Robert Blair: "Now, which one of you want recognition The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, I don't believe he's talking to this resolution, but to his and we knew the outcome of that before his remarks to this one."

Hon. W. Robert Blair: "I I think he's getting to an explanation why he's voting the way he is, so ah I'm sure you will get to the point that you're making with regard to your explanation of your vote."

J. Theodore Meyer: "Mr. Speaker, that's what I'm suggestion, is that local local government in the City of Chicago and Cook County can equally divert as well as the Governor and everybody else in this State. What is good for the goose is good for the gander."

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

Harold Washington: "Mr. Speaker, the modus operandi in explaining my vote of the opposition amazes me. First they want to send us to Chicago to tell the Mayor of Chicago what to do; then they want to send us to the County Board to tell the President Dunnewhat to do; then they want to send us over to the Senate to tell the Senate what to do, but they don't want to tell themselves what to do. The vehicles to resolve the problem on the Speaker's table. They landed there yesterday, and I like a gentleman went along with the



Majority Leader who asked me to withdraw one bill from keeping tying up the House. I tried a new direction, I got frustrated there and lo. and behold I was finally found frustrated by a gigantic feedback in Chicago. The vehicle for the solution to the problem is here. You don't have to look to Chicago, you don't have to look across the rotunda, my distinguished friend, Representative Meyer, the solution to the problem is here. You have your faith or you have the faith of hungry people here in your hands. It is on the Speaker's table. It's not too heavy to lift it up. Just give me enough votes to get that bill on second reading and you can make all the speeches you want tomorrow when those bills come up. I support this resolution."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. For what purpose do you rise?"

Corneal A. Davis: "I rise on a point of personal privilege, since my name has been mentioned in debate, and I'll assure you that I'll only take a minute. 92% of the general assistance money comes from the state. You want to change that? You took over Cook County's Department of Welfare. The only power and you lawyers know this, Chicago has as the power that is granted to it by this legislature, this little charter. You took away the Chicago Welfare Department. You sent up 92% of these payments or a one mill tax in Cook County's level for the other 8% of the payment of public welfare. This is the way it is. The legislature has the power to change that. Now, if you're going to



change that, this is the boss of a different color. You want to go out and change it and stop playing politics with human misery. Now, I'm going to tell you something. I'm in love with this country and you're setting on top of a smoking smoldering volcano, do you hear? I love the gospel of St. John, because he tells it like it is. If he was living today, the young people would love him because he tells it like it is. They beheaded him, they killed him, they took his life for telling it like it is, but this is what he says and this is the message he leaves to you. How can you say you love a God whom you've never seen and hate your neighbor whom you've seen? If you say this, the holy St. John says you're a liar. And the truth isn't in you. Tell it like it is."

Hon. W. Robert Blair: "On this question, there are 79 'Yeas' and 79 'Nays' and the motion to suspend is lost. All right there are just a few items here. Introduction and first reading of House Bills. A couple of bills."

Fredric B. Selcke: "House Bill 3761, Burditt, et.al. An act to provide for nomination and election of judges and to repeal part of an act therein named. First reading of the bill. House Bill 3762, Gardner, et.al. A bill for an act to authorize county and municipal home rule units to transfer motor fuel tax funds for general assistance purposes and to provide for the repayment thereof. First reading of the bill."

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



Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, this bill, here it is gentlemen, if you really want to do something, if you really want to do something about the welfare crunch in the County of Cook and the City of Chicago, here it is. We're not going to move to advance it, we're going to let it sit on the Speaker's table overnight and you can all think about it, you can all examine your consciences, and then tomorrow we'll take some action, but for your information the cash balance for Cook County motor fuel tax funds today is \$24,000,000.00 and the cash balance for the City of Chicago motor fuel tax fund is \$33,000,000.00. Now, I want to say this, the Republican Party is accused of being more interested in roads than it is in human beings. Here's your opportunity for Cook County and Chicago to show its priorities. We'll not only meet you half way, we'll go across town with you, so think about it and let's get the votes tomorrow."

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

Fredric B. Selcke: "Messages from 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 passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit: Senate Bill 1290. Passed by the Senate, November 10, 1971, by a three-fifths vote. Kenneth Wright, Secretary of the Senate. Mr. Speaker, I am directed to inform the House of Representa-



tives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit: Senate Bill 1310. Passed by the Senate, November 10, 1971, by a three-fifths vote. Kenneth Wright, Secretary of the Senate. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit: Senate Bill 1311. Passed by the Senate, November 10, 1971, by a three-fifths vote. Kenneth Wright, Secretary of the Senate. No further messages."

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1310 appropriates \$198,000.00 to the Court of Claims. This bill was introduced in the Senate, it was advanced to second reading without referral to committee. Today it passed the Senate without a dissenting vote. I discussed this matter with the Minority Leader, the Majority Leader, I've discussed it with the Chairman, the Minority Spokesman of the House Appropriations Committee, and they agree that I should now move, Mr. Speaker, or ask for unanimous consent to have Senate Bill 1310 advanced to the order of second reading, second legislative day without referral to committee."

Hon. W. Robert Blair: "Is there leave? All right, read the



bill a first time."

Fredric B. Selcke: "Senate Bill 1310. A bill for 'An Act to make appropriations for certain claims against the State of Illinois in conformity with awards made by the Court of Claims.' First reading of the bill."

Hon. W. Robert Blair: "Second reading. The gentleman from Cook, Mr. Carter. James Y."

James Y. Carter: "Ah, Mr. Speaker, I'd like to if possible ask the Majority Leader a question with regard to the bill that he's holding for tomorrow. I don't know whether I'm in order or not because that's been passed over, but I wanted to ask him."

Hon. W. Robert Blair: "Well, it's not exactly in order, but I'm sure he'd be happy to ah, the gentleman from Cook is requesting a question of the Majority Leader concerning the ah the bill that you just referred to."

James Y. Carter: "Henry, you have told us very distinctly what is in the motor fuel tax fund. Can you tell me how much is in the road fund?"

Henry J. Hyde: "Ah, no, I don't know, except that as of June 30, 1972. . ."

James Y. Carter: "I'm not talking about June 30, I'm talking about right now."

Hon. W. Robert Blair: "All right, we're not going to get into debate on the floor, he's answering your question, I suggest you let him answer it and then if you don't like that you can say something maybe."



James Y. Carter: "Well let me make this observation and we can quit. Will you have those figures tomorrow?"

Henry J. Hyde: "I'll give you a figure right now if you'll let me. There'll be \$1 million in the road fund as of June 30, 1972, that's the . . .the rest is all committed with contracts."

James Y. Carter: "You've got \$400 million. . ."

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

Harold Washington: "I trust my colleague, Representative Hyde is finished? Mr. Speaker, I rise on a parliamentary inquiry."

Hon. W. Robert Blair: "All right, we're on the order of business, messages from the Senate. Is that the purpose for what you're. . ."

Harold Washington: "No, I rose on a point of parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "All right, we're on the order of business of messages from the Senate, is that what your parliamentary inquiry is about?"

Harold Washington: "I will hold my point of parliamentary inquiry until you finish that order of business, if you will let me raise it later."

Hon. W. Robert Blair: "Oh, I will, sure."

Harold Washington: "I'm sure you will, thank you."

Hon. W. Robert Blair: "Yeah. Ah, now there's a request with regard to one bill on third House Bill on third reading and

that is House Bill all right, back up. All right, ah with regard to the message concerning Senate Bill 1311, the gentleman from Cook, Mr. Hyde, recognized."

Henry J. Hyde: "Mr. Speaker, this bill ah provides \$214.00 to the Department of Registration and Education, \$214,000.00 for the purpose of implementing the controlled Illinois controlled substances act. We recently passed new legislation imposing this responsibility on them and it must be funded and so I understand there is agreement on both sides of the aisle to advance this to the order of second reading, second day and without reference and I so move."

Hon. W. Robert Blair: "Is there leave? All right, wait a minute. Okay. Okay. Read the bill."

Fredric B. Selcke: "Senate Bill 1311. A bill for 'An Act making a supplemental appropriation to the Department of Registration and Education. First reading of the bill.'"

Hon. W. Robert Blair: "Second reading. Okay, House Bills third reading, House Bill 3740. The Chair recognizes the gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Yes, Mr. Speaker, I would ask unanimous consent to waive the ah provisions of Rule 32 with regard to the timetable on bills so we may consider and pass out of this House the appropriations for the Ethics Board which will presumably pass out of this legislature sometime during this week, so I would like unanimous consent, Mr. Speaker."

Hon. W. Robert Blair: "All right, he is sus-, he is asking



for unanimous consent to suspend the provisions of Rule 32c and objection has been heard? No, oh, no objections. The gentleman from Union, Mr. Choate, has a question."

Clyde L. Choate: "Just a question, Mr. Speaker. If I listen to the gentleman this afternoon correctly, he stated that the Senate Bill 3700 as amended in the Senate, struck everything after the enacting clause and I think he said on the floor of the House that he was not satisfied or did not agree rather, with the way that the board was set up. Consequently, if the Board is set up the same way it was in the past, then I don't know why you need the appropriations."

George W. Lindberg: "The appropriations are necessitated by what appears will pass out of this House, either by the vehicle of 3700 as amended or by 81 and in either case there will be a tremendous number of filings for which about \$50,000.00 is needed."

Hon. W. Robert Blair: "Now, a motion to suspend is not debatable and that is the question. Now, consent has not been given and so does the gentleman desire to pursue the matter farther?"

George W. Lindberg: "Well, I would then move, Mr. Speaker, what does it take 89? To suspend?"

Hon. W. Robert Blair: "It takes 89 affirmative votes, no two-thirds."

George W. Lindberg: "Well, if we can get it, I think we ought to try."

Hon. W. Robert Blair: "All right. All those in favor of



trying vote 'Yeas' and the opposed 'No'. For what, the gentleman from Cook, Mr. B. B. Wolfe."

Bernard B. Wolfe: "A point of parliamentary inquiry. I wasn't objecting to his motion or for leave because I support appropriations for the Ethics Board which we've been trying to get for four years now. But I'm trying to call his attention to page 17 of Amendment Number One, Section 3 has appropriations of \$100,000.00 to the Board of Ethics and the sum of \$150,000.00 to the Commission on Local Government Ethics and I'm just wondering if that doesn't cover the your situation, George."

Hon. W. Robert Blair: "Well you started out with a point of parliamentary inquiry and shifted it over to asking a question. Now, which would you like?"

Bernard B. Wolfe: "Well, I want the parliamentary, I'll make this as a question to the Chair, does that now change the ah. . ."

Hon. W. Robert Blair: "That's a substantive question, not a procedural question."

Bernard B. Wolfe: "Well, then can I ask that of the sponsor, Mr. Speaker?"

Hon. W. Robert Blair: "Well, we're on explanation of votes and if he cares to address himself to that point in his explanation of vote, why he can do so."

Bernard B. Wolfe: "Okay."

Hon. W. Robert Blair: "All right, have all voted who wished? The Clerk will take the record. The gentleman from Bureau,



Mr. Barry."

Tobias Barry: "I'd like to explain my vote and by way of inquiry by the Chair which I tried to get recognition for initially. I am voting 'Present' and I would like to know if this takes two-thirds or 89?"

Hon. W. Robert Blair: "89."

Tobias Barry: "I'm voting present for the reason, pardon me Mr. Speaker, for the reason that there already is an appropriation in 3700."

Hon. W. Robert Blair: "Well, it takes 89 affirmative votes, not two-thirds as I indicated earlier. Record the gentleman, all right. B. B. Wolfe, 'Present'. Carroll, 'Present'. Berman, 'Present'. Tipword, 'Present'. Hill, 'Present'. Barnes, 'Present'. Who? For what purpose does the gentleman from Cook, Mr. Berman, rise?"

Arthur L. Berman: "Ah, a point of parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "Yes."

Arthur L. Berman: "Could could the Chair advise me as to whether the appropriation in House Bill 3700 as amended, in other words, with Senate Amendment Number One, would it be constitutional if it was passed?"

Hon. W. Robert Blair: "Well, that's not a question which the Chair can undertake. It really isn't. Ah, Hill, 'Present'. Lenard, 'Present'. Jaffe, 'Present'. Caldwell, 'Present'. O'Hallaren, 'Present'. Colitz, 'Present'. R. L. Thompson, 'Present'. Kosinski, 'Present'. Capparelli, 'Present'.



Brandt, 'Present'. Yourell, 'Present'. Yourell, 'No'. O'Brien, 'Present'. Carrigan, 'Present', 'No'. Carrigan, 'No'. Garmisa, 'Present'. Maragos, 'Present'. Leon, 'Present'. All right. On this question, there are 78 'Nos', 78 'Yeas', 2 'Nays', 20 'Present'. For what purpose does the gentleman from Cook, Mr. Carroll, rise?"

Howard W. Carroll: "Mr. Speaker, on a point of parliamentary inquiry which I think was what Representative Berman was starting to say, was referring to Article IV, Section 8 of the passage of bills of the constitution, the last sentence of Section (d) that appropriation bills shall be limited to the subject of appropriations. I'm sorry, the middle paragraph of Section (d), bills, except bills for appropriations. The last sentence of that particular paragraph says that appropriation bills shall be limited to the subject of appropriations and in that case with the amendment to 3700 would be within the framework of legislative articles. In that there's an appropriation in that bill and that bill is not an appropriation's only bill. According to the framework of the last sentence here."

Hon. W. Robert Blair: "Now, your inquiry is as to 3700 as?"

Howard W. Carroll: "As to any bill since this is an appropriation bill, we're dealing with the subject of appropriations."

Hon. W. Robert Blair: "3740 is the matter before the house."

Howard W. Carroll: "Which is an appropriations' bill."

Hon. W. Robert Blair: "Right."



Howard W. Carroll: "Parliamentary inquiry is that does this bill this bill meet this particular sentence, and if this bill does, would any bill that is not an appropriation only Particular sentence?"

Hon. W. Robert Blair: "Well, obviously that sentence is far too broad for me to answer with regard to this particular matter. It is the Chair's ruling that it is an appropriation that is for the purpose for which the ah ah the ah bill for which the subject of the bill is there and so it is appropriate as far as 3740 is concerned and as an aside on your other question, I've previously ruled on that matter with regard to the gentleman from Cook, Mr. Shea's question that as long as there's substantive matter in the bill and it has an appropriation in it that the appropriation is for the amount for the purposes of the substantive part of the bill and it would be the Chair's ruling that it complied with the purpose with the language of the constitution and I ruled it that way a couple a few days ago. All right, now the gentleman's motion having failed to receive 89 affirmative votes is hereby declared lost. All right, now we're back to Mr. Washington, Mr. Harold Washington."

Harold Washington: "I have a parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "All right, state your point."

Harold Washington: "In regard to Rule 38 of our rule."

Hon. W. Robert Blair: "Yes."

Harold Washington: "It provides that when a rule is intro-



duced, it shall be read at large a first time, ordered printed, referred to proper committee for consideration, except that in cases of demonstrable emergencies a bill may be advanced without reference to committee. Now, am I correct, Mr. Speaker, that at the beginning of the session in January or February, you interpreted that section to say that you had the right to determine what is a demonstrable emergency and so you could advance bills to the order of second reading without reference to committee, am I correct in that?"

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

Harold Washington: "Then Mr. Speaker, I'm appealing to you to invoke Rule 38 and advance House Bill 3753, -54, -55, and -56 and -57 to the order of second reading without reference to a committee, by virtue of the fact that demonstrable emergency invited in the thrust of those bills has been clearly stated by both sides of the aisle repeatedly for the past two weeks."

Hon. W. Robert Blair: "Well, yeah, 38 can not be read standing alone, it has to be read in conjunction with the provisions of Rule 32c. 32c provides that any bill introduced subsequent to October the 14th shall lie upon the Speaker's table but not be recorded on the daily calendar to be referred to the proper committee after January 1, 1972. Now, the reason that we adopted those rules changes is in this session was so that it would be noticed to everyone here as to the procedures that we were going to follow and when

matters would have to be addressed within the framework of the House, schedule, I take notice of the fact that these bills which you referred to were not even introduced in this Chamber until Monday of this week which would have been November the 8th, and that it's in the normal course of procedure demonstrable emergencies do not arise over night and so it's going to be the Chair's ruling that taking 3038 in consideration with 32c that the situation to which you refer is not demonstrated in these instances."

Harold Washington: "Can I say this, Mr. Speaker? In light of the fact that we adjourned yesterday in the midst of a parliamentary inquiry of these five bills, I think it would be only fair that I be permitted at this time to move that we suspend Rule 38 and 32c, the rules you just enunciated to by-pass committee, put the matter before the House and advance to the order of second reading without reference to committee, and I so move."

Hon. W. Robert Blair: "All right, now, my number one point is that you were not interrupted yesterday during a discussion of these things by adjournment, because a member on your side of the aisle moved to recess for one hour."

Harold Washington: "I withdraw. . ."

Hon. W. Robert Blair: "And there was a follow-up motion to adjourn from my side of the aisle. Now, secondly with the regard to the matter that you are now putting we are not on that order of business, we are not on the order of the Speaker's table and I do not intend to go there."



Harold Washington: "Mr. Speaker, let me conclude by thanking you for your interpretation and appealing to you to make to permit me to make that motion at sometime before we adjourn."

Hon. W. Robert Blair: "Well, we'll certainly be at the Speaker's table at sometime in the remaining days."

Harold Washington: "Today, Mr. Speaker."

Hon. W. Robert Blair: "No, we're not on the Speaker's table now, we're on resolutions."

Harold Washington: "Then Mr. Speaker, I rise on a point of personal privilege."

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

Harold Washington: "Mr. Speaker, I don't think in my four terms here I have ever voted against a motion to by-pass committee and advance to the order of second reading. One time even though I may have violently disagreed with the subject of the bill before the House, I don't think that there's that many people here who felt and voted so consistently to do that. As you may recall, I even fought along with Corneal Davis to provide that the rules be changed, the proposals presented to us be changed so that we could discharge a committee without. . ."

Hon. W. Robert Blair: "All right, the, excuse me for just a moment, please, but the lights have been turned off, so turn off the television."

Harold Washington: "I might also mention in my point of personal privilege, that when we discussed welfare, the lights



go out."

Hon. W. Robert Blair: "No, I'm just following directions that I've given the media that they're well aware."

Harold Washington: "All right in my four terms here I have never voted against such a motion and I have never voted against such a motion because I've felt that to anyone who came into this chamber duly elected by the constituents in his district made a motion, no matter how untimely that motion could be, based on the fact that in his good conscience he felt that that was business to bring before this body, I would go along with him whether it was his exercise of lack of good judgment or not. And I've been consistent to that. I know that there are men in this chamber who feel the same way I do on both sides of the aisle. I'm not going to appeal to them. That would be demeaning both to them and to me. I'm simply going to state a bare bones proposition to everyone here. We are on the verge of chaos in this State of Illinois. This is not a threat, this is an observation. People are marching, people are hungry, people are disturbed, and I think that unless we leave here having thoroughly flunked and exhausted every possible angle to raise funds we're going to be looked at not as Democrats and Republicans separately, but every man and woman here is going to be thoroughly criticized. I don't think we want that kind of criticism. I don't think we should pass the buck from one number to another. We are state representatives, we deal with state fiscal policies.



We deal with state financial policies, we deal with state revenue. It's not our function to go searching all over the damn continent for money. We have to look into our own budget. The five bills that I have presented for the Speaker's table do exactly that. I started off by saying yesterday that I did not want to be partisan in this House it is not a partisan matter, but I appeal to you, Mr. Speaker, and I do it all in good grace, because I respect you tremendously. I appeal to you to give me the opportunity that I have never denied as a member of this House to anyone else and please permit me to advance those bills.

Hon. W. Robert Blair: "Well, just let me say this, Mr. Washington, that when we were on your bills yesterday that I went there even though you introduced them on Monday, I went to them on the order of the Speaker's table and I you those bills were called and you have votes on at least one if not two with regard to the same kind of motion that you're addressing yourself now. And what I've simply said to you is that it's been every Speaker's prerogative that has been Speaker of this House that he goes to the calendar and he calls the matters on there as he calls them and I've said to you that before we leave here I'll get back to the order of the Speaker's table and those bills to which you have not addressed the motion to suspend which you desire to do, I'm sure that you'll have a opportunity to do it. I certainly wouldn't want to have any member precluded from making the motions to which you address yourself by. At



this point, we're ready to wind up. Jimmy, what do you want?"

James Y. Carter: "Ah, Mr. Speaker, with all due respect to you, I'd like to say that I was the one that made the motion to recess for one hour yesterday and I would like to remind the Speaker and this body that that motion was never acted upon."

Hon. W. Robert Blair: "No, sir, another motion took precedent a motion to adjourn on the point of order was raised by members from your side of the aisle yesterday and I set a rule."

James Y. Carter: "That is correct, thank you very much."

Hon. W. Robert Blair: "You're welcome. All right, is there anything further? The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, . . ."

Hon. W. Robert Blair: "Oh, wait a minute, Juckett's got a room. The gentleman from Cook, Mr. Juckett."

Robert S. Juckett: "Thank you, Mr. Speaker. Executive Committee will meet promptly at 9:00 A.M. in Room M-5 tomorrow morning."

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

Philip W. Collins: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1296 appears on the calendar on the order of second reading. I have a housekeeping amendment which has been agreed to by membership on both sides of the aisle and I would ask leave to offer this amendment for



adoption at this time."

Hon. W. Robert Blair: "Is there objection? Read the bill."

Fredric B. Selcke: "Senate Bill 1296, a bill for an act to amend 'The Election Code'. Second reading of the bill.

No no committee amendments."

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

Fredric B. Selcke: "Amendment Number One, Collins. Amend Senate Bill 1296 in the House on page 6, line 6, by striking 'To prescribe' and inserting in lieu thereof 'Prescribe'; and on page 6, by striking lines 27 and 28; and on page 7, by striking lines 1 and 2 and inserting in lieu thereof the following: '(9) Adopt, amend or rescind rules and regulations in the performance of its duties, provided that all such rules and regulations must be consistent with the provisions of this Article 1A or issued pursuant to authority otherwise provided by law; and'; and on page 7, line 3, by striking 'To determine' and inserting in lieu thereof 'Determine'."

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

Philip W. Collins: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, Amendment Number One merely cleans up some language that was inadvertently left out of the bill in the Senate. As I stated I have had it checked with the leadership on both sides of the aisle and I would offer it for adoption at this time."

Hon. W. Robert Blair: "All right, all those in favor of the



adoption of the amendment say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments? Third reading. The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Only for the purpose of an announcement to the Democratic membership, Mr. Speaker. I sent a note around that I wanted a meeting in the morning on the subject that is of primary interest to downstaters, however, some of my colleagues from the County of Cook evidently have not interpreted it correctly so that they will not get up unless they desire to do so. This is a matter which we are going to discuss which is of primary interest to downstate members, however, you fellows from the North are welcome to join us if you like. Stay in bed also if you like."

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

Henry J. Hyde: "Mr. . . ."

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

Paul J. Randolph: "Mr. Speaker, and Members of the House, there will be a Revenue Committee hearing tomorrow afternoon immediately after adjournment to hear Senate Bills 1244 through 1251. These bills were posted before and they have been postponed and I've checked with the other side of the aisle and I'd like unanimous consent to hear these bills tomorrow afternoon immediately after adjournment on the floor of the House."

Hon. W. Robert Blair: "All right is there objection? All right, the rule notice posting rule will be suspended so



that the those bills may be heard tomorrow in Revenue.

The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker and Ladies and Gentlemen of the House, with great pleasure I move this House stand in recess until the hour of 10:00 O'Clock A.M. tomorrow morning."

Hon. W. Robert Blair: "Adjourn until 10:00 A.M. tomorrow morning. All those in favor say 'Yeas', the opposed 'No', and we're adjourned."

Adjourn at 6:49 O'Clock P.M.

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