

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED THIRTEENTH LEGISLATIVE DAY

NOVEMBER 13, 1971

10:00 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR,

SPEAKER IN THE CHAIR



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

Representative John P. Downes - illness;

Representative Thomas R. Houde - no reason given;

Representative John W. Thompson - no reason given.



Hon. W. Robert Blair: "By Dr. Johnson."

Dr. John Johnson: "We pray. Our God, our Help in ages past, we hope for years to come, our Shelter from the stormy blast, and our Eternal Home, before the hills in order stood or earth received her frame, to everlasting You our God to endless years the same. Lord, you have been this kind of God to us during the days and weeks of this session. You have been our Help when we sought Your Counsel, our Hope when our hopes failed, our Shelter when we came to you for refuge and strength, our Sufficiency when we stood in need of Your Grace, and now let me reach with abiding friendship and fellowship to the brother who stands next to me and the brother who stands across the aisle from me. Watch between us while we are apart for from everlasting You are our God, to endless years You are the same Creator, our Redeemer, and our Comforter. In Your Name we pray. Amen."

Hon. W. Robert Blair: "Roll call for attendance. Gentleman from Cook, Mr. Davis."

C. A. Davis: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, ah.. I believe Mr. Speaker you will consider this a demonstrable emergency because I want to do this while this distinguished Gentleman is present. I would like to introduce out of order a Resolution and if you will permit



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me, I would like to read it. I believe all of us join me in this."

Hon. W. Robert Blair: "Proceed."

C. A. Davis: "House Resolution. Whereas Rev. John S. Johnson has as Chaplin of the House of Representatives of the 77th General Assembly led this body in prayer before our God on many occasions. And whereas the invocation of the Spirit of the Almighty by Rev. Johnson has been an inspiration and a guide to the Members of this House, in their search for moral directions in our turbulent world, and whereas the robust and thoughtful dignity of the words of Rev. Johnson reminds each of us of the words of Ralph Waldo Emerson who declared 'Is not prayer a study of truth, a sally of the soul into the unfound infinite?' No man ever prayed heartily without learning something. Therefore be it resolved that the House of Representatives in the 77th General Assembly that we thank Dr. John S. Johnson for the inspiration he has brought into our midst and that we encourage him to continue in this profound endeavor and be it further resolved that this House in concert with the spirit set by Dr. Johnson head the admonition of the Apostle Paul who commanded us to pray and pray without ceasing. Mr. Speaker, may I move the adoption of this Resolution."



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Hon W. Robert Blair: "All those in favor of the adoption of the Resolution say 'Aye'. The opposed 'Nay'. The 'Ayes' have it and the Resolution is adopted. 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 concurred with the House in the passage of the Bills with the following titles. House Bill 3063, 3064, 3572, 3654, 3690 and 3691 passed by the Senate November 12, 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 the Bills with the following titles. House Bill 1058, 1224, 2373, and 2712 passed by the Senate November 12, 1971.' Kenneth Wright, Secretary. Ah.. No further Messages."

Hon. W. Robert Blair: "Alright. Senate Bill's Third Reading. Senate Bill 1284."

Fredric B. Selcke: "Senate Bill 1284. An Act making a supplemental appropriations to the Superintendent of Public Instruction. Third Reading of the Bill."

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

A. L. Berman: "Thank you Mr. Speaker. Ladies and Gentlemen



of the House, Senate Bill 1284 is a deficiency appropriation to the Superintendent of Public Instruction to comply with the provisions of the Free School Lunch reimbursement plan provided by law. The original projections of the amount of money necessary to cover the Bill that we have passed was short by this amount because of additional children that fell within the provisions of the law. The amount is \$250,000. Ah.. The Bill does have an emergency clause on it. I would appreciate 107 votes."

Hon. W. Robert Blair: "Ah.. Discussion?" The question is 'shall Senate Bill 1284 pass with the provision that it shall become effective upon its becoming a law'? All those in favor vote 'Aye' and the opposed 'No'. Have all voted who wished? It requires 107 votes. The Clerk will take the Record. On this question there are 146 'Ayes' and no 'Nays' and this Bill having received the Constitutional three fifths vote is hereby declared passed. 1282."

Fredric B. Selcke: "Senate Bill 1282. A Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Hon. W. Robert Blair: "The Gentleman from Perry, Mr. Cunningham."

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



House, this is a Bill that my colleague Doc. Springer gave to me earlier this morning. Merely, this changes the period for the State Appropriation from a bi-annual to an annual basis. Simply that's all that it does. We are now on an annual basis, and the Appropriation should be accordingly. It has been cleared by all pension groups on all sides of the aisle and across the Rotunda. I ask your favorable support on Senate Bill 1282."

Hon. W. Robert Blair: "Is there discussion? The question is 'shall Senate Bill 1282 pass'? All those in favor will vote 'Aye' and the opposed 'No': Have all voted who wished? The Clerk will take the Record. Yourell: 'Aye'. On this question there are 149 'Ayes' and 2 'Nays' and this Bill having received the Constitutional majority is hereby declared passed. With leave of the House we will go to Senate Bill Second Reading. Senate Bill 1283."

Fredric B. Selcke: "Senate Bill 1283. A Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the floor? Third Reading. Alright. Ah.. Yesterday ah.. when Mr. Granata in his motion to Table the numbers that



he went through ah.. on House Bill's Second Reading there was ah.. an error on the inclusion of House Bill 3562. This ah.. we will correct this now for the Record. That Bill should have remained on House Bill's Second Reading and the Journal will so reflect and I'll now go to House Bill's Second Reading and have House Bill 3562 read a second time."

Fredric B. Selcke: " House Bill 3562. A Bill for an Act to amend an Act relating to the Associate Judges to become Circuit Judges. Second Reading of the Bill. Ah.. no Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the floor? Third Reading. For what purpose does the Gentleman from Cook, Mr. Shea arise?"

G. W. Shea: "Mr. Speaker, I might have missed this. 3562 was supposedly on Second Reading, left off our calendar, and now has moved to Third. Is that what happened?"

Hon. W. Robert Blair: "It was inadvertently included in Mr. Granata's motion to Table yesterday and I've had the Journal corrected to show that it was not to be included in there and it was supposed to be on House Bill's Second Reading today, and that I had it read a second time, and it's been advanced now to Third Reading. The Gentleman from Cook, Mr. Richard Walsh."



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R. A. Walsh: Ah.. Mr. Speaker, it just seems to me that the procedure in this matter, and I have no objection to the Bill being on Third Reading, but possibly Mr. Granata could make a motion to take the Bill from the Speaker's Table and have it advanced to the order of Second Reading because if it were done yesterday or the day before, in fact, even though it was done by a mistake, I think it has to be taken from the Speaker's Table."

Hon. W. Robert Blair: "It's not on the Speaker's Table. When matters are Tabled here they do not go to the Speaker's Table. They are Tabled period. And this was simply a misprision in the list that was given to Mr. Granata. For what purpose does the Gentleman from Cook, Mr. Davis Arise?"

C. A. Davis: "Ah.. Mr. Speaker, and Ladies and Gentlemen of the House, so many of my colleagues here have indicated that they would like to join me in this Resolution commending Dr. Johnson for his services here, and if it is permissible unless someone objects, I would like to include the names of all the Members of the House on the Resolution."

Hon. W. Robert Blair: "Ah.. I'm sure there wouldn't be objection to that. Ah..Members being added to Dr. Johnson's



Resolution that was adopted unanimously here earlier today. No objection and that..that will be done.

Alright with leave of the House we will go to the Speaker's Table which there reposes House Resolution 437.

Fredric B. Selcke: "House Resolution 437."

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

G. Hudson: "Mr. Speaker, Ladies and Gentlemen of the House, I have been reluctant as a freshman to impose upon the time in this General Assembly yielding instead to others more eloquent, more skilled in the forensic arts, and more favored perhaps by virtue of their tenure and experience. Yet I am compelled in this instance to seek your attention and hopefully your support. I am moved by sense of concern and conscience, yes, even duty, to speak on this matter. Whether we term what happened in the United Nations on October 25 a moment of infamy or a perfidious betrayal makes little difference. Suffice it to say that the action was wrong and most Americans thought it was wrong. The expulsion of a friend, an ally, a Charter Member of the United Nations in the seating of a Communist Government in its place blew in the face of justice, the United State's position and indeed the Charter of the United Nations itself. This was wrong and it was but another step in the



long series of steps leaving us disproportionately taxed to provide a forum for more and more Communist Nations who use this form to undermine our interests and those of the free world. People of Illinois are aware of it and I believe would welcome a voice from these Chambers in protest. House Resolution 437 provides this opportunity, it commends our United Nation's delegation on its stand, and urges Congress to curtail, to take another look at least. The funds which now pay one third of the total cost of the United Nation's operation. This Resolution, my colleagues, has had my partisan support. When I took this Resolution around, I received enthusiastic support on both sides of this House. It was voted out of Executive Committee 12 to 1. I move the adoption of this Resolution and urge your support."

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

A. Jaffe: "Mr. Speaker and Ladies and Gentlemen of the House, earlier this year I had a Resolution with regards to withdrawing our troops from Viet Nam by the end of 1971. When I appeared before the Executive Committee that Resolution was defeated by one vote along party lines and I was told by the Majority Leader of this House that the Illinois General Assembly wanted to stay out of foreign affairs and lo and behold here on the last day of the



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session when we have all sorts of crises in the State of Illinois, when we have a welfare problem that can't possibly be solved by the action that we're following today, where everything seems to be up in the air, lo and behold we get a Resolution in regard to the United Nations and that we should withdraw support in the United Nations. Ladies and Gentlemen, the United Nations happens to be our only hope in this decade or in the years to come, and I think that this General Assembly at this time follows the Majority Leader's advice and stay out of foreign affairs at this particular time and not vote anything with regard to withholding function of the United Nations but we ought to go on and get some funds for welfare in this State."

Hon. W. Robert Blair: "Ah.. the Gentleman from Champaign, Mr. Clabaugh."

C. W. Clabaugh: "Mr. Speaker, I'd like to know how the Gentleman that just spoke voted on that Resolution yesterday when we poked our nose into Northern Ireland."

Hon. W. Robert Blair: "Well, of course it's a little out of order but the Gentleman has risen to the occasion indicating that he is prepared to answer the question. The Gentleman from Cook, Mr. Jaffe."

A. Jaffe: "I'm always willing to vote for worthy causes,



and I thought that yesterday's Resolution was indeed worthy but I think that this Resolution is nothing but a piece of garbage."

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

C. W. Clabaugh: "But he is willing to poke his nose into other people's business, but he wants to determine whether it's good or bad. I said yesterday that I wondered when some of those crocodile tears that were shed over us getting into Viet Nam and staying there I wonder why they didn't shed the same crocodile tears yesterday out of the other sides of their eyes."

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

L. H. Rayson: "Well, Mr. Speaker and Members of the House"

Hon. W. Robert Blair: "Your colleague is ah.. up there for a point of Parliamentary Inquiry. Yes. That surprises me."

Voice : Ah..Bob, relax. It's a very simple point.

What is the question before the House right now?

Hon. W. Robert Blair: "What is the question before the House?"

The question before the House is the Gentleman's motion from DuPage to adopt House Resolution 437."

Voice: "Then may I respectfully ask, we haven't heard the Resolution. Ah.. It hasn't been read, I believe.



He just made a comment on it."

Hon W. Robert Blair: "Well, it was read by title. Would you like to have it read in full?"

Voice : "No. Well, if not read in full is the thrust of the Resolution. I couldn't get it from the statement to curtail funds from the United Assembly or is it merely to criticize the action of the Assembly?"

Hon. W. Robert Blair: "Alright. The Gentleman from DuPage indicates that he'll.. he'll yield for a question."

G. Hudson: "Well Representative, in answer to your question, perhaps a ah.. a Reading of that portion of the resolved clause would ah.. answer.. would be the best answer. We urge Congress of the United States to curtail the extensive financial support so generously furnished to the United Nations by each United State's tax payer."

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

L. H. Rayson: "Mr. Speaker, I'd like to ask the Sponsor a question."

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

L. H. Rayson: "In this Resolution you also commend the ah.. United State's delegates to the U.N. and their position taken. Is that true?"

G. Hudson: "That is true."



L. H. Rayson: "Ah.. my only comment to the Resolution is and I feel as Representative Clabaugh does, we shouldn't stick our fingers in things that extend beyond our immediacys. However, I suggest that there is a paradox in the Resolution by suggesting the accommodation to the U. N. Team and at the same time to cut funds, to urging the cutting of funds it suggests that if we're wrong, we're wrong all the way. And I suggest that this country is in a very unusual position of trying to get both pieces of pie in China and try to maintain some semblance of sanity and it just won't work. So I don't think we should support this Resolution."

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

B. B. Wolfe: "On a point of order, have we ah.. given unanimous consent to suspend the Rules to consider the Resolution?"

Hon. W. Robert Blair: "Well, it ah.. came.. it came out on a Committee Report ah..due pass.. and then it goes, you know, on the Speaker's Table. That's where I am. I don't believe there are any Rules to be suspended. It's gone through Committee. It's on the Calendar. It's like a Bill on Third Reading. Gentleman from Franklin, Mr. Hart."

R. O. Hart: "Mr. Speaker, I move the previous question."



Hon. W. Robert Blair: "All.. All... er.. is there objection?"

All those in favor of the previous question say 'Aye', the opposed 'No'. The 'Ayes' have it and the previous question has been moved. The question is on the adoption of the Gentleman's Resolution. All those in favor will say 'Aye'. Opposed 'No'. All those in favor will vote 'Aye' and the opposed 'No'. Gentleman from Cook, Mr. Scariano."

A. Scariano: "Mr. Speaker, Parliamentary Inquiry." In view of all of these Resolutions on Ireland and the United Nations, isn't it possible to create a House Committee on foreign affairs?"

Hon. W. Robert Blair: "Well, I guess the question that I would answer would be the form of the proposal when it was presented to the Chair for consideration. Anything's possible in the House. The Gentleman from Macon, Mr. Borchers."

W. Borchers: "Ah..Mr. Speaker, fellow Members of the House, Ah.. in glancing at the board up there, it's rather interesting in a few cases. I'd like to point out that just yesterday evening we stuck.. we stuck what should be our long Yankee noses, not Irish, or half-Irish, or Italian, or half-Italian, or half German, or half-Greek, or whatever it is, or Polish, our long Yankee noses into other people's business. Now today.."



Hon. W. Robert Blair: "One moment." Point of order from the Gentleman from Lake, Mr. Matijevich.

J. S. Matijevich: "Ah.. Mr. Speaker, I don't know what the Gentleman is doing. He's voted to hold off any debate and he's.. he seems to be avoiding the topic."

Hon. W. Robert Blair: "No. He's explaining his vote."

W. Borchers: "Now today, we have a Resolution that does have to do with our long Yankee noses. We're paying about 90 per cent of the Bill. The Russians are four years behind. I do think this is appropo to the situation and I think we should vote for it. We should be like our Yankee ancestors and be a little saving with our money and be a little judicious as how it is handled. Therefore, I think we should vote 'Aye'. You voted 'Aye' yesterday when something wasn't any of our business. You should vote 'Aye' on something today that is our business."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the Record. Maragos 'Present'. Carrigan 'Present'. Alright. Maragos 'Present'. Carrigan 'Present'. Yourell 'Present'. Brinkmeier 'Present'. Simms 'Present'. Kennedy 'Aye'. Alsip 'Present'. Schisler 'Present'. On this question there are 70.. 75 'Ayes', 25 'Nays', 8 'Present'. And the Resolution is adopted. For what purpose does the Gentleman from Lake arise?"



J. S. Matijevich: "Mr. Speaker, maybe I was hearing things, but I thought that there was a voice..a vote on the previous question 'Ayes' and 'Nays' and then you said we'd vote on the previous question. And that's what we were voting for. That's why I made a point of order on Representative Borchers. I thought he was debating the topic rather than explaining the vote on the previous question. I'm sure that's what happened because there were many 'Ayes' and many 'Nos' on the previous question and you said 'Let's vote'."

Hon. W. Robert Blair: "Alright, ah. It ah.. The Gentleman from Franklin, Mr. Hart, asked the Chair to move the previous question ah.. I asked for objection. There was none and I put the question on ah.. whether the House should adopt the Gentleman from DuPage, Mr. Hudson's ah.. Resolution H.R. 437 and that's what we were voting on. The Gentleman from Cook, Mr. Brenne."

L. G. Brenne: "Mr. Speaker, Ladies and Gentlemen of the House, I think my name was mentioned by the Gentleman from Macon County when he referred to the long Yankee nose. I did not vote on this Resolution because I think this sort of thing is counterproductive to the program of the House. But I do believe that something far more productive is occurring and I would like to introduce to



this House the girls of Girl Scout Troop No. 468 of St. Jude Church of South Holland, Illinois. And their Leader, Tom Miller, who was the Member of the Constitutional Convention last year. May I present the Ladies on the balcony. Would the Ladies all stand up? Thank you."

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

C. J. Fleck: "While we're on the order of Resolutions, Mr. Speaker, House Joint Resolution is reposing in a near catatonic state in the Executive Committee, and being the main sponsor, I'd like to take leave of the House to Table it."

Hon. W. Robert Blair: "What was the number?"

C. J. Fleck: "H.J.R. 100."

Hon. W. Robert Blair: "Is there any objection to Tabling H. J. R. 100? With hearing none, the Resolution will be Tabled. Alright. On the Concurrence Calendar appears House Bill 2899 on which the Chair recognizes the Gentleman from Stark, Mr. Nowlan."

J. D. Nowlan: "Mr. Speaker, and Members of the House, House Bill 2899 provided ah.. provides that the General Assembly may through joint proclamation of the Leadership call ourselves into Special Session. This implements the Constitution and it implements one of the few provisions which increases the authority of the Legislature. Senate



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Amendment No. 1 simply expands upon this authority to provide that ah.. in cases of demonstrable emergency the Legislative Leaders may call us into Session as by taking whatever reasonable steps are not necessary to notify the Members of the General Assembly as to date and time of the emergency Special Session. I ask that we concur in Senate Amendment 1 to House Bill 2899."

Hon. W. Robert Blair: "Is there discussion?"The question is 'shall the House concur in Senate Amendment No. 1 to House Bill 2899. Is there an emergency on this Bill, Mr. Nowlan?"

J. D. Nowlan: "I do not see one ah.. on the Legislation, Mr. Speaker."

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

G. W. Shea: "Will the Sponsor yield for one question?"

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

G. W. Shea: "Jim, in Section One you talk about the Speaker of the House, and President Pro Temp. And then in the Amendment when you talk about doing away with the four day provision if an emergency exists, you say if the Legislative Leaders declare. Is that a term that has some meaning?"



J. D. Nowlan: "I do not believe so, Representative Shea. I ah.. had a question concerning that also and it ah.. was suggested that term would refer back to the Speaker of the House and the President of the Senate.

G. W. Shea: "Could you tell me why this does not have an emergency clause on it?"

J. D. Nowlan: "No, I cannot. Ah.. this was drafted in the spring and it ah.. was carried over to the fall Calendar and ah.. it was not added in the interum."

G. W. Shea: "Well, Jim, in light of two things: 1. the Legislative Leaders and 2. the fact that there is not an emergency clause in it, I'm wondering if we non-concurred ah.. or is there anything we could do to get this thing effective now?"

J. D. Nowlan: "I concur with you that we simply need implement the Constitution to give ourselves the authority to call ourselves into Special Session if the need arises, and if ah.. in a Conference Committee we could resolve that by tacking on the emergency and ah.. straightening out the matter of Legislative Leaders making sure that refers to the President and Speaker, ah.. that is acceptable to me.

G. W. Shea: "Might I suggest that you discuss with the Leadership on both sides of the possibly of getting this



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done. Cause I think in fifteen minutes people could sit down and write this in an appropriate manner, and we could get the law effective immediately."

J. D. Nowlan: "I believe that makes good sense, Representative Shea, and ah.. I would then move to nonconcur."

Hon. W. Robert Blair: "Ok, the Gentleman moves that we nonconcur in Senate Amendment 1 to House Bill 2899. All those in favor say 'Aye', the opposed 'No', and the House nonconcur in Senate Amendment No. 1. Alright. 1463 on the Concurrence Calendar. Gentleman from Vermilion, Mr. Craig." Senate Amendment No. 1 on Concurrences."

R. Craig: "Mr. Speaker, and Members of the House, I would like to move to concur with Senate Amendment No. 1 and 2 to House Bill 1463. Senate Amendment 1 is a Amendment to House Bill 1463 which makes the Highway Department wanted this Amendment on to make it comply with the Federal Regulations and I have no disagreement with that and I'd like to move to adopt Senate Amendment No. 1 to House Bill 1463."

Hon. W. Robert Blair: "The Gentleman from Cook, Mr. Richard Walsh."

R. A. Walsh: "Mr. Speaker, and Ladies and Gentlemen of the House, it isn't very often we get a second chance to beat a bad Bill. But I think we have it here with House



Bill 1463. If you'll take a look at the Digest, I assume the provisions in the Digest are accurate. This is the Bill that would provide for lengthening trailers from 42 feet to 45 feet. This Bill received considerable debate when it was in the House, as I recall, passed with just a few votes to spare. Mr. Speaker, if we defeat this Senate Amendment, and I believe it is imperative that we do so, the Bill then would not become law and we will have succeeded in defeating a bad Bill. Trailers are plenty large enough now and I think to extend them another three feet would provide an inordinate traffic hazard. It's contrary to the safety of other drivers, and I believe Mr. Speaker, it was also contrary to safety of the drivers of the trucks themselves. I would urge the defeat of this Amendment."

Hon. W. Robert Blair: "The Gentleman from Cook er.. Vermilion, Mr. Craig."

R. Craig: "Mr. Speaker, and Ladies and Gentlemen of the House, in answering the previous Gentleman, Senate Bill er.the Senate Amendment 1 is nothing to do with the lengthening of semi-trailers, that will be in Amendment No. 2. Amendment No. 1 is dealing with triple saddle mount trucks, they haul.. they come from the factory. And I think the Gentleman's remarks about Senate Amendment 1, which I



move to concur with, should not be misconstrued with Senate Amendment 1, and I move to concur with Senate Amendment 1, and then we'll take Senate Amendment 2 if they want to take them separately, we'll take them separately."

Hon. W. Robert Blair: "Well, alright. We are just considering Senate Amendment 1 now. The Gentleman from McHenry, Mr. Hanahan."

T. J. Hanahan: "Mr. Speaker, Members of the House, Senate Amendment No. 1 will do exactly what Representative Walsh said it would do. It's a different.. it's a back door approach to lengthening trailers. If you read the Federal Highways Administration Title No. 49 C.F.R., Motor Carriers Safety Regulation, this is exactly what they're attempting to do by a back door. They would get the extension of trailers either with Amendment No. 1 or Amendment No. 2. I want to point out that this Amendment No. 1 is just as bad as Amendment No. 2 and it's just as bad as the total Bill. Ray Schessling, the Vice-President of International Brotherhood of Teamsters, I talked to him twice last week, Louis Pike of Local 705 of the I.V.T. and Ed Fenner of the Independent Truckers of Illinois, Chicago Truck drivers Union all are opposed to not only these two



Amendments, but to the Bill. It's about time we think about safety on our highways. Extending lengths of trailers is not the way to continue to add safety. Did you ever see a 45 foot trailer trying to make a right hand turn on a two lane street in the city of Chicago? It's impossible. There is no way the radius could be made. When you allow 45 foot trailers coming out of yards or making right hand turns, that truck driver gets a ticket for going into the on-coming traffic. And that truck driver loses his job, not the cartage owner, not the owner of that truck, but the truck driver. And as long as we allow truck drivers to lose their jobs, the International Brotherhood of Teamsters are opposed to this kind of legislation. Because when you.. when you turn out of a yard 45 foot long I say to you any Member of the General Assembly who ever stood behind a wheel it is impossible to make a turn in a city street with that length of a trailer. Either Amendment is bad, one does it by the back door, the other Amendment says it straight out. I'm afraid that the.. that the hood winking of the General Assembly in Motor Vehicle laws has gone far enough. Let's defeat both motions to concur and let's put this Bill away where it belongs."

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



R. J. Palmer: "Ah.. Mr. Speaker, it might be helpful if the Sponsor would yield to a question as what a saddle mount is. If he will.."

Hon. W. Robert Blair: "Alright.. The Gentleman from Vermilion indicates he will."

R. Craig: "A saddle mount is where they haul on the trucks of these brand new trucks from the factory with the front end carried on another new truck will be driving one and having these others the front end carrying them. One driver will be carrying them to the shipping yards or a place of designation if they're going to be delivered to the factory er.. the dealer. That is all they are. They're.. they're an empty truck, just a straight chassis, no bed on them or anything. I could give you a different definition but I don't think it would be hardly justifiable right here."

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

H. J. Hyde: "Ah.. would the Sponsor yield to a question?"

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

H. J. Hyde: "Ah.. Mr. Craig, don't you think you might obviate the objections from the Gentleman from McHenry if the trucking industry could adopt regulations as the moving operators have and just have a couple of stand-by drivers ride around in the cab?"



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

F. J. Tuerk: "Would the Sponsor yield?"

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

F. J. Tuerk: "Would you clarify for the House, please, whether this legislation would, in fact, lengthen the overall dimensions of the carriage?"

R. Craig: "You mean in.. in lengthening the semi-trailer to 45 feet?"

F. J. Tuerk: "I'm talking about the full vehicle plus the trailer."

R. Craig: "The lengthening of the trailer from 42 to 45 feet does not add any length to the tractor and the semi-trailer unit. The maximum length is 45 feet overall length, and the lengthening of the trailer does not lengthen the overall length and it does not increase the length of the gross weight of the vehicle. When they tell you about making a turn, by doing this they'll be able to make the same turn as they can because they don't have to increase their wheels any farther back. This is mainly done for the benefit of hauling loads such as cans, glass and most of light weight. All of the other states around us have 45, some of them even go to 47 foot length trailers."

H. J. Hyde: "In other words, what you're saying in effect,



if the.. the length is not lengthened and this puts Illinois vehicles in equity with other states."

R. Craig: "That is right and this ruling was handed down, I think, about 6 or 8 years ago which I felt was wrong, but I am not the man who handed it down and it.. but he handed it down on a 42 foot length. I feel that regardless of the length of the trailer that as long as.. long as they don't increase the over-all length or the weight of the trailers, that is the main objections, I think, to any Bill. It's not the matter of how long the semi-trailer is, as long as it complys to the over-all length."

H. J. Hyde: "Thank you."

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

P. Pappas: "Mr. Speaker, and Ladies and Gentlemen of the House, I have here in front of me a memo, that with the passage of House Bill 1463 as amended will mean for the State of Illinois a new plant which will contain 250,000 square feet which will cause an excess of \$4,000,000 to build, will employ one thousand persons, that's one thousand persons with an annual payroll in excess of \$10,000,000. We've been talking here for three or four weeks about unemployment welfare. Here is a chance,



where we, as a Legislature, can help increase in the State of Illinois. This plant, this company, and I can give you their name, The Gindy Manufacturing Company from Downing, Pennsylvania. They already have an option on the land in Northern Illinois. They will not locate here in the State of Illinois unless this Bill as amended is passed. I would urge your support for Amendments on this Bill."

Hon. W. Robert Blair: "The Gentleman from Cook, Mr. James Y. Carter."

J. Y. Carter: "Ah.. Mr. Speaker, I wonder if the previous Speaker will yield to a question."

Hon. W. Robert Blair: "That is a little out of order, but he says he will."

J. Y. Carter: "Pete, I'm just wondering, is there conflict of interest in this thing with you?"

P. Pappas: "I.. I didn't understand the question."

J. Y. Carter: "Is there a conflict of interest in this thing with you?"

P. Pappas: "No.. no there isn't, because I only own one truck, and it's a straight truck and it's over-all length is only about 20 feet."

J. Y. Carter: "Thank you."

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



E. L. Kipley: "Mr. Speaker, will the Sponsor yield to a question?"

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

E. L. Kipley: "Well Bob, is it not true that in interstate transfer of merchandise or goods that when States adjoining the State of Illinois when trucks come into Illinois they have to stop at a terminal immediately outside the State of Illinois and transfer their cargo from one truck to another in order to conform to the present regulations?"

R. Craig: "Yes they do and I met about three years ago in Chicago at the Union Stockyards, they were still operating in Chicago, with the meeting out there the.. st..the stock yard company had asked me to meet with them at a meeting up there, it probably won't happen up there in Chicago but it will be when they bring their cattle and livestock to Peoria, or Joliet, or somewhere else in Illinois. Trucks out of Iowa hauling livestock with 45 foot trailers are arrested. And you know the same way in the Est. Louis area. All we're doing is practically telling these people we don't want them coming in with those 45 foot trailers. And I think this is wrong, and I think if we continue to take this position that in time we'll lose all our rights to govern our trucking situation because the Federal



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Government is going to come along and say if a truck is legal here in length, it'll be legal in all these states."

E. L. Kipley: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, Mr. Speaker may I speak on this question for a minute?"

Hon. W. Robert Blair: "Yes. Proceed."

E. L. Kipley: " I ah.. I'm glad that you answered it that way Bob, because I.. I live in an area which is very close to ah.. Indiana boundary lines, and I know in several instances where terminals have moved out of the State of Illinois or have not considered building their terminals in the State of Illinois because of the problem it presents itself with this present law. Now as long as this doesn't add to the over-all length of the truck, and the trailer and the cab and everything else, we cannot possibly see why the union has taken such a position ah.. to be against this Bill. It.. it's good for the economy of the State of Illinois and personally I might tell you I have no.. no ah.. conflict of interest in this at all because my company's in the steel business and we don't have this problem, but there are a number of companies who would like to have.. who would like to see this thing rectified because it means transfer of cargo, added expense, and



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a number of a.. a number of other inconveniences, none of which appear to me that have been answered by the union representatives. I would suggest that we concur in the Amendments that have been sug.. suggested by Representative Craig."

Hon. W. Robert Blair: "Further discussion?" The Gentleman from Cook, Mr. Barnes."

E. A. Barnes: "Mr. Speaker, and Members of the House, I won't take up too very much of the time on this particular issue, but I think what should be considered here are some words which were spoken here by the Representative from McHenry. Being a professional driver myself, and having some years of experience in this field for about fifteen years, it is a true fact that driving vehicles of this length and vehicles of this size, you have to as of now make an illegal right turn to turn these vehicles within the city limits of any city, not only in Chicago or any other city. And right now that is established as a moving violation, it's ah.. an extreme problem with drivers of these vehicles because they're caught with these violations, and I think all of this should be taken into consideration when we vote on this Amendment. I believe this is a bad Amendment. And hopefully more problems shouldn't be given to these guys who have enough



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problems already. And if you've driven in the city, especially in the wintertime, and any of these long vehicles and trying to control them, wet or slippery pavement to know what you're talking about when you're talking about safety. This is a bad Bill; it's a bad Amendment, and we should not concur."

Hon. W. Robert Blair: "Is there any further discussion? The Gentleman ah.. from Vermilion ah.. Mr. Craig, care to close?"

R. Craig: "Mr. Speaker, I don't think it will make it any harder to turn on the city streets with this making a 3 foot longer trailer overall length where it is now. Both Amendments have been discussed very thoroughly. I think everyone realizes what they're voting on, and now I wish to concur with both Senate Amendments 1 and 2 to House Bill 1463, and I urge a green light."

Hon. W. Robert Blair: "Well, we're only on one. We're only on Senate Amendment Number 1. The question is 'shall the House concur in Senate Amendment 1 to House Bill 1463.' All those in favor will vote 'Aye' and the opposed 'No'. The Gentleman from Rock Island, Mr. Pappas."

P. Pappas: "Mr. Speaker, Ladies and Gentlemen of the House, in explanation of my vote, I'd like to bring out a couple more points. At the present time there are two injunctions,



one was issued in '68, 1968, for a limited number of operators to operate a 45 foot trailer in the State of Illinois. The second injunction was issued November 7 er.. November 4, 1971, on behalf of all operators in the State of Illinois. Now, what you're doing here is going along with the courts. They are presently operating 45 footers in the State of Illinois under the injunction. We also have facts that there are the safety reports from the companies that are using 45 foot trailers that their safety factor is above average. Then I have one more personal point, Mr. Speaker, that I would like to bring out in explanation of my vote. This Bill has the approval and support of the Teamsters in the last session. When I first came down here, the first thing I learned is that when you give your word on a particular matter, your word is your bond. Now I kept my word, and followed through, but unfortunately it seems that some people do not have to keep their word. To me my word is sacred. I want to keep it that way, and I will always keep it that way. I would urge some more green lights, please."

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

H. A. Katz: "Mr. Speaker, I want to make perfectly clear in voting against this, I don't know anything about any agreement that was made between the Teamsters Union



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and anybody else. As far as I'm concerned, it is a question of whether or not it will contribute to public safety on the highways, or it will ah.. work against public safety to lengthen the length of the trucks.

I know, as a driver on the road, that it is very difficult to overtake these very long ah.. trailers, It seems to me that the public interest is in saving lives. We are considering drafting the most drastic kind of legislation to save life on the highway and for that reason it seems to me to be a particularly bad time to lengthen the trailers that will be operating on our highways."

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

J. S. Matijevich: "Ah. Mr. Speaker, Ladies and Gentlemen of the House, ah.. when this Bill came up in the regular session I know I spoke an.. and said to the Membership that I feel much as many of those who are voting red right now. That the.. those driving Illinois highways, the highways all over the country ah.. feel that the trucks are getting too lengthy. However, I think that it has been made clear

Due to Sony failure, a portion of this transcription is missing.



S. J. Matijevich: ...over-all length at all. So if you're voting red on that basis I think you're voting wrongly because it doesn't increase the over-all length. I don't think it has anything to do with highway safety. Now I.. I'm sure that Representative Hanahan ah.. is is trying to save some jobs for the Union people, and I'm all for that. But I just wonder ah.. if by not being uniform with the other states around us, and that's actually what we're trying to do, ah we.. we may not lose jobs for Union people and lose business and I think this concerns me too. Ah.. I'm voting green inspite. of the fact that I agree that the over-all length is too long, but you can't stop a truck I believe, that is going through other states and say 'Stop right here in Illinois. You just can't go through our State.' I think it means business to us. I think it means jobs to us. I don't think it has anything to do with traffic safety as long as we are not increasing the over.. over-all length and therefore I think the green light is the better vote on this particular Bill."

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

R. Craig: "Again I would like to say that the people who drive on the highways and I drive about as many miles as the next one, but it will not take you any longer to



pass this trailer that's 45 foot long, than it will the 42 foot trailer, because the over-all length is not going to be any longer than 55 feet. The only way they can have these 45 foot trailers are the new tractors that are being made and you've seen them on the highways today with these over-all snub nosed cabs, and really if the trailer was 50 feet.. under 55 feet, it wouldn't take any longer to pass, so as far as passing these trucks, I.. I think that is a point that has no bearing on this at all, and I'd like to see some more green lights and I'd like to ask to poll the absentees."

Hon. W. Robert Blair: "Alright. The.. the roll call stands at 66 'Ayes' and 64 'Nays' and the Clerk will.. will take the record. 69 'Ayes' and 65 'Nays' and the request has been made to poll the absentees. The Clerk will proceed to poll the absentees.

Jack O'Brien: "Alsip"

Hon. W. Robert Blair: "Alsip: 'Present'."

Jack O'Brien: "Arrigo, Bartulis, Blades, Boyle, Bradley, Brummet, Colitz, Conolly, W. Cunningham, Downes, Ewell, Gardner, Gibbs, Henss, Hirschfeld, G. L. Hoffman, Houde, Jones, Karmazyn, Keller, Kennedy, Laurino, E. R. Madigan, M. J. Madigan, McClain, McCormick, McDermott, McDevitt,



Merlo, G. M. O'Brien, Pierce, Regner, Ropa, Shaw, Simmons,
Springer"

Hon. W. Robert Blair: "Springer: 'Present'".

Jack O'Brien: "Terzich, J. W. Thompson, R. L. Thompson,
Washburn, Frank Walsh, Yourell."

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

K. Boyle: "Mr. Speaker, I move to be recorded as 'Aye'."

Hon. W. Robert Blair: "Record the Gentleman as 'Aye'. The
Gentleman from Vermilion, Mr. Craig."

R. Craig: "Mr. Speaker, I'd like to move to postpone consid-
eration."

Hon. W. Robert Blair: "Alright. The Gentleman asks leave..
Well, alright.. Place..place on Senate Amendment Number 1
ah.. postponed consideration and does the Gentleman
desire to proceed to Senate Amendment Number 2 at this
time? Alright. The Gentleman from ah.. Cook, Mr. Burditt."

G. M. Burditt: Ah Mr. Speaker, Ladies and Gentlemen of the
House, the gentleman from the insurance department, Walter
Minch gave us a pitch on our new state insurance policy,
is back in Kenny Miller and my office in the Speaker's
suite and if anybody has any questions you'd like to talk
to him about to go through the form or anything else, he's
back there available to you this morning. Just go on back
into the Speaker's office and go in and he'll be glad



to talk to you and answer any questions and help you fill out the forms and tell you any questions about rates and so on. Thank you."

Hon. W. Robert Blair: "Ah.. on the ah.. alright. The Gentleman from Cook, Mr. Hyde."

H. J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, ah.. I'd like to inform the Membership that we are waiting for some conference committee reports to come back to us ah.. from the Senate and ah.. in a moment I'm going to make a motion but I want to announce that at 1:00 today in Room 212 will be a conference committee on House Bill 3700 ah.. the ethic legislation ah.. and we will return ah.. ah.. back here at 1:30 ah.. looking for a 3:00 P.M. adjournment today ah.. and of course we won't be back ah.. tomorrow so ah.. you can ah.. call your hotels etc. So ah.. having that in mind, I move now that we stand in recess until the hour of 1:30 p.M. today."

Hon. W. Robert Blair: "That's not a debatable motion, Mr. Katz. What do you want to do? The Gentleman from Cook, Mr. Katz."

H. A. Katz: "As B. B. Wolfe would say, a point of motion, Mr. Speaker. Ah.. the majority leader did not talk about Monday, and I think all of us will want to make our plans. Could he enlighten us on what happens after we adjourn



tomorrow. Do we come back Monday or what are your plans? Do you know that? If you don't know, just tell us."

Hon. W. Robert Blair: "Alright. Ah.. In order to clarify that matter, ah.. I'll ask ah.. the majority leader to withhold his motion to ah.. recess until 1:30 while we adopt this ah.. House Joint Resolution. The ah.. Clerk will read the Resolution."

Jack O'Brien: "House Joint.. House Joint Resolution 110."

Hon. W. Robert Blair: "Alright. You've got the numbers, Mr. Hyde. Would you read them?"

H. J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, this is the Adjournment Resolution resolved by the House of Representatives of the 77th General Assembly of the State of Illinois, the Senate concurring herein that when the House adjourns on Saturday, November 13, 1971, it stands adjourned until Wednesday, January 12, 1972, at 12:00 noon. And when the Senate adjourns on Saturday, November 13, 1971, it stands adjourned until Wednesday, January 12, 1972, at 12:00 noon. I now move adoption of the House Joint Resolution Adjournment Resolution."

Hon. W. Robert Blair: "Alright. The ah.. majority leadership has asked us to hold a vote on that. That is the intention of our side of the aisle, and I assume it will be with yours, Mr. Katz, when we get to it. So there's been a request to



hold the vote ah.. on ah.. on this House Joint Resolution by ah.. the minority leadership and we will ah.go along with that request. So we're back now to the ah.. this is the intention, so you will understand, when we leave here today, we will be coming back on January 12, which we're required to do under the Constitution. Now, ah.. the question is 'the Gentleman's motion to recess until 1:30!'. All those in favor say 'Aye', the opposed 'No'. The 'Ayes' have it. We'll be in recess now until 1:30."

RECESS.

RETURN AT 1:30 P.M.

Hon. W. Robert Blair: "For what purpose does the Gentleman from Cook, Mr. Richard Walsh rise?"

R. A. Walsh: "My friends tell me, Mr. Speaker that I should have started this fire five weeks ago."

Hon. W. Robert Blair: "Alright. The Members will be in their seats. The Gentleman from Cook, Mr. Walsh, has requested to not start any more fires. Alright. On the Calendar under the order of concurrences appears House Bill 1800 on which the Chair recognizes the Gentleman from Peoria, Mr. Day."



R. G. Day: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1800, you will recall, is the Bill that implements the County Executive forms of Government for counties. This Bill has been in Conference Committees ever since last June and ah.. we have now worked out a Conference Committee Report which I think you will find is satisfactory. Ah.. you will recall that when.. the time we adjourned last June that the big problem was whether or not ah.. we should include in the Bill the provision whereby the County Executive form of Government should be accomplished by Resolution. This was a Senate Amendment and ah.. this House failed to ah.. concur on that Senate Amendment. The Conference Committee Report therefore, recommends that the Senate recede from the Amendments, ah.. from that Amendment and ah.. the Conference Committee Report has been adopted in the Senate and they have receded from that so that now the situation is briefly it will require a referendum in all cases in order to adopt the County Executive or Home Rule form of Government for our counties. In addition to that, we have built into this Bill a provision whereby those counties who are really interested in adopting this form of Government can do so without waiting until 1974. And ah.. this calls for a referendum in March of '72, and if



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it's successful, the ah.. chief executive officer could be elected in November of 1972. So I think that the Bill in its present form ah.. meets the objections which we had to the original Senate version and ah.. I think it's a good Bill at this time. I would appreciate your support."

Hon. W. Robert Blair: "Is there any further discussion? Alright. The question is ah.. 'shall the House adopt the Conference Committee Report with respect to House Bill 1800'. All those in favor will vote 'Aye' and the opposed 'No'. Have all voted who wished? The Clerk will take the Record. The Gentleman from St. Clair, Mr. Krause."

J. G. Krause: "Have you announced the vote, Mr. Speaker?"

Hon. W. Robert Blair: "Well, 159 'Ayes', 4 'Nays'."

J. G. Krause: "Mr. Speaker, Ladies and Gentlemen of the House, I served on this Conference Committee and ah.. I want to thank Bob Day for the hard work that he put in on this thing and the rest of the Members of this Committee. This is a good piece of legislation for the downstate counties and ah.. I'm very thankful that this was adopted. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Gentleman er.. Bluthardt: 'Aye', Collins, Phil Collins: 'Aye', Alright. The House ah.. adopts the Conference Committee's Report. On the ah..



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Conference Committee, it has been requested, respecting ah. House Bill 2899 will appoint Nolan, Kenny Miller, Shapiro, Giorgi, and Keller. And on the Conference Committee respecting House Bill 3560, J. J. Wolfe, Capuzi, North, McPartlin, and Matijevich. On the ah.. Senate Bill's Third Reading leave of the House, Senate Bill 1280."

Fredric B. Selcke: "Senate Bill 1280, an Act to provide a law relating to State Treasurer, Third Reading of the Bill."

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

C. L. Choate: "Well, Mr. Speaker, all this Bill really does is give the State Treasurer the prerogative of using a stamp on multiple documents that he must affix his signature to which would take a lengthy time to sign it several thousands of times and it gives him the preogative of using a stamp on all except the very first one. I would move that we give him this authority, Mr. Speaker."

Hon. W. Robert Blair: "Is there any further discussion? The question is 'shall Senate Bill 1280 pass with the provision that it shall become effective upon its becoming a law'. All those in favor shall vote 'Aye' and the opposed 'No'. And this requires 107 votes. Have all voted who wished? Have all voted who wished? The Clerk will take the Record. On this question there are 153 'Ayes' and 1 'Nay', and the Bill having received the



majority required under the Constitution shall be declared passed. Messages from the Senate."

Fredric B. Selcke: "Messages from the Senate by Mr. Wright, Secretary. 'I am directed to inform the House of Representatives that the Senate has receded from their amendments to the Bill of the following title. House Bill 1177, action taken by the Senate November 13, 1971,' Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to recede in their Amendments to Bill the following title House Bill 3560, and I am further directed to inform the House of Representatives that the Senate requests a Committee Conference of five members, Senators Rock, O'Brien, Romano, Graham, and Lathero, action taken by the Senate November 13, 1971.' Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives, that the Senate has refused to recede from their Amendments to a Bill of the following Title 2899. I am further instructed to inform the House of Representatives that the Senate requests a Conference Committee of five members, part of the Senate Donnewald, Romano, Palmer, Laghlin, and Knuppel, action taken by the Senate.' Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred



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with the House of Representatives in the passage of the Bill of the following title: House Bill 3600 together with the following Amendment in the adoption of which I am instructed to ask the concurrence of the House passed in the Senate, as amended November 13, 1971'. Kenneth Wright, Secretary. 'Mr. Speaker, I am instructed to inform the House of Representatives that the Senate has passed a Bill of the following title: House Bill 370 together with the following Amendment passed by the Senate as amended November 13, 1971'. Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Conference Committee Report House Bill 1800 adopted by the Senate November 13, 1971'. Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Conference Committee Report House Bill 1121 adopted by the Senate November 13, 1971'. Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of a Bill of the following Title 645 concurred in by the Senate November 13, 1971. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of House Amend-



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ments 1 and 2. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of House Amendment 1 to the Bill of the following Title 646 concurred by the Senate November 13, 1971. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred in the House adoption of House Amendment 1 to the Bill of the following Title Senate Bill 1073, action taken by the Senate November 13, 1971. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of House Amendment 1 to a Bill of the following title Senate Bill 1054, concurred in by the Senate November 13, 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 adoption of House Amendment 1 to a Bill of the following title: Senate Bill 938, action taken by the Senate November 13, 1971. Ah.. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of House Amendment 3 to a Bill of the following Title: Senate Bill 1223, action taken by the Senate November 13, 1971'. Kenneth Wright, Secretary. 'Mr. Speaker, I am



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directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of the Amendment to the House of Representatives to a Bill of the following Title: to wit Senate Bill 1297, action taken by the Senate, November 13, 1971'."

Hon. W. Robert Blair: "Ah.. Supplemental Calendar Number 1 for November 13th is now being distributed. Or it appears . . . House Bill 3600, with regards to Senate Amendment 1, the Chair recognizes the Gentleman from Cook, Mr. Fary."

J. G. Fary: "Ah.. move in its concurrence, Mr. Speaker."

Hon. W. Robert Blair: "Any discussion? All those in favor of concurring in Senate Amendment Number 1 to House Bill 3600 will vote 'Aye' and those opposed will vote 'No'."

J. G. Fary: "There's a mistake.. an.. ah.. ah.. entire sentence left out by the Reference Bureau and they insert the one line in ah.. putting it back into the original Bill. There is an error by the stenographer."

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

D. A. Henss: "Mr. Speaker, I know that the ah.. Roll Call was on the board, but I didn't hear any explanation of this. This is a bingo Bill and I wonder what we're voting on. Just what.."



Hon. W. Robert Blair: "Alright. The Gentleman indicates he'll answer that."

J. G. Fary: "Ah.. Mr. Speaker, there were two Amendments ah.. submitted in the Senate. Now, first of all, there was one Committee Amendment deleting the word 'civic', which was adopted in Committee. The Second Amendment I received from the Reference Bureau in the.. there was an error by the stenographer. One line was completely left out, and a line was inserted to make it correspond with the requirement of the Reference Bureau. And then the third one was ah.. submitted by Senator Graham in which he amends the Bill on page one by inserting after the period the following: The five year requirement will be reduced to two years as applied to a local organization which is affiliated with and chartered by a national organization, which meets the five year requirement."

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

D. A. Henss: "What was the effect of deleting the word 'civic'? Where was that deleted and what does it mean now?"

J. G. Fary: "That was deleted in Committee after discussion. The Members decided that they did not want the word 'civic' in there, but the word 'civic' would be applicable to ah..



House Bill 3671 and '72, the raffles and chances Bill.

D. A. Henss: "Well, what kind of organizations then can now conduct these ah.."

J. G. Fary: "Any national organization. Ah.. this came about as a result of the Elks Club of Elkgrove Village. Now ah.. the fraternal organization is in existence about 104 years. Ah.. this new Elksgrove Club was incorporated and in existence two and one half years. Now they did not qualify because they were not in existence earlier, whereas the fraternal organization was over 100 years, 104 years, in fact. So they asked.. they came in and asked if we would reduce the amount of five years to two years so they could qualify for a license. Inasmuch as they had purchased their equipment.. the.. the supplies and they were told by the Department of Revenue that they could operate and then Willard Ice gave a decision that they were not in existence long enough. Therefore Senator Graham asked that this.. that this apply only to national organizations. It's got to be national, like the Knights of Columbus or the American Legion, The Veterans of Foreign Wars. The new chapter should start somewhere in some village and it's existence!. it must be in existence at least two years before they qualify for a license."



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Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the Record. On this question there are 136 'Ayes', 15 'Nays', and this ah.. House concurs in Senate Amendment Number 1 which required 107 votes. Now Senate Amendment Number 2 to 3600. The Gentleman from Cook, Mr. Fary."

J. G. Fary: "I explained the both of them, Mr. Speaker. The one, ah.. like I say, was an error by the Reference Bureau in inserting the one line which was deletered by the stenographer erroneously."

Hon. W. Robert Blair: "Is there any further discussion? Alright. The question is 'will the House concur with Senate Amendment Number 2 to House Bill 3600 with the provision that it shall become effective immediately upon its becoming a law!. It requires 107 votes. All in favor will vote 'Aye' and the opposed 'No'. Have all voted who wished? The Clerk will take the Record. On this question there are 132 'Ayes' and 9 'Nays' and the House concurs in Senate Amendment Number 2 to House Bill 3600."

Rep. K. W. Miller: "On the Supplemental Concurrence Calendar appears House Bill 3600. 3704, Representative Barry."

T. Barry: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur in Senate Amendment Number 1 to House



Bill 3704. It merely indicates the effective date upon the Act becoming a law."

Rep. K. W. Miller: "Further discussion? The question is 'shall the House concur in Senate Amendment Number 1 to House Bill 3704'. All voting in favor shall please vote 'Aye', those opposed to Mr. Barry shall vote 'No'. Have all voted who wished? The Clerk will take the Record. Yourell: 'Aye'. Representative Shea."

G. W. Shea: "Mr. Speaker, a point of Parliamentary Inquiry. Is it within the prerogative of the Chair to call what Bills he feels?"

Rep. K. W. Miller: "I think that point's well taken. On this question the 'Ayes' are 148, the 'Nays' none. This Bill having passed by three fifths will become effective upon its becoming a law. Colitz: 'Aye', Thompson: 'Aye'. House Bill 2916."

Hon. W. Robert Blair: "Take that out of the Record. Alright. The Gentleman from Cook, Mr. J. J. Wolfe on the Conference Committee Report with regard to House Bill 3560."

J. J. Wolfe: "Well Mr. Speaker, Ladies and Gentlemen of the House, the ah...Conference Committee on House Bill 3560 has come through in agreement that shall be a minimum number of signatures required for Members of the General



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Assembly to get on the ballot. That number shall be 300. So it will take a minimum of 300 signatures to sign your nominating petition to get you on the ballot this year. There will be no maximum number. You can turn in 1,000, 1500, as many as you want. A minimum of 300. For Representatives in Congress there will be a minimum required, 600 signatures, no maximum. For independents which come on the ballot, in November we have held that at I believe, three thousand for Representatives in the General Assembly and 5,000 for Congress, and again, there are no maximums on this and I move adoption of the Conference Committee Report."

Hon. W. Robert Blair: "Is there discussion? The.. Alright. The question is 'shall the' carpenter stop banging on the floor, so we can run the House. The question is 'shall the House concur in the.. the ah.. adopt the Conference Committee Report with respect to 3560 that contains the provision that it shall become effective immediately upon its becoming a law'. All those in favor will vote 'Aye' and the opposed 'No'. This Bill requires 107 votes. Have all voted who wished? The Clerk will take the Record. On this question there are 148 'Ayes' and 2 'Nays' and this Bill.. and the House concurs in the Conference Committee Report respecting House Bill 3560. On the Supplemental Calendar



on Concurrences, appears Senate Bill 1297. Alright, Gentleman from Peoria, Mr. Day, you want to come up because the Senate has refused to concur and a decision has to be made in regards to this. Alright, On the Supplemental Calendar appears Senate Bill 1297 on which the Chair recognizes the Gentleman from Peoria, Mr. Day."

R. G. Day: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I would move at this time that the House concur in the ah.. action of the Senate that we received from House Amendment Number 1."

Hon. W. Robert Blair: "Alright. Is there discussion? Alright. The ah.. question is 'shall the House...'. The Gentleman from McHenry, Mr. Hanahan."

T. J. Hanahan: "Mr. Speaker, I didn't hear the Gentleman's statement on what this Amendment that we're receding from is going to do. Or what are we receding from?"

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

R. G. Day: "This was the original House Amendment which changed the fee from \$5.00 to \$5.00 every two years. Now when the Bill got to the Senate, ah.. they amended the Bill to provide a fee of \$20.00 every two years. And I think this is reasonable and we adopted the Senate Bill in that form when it was over here. Now what this does



is simply put the House Bill in the same situation the Senate Bill is in, it makes it \$20.00 every two years."

Hon. W. Robert Blair: "Alright. The question is 'shall the House recede from its Amendment Number 1 to Senate Bill 1297'. All those in favor will vote 'Aye' and the opposed 'No'. Alright. This will required 107 votes, because it's an emergency on this Bill. So have all voted who wished? The Clerk will take the Record. On this question there are 147 'Ayes' and 1 'Nay' and the House recedes from Amendment Number 1 to Senate Bill 1297. On the Supplemental Calendar on Concurrences appears House Bill 3653. The Gentleman from Boone, Mr. Cunningham."

L. Cunningham: "Mr. Speaker, Ladies and Gentlemen of the House, I move that the House concur with Amendment Number 1 to House Bill 3653 ah.. All it does is.. it makes the Act become man.. ah.. immediately after the Act is signed. Than.. ah.. thank you."

Hon. W. Robert Blair: "Any discussion? Alright. The question is 'shall the House concur in Senate Amendment Number 1 to Senate Bill 3653 with the provision that it shall become effective upon its becoming a law'. All those in favor shall vote 'Aye' 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 152 'Ayes' and no 'Nays' and the House concurs in the Senate Amendment Number 1. Alright. With leave of the House there appears on. We're just waiting for a couple of Committee Amendments to be signed and then we'll call them."

Rep.A. A. Telcser: "On the order of Conference Committee Reports appears House Bill 245, for which purpose the Gentleman from Macon, Representative Borchers is recognized."

W. Borchers: "Mr. Speaker, fellow Members of the House, the Conference Committee on House Bill 245 met and came to agreement. Ah.. I'm glad to hear those cheers because we've now gone through this seven times since 6:00 last night. Ah.. I'd just.. in a slight review I'd ah.. just like to ah.. point out that we are doing something here that will save God knows how many lives this coming year. We have ah.. we know from records that from around approximately 52 to 60 per.. of people that were injured on the highways and death caused on the highways are.. a complication is involved. Now I move the acceptance of the Concurrence of the ah.. Amendment Number 1 of the House Bill 245 that we concur with the same."

Rep.A. A. Telcser: "The Gentleman from Cook, Mr. Fleck."

C. J. Fleck: "Well Mr. Speaker, Ladies and Gentlemen of the



House, I don't think there's a Member present who knows my reactions to and how I felt about Senate Bill 55, and House Bill 245 when I first came to this Chamber. And ever since last spring, and during last spring, because of my position on those Bills, the newspapers have been rallying around the flag for those particular proposals. I didn't particularly care what they thought about it then, I don't care what they think about me now, and what they'll think about me tomorrow. The concept of implied consent I don't think will dramatically change what is happening on the highways and the true understanding of it is probably up to the lawyers because what it does is change the rules of evidence in the courts in drunken driving cases. Now to be perfectly honest, people can scream about Constitutional rights and the theory of implied consent, but the problem is one of an upstate and a downstate situation. I happen to.. to come from Chicago, and we have a definite problem there which my friends from downstate do not readily appreciate. In Chicago if a motorist is driving and he stops, he is there with him and the police officer and nobody else. And you know, and I know that much too frequently court is held on the streets. And it also does not provide for the betterment of the driving on the streets because



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the chronic alcoholic who happens to have a wallet that is a little bulchy that evening will be out on the streets to drive again. When these two Bills originally came to the House, they didn't provide for any safeguard whatsoever for the social drinker like you, Members of the House, the members of the press, your families, and even your neighbors. This is the marginal drinker who is not provided any safeguards under those Bills. I oppose them strenuously then, both those Bills until adequate safeguards were installed in them. The second point towards injustice is when the arrested person ends up in the police station. And we have the problem of inaccurate and unreliable machines, police officers who for some reason or another, do not get accurate tests out of the machine, and this also is an injustice for the driver who has been under the arrest for driving under the influence of intoxicating beverages. I've looked over and studied House Bill 245, and in its present form and discussed it with the Members of the Conference Committee while they were putting amendments together, and after reviewing the Bill, I think it provides many many safeguards. In the first instance, Representative Carroll originally put an Amendment on, I believe it was Senate Bill 55. We now have an automatic testing



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device which avoids the problem which we faced in the back rooms of some police stations. As far as the confrontations on the streets, the arrested motorist not only has to be arrested but he has to be given a written citation. There has to be an arrest and not discussion on the street before we're going to get involved with implied consent. Also, he is now provided a step in the court for a hearing of probable cause. The questions to be determined as to the reasonable grounds of the arresting officer, and whether, in fact a lawful arrest was made, are issues which should be heard at that time. This, I think, would avoid any objections I had to the original Bill, and I think also provides safeguards for the poor people in Chicago, the blacks, whom I'm sure would be the target of this Bill, if the police see fit to be irresponsible and use it as a weapon and not a tool, as the press declared it has been. I call upon the police in the city of Chicago to implement this legislation sincerely in hopes that it be for the betterment of everyone in the State. I support the Bill in its present form and I ask everyone to support it with me."

Rep. A. A. Telcser: "The Gentleman from McHenry, Representative Hanahan."



T. J. Hanahan: "Would the Gentleman who is sponsoring the Bill answer a couple of questions?"

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

T. J. Hanahan: "Representative Borchers, I'm not going to accuse you of being anti-Irish because you're against the Irish drinking, on the way you voted yesterday, but I'm curious. In all the states that have a implied consent law, what is the difference, statistical difference, between our accident rate and any other state with a implied consent law? Have you any documentation on that?"

W. Borchers: "Ah.. Representative Hanahan, first in relation.."

T. J. Hanahan: "I asked a question, Sir."

W. Borchers: "Wait a minute, you were upset about the Irish. I married an Irish girl and my children are half Irish. I wore a green shirt today. Now, in answer to your question, there is no statistical data in relation to the 49 states, and in relation to our State. The differences are varied from state to state and year to year. For example, in New York in 1956, 56.8% of accidents that occurred were fatalities of 56.8% had liquor or were intoxicated. In 1967, 66%, you see the 10% rise, in 1968, 54%, a drop of around 12%. In 1969, 58.4%. It is impossible to state with any accuracy ah.. concerning this point. However, sheer logic will point out the removal of one drunken



driver or a hundred drunken drivers from the highway before an accident is bound by logic to mean that someone some accident will not occur; some person will not be killed. It is inevitable that this kind of a thing will occur."

T. J. Hanahan: "Mr. Speaker, I would like to speak to the Bill; then."

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

T. J. Hanahan: "Since I can't get an answer. And I want to point this out. It is very odd that a person who would be against gun registration, a person who believes in individual rights, many Republicans who I hear run around the states campaigning for election saying that the individualism is part of the Republican party are now leading the fights to take away that very same individualism. They're saying that 49 other states have a law; therefore Illinois needs it. Well, let's look at the records. New York has had a law for many years. And I say to each and every Member here, New York state has as big an accident rate with drunken drivers with the law than we'll ever have it without the law. I see no.. no immediate need for a law that will not do what every newspaper.. every.. every person who is for implied consent is saying that it will do. It will not prevent



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any accidents, it will not save any lives. I think it's as much a hoax as any of the ethics bills that have been brought before the General Assembly, and when people who are so much concerned with individual rights come into this General Assembly and say that we could give up a little portion of our individual rights such as passing a bad Bill, a hoax on the people, and say we're going to save lives, I'd like to know that in all the wisdom in the General Assembly, where in the world has anyone seen a life saved in 49 other states because they've had a Bill of a implied consent Bill. There is no logic to that-- Anymore than saying if we register guns, we're going to stop people from killing. There is no more logic with.. with that kind of attempt than.. to fool the people and to fool the insurance companies by saying that now we've got a implied consent law. Big Deal! What's it going to do? Name the lives it's going to save. Tell me that people that drink aren't going to drink and drive just because there's a law. Anymore than you're going to say with capital punishment nobody's going to kill anymore. This is a hoax. I think the whole Conference Committee should go back and draft something good on birds and bees."

A. A. Telcser: "The Gentleman from Cook, Representative Carroll."



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H. J. Carroll: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I think most of you know what my decision has been on the concept of a test such as implied consent. And I think most of you know I was on the Conference Committee and I signed the report. And I think most of you are aware that the basic report was the.. stems from, I think some people may even call me the author of the report. This stems from the proposal I submitted yesterday or the day before yesterday to the Conference Committee Report which.. with what I thought were some very important changes. Well, they didn't accpet some of my proposals or some of the proposals made by this House. I just want to make myself clear. We have worked long and hard on this report. I think it's incumbent upon every Member of this Chamber to decide in their own mind whether they like this consent or not. I am not going to urge a vote one way or the other. There are certain safeguards that I required. The machine, of which I originally was told was being fallacious and suggesting has now been shown to be an actual existing machine made at least by three people and that type of safeguard is included in this Bill. There are a lot of safeguards that are in here, there are a lot of things that probably should be in here that are not. I think each of you should read it carefully.



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My other point is this: We have not only been inundative this term by what we refer to as 9-E proposals by the Governor. The Governor's office was in on this consent. The Governor's office did help us draft this proposal. The Governor's office was quite firm behind the concept. We don't know why, nor is it any of our concern. However, we have now a new legislator. Secretary of Transportation, Volpee, has sent a telegram to the leadership on both sides of the aisle that was read to the Conference Committee in which the Secretary of Transportation, commenting on one of the provisions that has been accepted by this House twice. And I'm not commenting on whether that provision is good or bad, but a lot of the Members of this House decided it was good, and that was the action on the provision. Secretary of Transportation Volpee, some time ago, told us to the news media, that we were going to lose some \$40,000,000 in Federal Highway Funds if we did not pass implied consent. I personally don't think that that was part of the substantial compliance section of the Federal Act that he was talking about, but he's so right. In the middle of our deliberation, we received this telegram, and I'm going to read it. "It is understood that proposed legislation extending before your Legislature



which would limit implied consent to only those individuals actually involved in accidents. These provisions would be completely unacceptable to the U. S. Department of Transportation, and if enacted as Secretary of Transportation I would be obliged to direct that Federal Highway Safety Funds be withheld from the State of Illinois. Moreover, I would be forced to consider reducing by 10% the Funds allotted Illinois under the Federal Aid Highway Act. In this regard, please refer to my letter dated to you October 14, 1971. I strongly urge action by the Illinois Legislature which would avoid forcing upon me this unhappy turn of events.' Signed John A. Volpee, Secretary of Transportation. My point is this. The Constitution of 1970 gave us the third chamber of the Legislature, the Governor. The Secretary of Transportation has made himself a fourth chamber of the Legislature. We know we need the highway funds. That's why I, as an individual, am willing to work hard, on trying to get such as this before you. Again there are a lot of safeguards in here. Safeguards that I insisted upon. My comment is to the Governor, that this is a combined effort by a commission, a Conference Committee, and if passed by both Houses of this Legislature with his office. My support, if I support this, will be based on

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this document. Should he decide to change this law, as he has done with many other laws, I think he has been rude and improper to the Legislature. And I make that challenge to him now. His office was in on every stage of this report, and I think that if this report is accepted it is this that should go into law. Thank you."

Rep. A. A. Telcser: "The Gentleman from Cook, Representative Ewell "

R. W. Ewell: "Mr. Speaker, Ladies and Gentlemen, it's indeed sad to see that this Legislature is going to turn into a group of Judases with 40 pieces of silver. We can call them dollars, cents, or any other money. We have a sworn duty to support the common school system. But we failed in this duty, we failed in our duty to aid the welfare assistants. And we also failed in our duty, as you Gentlemen have seen it, on ethics. And here we sit in these hours coming up with the master stroke for forty pieces of silver. I have made the charges on this floor that there was harrassment of black motorists. I read the statistics out of the Chicago "Police Annual Report", and I quoted them for 1969. These figures illustrated that Chicago has a population that is approximately one third black, but yet one half of the arrests of driving under the influences are made of black motorists. I also brought the same statistics to prove a couple of other



items. I asked, and I hoped that these statistics would be challenged, but they were not. I should like at this time to add the statistics for 1970 to add to those of 1969. I'd like to point out that there were 28,000 arrests for drunkenness in Chicago in 1970. Approximately 9,000 were black. You don't need much math to figure out that's a ratio of 1 to 3. That is consistent with the population. It proves that blacks do not get drunk anymore than whites. I should like to point out that for other liquor law violations, there were 1,170 arrests, and there were 341 for blacks. Again proving one particular point, blacks do not get involved in other liquor law violations anymore than anyone else. But lo and behold Gentleman, we must arrive at the stagnating statistics of arrests for driving under the influence. These are 1970 figures, Ladies and Gentlemen. 10,022 arrests. Out of those arrests over 4,765 are black, while only 4,424 were white. Either we are claiming that the blacks own more automobiles, or indeed is the fact that they are being harrassed. I charge that they are in truth being harrassed and that the statistics cannot be refuted. Gentlemen, if this was my only complaint at this time, I could rest. And I could say, perhaps because police officers only receive a ci.. highschool education



perhaps they're overworked, underpaid. Perhaps they haven't been trained enough in understanding. But I should like to point out to this Body the most shocking statistics that I have ever under.. that I have ever seen before. What I'd like to point out is they talk about who goes to jail for driving under the influence, and I wish that I could have a little attention at this time, Mr. Speaker. Mr. Speaker, I went to the warden in Chicago or the Superintendent of Correctional Institutions. I asked for the statistics. How many people were admitted to the jail on the charges of drunken driving? The statistics, if we want to take them for the last six months that I have recorded, in Febuary 31 blacks went to jail for drunken driving, 15 white. Now we all know that when we go to court, we're going to court in equal numbers. In March, 15 blacks went to jail, for 8 whites, and five others, Puerto Ricans is the general classification. In April, 12 blacks went to jail for 5 whites and one other. In May, 12 blacks went to jail, 6 whites, and no others. June, 15 blacks, 6 whites. July, 12 blacks and 3 whites. August 9 blacks, and 4 whites. When we add the statistics for the past six months, 106 blacks went to jail for driving under the influence, to 47 whites and 11 others. The shocking statistic in this incident is this is done



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by the court system. Now I suggest to this Body that I can even understand harrassment at the level of the police officers, but I find it most perturbing and most shocking to see that even after we go to court in equal numbers, we are sent to jail at a ratio of 64.6% for blacks to 28.6% for whites. Gentlemen, something is wrong, and again I should like to hear from some.. I should like to get a little reputation of this assertion. I feel if there are people in the city who can tell people how long they ought to go to jail for, perhaps they can say who goes to jail. I suggest that we have a problem, and something ought to be done about it. I'd like to point out.."

Rep. A. A. Telcser: "Would you conclude your remarks?"

R. W. Ewell: "In closing, a final remark, that you've got a dual system written in this Bill. It's written in because it's provided that you must transport any person who desires to another place to take a test. Now, I ask you, how are you going to accomplish this in Boone County and White County, or Jefferson County? The answer is that you cannot. I'm saying again we're having the situation turned upon the city of Chicago where there aren't many traffic fatalities, accidents yes, fatalities no. And Ladies and Gentlemen, I charge that this Bill is



a hoax, and I shall oppose it at this time again. Thank you."

Rep. A. A. Telcser: "The Gentleman from Rock Island, Representative Henss."

D. A. Henss: "Mr. Speaker, and Ladies and Gentlemen of the House, I am a member of the Conference Committee. We accepted a lot of Amendments, and this is quite a different Bill than that which was presented to us previously. It is the best product that we could make it. It has bi-partisan support, nine out of ten Members of the Conference Committee signed the report. Every member of the House who was on the Conference Committee signed the report on both sides of the aisle. The only person who was on the Conference Committee who did not sign the report was Senator Chew, who I understand is in Chicago. Now there were many changes but only three of those matters were seriously contested and had to be decided by a vote of the Committee. I'd like to explain those. We took out the requirement that a collision had to occur before a driver had to take a breath test. This seemed to us to be too close to 'closing the barn door after the horse had escaped'. However, it is necessary under this legislation that a lawful arrest on a charge of driving while intoxicated be made before a driver



can be asked to submit for the test. And that is quite a safeguard. Another contested issue in Committee was the attempt to change existing law and remove the mandatory revocation of license for persons who were actually convicted of driving while intoxicated, and to make that revocation of license discretionary. Now bear in mind, this is a requirement of existing law for one who is actually convicted for drunk driving. The automatic revocation in the past has been one of the key elements of the law and it was suggested to the Gentleman who wanted this changed in the law that a separate Bill to change that law in the driving while intoxicated statute would be his.. his remedy and he did in fact, sign the Conference Committee Report. A third matter which was submitted to vote in Committee was on a clause that would have reinstated driving privileges even though the driver had refused to take the test-- if that driver was not convicted of driving while intoxicated. Now we took that out because implied consent has no meaning at all if you have to convict the person of drunk driving in order to take away his driving privilege. We can do that now under the existing law, and that kind of a provision would have made the implied consent law a complete nullity. We accepted many many

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improvements. People who did oppose the Bill previously now concede that it is much better. People who were completely opposed on the previous.. on the first Conference Committee now signed the report. For the benefit of the Members, here are some of the safeguards...

Due to Sony Failure, a portion
of the transcript is missing.

D. A. Henss: "... the uniform breath test. The breath testing machine has to have an automatic print out, and the driver gets a copy. Two tests must be taken 15.. not more than 15 minutes apart, as a check for accuracy in the test. The machines must be certified to be in good condition periodically, not more than thirty days. Both an oral and a written notice are given to the person of his rights. There is no test given without written signed permission of the person being tested, and he has 90 minutes to decide whether he wants to do this. The test can only be used in a prosecution of driving while intoxicated, and a refusal to take the test can only be used in a revocation proceeding with a implied consent procedure. Further, the courts, even after all these things, can recommend to the Secretary of State that the license not be suspended. And



even then, the Secretary in his own discretion can issue a hardship driving license. Mr. Speaker, Ladies and Gentlemen, the key Amendment was when we removed the requirement of a collision. Mr. Speaker, can I have some order, please? As I say, the key Amendment was when we removed the requirement of a collision.

49 of the 50 states have implied consent legislation. We are the only one which does not have this. Not one of the 49 states requires that the drunk have a collision first before this breath test procedure can be put into effect. We are the last state, but we can pass a reasonable statute. I'd like to point out that we are not passing this statute to get Federal money, although we certainly can use that \$40,000,000 or so, or whatever it happens to be, in our highway safety program, and that too saves lives. We need this statute to save lives. People are killed by drunk drivers. That's the reason for this. It is completely ridiculous to let this drunk have this collision before willing him off of the road. In answer to Representative Hanahan for ah.. for a few statistics. Let me quote from a study of the state of Minnesota in 1969. It was found that 54 % of all fatally injured drivers were found to have alcohol in their blood. More than half. Of those,



83% were above the presumptive level of intoxication. It was found that 50% of fatally injured drivers in the 16 to 28 bracket were found to have alcohol present in their systems and 2/3 of them were above the presumptive level of intoxication. 62% of fatally injured drivers under the age of thirty showed evidence of drinking. 55% of those cases were above the .15% level of intoxication. Almost 1/3 of the drivers who tested positive were killed between midnight and 3:00 p.m. 85% of them were at or above the presumptive level of intoxication. Now we could go on and on reading statistics and there are many many statistics, but as a conclusion, the experts now know, due to studies submitted from throughout the nation, that alcohol is involved in at least one half, one half, of fatal accidents. And in an estimative one fourth of minor accidents. Ladies and Gentlemen, we had only a few key issues when we came here last fall. You can name those issues as well as I can. Let me ask you to consider when you go home to your constituents, are we going to tell them about the personal property tax, what are we going to tell them.. what are we going to tell them about ethics legislation, and what are we going to tell them about implied consent? We are going to adjourn in just a few hours. This may be the opportunity to point to



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solid accomplishment on a major issue for this session of the legislature and please vote for this Bill."

Rep. A. A. Telcser: "The Representative from Cook, Mr. Dan O'Brien."

D. J. O'Brien: "Thank you, Mr. Speaker. In purposing my remarks against this Bill, let me first say in response to Representative Henss, that Minnesota has had an implied consent Bill that the statistics of death related to alcohol consumption has risen, inspite of this Bill. No one will deny that highway deaths are in many many cases related to the consumption of alcohol, but I contest that a passage of a implied consent law will not change this fact one bit. Now we have a Conference Committee Report which alleges to make a very bad Bill in my opinion unconstitutional.. unconstitutional Bill.. a good Bill. And it allegedly does this through minor changes, allowing the person to apply for a restricted permit, requiring an informal hearing as to the issue of 1) was there a valid arrest? and 2) was there a refusal? I submit to you Gentlemen who are in favor of implied consent, that the safeguards you have put in as a result of this Conference Committee will only serve to put the person who is in fact into intoxication back onto the street within a very short time whether or not he is convicted



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and whether or not he take the breathalyzer test. And I also submit to you that what we still have here is in fact a Bill that encourages and in fact mandates a person to incriminate himself, a Bill that denies a person due process of the law and denies him of what I consider to be in 1972 an absolute right, the necessity of driving an automobile, to earn a livelihood. And I submit this as a denial of rights and there is no evidence put forth on this floor to show that this type of Bill will reduce accidents or fatalities as a result of consuming alcohol and I urge that this House does not concur."

Rep. A. A. Telcser: "The Gentleman from Cook, Mr. Schlickman."

E. F. Schlickman: "Mr. Speaker, and Ladies and Gentlemen of the House, I arise in support of our adoption of our Conference Committee Report. Before doing so though, I should like to announce Illinois is beating Wisconsin, 35 to 27. Mr. Speaker, and Ladies and Gentlemen of the House, it seems to me as we consider this matter, we should have three concerns, 1, a relatively minor concern, 2 relatively major concerns. The relatively minor concern is the effect on Illinois in the qualification for Federal Funds. We know we've been told that if Illinois does not enact an implied consent law, that we will not qualify for approximately \$44,000,000 of Federal Funds.



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The Federal Government in establishing standards for highway safety has included implied consent. And I should think that we should conclude that the Federal Government has concluded and determined that there is a relationship between the effectiveness of implied consent legislation and the reduction of highway fatalities. But the two major concerns that we should have, putting aside the matter of Federal Funds, is that of civil rights and liberties and the matter of death.. death on our highways. Representative Fleck, Representative Henss, did very well establish the point that civil rights and liberties are very well protected by the Conference Committee Reports, particularly in that provision that the defendant, the charged individual is provided with notice as to what is coming about, and that notice, Ladies and Gentlemen, goes beyond the Moranda decision of the United States Supreme Court. A major concern, once being satisfied that major rights and liberties are being protected, are these statistics. Since July 1, of 1971, there have been 800 lives lost on Illinois highways. And at least 1/2 of these automobile fatalities include.. involve drivers who have been drinking. And for every 2 drunk drivers killed, one innocent bystander also dies. Mr. Speaker, and Ladies and Gentlemen of the House, the burden

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of proof is upon those who were responsible for over 1/2 of our automobile fatalities. I think, Mr. Speaker and Ladies and Gentlemen of the House, that it is reasonable and prudent for us to pass this Bill in an attempt to reduce the carnage on our highways."

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

W. J. Murphy: "Mr. Speaker, and Ladies and Gentlemen of the House, I know that anything that is said isn't going to change one vote, but I want to say first that I've been proud of the fact that the state of Illinois for once showed some individualism and we're the 50th state in the union that does not have the implied consent law. We did not bow to the big brother's wishes and immediately pass the law. For ten years this has been the subject on the floor of this House, for 10 years we have voted on the issue and have not been panicked into it. We are now in the course of being blackmailed. The Conference Committee were loaded politically for this question. It is being passed on a political and news media basis, not on the issue at all. The state of Wisconsin has implied consent passed two years ago and they have disregarded it.. they don't use it anymore because of the fact that it has proved to be ineffectual. Last year the deaths on the



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Illinois highways were less than any surrounding state, and has reduced. The surrounding states went up and they all had implied consent. This is a complete fallacy. The whole concept of implied consent is a complete fallacy and is based on the fact that it is a privilege to drive an automobile. And that concept was put in so the State would have a right to license and collect fees for driving an automobile. I question yet to this day constitutionally that it is not a right rather than a privilege to drive an automobile. When you live out in a county, and all of you downstate counties, where we live, we have no transportation, we've even taken the railroads away in many instances, the only way we can go even out to get a drink is with an automobile. There are 23,000 taverns in the state of Illinois downstate, and I saw a picture in a 'Parade' in the 'SunTimes' sometime ago shortly after England had passed this thing, the implied consent law. It showed a picture of a Pub three weeks before the law was passed with the whole parking lot full and three weeks afterwards with the whole parking lot empty. Now if that is what we want to do then we ought to go back to prohibition, and stop kidding ourselves with a poor.. poorly drafted Bill such as this which will do no good. I will say this too. There was a big dinner in Chicago, as you know this



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week, there were 300 fat cat Republicans there, and I'll bet you there weren't 50 out of 1800 that could have driven their automobile home that night without violating this law. And yet the Republicans primarily are being responsible for passing this act now, we're being pushed into it, we're being forced into it as almost a political issue, and I for one, will.. do not respect it for this reason. I will not respect it because it will save no lives on the highway, so when you vote, I want you to examine your conscience well so to make sure you're not a hypocrite, because anyone of you who drink over three drinks in one hour can't possibly vote for this Bill, and you've got alot of friends at home just like you, and we're going to be watching your vote when you vote, and I'm going to vote 'No' on this legislation."

Rep. A. A. Telcser: "The Gentleman from Macoupin, Mr. Boyle."

K. Boyle: "Thank you, Mr. Speaker, and I appreciate Representative Henss' thorough summary on the Bill because I just had the Conference Committee Report dropped on my desk, ah.. at the same time that the Speaker called the Bill, and it is rather lengthy and I didn't have time to ah.. thoroughly go through it. I did note, though, one provision that I'd like to ask a question about, that



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is the provision that authorized the arrested person to meet with an attorney within 90 minutes of the time of the arrest? I am wondering if the arrested person is refused his rights to meet with the attorney, does this vitiate the provisions of the Bill?"

W. Borchers: "Mr. Speaker, in relation to the 90 minutes, the 90 minutes start from the time of the issuance of the citation and ah.. I would certainly think that the ah.. and I will, ..ask Representative Henss, a Member of the Committee who is more a legal expert on this than myself, I would certainly think that the failure would ah.. nullify any Act.. that the failure to ah.. permit the accused to have his 90 minutes to call his attorney or some other his representative that he wishes to communicate with.. would certainly nullify in the court, ah.. action against him. After all, this is a charge. It must appear before a court of law.. the circuit court. It must be handled there under the rules of evidence."

K. Boyle: "Well, as I understand the Bill Representative Borchers, the license is terminated the suspension is in effect before the man even has a hearing, and what I want to know is, whether or not the notice will be sent to the man terminating his license if he is refused the right to communicate with his attorney within 90 minutes.



W. Borchers: "I'm going to let ah.. if you would.. I'm going to let ah.. Representative Henss.. ah.. take care of the legal angle of this Bill. Ah.. I spent 40 years since I've been to law school and ah.. I don't want to get tangled up with something of this importance. Well, I..

K. Boyle: "I asked this question to anyone who was on the Conference Committee, because I see no protection in the Bill, I see no protection in the Bill for the wrongful refusal to allow the arrested person to communicate with his attorney. And I'll ask any.. any member of the Conference Committee what protection is in the Bill if the man is refused this right. It looks to me like the Bill is self-executing and the notices will be sent automatically. I ask that question, Mr. Speaker, of any member of the Conference Committee."

Rep. A. A. Telcser: "The Gentleman from Rock Island, Representative Henss will answer that question."

D. A. Henss: "It would be my opinion that if he is refused the opportunity to contact counsel within 90 minutes, that it ah.. would be and should be no revocation. He does have a period of 28 days if you'll check ah.. on or around page five, after the Clerk notifies him and which he can.. can contact an attorney within that time. He's got plenty of time to do it and file his petition in court and



of course the court would make that determination and there would not be a revocation."

K. Boyle: "Thank you. Now my second question goes with the provisions of the Bill ah.. on page five where it is provided that the circuit clerk ah.. of each county in effect would administer.. administers the act in conjunction I would suppose, with the Secretary of State's office. The Clerk will then send a notice to the Secretary of State and I ask why the circuit clerk's office was brought into the.. to administer the act rather than have the act administered through the Secretary of State as I understand it is in the other states."

W. Borchers: "Mr. Speaker, the answer to that is that if it goes to the circuit court and the case is handled in the regular judicial procedures in our various counties and the circuit clerk who is actually the..of course clerk of the court, the most logical individual to communicate with the Secretary of State's office and transfer this information."

K. Boyle: "And my third question is, and I think Representative Henss could answer this, what is the thinking of the commission.. er.. the Conference Committee on denying the right to have the results of the test entered in a civil trial? Why are they limited merely to



the ah.. ah.. revocation and suspension of the license?"

W. Borchers: "The civil.. the ah.. ah.. this service cannot be used for civil or criminal unless probable cause is ah.. shown."

K. Boyle: "I understand that, Representative Borchers, what I want to know is what is the reason why, to me, if there is competent evidence to send the man to jail and take away his driver's license, what.. there should also be competent evidence to send a man to jail and take away his driver's license. It also should be competent evidence in a civil proceeding, and I want to know the reasoning why specifically.."

W. Borchers: "This is a matter of implied consent and has nothing to do with the other aspect that you just brought up. It..this is a matter of a special license and refusal to take the implied consent.. comply with the implied consent law."

Rep. A. A. Telcser: "Representative Boyle, you'll have to conclude your remarks, Sir."

K. Boyle: Thank you, Mr. Speaker."

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

H. A. Katz: "Ah..very briefly, Mr. Speaker, and Ladies and Gentlemen of the House, I previously opposed implied



consent legislation because I felt that there were not reasonable safeguards built into the proposed legislation. I would want to say after studying this Bill and being somewhat familiar with its background, that the Bill we are now considering represents the best attempt that I've ever seen to reconcile the constitutional rights of the individual with the undeniable interest of the people of the State in protecting the public health and safety. Ah.. Representative Ewell spoke about the problem of different races involved, and it is also a fact that if you check the graveyard and check the people who are killed as a result of drunk driving, it shows no differentiation based on race, color, or creed. There are many provisions that have been built into this that Representative Henss has gone over... There has been an attempt to move the self incrimination features that made it very unfair from a civil liberties point of view. It would seem to me that we should take some pride in the way in which the legislative process here has changed a Bill which when introduced, was an utter and violent disregard to the rights of an individual has changed that into a Bill that very fairly attempts to reconcile the interests of the State with the fair interest of motorists here in Illinois. So I'm going to support the Conference Committee



and commend some of the members on this side who were subject to some criticism a few minutes ago. I think that there are many compensations which shows their fine results including, I might say, the requirements that the machines be automatic, thus eliminating a definite opportunity for unfairness on the part of the police. Many of the things they said could not be done with this law when we originally objected to it, have now be done.. have now been done, and I think we can all take some pride in the final results."

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

R. D. Cunningham: "Mr. Speaker, of course I'm enthusiastic for the Bill but I had one question that I wished to ask the Members of the Committee or the Sponsor. On page 2, line 5, it provides that the test will be taken, the second test will be taken not less than 15 minutes after the first test. In paragraph one, on page 2, line 3, the provision is not more than 15 minutes. Was it the intent that the second test be taken at the 15 minute level or was the second line inadvertent?"

W. Borchers: "I happened to mark these and will read it. You ah.. want Representative Carroll to give you the answer?"



Rep. A. A. Telcser: "Did you ask a question, Representative Cunningham, or did you ask it rhetorically?"

R. D. Cunningham: "No, no. I asked a question, and the question is whether the test has to be given in precisely 15 minutes. From his citations, it would seem to read thusly, and it might present problems."

H. W. Carroll: "Ah.. Representative, the intent was what reads in the first part. I did not notice that mistake before in the second one. It should read in both, 'not less than 15 minutes apart.'

R. D. Cunningham: "Would it seem advisable to put it back to second and amend it for that purpose, that we might have a perfect product?"

H. W. Carroll: "Definitely."

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

A. F. Simmons: "Mr. Speaker, I move the previous question."

Rep. A. A. Telcser: "The previous question has been moved. All those in favor signify by saying 'Aye', the opposed 'No'. The previous question has been moved and the Gentleman from Macon, Representative Borchers, to close the debate."

W. Borchers: "Well, I'll make it short Gentlemen. I just want to point out to you in relation to discrimination I honestly believe that the per centage of blacks in



Chicago or elsewhere that have been discriminated against heretofore by the present laws, it will be decreased because there must be an arrest and a citation, and I think that will help decrease the number. A year from now, we would like to hear from Representative Ewell on the facts and figures because I do believe it will help the blacks that are being discriminated against. Which reasoning they gave I accept it and believe and feel they are telling the truth about it. And I do not condone this action. I think it would help. I would just like to say.. what.. what? I would just like.. Well, alright."

Rep. A. A. Telcser: Representative Matijevich, for what purpose do you rise?"

J. S. Matijevich: "Mr. Speaker, a point of order on Roscoe Cunningham's observation, since we still are here and all the Members of the Conference Committee could hurriedly change this, I ah.. would like a point of order. Is it understood that we are.."

Rep. A. A. Telcer: "Representative Simmons, for what purpose do you rise, Sir?"

A. F. Simmons: "I move to table is not debatable. I mean I move the previous question."

Rep. A. A. Telcser: "Representative Simmons, you move the previous question, that motion did prevail. It has always been



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the courtesy of the House to allot the Sponsor the opportunity to close." Right. Now Representative Matijevich is raising a parliamentary inquiry, he is not debating the point, as I can tell."

J. S. Matijevich: "I'm not debating the point, I want it understood that we are going to vote on, I hope, is the Bill as come up by the Conference Committee, with this change that makes it a perfect Bill. I think somebody ought to run over to the Senate, because they're debating this Bill right now and make sure that they're also voting on the Bill with the changes Roscoe Cunningham observed because they're.. we do want to make it a perfect Bill. We got everybody in the Conference Committee, if need be, could sign the change."

Rep. A. A. Telcser: "Representative Borchers, do you wish.."

W. Borchers: "I think we should go ahead on this Bill. If we have to make corrections, we can do it next spring, for the simple reason that it does not go into effect until July 1. May I continue my.. may I continue my few remarks?"

Rep. A. A. Telcser: "Proceed, Sir. "Close the debate."

W. Borchers: "I want to close the debate."

Rep. A. A. Telcser: "Well, proceed Sir."

W. Borchers: "I didn't understand you. All I want to say



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is drunken driving is not a civil liberty, neither is it a constitutional right. And I think that the democratic membership, that the sole support in the past, as Representative Tipword, Stans, Chapman, Matijevich, Rayson, certainly indicate that this is a bi-partisan affair, and should be considered as such. I solicit your support."

Rep. A. A. Telcser: "The Gentleman has moved the House adopt the Conference Committee Report relative to House Bill 245. All those in favor of adoption shall signify by voting 'Aye', the opposed 'No'. The Gentleman from Cook, Representative Yourell to explain his vote."

H. Yourell: "Thank you, Mr. Speaker, I was on my feet for a great deal of time trying to get recognition from the Chair for directing several questions to the Sponsor of ah.. this legislation. Now, it has been stated by several speeches that this is our last opportunity in this session of the General Assembly to pass some type of key legislation of that type of legislation that is considered vital to the people of the state of Illinois. Now if we're going to state our inadequacies for not having raffled with ethics legislations in the affirmative manner, or to pass some type of personal tax relief out, or to perhaps settle the public relief prices in the state of Illinois,



and to use this as a crutch to justify our presence here in the General Assembly, and to vote blindly here on this Bill as to justify our attendance here in the General Assembly, then I think that's just ironic and certainly erroneous. Representative Fleck, who recently in past sessions in the General Assembly, when this subject was discussed and debated, indicated that he was diametrically opposed to any implied consent legislation, and if I recall correctly, cited statistics that revealed that the state of New York with a long time legislation of implied consent in its statutes, had increased the death rate with implied consent by seven percent, and the state of Illinois without implied consent legislation, increased with only two percent. I also would like to know what provisions are made for the protection of the people in the provision for the third test, and there is no time limit given for the taking.. the undertaking of this third test so that a person could very well be well on his way to sobriety by the third.. by the time of the request on the subsequent conclusion of that test. And I think that's a fatal defect in the Bill. I also cannot believe in one instant that the arresting officer will notify each person arrested under the provisions of this act, of each of his constitutional and legislative and statutory

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right, such as notification of all of the provisions of his rights as stated in this Bill. And I don't think that I'm going to vote for this Bill for those reasons. And if we have to state our presence for our inadequacies in this session of the General Assembly by our voting for this legislation as an.. as an excuse, for other legislation, then I think this is a poor excuse. And I vote 'No'."

Rep. A. A. Telcser: "The Gentleman from Cook, Representative Berman, to explain his vote."

A. L. Berman: "Thank you. Mr. Speaker, just a short time ago we were down in Room 212, and the majority leader made what I thought, some very sound remarks, about the importance of ethics legislation, and how we ought to give it the time, in order to review the pros and cons of this Bill. Now many of us have watched this Bill for a number of years, and I wish to point out to the Members of this House, that if this Bill passes in its present form, in my humble opinion as a lawyer, I don't think there will be any convictions for drunken driving under any circumstances and I think that the report inadvertently is poorly drafted and I call your attention to page 3, from paragraph 7. It says that a reading of .19 percent of alcohol in the blood established a presumption of being



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under the influence of intoxicating liquor. Now, Ladies and Gentlemen, this Bill abolished the present driving under the influence law in relation to the presumption. And what this means is this, that under this wording unless that reading is .10 on the button, because the words 'or more' have not been included in here, you're not going to lose your license. Now I think that the Bill should properly be held back and be redrafted if there is a sentiment of passing an implied consent law, then I think it ought to be properly done. This Bill.. this Bill is not in the proper form, in order to achieve what apparently the majority of this House wants. And for that reason, and for one other reason, on the general purposes of this Bill, I want to read you some statistics that appeared in the Metropolitan paper. And that says "Traffic deaths in Illinois were up 7.. 5% in Illinois and went down in Chicago by 17% as a result..'"

Rep. A. A. Telcser: "Representative Mann, for what purpose do you rise?"

R. E. Mann: "Mr. Speaker, I'd like to give the Gentleman my time, if you'll permit."

Rep. A. A. Telcser: "The Chair has previously ruled that you can not yield to your time, Sir. Please conclude your



remarks, Sir."

A. L. Berman: "I will. The traffic deaths in Chicago are down by 17% without an implied consent law as a result of strict compliance and enforcement. That's the key. There is not state that has shown up that this Bill will result in less deaths. Strict enforcement.."

Rep. A. A. Telcser: "Please conclude your remarks, Sir."

A. L. Berman: "For those reasons I urge you to vote 'No'."

Rep. A. A. Telcser: "Have all voted who wished? Take the Record. Representative Carroll, for what purpose do you rise, Sir?"

H. W. Carroll: "Basically, a point of parliamentary inquiry."

Rep. A. A. Telcser: "State your point."

H. W. Carroll: "Is it not possible since it is obvious from reading this, that an error has been made. That it says 'such tests shall consist of two breath analysis taken not less than 15 minutes apart.'"

Rep. A. A. Telcser: "Representative Choate, do you request recognition, Sir? Did you wish to vote? Alright. We'll take one more roll call. Representative Carroll, proceed with your inquiry, Sir."

H. W. Carroll: "On page 2, it appears to be the second sentence. 'Such tests shall consist of 2 breath analysis taken not less than 15 minutes apart.' Further down



in sub-section one it says 'consent to take 2 breath analysis tests which shall be administered not more than 15 minutes apart.' The question was raised by Representative Cunningham and as a member of that Conference Committee, I say that there is an error. They should both read 'not less than.' And my parliamentary inquiry is that can that be done here. I know the Senate is going to try to make that change."

Rep. A. A. Telcser: "The Clerk informs me, Representative Carroll, that you can change it right here. Representative Murphy, for what purpose do you rise?"

W. T. Murphy: "Why, I object to that. I absolutely object to that. You're changing a Bill. That takes an amendment."

Rep. A. A. Telcser: "Representative Carroll, didn't you say it was a one word error?"

H. W. Carroll: "One says 'more' and one says 'less!'"

Rep. A. A. Telcser: "Representative Carroll, would you come here with the Clerk so you can point out exactly where the error is? Now if the Members will be in their seats, the Chair will recognize everyone and every point they wish to make. Now I want to clear up this point first, so please be in your seat, and we'll get to all of you. Alright the Chair now will rule the Representative Carroll's



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inquiry is not a matter for the Chair to determine at this point. If in fact, there is ah.. language in the Bill which may in some people's judgment be in conflict, ah.. that could be taken care of sometime other than this moment. That point is not one which the Chair has to handle at this point. Representative Simmons, for what purpose do you rise?"

A. F. Simmons: "Well Mr. Speaker, I ah.. previously moved the previous question and I think we had a roll call. I don't know if we still have it or not."

Rep. A. A. Telcser: "We were going to take another roll call. The Gentleman has moved the House adopt.. Representative Shea, for what purpose do you rise?"

G. W. Shea: "A point of parliamentary inquiry."

Rep. A. A. Telcser: "State your point."

G. W. Shea: "Mr. Speaker, from what I have seen in the Amendment, and I realize they're in conflict, but I think I'd like a ruling from the Chair, whether that is one of substance or one of form, and whether there is going to be any thought changing this Bill in enrolling and engrossing. And I think it becomes important because of the way in which the Senate might handle it where we'd have two Bills in conflict and leave here without at least some law."



Rep. A. A. Telcser: "The Chair has ruled, Representative Shea, that there is no necessity for the Chair to make a ruling in that regard."

W. Robert Blair: "For what purpose does the Gentleman rise?"

G. W. Shea: "Well, what I'm trying to find out, and I understand when I talked to the temporary Speaker a moment ago, that there is no necessity for it, so therefore I understand that it is not something that could be changed in enrolling and engrossing. Am I correct?"

Hon. W. Robert Blair: "I don't have to make a ruling on that at this time. The previous question has been moved, I understand. Alright. Then the question is on the main question, right? Alright. Alright. The question is 'shall the House adopt the Conference Committee with respect to House Bill 245'. All those in favor will vote 'Aye' and the opposed will vote 'No'. Gentleman from.. Gentleman from Cook, Mr. ah.. Ewell."

R. W. Ewell: "Mr. Speaker, a point of parliamentary inquiry. I realize again that you're voting on this Bill and I don't know if you're going to change it to more or less. I would feel that this is a substinent change and the Members ought to be entitled to have a right to decide whether they want to make it more or less but I don't think we have a right to just put it up and let it go



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for choice or change. I think that's arbitrary. Are we voting for 'more' or 'less' or the Bill as is?"

Hon. W. Robert Blair: "You're voting on the Bill. The Conference Committee Report as is on your desk."

R. W. Ewell: "As is on the desk. Thank you."

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

H. W. Carroll: "Mr. Speaker, in explaining my vote, because this is a document that is on our desk and there is this confusion, I would like the Record to reflect that this was supposed to read, at least in my opinion, the vote should read 'less'. And with that understanding that there would probably be some change to it, it is confusing but I am voting 'Aye' because of the document as a whole."

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

H. J. Hyde: "If I may add to the confusion, ah.. Mr. Speaker, may we recall the word of the distinguished Gentleman Mr. Carroll, who is presenting in advance the Governor's tampering with this Bill by Amendatory Veto, I take it he is lowering his decibels on this point, right now."

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

R. J. Kosinski: "Mr. Speaker, would you please record me as voting 'Present'."

Hon. W. Robert Blair: "The Gentleman is 'Present'. Have all voted who wished? The Clerk will take the Record."



The Gentleman from Lake, Mr. Murphy."

W. J. Murphy: "I'd like to request a verification of the Roll Call, Mr. Speaker."

Hon. W. Robert Blair: "Ok. Did Mr. Carroll want to pursue that personal privilege?"

H. W. Carroll: "Since my name was mentioned in debate, I have not lowered the decibels at all, that's why I asked for a ruling from the Chair so it could be changed here."

Hon. W. Robert Blair: "On this question there are 128 'Ayes' and 26 'Nays' and a verification has been requested. The Clerk will proceed to verify the affirmative vote."

Fredric B. Selcke: "Alsip. Anderson. Barry. Bartulis. Berman. Blades. Borchers. Boyle. Brenne. Brinkmeier. Brummet. Burditt. Calvo. Campbell. Capparelli. Capuzi. Carrigan. Carroll. Jimmy Carter. Chapman. Choate. Clabaogh. Colitz. Conolly. Corbett. Cox. Craig. L. Cunningham. R. Cunningham. W. Cunningham. Davis. Day. Dyer. Epton. Fary. Fennessey. Fleck. Flinn. Friedland. Gardner. Garmisa. Gibbs. Glass. Graham. Granata. Hall. Hamilton. Harpstrite. Hart. Henss. Hill. Gene Hoffman. Ron Hoffman. Holloway. Houlihan. Hudson. Hunsicker. Jacobs. Jones. Juckett. Kahoun. Katz. Keller. Kennedy. Kipley. Kleine. Lauterbach. Lechowicz. Lehman. Leon. Lindberg. Londrigan. Ed Madigan. Markert. Matijevich. McAvoy. McClain. McCormick. McDevitt. McMaster. Merlo.



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Kenny Miller. Peter Miller. Moore. Neff. North. Nowlan.
 Palmer. Pappas. Philip. Pierce. Randolph. Rayson.
 Redmond. Regner. Ropa. Rose. Sciariano. Schlisler.
 Schlickman. Schoeberlein. Sevcik. Shapiro. Shea. Simmons.
 Timothy Simms. Soderstrom. Springer. Stedelin. Stone.
 Telcser. Terzich. Tip sword. Tuerk. VonBoeckman. Waddell.
 Wall. W. Wall. Walters. Washburn. Genoa Washington.
 Welsh. Williams. Frank Wolf. J.J. Wolf. B.B. Wolfe.
 Mr. Speaker."

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

J. T. Meyer: "How am I recorded as voting?"

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

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

J. T. Meyer: "Vote me 'Aye', please."

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

W. J. Murphy: "Ah.. Mr. Speaker, I have a few that I'd like
 to question. Rep. Gibbs, please."

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

Fredric B. Selcke: "The Gentleman is recorded as voting
 'Aye'.

Hon. W. Robert Blair: "Alright. He's not in his seat. Take
 him off the Record."

W. J. Murphy: "Representative Pappas."



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

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

Hon. W. Robert Blair: "I don't see him in his seat. Take him
off the Record."

W. J. Murphy: "Representative Klosak."

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

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

W. J. Murphy: "Representative Sevcik."

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

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

Hon. W. Robert Blair: "He's not in his seat. Take him off the
record."

W. J. Murphy: "Representative John Conolly."

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

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

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

W. J. Murphy: "Representative Kahoun."

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

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

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



W. J. Murphy: "Representative Epton."

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

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

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

W. J. Murphy: "Representative McCormick."

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

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

Hon. W. Robert Blair: "Ah.. take him off the Record."

W. J. Murphy: "Representative Rose."

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

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

Hon. W. Robert Blair: "He's not in his seat. Take him off the
record and put Sevcik back on."

W. J. Murphy: "Representative Pete Miller."

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

W. J. Murphy: "I couldn't see him and I looked. Repre-
sentative Hoffman. 'Gene Hoffman.'"

Hon. W. Robert Blair: "Ron Hoffman?"

W. J. Murphy: "Gene Hoffman."

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

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



'Aye'."

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

W. J. Murphy: "Representative Ron Hoffman."

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

W. J. Murphy: Representative R. Cunningham."

Hon. W. Robert Blair: "How is he recorded? Oh, he's over there."

W. J. Murphy: "He should be ashamed of himself. Representative Shapiro."

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

W. J. Murphy: "Representative Thompson."

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

Fredric B. Selcke: "Which Thompson? Jack Thompson is recorded as not voting."

W. J. Murphy: "Representative Duff."

Hon. W. Robert Blair: "How is he recorded?"

Fredric B. Selcke: "Not voting."

W. J. Murphy: "Representative Tom Houde."

Hon. W. Robert Blair: "How is he recorded?"

Fredric B. Selcke: "Not voting."

W. J. Murphy: "Representative Washburn."

Hon. W. Robert Blair: "How is he recorded?"

Fredric B. Selcke: "He is recorded as voting 'Aye'."

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

W. J. Murphy: "Representative George O'Brien."



Hon. W. Robert Blair: "How is he recorded?"

Fredric B. Selcke: "Ah.. not voting."

W. J. Murphy: "Representative Terzich."

Hon. W. Robert Blair: "Terzich, here."

W. J. Murphy: "Representative Jimmy Carrigan."

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

W. J. Murphy: "Representative Brummet."

Hon. W. Robert Blair: "How is he recorded?"

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

Hon. W. Robert Blair: "I don't see him in his seat. Take him
off the Record."

W. J. Murphy: "Representative Colitz."

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

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

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

W. J. Murphy: "Representative Brinkmeier."

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

W. J. Murphy: "Representative Don Moore."

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

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

Hon. W. Robert Blair: "He's not in his seat. Take him off the



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Record."

W. J. Murphy: "Representative Dan Pierce."

Hon. W. Robert Blair: "How is he recorded?"

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

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

W. J. Murphy: "Representative Garmisa."

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

W. J. Murphy: "Representative Jimmy Holloway."

Hon. W. Robert Blair: "How is he recorded?"

Fredric B. Selcke: "The Gentleman is recorded as voting
'Aye'."

Hon. W. Robert Blair: "He's not in his seat. Take him off the
Record."

W. J. Murphy: "Is Representative Harpstrite back there?"

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

Fredric B. Selcke: "There he is. Right here. The Gentleman
is recorded as voting 'Aye'."

Hon. W. Robert Blair: "He's here. Here's Holloway. Put him back
on."

W. J. Murphy: "Representative Keller."

Hon. W. Robert Blair: "How is he recorded? Oh, he's back there."

W. J. Murphy: "Representative Springer."

Hon. W. Robert Blair: "How is he recorded?"



Fredric B. Selcke: "The Gentleman is recorded as voting 'Aye'."

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

W. J. Murphy: "Representative Bradley."

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

Fredric B. Selcke: "Not voting."

W. J. Murphy: "Can I ask the score, Mr. Speaker?"

Hon. W. Robert Blair: "The Gentleman.. Yes. Just a minute. The Gentleman from Cook, Mr. Klozak, for what purpose do you rise?"

H. J. Klosak: "Mr. Speaker, I am not recorded. May I be recorded as voting 'Aye'?"

Hon. W. Robert Blair: "Record the Gentleman as 'Aye'. There are 116 'Ayes' and 26 'Nays' and three 'Present'. The Gentleman from Lake, Mr. Murphy."

W. J. Murphy: "Mr. Speaker, I just want to.. I didn't know if I heard right or not.. 116? Oh, I thought we started with 114. I took about 70 off of that. Peace."

Hon. W. Robert Blair: "Oh. It was 128 and then it came down to 116, so you took 12 off. Alright. On this question there are 116 'Ayes' and 26 'Nays'. The House adopts the Conference Committee Report with respect to 245, House Bill. The Gentleman from McHenry, Mr. Lindberg."

G. W. Lindberg: "Mr. Speaker, having voted on the prevailing



side, I now move that we reconsider the vote by which ah.. the Conference Committee Report was adopted."

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

W. Borchers: "I move that that motion lie on the Table."

Hon. W. Robert Blair: "All those in favor say 'Aye' and the opposed 'No'. The 'Ayes' have it and the motion is carried." Alright. There appears that on Conference Committees House Bill 289 on which the Chair recognizes the Gentleman from Stark, Mr. Nowlan."

J. D. Nowlan: "Mr. Speaker, and Members of the House, the Conference Committee in total agreed to the changes suggested this morning by Representative Shea, which provide that this Act shall take effect upon its becoming a law, that is an emergency clause provision and one other non-substantive change in wording. And that's that we adopt this Conference Committee Report."

Hon. W. Robert Blair: "Alright. Is there discussion? Alright. The question is 'shall the House adopt the Conference Committee Report with regards to House Bill 2899, with the provision that it shall become effective upon its becoming a law'. This will require 107 votes. All those in favor will vote 'Aye' and the opposed 'No'. Have all voted who wished? The Clerk will take the Record. On this question there are 145 'Ayes' and 1 'Nay' and the House



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adopts the Conference Committee Report with respect to House Bill 2899. Message from the Senate."

Fredric B. Selcke: "Message from the Senate. Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of Amendments of the House of Representatives to the Bill of the following title: Senate Bill 589, action taken by the Senate November 13, 1971'. Kenneth Wright, Secretary."

Hon. W. Robert Blair: "Alright. Alright. Here's another Amendment."

Fredric B. Selcke: "Ah.. message from the Senate. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to recede from their Amendments to a Bill of the following title: House Bill 1573, and further, am directed to inform the House of Representatives that the Senate requests a Committee of Conference to consist of 5 Members of each House to consider the difference of the two Houses in regard to the Amendments to the Bill and that the Committee on Committees that the Senate has appointed such a Committee on the part of the Senate of the following, Senator Dougherty, Rock, McCarthy, Clarke, and Ozinga, action taken by the Senate November 13, 1971'. Kenneth Wright, Secretary."



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

G. W. Shea: "Mr. Speaker, I request a Conference Committee of the House to meet with the Conference Committee of the Senate."

Hon. W. Robert Blair: "Alright. Ah.. The Conference Committee will.. with respect to House Bill 1573 will be Glass, William Walsh, Burditt, Shea, Maragos. Alright. Ah.. With leave of the House Senate Bill's Third Reading, Senate Bill 915."

Fredric B. Selcke: "Senate Bill 915. An Act to Amend Section 3!2, an Act concerning fees and salaries, and to classify the several counties of this state with reference thereto, the Third Reading of the Bill."

Hon. W. Robert Blair: "The Gentleman from Cook, Mr. Carroll."

H. W. Carroll: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, as I'm sure everyone is aware, Senate Bill 915 is the Bill in regards to the salaries of Judges of the ah.. Supreme, Appellate, and Circuit Associate Judges of the Circuit Court, as amended by this Chamber. I think everyone knows the contents, we debated the Amendment fully. Amendment Number 3 replaced the entire Bill. Then there was Amendment Number 4, I think it was 4, 5, and 6, also adopted by this House. I would at this time, Mr. Speaker, move that



Senate Bill 915 do pass this House. I ask for a vote from every Member."

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

E. J. Giorgi: "Thank you, Mr. Speaker. I know everything in the House is now a matter of Record, and I wanted to get up on the last one and talk about the going fee for defending a person charged with drunken driving charge, which I suspect is in the neighborhood of \$850 and I think next year when we will be back here it will be about \$1200, but I made a study of yesterday's Amendment Number 2, or Amendment Number 3, that excluded the Judiciary that really deserved the raise, and I read.. and I went down to study the number of lawyers that voted for the raise, the boys with alot of courage, 41 lawyers voted for the raise, 10 hid behind the non-vote, and only 4 dared vote 'No'. This is the stand-up lawyers in the House. 41 voted for the raise, 10 didn't vote at all, 4 voted 'No' and just a minute ago they made up for their loss of their ah.. the no-fault insurance by sticking the poor guy charged with the drunken driving rap."

Hon. W. Robert Blair: "The Gentleman from Jackson, Mr. Williams."

G. Williams: "Mr. Speaker and Ladies and Gentlemen of the



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House, I would like to call everybody's attention to what this Bill is, it's a salary increase for the Judges of the state of Illinois. Now first of all, I want to publically apologize. I understand I have offended the majority leader the other day. I certainly meant my remarks as no offense to him. I have nothing but the highest respect for our majority leader, and I didn't mean it as any offense to him. I am opposed to giving the Judges a pay raise in the state of Illinois when there's a shortage of funds in the public aid and people are going hungry. There's not a citizen in this country today that can get a pay increase. And I think it is ridiculous to think about giving Judges raising their salaries from \$40,000 to \$42,500. You and I both know that's way more than they're worth. They don't earn \$40,000 a year and I'm utterly opposed to it. I think it's ridiculous and I urge the Members of this General Assembly to vote 'No'."

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

T. J. Hanahan: "Mr. Speaker and Members of the House, the other day I spoke on this Bill, and the distinguished majority leader was down on the public aid negotiations on a public aid Bill, work employment Bill, mentioned



that I took a 180 degree turn. Henry, I'd like you to hear this because I'm going to say something to you. I wasn't present when he mentioned the fact that in the newspapers it was carried that I took a 180 degree turn as far as salary increases. I'd like to point out, first of all, that salary increases that I've ever stood for, were mainly for working people, not for Appellate Court, Supreme Court Judges, who I don't consider in the need or per view of being a working person because I think they've got it pretty soft. Second of all, most raises that I support are.. are handled.. are not for people in existing offices. I have House Bill 3651, which is for the next Governor, whoever he shall be, the next Lieutenant Governor, whoever he shall be, the next Secretary of State, next Comptroller, and next Treasurer for the state of Illinois for a pay raise. When we handle the pay raise for the Members of the General Assembly, it is not for existing Members of the General Assembly. I support concepts of whoever wins office, sh.. would get the pay raise, not someone who is sitting there presently where Members who are officers of the Court who really have a conflict of interest if some sort of ethics Bill ever pass, when they are admitted to the Bar and admitted as an officer

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of the Court, then sit in another segment of the Government by being a Member of the Judiciary and the Legislature and voting for existing Judges getting pay raises. But I might say this to you, our distinguished majority leader, that in taking a 180 degree turn, I really don't have any edge on anyone. President Nixon talked about not visiting Red China and not dealing with the Communists, and I understand today he is. He also has many statements to make about being for wage and price controls, but President Nixon made a 180 degree turn so I'm just taking a cue from your.. our Republican President. I recall Governor Ogilvie, saying that the State didn't need an income tax, yet the 180 degree turn took about. I also remember he said he was going to manage Illinois like it had never been managed before, and I'd say 180 degree turn to that statement is in effect. But for you, my distinguished majority leader, I recall the 180 degree turn that allowed the implied consent Bill after you publically stated you were in opposition, the 180 degree turn you took in allowing that Bill to get out of Committee. I say to you I'm taking a cue from some very great Republican leaders in being able to take a 180 degree turn and I hope that this Bill goes down to defeat."

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

J. S. Matijevich: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "All those in favor say 'Aye', opposed 'No'.

The 'Ayes' have it. The previous question has been moved.

Now. The Gentleman from Cook, Mr. Carroll to close."

H. W. Carroll: "Thank you, Mr. Speaker. Very briefly, the

letter was read to you before by the ah.. President of the Downstate and Cook County Associate Judge Association.

This Bill was originally a Bill merely affecting er..

only affecting the Associate Judges. It has been amended

by the distinguished Majority Leader. I concurred with

that Amendment on behalf of the and in because of the

letter I received. It is my understanding that they don't

have any objection to this even though they don't come

into this Body. However, they have some other understanding.

I would just urge your favorable support of the Members

of this House."

Hon. W. Robert Blair: "Alright. The question is ah.. 'shall

Senate Bill 915 pass'. All those in favor will vote

'Aye' and the opposed 'No'. The Gentleman from Lawrence,

ah.. Mr. Cunningham."

R. D. Cunningham: "Mr. Speaker and Members of the House,

it's.. it's to labor the obvious to say here that these

are perilous times in governmental finances. We witness



the sorry spectacle of mobs acting in the name of the poor, shouting obscenities at a courageous Governor of the State of Illinois trying to find enough money to satisfy the insatiable demands of every segment of society. And I would add about the question about the courageous Governor, we're witnessing everyday these same mobs hanging the Governor in effigy while they don't intend for the results to be that way it's my calculation that they add 10,000 votes every time they hang him in effigy and according to my calculations after about 50 hangings he'll be re-elected the Governor of the State of Illinois which I think will be a very fine thing. Now the germaneness of these remarks about my hopes and expectations in relation to the Governor is that now is not the time for the Judges to ask for additional money. Now is the time for them to say 'we'll make the sacrifice; we'll tighten our belts; we'll live with the salary we have until money is available.' And in so doing, they'll have done their duty and in voting 'No', you'll have done your duty. Let's beat this Bill."

Hon. W. Robert Blair: "The Gentleman from Cook, Mr. Ewell."

R. W. Ewell: "Mr. Speaker, very briefly, there's been no doubt in my mind the outset. There's one thing the Legislature comes down here to do and it does without



fail, and that's take care of the Judges. I think, on having looked at the scoreboard and I would like to say this, that we are going to look for verification, Mr. Speaker. That's all."

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

W. J. Murphy: "Mr. Speaker, I'd like to announce before I vote that I have a conflict of interest on this Bill. You've passed implied consent, and I might have to go in front of these Judges now."

Hon. W. Robert Blair: "The Gentleman from Jackson, Mr. Williams."

G. Williams: "Mr. Speaker, in explaining my 'No' vote, you know I couldn't help but be amazed whenever you pick up a newspaper. I'm wondering, Mr. Speaker, just how much control does the Judges have over the Press in this State? I've noticed the past few days I haven't seen anything in the Press or heard anything on the radio about the Judges coming in at a time and whenever the State is needing money for higher education and public aid, asking for a pay increase. We were asking for a raise for the Members of the General Assembly it would be the headlines for every paper in Illinois. But why can't the Press find it out about the Judges? What are they afraid of the Judges for? I urge every Member of this General Assembly to vote 'No'."



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

B. M. Glass: "Thank you Mr. Speaker, Ladies and Gentlemen. I urge your support in the Bill. I think we should not lose sight of the fact we did pass a Bill after long consideration and debate ah.. giving the Judges pay raises. I voted against ah.. the Governor's action on that Bill on which he eliminated the raises for Magistrates. Ah.. I think the reason why he did this has been adequately explained to us ah.. It now appears that there is a good opportunity for the Magistrates, who are now Associate Judges, to receive raises next year. They have urged the passage of this Bill. I think we should not lose sight of the fact that this is action that we once took and considered into some detail, and now because the hour is late but.. ah.. we should not hurry through this Bill and not give it our full consideration. I think that it's a good Bill, it's been well considered and we should pass it. I urge your support."

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

C. J. Fleck: "Well Mr. Speaker, Ladies and Gentlemen of the House, I ah.. approach this measure with little confusion in my soul. It appears that people in the General Assembly have for some reason a personal vendetta against the



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Judges. Everyone here realizes that everyone, I don't care if he's in labor unions; an executive of a large corporation, or a Member of the General Assembly, he's getting pay increases. Everything is going up in price. Now this General Assembly passed a pay raise Bill for the Judges. We heard the same distant voices screaming and yelling the Judge or the Judges shouldn't get pay increases, when on the other hand, it was perfectly all right for other members of society to receive the same raises. We passed it out once, because of a veto, we're having trouble passing out again, I don't know how we, as a Body, can take a 180 degree turn in a matter of two months in voting on a Bill."

Hon. W. Robert Blair: "The ah.. Gentleman from Livingston, Mr. Hunsicker."

C. T. Hunsicker: "Mr. Speaker, Ladies and Gentlemen of the House, I'm going to propose this question of how the Members of the House are going back and face their constituents in pay raises when they stated they were going to face a \$40,000,000 deficit come June 30th. I vote 'No'."

Hon. W. Robert Blair: "Have ah.. all.. voted ah.. who wished? In case I didn't ah.. announce ah.. when I took the vote on this it ah.. does contain the provision that it will



ah.. become effective upon its becoming a law and for that reason requires 107 votes. Have all voted who wished? The Clerk will take the Record. The ah.. Gentleman from Cook, Mr. Carroll."

H. W. Carroll: "Mr. Speaker, I would ask, I guess, by way of parliamentary inquiry, since this is a new Bill, can it be put on postponed consideration? Since the Amendments struck everything and then put it on the Spring Calendar."

Hon. W. Robert Blair: "Well, I believe that it ah.. its.. since it's not the Bill that was on postponed consideration previously because it was Amended on Second Reading that it would be a different Bill for that reason, and I believe that for that reason that it could for that reason be placed on postponed consideration if there's leave. Alright. We'll place it on postponed. With leave of the House, we'll go back to that adjournment Resolution, we're getting close now."

Fredric B. Selcke: "House Joint Resolution 110, Hyde.

'It is resolved by the House of Representatives of the 77th General Assembly of the State of Illinois, the Senate concurring herein, when the House adjourns on Saturday, November 13, 1971 it stand adjourn until Wednesday, January 12, 1972 at 12:00 noon, and when the Senate adjourn on November 13, 1971, it stand adjourn



until Wednesday, January 12, 1972 at 12:00 noon."

Hon. W. Robert Blair: "For what purpose does the ah.. Gentleman from Cook, Mr. Shea arise?"

G. W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to be recorded as voting present on this. I think that much remains to be done. I am delighted to see that we adopted Mr. Nowlan's Conference Committee Report to his Bill, and at least it gives us a way for the Legislative Leaders and Speaker of the House, and the President Pro Tempore to get us back in session, if for some reason we have to."

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

H. J. Hyde: "In view of the words of the distinguished minority leader, I withdraw the adjournment resolution and we'll stay here all the way through this month, and next month and as long as you can get the Senate to stay in, we'll stay in."

Hon. W. Robert Blair: "Alright. Having withdrawn in by consent, we'll stay here. I suggest you make reservations for tonight. Alright. Ah.. on leave of the House we'll go to Senate Bills First Reading. There appears Senate Bill 890."

Fredric B. Selcke: "Senate Bill 890, an Act creating a Joint Computer Operation Study Commission defining its powers



and duties to make an Appropriation therefore. First Reading of the Bill."

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

R. F. Tipsword: "Mr. Speaker, I'd like to present a motion on behalf of that Bill, if I might."

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

R. F. Tipsword: "Mr. Speaker, I would like to move that..."

Hon. W. Robert Blair: "I suggest you be in your seats, Gentlemen. When we're not planning on adjourning tonight to be here ah.. next January. We're going to stay here and do the business that the assistant minority leader has referred to, and I would request Gentlemen, to bring up the items of business we would like this ah.. call. Now, proceed ah.. Mr. Tipsword."

R. F. Tipsword: "Thank you, Mr. Speaker. Mr. Speaker, I would like to present a.. to move this House that Rule 38 might be suspended and that this Bill, which is Senate Bill 890, might be moved to Second Reading, in reference to a Committee. This is a Bill out of the Senate which would propose a Joint Computer Use Study Commission for the State of Illinois to determine the feasibility and the method used.. of jointly using the computers for the Department of Finance, the State Treasurer, and the State Auditor. I would tell you that it does include an



Appropriation, but that I will leave this Bill on Third Reading when we are here now, or when we do come back, Mr. Speaker, until everyone is satisfied that it should proceed on Third Reading. I move you, therefore, that we might suspend Rule 38 and that this Senate Bill 890, might be placed on Second Reading, without reference to Committees."

Hon. W. Robert Blair: "Is there objection? Alright. If not.. Alright. The Gentleman from Cook, Mr. Juckett."

R. S. Juckett: "Mr. Speaker, is it proper at this time to ask a question?"

Hon. W. Robert Blair: "The ah.. Gentleman from Christian."

R. S. Juckett: "Mr. Speaker, I see in the Digest, that this Bill was introduced on April 20th of this year, and it was discharged from the Committee without hearing, it was introduced some time ago, it was discharged from a Committee, and if it's such a simple operation, why couldn't it have had a Committee Hearing in the Senate; why did they hold it up for so long, and why are we in such a rush to get to it right now?"

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

R. F. Tipsword: "I presume that, Mr. Speaker,"

Hon. W. Robert Blair: "Proceed. Did you not hear the question?"



R. F. Tipsword: "Was there a question?"

Hon. W. Robert Blair: "Yes. The Gentleman from Cook, Mr. Juckett had a question."

R. F. Tipsword: "May I ask the Gentleman to please repeat it?"

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

R. S. Juckett: "Well, Mr. Speaker, according to the Digest, this Bill was introduced on April 20th. They did not move it for any kind of a hearing at that time, and then when we came back for the short session, the Executive Committee of the Senate was discharged. It had no hearing in the Senate as far as a Committee, and if this is the case, why the rush when they had so much time to consider it in the Regular Session?"

R. F. Tipsword: "Mr. Juckett, I'll be very honest with you. I do not know why it was not moved faster in the Senate. I only know that it came here yesterday from the Senate, and the Sponsors from the Senate asked me to see if the Bill might be placed on Second Reading, not for the purpose of moving it, but so it would be there when we came back for our consideration, without reference to Committee, and I'm just doing that. I wish I could tell you why they had not proceeded faster, and I regret that I cannot."



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

R. S. Juckett: "Well, Mr. Speaker, I also note in the Digest that we have a reporting date of January 12, 1972. So if we're moving it to Second, it's not going to do any good. The Reporting date is the date that we report back here, and there would be no way to implement this Bill at all."

R. F. Tipsword: "I believe the reporting date is January 15th and I would suspect that that is why they asked me to advance it to Second Reading. We'll be here on the 12th and I guess this is the 15th."

R. S. Juckett: "Well, if we don't pass it today, we're not going to have.. we're not going to be able to make any kind of a report whether it be on January 12th or January 15th."

R. F. Tipsword: "I would suspect then that they would ask for an extension of the date, then too. I'm not sure."

R. S. Juckett: "Mr. Speaker, I was urged that in this case, because of all these problems that we would not by-pass either whatever Committee it would go to here in the House."

Hon. W. Robert Blair: "Alright. The objections have been heard to the Gentleman's request for unanimous consent to advance the Bill.. Does the Gentleman from Cook, Mr. Tipsword



desire recognition for.."

R. F. Tipsword: "Mr. Speaker, I thought leave had already been granted, but I exceed to your understanding that there has now been objection and we revert back, I presume, so I would now move that we suspend Rule 38 and that ah., this Bill, Senate Bill 890 be advanced to Second Reading."

Hon. W. Robert Blair: "Alright. The Gentleman's moved to suspend the provision of Rule 38 so that this Bill may, having been read a first time, may be advanced to the order of Second Reading without reference to Committee. All those in favor will vote 'Aye' and the opposed 'No'. The Gentleman from ah.. Cook, Mr. Juckett."

R. S. Juckett: "Mr. Speaker, a parliamentary inquiry. Does this take 89 votes or a 2/3 vote?"

Hon. W. Robert Blair: "89 affirmative votes. Have all voted who wished? The Clerk will take the Record. On this question there are 81 'Ayes' and 46 'Nays'. The required 89 votes having not be obtained, the motion is ah.. lost. Alright. On the ah.. on the Calendar on the order of Senate Bill's Third appears Senate Bill 1272."

Fredric B. Selcke: "Senate Bill 1272. An act to divide the State's Legislative Districts into three groups and establish the terms of Senators elected from the Districts in each group, Third Reading of the Bill."



Hon. W. Robert Blair: "The Gentleman from Stark, Mr. Nowlan, who is handling this Bill for Mr. Rose."

J. D. Nowlan: "Mr. Speaker, and Members, may we have Senate Bill 1272 and 1273 heard together? They are companion pieces of Legislation."

Hon. W. Robert Blair: "Alright. Read 1273."

Fredric B. Selcke: "Senate Bill 1273. An Act to Amend the Election Bill. Third Reading of the Bill."

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

J. D. Nowlan: "Mr. Speaker and Members, Section II of Article 4, the Legislative Article of the new Constitution provides that the ah.. immediately following redistricting the General Assembly by law shall divide the Legislative Districts as equally as possible into three groups. And ah.. this is for the purpose of providing staggered terms for the Senators to be elected for the 59 Legislative Districts. The Senators from one group will be elected for terms of 4 years, 4 years, and 2 years. Those from another group for 4 years, 2 years, and 4 years. And those for the 3rd group for a term of 2 years followed by the terms of 4 years, 4 years. Senate Bill 1272 provides that ah.. provides for breaking the 59 Legislative Districts into 3 groups, one group of 20 districts,



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another group of 20 districts, and a third group of 19 districts. In one of these groups, the Legislative Districts include District #1, #4, #7, and each 3rd successive district through #58. In a Second Group, are districts 2, 5, 8, and so on. And in the 3rd Group, 3, 6, and 9. The mechanics for determining which of these groups will be considered the first group, that is the group that will have terms of 4 years, 4 years, and 2 years, will be that the Secretary of State in the presence of the majority and minority leaders of the Senate will ah.. draw one card at random from three cards bearing the numbers 1, 2, and 3. The number so drawn, whether it is 1, 2, or 3, will designate which of those groups I just outlined will be in the first group. This ah.. Legislation is similar to that which we sent over to the Senate. The Senate saw fit to table our measure and provide their own and ah.. so I offer these two pieces of legislation to you as a means of implementing the Constitution."

Hon. W. Robert Blair: "Is there further discussion? The question is 'shall these two bills pass'. All those in favor will vote 'Aye' and the opposed 'No' and there will be two Roll Calls taken. Have all voted who wished? The Clerk will take the Record. On each of these questions there



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are 155 'Ayes' and no 'Nays' and these Bills having both received the vote required under the Constitution with the provision that they shall become effective upon becoming a law, are declared passed. 1224."

Fredric B. Selcke: "Senate Bill 1224, an Act to Amend the Election Code. Third Reading of the Bill."

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

J. F. Leon: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1224 provides for the Joint Election of the Governor and Lieutenant Governor. The Joint.. the separate nomination of them in the Primary, and provides that independent candidates for that.. those two offices must file a joint petition. This Bill is similar to one that was passed earlier in this Session of the House. The Senate tabled it. They revised Senate Bill 1224 almost to the same situation. This Bill needs 107 votes, and it is an emergency. I would appreciate your vote."

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

J. D. Nowlan: "Mr. Speaker, I concur that this is needed Legislation to implement the Constitution. I'd just like to point out for the welfare of the House and this is not a partisan point because of the ah.. Senate on both sides taking this tax several times of tabling House legislation which speaks of these exact points and



and then substituting their own legislation which is verbatim the House drafted proposals and ah.. out of magnanimity we should of course, ah.. adopt these proposals. I just wanted the House to be clear on the fact that we were first with the proposals."

Hon. W. Robert Blair: "Alright. The question is 'shall Senate Bill 1224 pass with the provision that it shall become effective upon its becoming a law'. All those in favor will vote 'Aye' and the opposed 'No'. This takes 107 votes. Have all voted who wished? The Clerk will take the Record. On this question there are 148 'Ayes' and 1 'Nay' and this Bill having received the votes required in the Constitution is hereby declared passed. Mann, 'Aye'. McClain, 'Aye'. Alright. Ah.. Senate Bill Second Reading, Senate Bill 1269."

Fredric B. Selcke: "Senate Bill 1269, an Act in relation to transcripts and debates of the General Assembly, Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any from the Floor? Third Reading." Messages from the Senate."

Fredric B. Selcke: "Message from the Senate. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of Amendment in the House of Representatives,



a Bill of the following Title to wit Senate Bill 589, Action taken by the Senate November 13, 1971.' Kenneth Wright, Secretary."

Hon. W. Robert Blair: "Alright. The Gentleman from Franklin, Mr. ah.. Hart, moves that the House refuse to recede from the House Amendments to the Bill and requests a Conference Committee. All those in favor say 'Aye', the opposed 'No'. The 'Ayes' have it and ah.. Messages from the Senate."

Fredric B. Selcke: "Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Conference Committee Report on House Bill 245, action taken by the Senate November 13, 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 and passed the Bill of the following Title, House Bill 3623 together with the following Amendment ah.. passed the Senate and amended November 13, 1971, by a 3/5 vote.' Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives and passed a Bill of the following Title, House Bill 3624 together

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with the following Amendment, action taken by the Senate November 13, 1971.' Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill of the following Title, Senate Bill 3674 together with the following Amendment, action.. passed the Senate and amended November 13, 1971 by a 3/5 vote.' Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of Amendments to the House of Representatives in a Bill of the following Title, Senate Bill 1182, action taken by the Senate November 13, 1971. Mr. Speaker, I am directed to inform the House of Representatives the Senate has refused to concur with the House in the adoption of Amendments to the House of Representatives to a Bill of the following Title, Senate Bill 1182, action taken by the Senate November 13, 1971.' Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of Amendments of the House of Representatives in a Bill of the following Title, Senate Bill 1183, action taken by the Senate September 13, 1971. ' Kenneth Wright, Secretary. No further messages.*

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Hon. W. Robert Blair: "Alright. Ah.. In regard to the Conference Committee on 589 the Members in the House will be Blades, Harpstrite, Roscoe Cunningham, Hart, and Stedelin. Senate Bill 1182 on the Supplemental Calendar on Concurrences. Alright. The Gentleman from Cook, Mr. Telcser. Phil Collins. Phil Collins."

P. W. Collins: "Mr. Speaker, and Ladies and Gentlemen of the House, I now move that the House refuse to recede from the House Amendment Number 1 to Senate Bill 1182 and that a Conference Committee be appointed."

Hon. W. Robert Blair: "All those in favor of the Gentleman's motion.. The Gentleman from Cook, Mr. Shea."

G. W. Shea: "Mr. Speaker, on the Calendar that I was given, it says 'Senate Amendment Number 1'. Is it House Amendment Number 1 or Senate Amendment Number 1?"

A. A. Telcser: "It's a House Amendment, Representative Shea. The Senate refused to concur with the House Amendment."

Hon. W. Robert Blair: "That's a misprint."

A. A. Telcser: "We amended the Bill in the House, sent it to the Senate, but they refused to concur."

G. W. Shea: "But it is a House Amendment we're talking about."

A. A. Telcser: "Yes Sir. Yes Sir."

Hon. W. Robert Blair: "Is that true on 1183, too?"



Freiric B. Selcke: "Yes. Yes."

Hon. W. Robert Blair: "Those are misprisions. Alright. All those in favor of the Gentleman's motion to ah.. refuse to recede from House Amendment Number 1 to Senate Bill 1182, say 'Aye', opposed 'No'. The 'Ayes' have it and the House refuses to recede and we will have a Conference Committee appointed. The ah.. Committee will be Telcser, J. J. Wolf, Glass, Sciariano, and Merlo. Alright. Senate Bill 1183, the Gentleman from Cook, Mr. Telcser."

A. A. Telcser: "Mr. Speaker, and Ladies and Gentlemen of the House, Senate Bill 1183 is a companion Bill to 1182. And I would now move that the House refuse to recede from House Amendments Number 1 and 2, and that perhaps the same Conference Committee could be appointed to work out the differences."

Hon. W. Robert Blair: "Is there discussion? All those in favor of the Gentleman's motion to refuse to recede say 'Aye', opposed 'No'. The 'Ayes' have it and the Conference Committee ah.. will be the same as the other one: Telcser, J. J. Wolf, Glass, Sciariano, and Merlo. Alright. There's a change on the ah.. Conference Committees in respect to Senate Bills 1182 and 1183. McMaster replaces Glass. For what purpose does the Gentleman from St.. from ah..



Madison, Mr. Walters rise?"

R. J. Walters: "Thank you, Mr. Speaker. While there is a lull in the action, I'd like to take this opportunity to introduce the next Lieutenant Governor in the State of Illinois, over here on the right with his wife and family, Jim Nowlan would you stand up, please?"

Hon. W. Robert Blair: "I'll have to say you've made him a family man pretty quick. The ah.. Gentleman from Cook, Mr. Yourell, for what purpose do you rise?"

H. Yourell: "Well, Mr. Speaker, I don't think that's at all unusual. According to Mike Richel, that happens down here everyday."

Hon. W. Robert Blair: "The ah.. Gentleman from St. Clair, Mr. Flinn."

M. L. Flinn: "Mr. Speaker, I have no objections to Representative Nowlan, being the new Lieutenant Governor, but I was under the impression that we had changed the law. I didn't think he could serve under Paul Simon."

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

R. G. Day: "Is Jim Number 47 or 48? Is he Number 47 or 48? 47."

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

J. J. Wolf: "I had a question for Mr. Flinn. Paul, who?"

Hon. W. Robert Blair: "Alright. On the Second Page of the



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Calendar under Constitutional Amendments under Third Reading appears SJR 23."

Jack O'Brien: "Senate Joint Resolution 23."

Hon. W. Robert Blair: "The Gentleman from Cook, Mr. Klosak."

H. J. Klosak: "Mr. Speaker, Ladies and Gentlemen of the House, under our new Constitution every word that's being said here is of course, being recorded, and is required by this Constitution, a transcript of this Debate will be made available to the public. Now this is going to cost untold thousands of dollars and I just cannot understand what is going to be gained by the expenditure of this money. The purpose of this Resolution is to submit to these people whether they want to have all of our words preserved for posterity, if they feel this is a proper manner in which to spend their money. I see absolutely nothing to be gained by transcribing our talks here, our little fun, and making this available to the public, and I just don't believe that the public would want this, if they were given the opportunity to vote for it. It may be said that perhaps in some courtroom seating or in some legal research, the intent of the Legislature could be determined by studying these transcripts. And this, of course is not in accord with my experience as an attorney. The only one's opinion



who would probably be clarified are those who spoke on a certain subject. Many of us would vote for a Bill for exactly identical reasons. So I don't believe that the intent of the Legislature can be discovered by going over the transcripts and spending all this money. Under these conditions, I submit to you, I wish you would join me in offering this to the people of the State, and let them make the determination of whether or not this is a proper expenditure of State Funds."

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

H. A. Katz: "Ah.. just very Briefly, Mr. Speaker, we have ah.. gone through a Constitutional Convention, the we.. spent a great deal of the State's money. It would seem to me that perhaps this is premature. That perhaps we ought to try it one biennium and see how it works out before we submit to the voters this change in Legislative Articles. So I would only urge that we ought to try one session and see the results before we submit the change."

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

M. J. Madigan: "Mr. Speaker and Members of the House, I rise to oppose this Constitutional proposition. It was felt that the conclusion of the 6th Constitutional Convention, that this particular provision requiring the recording of every word spoken on the Floor of the



House of Representatives and also on the Floor of the Senate was one of the real important meaningful and useful forms placed in the new Constitution of the State of Illinois. This procedure is followed at the federal level. There is the Congressional Record available to those who wish to delve into the Records of Congress to determine just what the intent of Congress was, the time of the adoption of a particular law or resolution. For this reason alone, I think it is wise for us to continue and require that all the debate and discussion regarding Bills and Resolutions be required for use by those who wish to use them. Additionally, I feel that this requirement acts as a restraining force on certain Members of the Legislature who really do not appreciate the dignity of this House, the dignity of the Senate. For this reason alone, I think that we should continue to require that all of the proceedings be recorded."

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

W. Borchers: "Mr. Speaker, and fellow Members of the House I have always been deeply interested in history. I think you all know this. And I'm sure that the words of the Legislature which were spoken on October 10th, 1938, are of utmost importance to the people of this State."



Thousands, I am sure, will flock to the Records to see what happened on October 10, 1938, or September 14, ah.. 1972, when it comes around. I just don't believe that this kind of an expenditure is a sensible thing to do. We do things here, yes, but most of it is alot of material that has to do with straightening up laws of the land. Now, for us to spend money, day after day, Legislative Session after Legislative Session, year after year, by the thousands of dollars, to be stored in some store room somewhere where the people having to be hired to keep track of it, for maybe the one or two that will occasionally come in the future to dig it out, is indeed a little bit ridiculous."

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

H. Yourell: "Ah.. thank you Mr. Speaker. Would the Sponsor of this Resolution yield?"

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

H. Yourell: Henry, I'm not really acquainted with the provisions of the mechanics as to how this information or misinformation will be disseminated to individuals and organizations that may want to receive all or part of the discussions that are being taped on the Floor of this House. Can you tell me is there any charge to any of the individuals, or organizations, or news media that requires



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and requests this information?"

H. J. Klosak: "Ah.. Mr. Yourell, the mechanics of the requirements of the Constitution will be handled by our Speaker. At the present time, a recording, a transcription is being made of our debate. How it will eventually be disseminated to the public and when it will be transcribed and so forth is best left to the discretion of the Speaker."

H. Yourell: "Well, then Mr. Speaker, would it be proper to address that question to the Chair? Would you like me to.."

Hon. W. Robert Blair: "No. I understand the question. We just concurred with.. in.. in action today ah.. on a Bill handled by Representative Nowlan. Ah.. whereby after these tapes are handled and the transcripts are made to be sent to the Secretary of State for.. Alright. It's on Third Reading. It was advanced there today. If this Bill passes, they will be filed with the Secretary of State and he would be making them available under an appropriate charge, I would assume."

H. Yourell: "Well, what the ah.. the question is then, Mr. Speaker, would that information be like a tape or a typed transcript? I asked another question."

Hon. W. Robert Blair: "Yes. We're in the process right now. If you'd like me to explain the mechanics of it, we have



transcribing, we have people right here transcribing, typing up the tapes, the ah.. Journal, all the stuff that goes on and ah.. and then we.. when we get that done we have them all edited and they would be available to the public."

H. Yourell: "But the.. the ah.. import of my question was are tapes going to be available or rather transcripts of the tapes?"

Hon. W. Robert Blair: "Just transcripts are all we planned to be made available right now."

H. Yourell: "Thank you."

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

R. E. Mann: "Mr. Speaker, and Members of the House, I have always felt that the business which we conduct here on the Floor of this House was of utmost importance to the people of this State. During my first term as a Member of this House, in 1963, I introduced a Bill which would have enabled the House to record its debate. At that time, the ah.. mechanical apparatus was not readily available and the cost was not determinable. But I certainly agree with Representative Madigan when he talks about the mandate of the Constitutional Convention. And he talks about the importance of updating the work of this House and the Senate. And I would certainly



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hope that every Member of this House would be willing to stand by what he says on the Floor of the House, and I could think of many important reasons why we would want to know what was said in debate, not only for purposes of interpreting court decisions but for purposes of reconstructing debate when we have postponed consideration on legislation or when legislation has been carried over from session to session. And I think that we have to determine for once and for all the kind of Assembly we want, the quality of the Assembly we desire, and whether or not we really take ourselves seriously enough to treat ourselves as a first class deliberative Body. And for that reason I would ask all of the Members to oppose my friend Henry's Resolution, and I ask you for those reasons to vote 'No'."

Hon. W. Robert Blair: "Alright. Is there any further discussion? The ah.. Gentleman from ah.. Cook, Mr. Klosak care to close?"

H. J. Klosak: "I rise rather infrequently to address this audience because I believe the people in my district believe in quality rather than quantity but if you keep this record and you're going back to your districts to show them how active you are and how many Bills you got up on and spoke and what a great concern you have



on 1200 pieces of Legislation all by yourself, then I'm going to have to do the same thing because I'm going to want my people to see that I have as much to say as any one of the 177 Members in this House. When you tell me that you're going to make this the Congressional Record, you're even getting worse. I'm not going to have to make any speeches. I'm just going to have them inserted into the Record and there is Klosak made a 4,000 word speech a half hour speech and he wasn't on the Floor. He inserted into the Record. I think the Congressional Record is a disgrace and I want no part of that. Now our people aren't interested. I never have to explain my vote. I never explain my vote because the reason I vote the way I vote is always the same reason because I feel it's the right vote. And yet our Record is booming there and thousands of dollars of the tax payer's money are being spent on why.. and why? So that you can explain your vote. Don't you people know why you voted the way you did? Now.. Now.. Now.. Now I resubmit to you I am not speaking strictly against the transcriptions. I am saying let the people decide, that is all I'm saying. When the Speaker tells us we have no money for highways, we have no money for the poor, we have no money for anything. Where's the money coming to record



this nonsense? Now, all I'm saying is let the people decide. We're never afraid of the people, are we? I resubmit that this proposition should be on the ballot, and let's tell the people what it costs. Do they want our words preserved? Thank you very much."

Hon. W. Robert Blair: "Alright. Does the Gentleman have ah.. leave to suspend the provisions of Rule 32-D with regard to final date of passage with regard to Senate Joint Resolutions with May 26th? Is there objection? Ok. Hearing none, we'll suspend that for purposes of voting on this matter. The Gentleman from Cook, Mr. Simmons."

A. F. Simmons: "I'd like to inquire how many votes it takes to pass this."

Hon. W. Robert Blair: "10.. Well I was going to announce that when I got there. 107. Under the Constitution it requires a 3/5 vote for Constitutional Amendment Proposals. Alright. The question is 'shall SJR 23 pass'ah.. it requires 107 votes. All those in favor will vote 'Aye' and the opposed 'No'. Have all voted who wished? The Clerk will take the Record. Carter, 'No'. James Y. The Gentleman from Cook, Mr. Klosak."

H. J. Klosak: "Mr. Speaker, I ask leave of the Members of the House to put this on Postponed Consideration."

Hon. W. Robert Blair: "Ok. There's no objection to that, I



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would assume. We'll place it on postponed consideration."

The Gentleman from Winnebago, Mr. North."

F. D. North: "Well, Mr. Speaker, I'd like to take just a few minutes of time to introduce the lovely wife of Zeke Giorgi. She's sitting in the seat over there."

Hon. W. Robert Blair: "Messages from the Senate."

Fredric B. Selcke: "Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Conference Committee Report, House Bill Number 2899'. Ah.. 'Adopted by the Senate November 13, 1971. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Conference Committee Report House Bill 3560, adopted By the Senate November 13, 1971'. Kenneth Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of House Amendment Number 1 with a Bill of the following title, Senate Bill Number 1280, concurred in by the Senate November 13, 1971 by a 3/5 vote '. 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 206 with a following Amendment thereto, in the adoption of which I am instructed to ask concurrence of the House passed the Senate as Amended, November 13, 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 and passed the Bill of the following Title, House Bill 3577 together with the following Amendment thereto in the adoption of which I am instructed to ask concurrence of the House passed the Senate and amended November 13, 1971'. Kenneth Wright, Secretary."

Hon. W. Robert Blair: "Alright. We.. we now have a Conference Committee Report on Senate Bill 589. The Gentleman from Franklin, Mr. Hart."

R. O. Hart: "Mr. Speaker, ah.. the Conference Committee Report was ah.. with the purpose of omitting a semi-colon which was inadvertently inserted in ah.. the ah.. Act. That's all it did. I move for the adoption of the Conference Committee Report."

Hon. W. Robert Blair: "Is there any further discussion? The question is 'shall the House adopt a Conference Committee Report with regard to Senate Resolution 589'. Senate Bill. Alright. With the provision that it shall become effective upon its becoming a law. This requires 107



votes. All those in favor will vote 'Aye' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. Regner, 'Aye'. On this question there are 133 'Ayes' and no 'Nays' and this Bill having received the Constitutional 107 votes is hereby.. ah.. the Conference Committee Report is hereby declared adopted.

Alright. On the Supplemental Calendar Number 2, appears House Bill 3623, 24 and 3674 ah.. on which the Chair recognizes the Gentleman from Franklin, Mr. Hart."

R. O. Hart: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. These are the three Bills which we passed out recently involving ah.. implementing the Constitution by putting the Judicial Elections in the primary and also provide for the ah.. retention and the candidacy for the Circuit Judges. Each one of them has a Senate Amendment ah.. on 3623 which is the Bill which provides that the Circuit Judges run from the same district they were elected. The Reference Bureau inadvertently left out a section which was reinserted by the Amendment and it also covered vacancies which occurred prior to July 1st. So it's sort of a catch-all Amendment. On 3624, which is a Bill to put the Judicial Elections under a primary, the Amendment ah.. took the Judicial Offices and placed them lower on the Ballot, and



provided ah.. 500 signatures on a petition rather than 200. On 3674, the Amendment merely puts the Judicial officers on a lower part on the ballot. I think that the Amendments are not of any particular substance and ah.. I would like to move at this time, Mr. Speaker, that we adopt Senate Amendment Number 1 to all three of the Bills on one Roll Call."

Hon. W. Robert Blair: "Alright. Is there leave? Alright. We'll take three separate Roll Calls though. The question is 'shall the House concur in the Senate Amendments Number 1 to House Bill 3623, 3624, 3674 with the provision that they shall become effective upon becoming a law'. It will require 107 votes in each instance and the Clerk will take the Record. Three Roll Calls. Have all voted who wished? The Clerk will take the Record. On each of these questions there are 145 'Ayes' and no 'Nays'. These Bills having received the Constitutional 3/5 vote.. the Amendments are hereby declared adopted. On Supplemental Calendar Three appears House Bill 3577, on which the Chair recognizes the Gentleman from Cook, Mr. Schlickman."

E. F. Schlickman: "Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 3577 Amends the County Work Release Program. The Senate Amendment 1 to this House



Bill is in two sections. The first section is as suggested by the minority leader of the House, Representative Shea. Basically what it provides is that when the work release privileges of an inmate are temporarily suspended by the Supervising Authority, the Supervising Authority shall notify the Judge to place the individual on work release.. Section Two of Senate Amendment Number 1 to House Bill 3577 adds an early effective date, requiring therefore, 107 votes. I solicit the House's Concurrence with Senate Amendment Number 1 to House Bill 3577."

Hon. W. Robert Blair: "Is there discussion? The question is 'shall the House concur in Senate Amendment Number 1 to House Bill 3577'. All those in favor will vote 'Aye' and the opposed 'No' and this requires 107 votes to become effective immediately. Have all voted who wished? The Clerk will take the Record. On this question there are 121 'Ayes' and no 'Nays' and the House concurs in the adoption of Senate Amendment Number 1. For what purpose does the Gentleman from Cook, Mr. Jaffe rise?"

A. Jaffe: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to move that this House would stand in adjournment.."

Hon. W. Robert Blair: "You're not recognized for that purpose, Sir. We'll be at ease here, for a few moments. We have



ah.. two to three Conference Committee Reports that are being typed. Alright. We'll go to agreed Resolutions with leave of the House."

Fredric B. Selcke: "Ah.. House Resolution 499, R. L. Thompson, et. al. Ah.. House Resolution 501, Mc Lendon. House Resolution 502, Keller. House Resolution 503, Keller. House Resolution 505, Lechowicz et. al. House Resolution 506, Juckett et. al."

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

H. J. Hyde: "Ah.. do we include Senate Joint Resolution 57 in the agreed Resolutions?"

Fredric B. Selcke: "Senate Joint Resolution ah.. 57."

H. J. Hyde: "The agreed Resolution Gentleman, House Resolution 498, ah.. commends and congratulates Ed and Dorothy Bluthardt on their 30th Wedding Anniversary and we send them our warmest wishes. House Resolution 499 expresses approval of the proclamation of the Mayor of Chicago Richard Daley in naming November 13, St. Francis Xavier Cabrini Day in Chicago. House Resolution 501 ah.. extends best wishes to Walter Deutshe ah.. House Resolution 502 salutes Jack Klosterman of Effingham for his work with young people. House Resolution 503 congratulates the Effingham football team.. highschool



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football team. House Resolution 505 ah.. very important Resolution congratulates the 30th Ward Democratic Volley Ball team. They won the City Championship Volleyball Tournament ah... House Resolution 506 ah.. deplores all attempts by persons employed by the United States Government to dictate policy or legislation to the General Assembly in the State of Illinois and promulgate rules and regulations concerning matters not within the jurisdiction of the United States. I just believe parenthetically that has reference to implied consent, highway beautification and other ah.. projects that the Federal Government requires us to pass legislation to receive our money back. Ah.. by-partisan sponsorship. Senate Joint Resolution 57 extends accommodations to Mr. Dick Viar for the excellent services he's rendered to the Legislative Audit Commission through the past 14 years. Mr. Speaker I move adoption of those agreed Resolutions."

Hon. W. Robert Blair: "All those in favor of the Agreed Resolutions say 'Aye ', the opposed 'No'. The 'Ayes' have it and the agreed Resolutions are adopted.. Further Resolutions?"

Fredric B. Selcke: "Ah.. House Resolution 500, Otis Collins, et. al. Ah.. House Resolution 504, Fleck et. al. "

Hon. W. Robert Blair: "Alright. I understand the Gentleman from Cook, Mr. Otis Collins desires recognition with regard



to Resolution 5.."

O. G. Collins: "Mr. Speaker, Ladies and Gentlemen of the House, I.. May I respectfully request the Clerk to read the Resolution?"

Fredric B. Selcke: "House Resolution 500.'Whereas House Resolution 11568 in the United States Congress co-sponsored by Representative George W. Collins from Chicago, and Representative Wilbur Mills, Chairman of the House, Wage and Means Committee, his emergency welfare.. Federal Welfare Legislation that would help Illinois meet its current financial crisis and meet its welfare payments and whereas House Resolution 1156 would provide a billion dollars of Federal money to the States for a year to help them meet welfare costs in the current year above last year and another billion dollars for the same purpose next year, and whereas Senator Russell Long, Chairman of the U. S. Senate Finance Committee says he wants assurance that Illinois would apply, the extra money provided by the Bills for welfare only, and not use it for any other purposes therefore, be it resolved by the House of Representatives 77th Assembly in the State of Illinois, that we urge Congress to pass House Resolution 11568 to help alleviate the welfare crisis in Illinois which could have serious social consequences if Federal help



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is not forthcoming, and we request Governor Richard B. Ogilvie to assure Senator Russell Long, Chairman of the U.S. Senate Finance Committee, that whatever Financial Aid Illinois may receive from House Resolution 11568 for his administration will be used exclusively for welfare purposes, and be it further resolved that a suitable copy of the Preamble and Resolution be provided to Governor Richard B. Ogilvie and that the Secretary of State send such a copy thereof to each Member of the Congressional Delegation from Illinois."

Hon. W. Robert Blair: "The Gentleman from Cook, Mr. Otis Collins."

O. G. Collins: "Well, Mr. Speaker, I would ask for unanimous consent to suspend the Rules.. Rule.. ah..53-A for immediate consideration of adoption."

Hon. W. Robert Blair: "There is objection."

O. G. Collins: "Then I would move to suspend the Rule 53-A for the immediate adoption.. immediate consideration and adoption of House Resolution 500."

Hon. W. Robert Blair: "Alright. The Gentleman has moved to suspend the provisions of Rule 53-A so that this Resolution might be considered. All those in favor will vote 'Aye' and the opposed will vote 'No'. The Chair recognizes the Gentleman from Cook, Mr. Hyde to explain



his vote."

H. J. Hyde: "Well Mr. Speaker, I object to ah.. the immediate consideration and adoption of this Resolution, because once again it involves it in something we know very little about, namely House of Representatives Bill 11568. We're told by this Resolution that it is co-sponsored by Congressman George Collins and Representative Wilbur Mills, ah.. but that doesn't really tell us a great deal ah.. The ah.. Bill ah.. apparently ah.. is to supply extra money but the Resolution mandates that it apply only to welfare and not to be used for any other purpose and the ah.. Resolution also has this Legislature, requesting the Governor to assure Senator Russell Long whatever financial aid Illinois may receive from H.R. 11568 will be used exclusively for welfare. Well, in the first place I think this is the sort of thing we ought to know more about. It ought to go to Committee so we can understand just what the Bill does, how much Illinois it will get, if any. Ah.. we do have financial problems other than welfare, such as education and higher education. Ah.. we know that Senator Percy has initiative along these same lines. I don't know whether this ah.. House of Representatives Bill will contradict or obstruct Senator Percy's initiative in the Senate. It seems to me this



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is an invasion by this House of the Governor's prerogatives. We are mandating the Governor to tell ah.. the Congress of the United States that the money will be used exclusively for welfare purposes. Now this may be a good idea. At first blush, I don't know enough about it and I think we would be wise to send this to Committee to study it and to learn the implications of it. But to mandate that all the money we get from this Bill go to welfare is just ah.. moving in the dark on something like this and so I hope that the motion does not prevail."

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

H. Washington: "Mr. Speaker, Members of the House, the logic of the majority leader intrigues and amazes me. He says and has said in this House many times that we have a welfare crisis, not only in Chicago, Cook County, in the State of Illinois, but throughout the entire State. I don't know what a Committee could possibly do with this Resolution that we can't do right here today because we have all of the facts. The fact that this money, this billion dollars would be ear-marked for welfare funds in the 50 States of the Union, seems to me to address itself specifically to Illinois' problem and even more generally to the problems in the other States so we can



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be cognizant and aware and believe what we heard from the various Governors of the other States. The fact that we have an educational crisis is of course important. But the pressing problem right now before this House is one reason I assume we've been here is to address ourselves to the welfare problem. How can there possibly be a conflict between this Bill by Congressman Collins, and the proposed Bill which has not yet been filed by the Senior Citizen of this State and in that Bill all they're going to ask for is 65 million and in this Bill the Congressman has filed a Bill asking for a billion, not only for Illinois but for the other States? So the logic of the Majority Leader completely escapes me. There is no need for further study. There is an urgent pressing demonstrable urgency concerning this State. It seems to me we should follow the same logic we followed today when we voted out the implied consent Bill. The main thrust in support of this Bill was that we should get the 40 odd millions of dollars from the Federal Government. Now we can get much more than that under this proposed Bill and the Majority Leader quibbled by saying send it to a Committee. To do what? To study what? To bring in what kind of evidence? I say simply this to you. You have not addressed yourselves to the welfare crisis



of Illinois in this Session, and if you pass out of here without even condoning the sincere attempt of a Congressman from the city of Chicago who understands this problem, you don't even give him the support of endorsing his move, I would say to you there is no sincerity in you in terms of trying to alleviate the welfare crisis."

Hon. W. Robert Blair: "Have all voted who wished? The Gentleman from Cook, Mr. Otis Collins."

O. G. Collins: "Mr. Speaker and Ladies and Gentlemen of the House, perhaps I should have prefaced my remarks but ah.. the fact that the similarity of names comes from George Collins, and State Representative Otis G. Collins is coincidental. We're not related. I wish to say, Mr. Speaker and Ladies and Gentlemen of the House, that the passage of the Legislation will mean immediate funding for the welfare crisis throughout our Nation. It so happens that now this, the Bill that we're asking the House to memorialize, ah.. Congress to pass, has to do with addressing itself to the welfare problem. One billion dollars, ah.. as of the fiscal year, June 1972, will be available to the States. Now we have been concerned and there has been a little bit of dialogue on this particular issue the last few days, in fact the last few weeks. Now this would not interfere with any Legislation that the



State might have. By this action, as I've stated, as of June 1972, the fiscal year, Illinois would receive 60 million dollars. At the end of fiscal year, 1973, the State would receive 73 million dollars. Now it so happens that, my friends, that the ah.. that is 133 million dollars for the next two fiscal years. Now I might mention that I'm informed that President Nixon requested the National Welfare Reform Act be delayed. Now it so happens that with the delay of the present act, for means that it would be for 1973, for the State to receive funds. Now we're not asking you to take money out of the State Funds for this particular issue, we're only asking you to memorialize Congress to pass this Legislation as a stopgap measure until as a National Welfare writes that our Revenue Sharing, or what have you, is passed by Congress. Now we're.. we're without any Funds. It so happens that this has been documented by the Department of Health, Education, and Welfare. This is a good Bill; it will adjust itself to the question. We're concerned about human values here. We're concerned about the poor. We're concerned about the black. We're concerned about the white. We're concerned about all Americans. We're concerned about the poor. This is our chance to address ourselves to a solution to solve

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the present day crisis in welfare. Thank you very kindly."

Hon. W. Robert Blair: "Is there any more further explanation of votes? Have all voted who wished? The Clerk will take the Record. There are 82 'Ayes' and .. Alright. The Gentleman has requested to poll the absentees. Proceed to poll the absentees."

Fredric B. Selcke: "Bradley, Capuzi, Chapman, Conolly, Roscoe Cunningham, William Cunningham, Downes, Epton, Fleck, Gardner, Gibbs, Graham, Granata, Hall, Henss, Gene Hoffman, Ron Hoffman, Houde, Keller, Kleine, Klosak, Lindberg, McCormick, McDevitt, George O'Brien, Scariano, Shaw, Stedelin, Stone, Telcser, Jack Thompson, Wall, Genoa Washington. The Gentleman is recorded as not voting."

Hon. W. Robert Blair: "Scariano, 'Aye'. 83 'Ayes', 61 'Nays', and the Gentleman's motion to suspend, fails. Further Resolutions?"

Fredric B. Selcke: "House Joint Resolution 110, Katz."

Hon. W. Robert Blair: "Does the Gentleman from Cook, Mr. Katz, desire recognition?"

H. A. Katz: "Yes, Mr. Speaker. I would like to move the adoption of House Joint Resolution 110, which the Clerk can read."

Hon. W. Robert Blair: "Well, are you going to move to suspend



the Rules?"

H. A. Katz: "Ah.. Yes, I will move the suspension of the Rules and the immediate consideration and adoption of House Joint Resolution 110."

Hon. W. Robert Blair: "Alright. The Clerk will read the ah.. Resolution."

Fredric B. Selcke: "Ah.. House Joint Resolution 110, resolved by the House of Representatives of the 77th General Assembly of the State of Illinois, the Senate concurring herein, and when the House adjourns on Saturday, November 13, 1971, it stand adjourned until Wednesday, January 12, 1972 at 12:00 noon, and when the Senate adjourns on Saturday, November 13, 1971, it stand adjourned until Wednesday, January 12, 1972, at 12:00 noon."

Hon. W. Robert Blair: "Alright. The Gentleman has requested unanimous consent to suspend the provisions of Rule 53-A. Alright. Objections have been heard. Alright. Alright. It's a point of order? I.. Mr. Ewell.. Yeah, from back there where he is."

R. W. Ewell: "Mr. Speaker, can the absentees vote?"

Hon. W. Robert Blair: "Not without help. Alright. The question is 'shall Rule 53-A be suspended for the ah..' Alright. The motion to adjourn is not subject to the



Rule 53-A so we don't have to go to the.. through that procedure. Now the question is 'shall the House adopt House Joint Resolution 110'. All those in favor will vote 'Aye' and the opposed 'No'. Have all voted who wished? The Clerk will take the Record. On this question there are 24 Democratic votes 'Aye', and 8 blended votes 'No'. And so the ah.. Resolution is adopted and will be sent on its way to the Senate. On the Supplemental Calendar on Concurrences on page three appears House Bill 206 on which the Chair recognizes the Gentleman from Lake, Mr. Matijevich."

J. S. Matijevich: "Mr. Speaker, House Bill 206 is a companion Bill to 205 already signed by the Governor in order to allow the sale of alcohol and liquor on election days and we need to Amend two sections of the law, the Election Section and the Dram Shop Section. The Bill signed by the Governor amends the Dram Shop Section and we need this Bill and Amendment to affect the intent of the law. Otherwise House Bill 205 already signed is meaningless. I move to concur with Senate Amendment Number 2 to House Bill 206."

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

A. L. Berman: "Would the Sponsor yield? John, if we concur, and the Bill passes, ah.. Evanston that is dry, can it



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still remain dry on election day?"

J. S. Matijevich: "Ah, what we've done ah.. we've already amended ah.. the election code, and what we've done by the Senate Amendment is that the Dram Shop Act remain silent as to the sale of alcoholic liquor on election days. This is the Amendment that ah.. the people who feel that we can save \$250,000 a day, if the bars are kept open, is needed for the.. for us to have the intent of the law by the passage of this law."

A. L. Berman: "Well, John I'm not sure I got an answer. Ah.. does this require any local body to be wet on election day?"

J. S. Matijevich: "No, no it doesn't."

A. L. Berman: "Thank you."

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

W. D. Walsh: "Mr. Speaker, Members of the House, this is another one of those rare opportunities we have to defeat a bad Bill. The Constitutional Convention went to great lengths to indicate that we should have Home Rule in this State. This completely obviates Home Rule in an area where it certainly should.. it should remain. This takes away from cities and villages the simple opportunity that they would have to close place dispensing



liquor on election day. There is certainly nothing wrong with that and there should be areas where this would be a very important thing to do for purposes of public health and public safety. I suggest to you that this is a bad Bill. It was a bad Bill when it started and it should be defeated."

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

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

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

A. T. McMaster: "Ah, Mr. Matijevich, under this Bill if my county or my city decided to stay dry on election day, would they be able to? They do have liquor establishments there now. It is a wet county and a wet town. I can't hear you."

J. S. Matijevich: "They would stay dry."

A. T. McMaster: "They do have the right to vote to stay dry for themselves so we still have local options, home rule so to speak to close if we wish on election day."

J. S. Matijevich: "No, no that wasn't your question. Your question was if you have a dry county.."

A. T. McMaster: "No, no you misunderstood me, Mr. Matijevich. You weren't listening. I said that we do have liquor establishments, that we are dry on election days at the present time, and we vote to stay dry on election day



under your Bill."

J. S. Matijevich: "Under this Bill we remove the language as to the.. the original language in my Bill was no city council, president, board of trustees or county board may by ordinance or any other Resolution prohibit the sale of retail of any alcoholic liquor on the day of any state, county, or municipal election including primary elections during the hours that polls are open. We removed that and remained silent."

A. T. McMaster: "In other words, when you removed that then we lose the right to prohibit the sale. Right? This is what I was trying to get out of you. In other words this means that we no longer have local option."

Hon. W. Robert Blair: "Is there any further discussion? Does the Gentleman care to close? The Gentleman from Cook, Mr, McGah."

J. P. McGah: "Ah.. Mr. Speaker, will the Sponsor yield to a question? Ah.. Mr. Matijevich, is there any exception here for Home Rule communities?"

J. S. Matijevich: "Ah.. No, the Amendment Number 1 was the ah.. Home Rule Amendment, ah.. in the Senate, Amendment Number 1 was tabled in the Senate. Ah.. so we removed Amendment Number 1. By Amendment Number 2, which by the way passed unanimously in the Senate, the Bill passed



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36 to 2 and there was a proxy in the Senate. The Bill, contrary to what Bill Walsh has said, passed with only one dissenting vote in the House, and ah.. the Amendment as I say, the second Amendment was adopted unanimously."

J. P. McGah: "Ah.. I may have missed it, Mr. Matijevich. Let me ask you a simple question. After this Bill is effective and it's election day in the city of Chicago, ah.. would it be possible for the City Council of the city of Chicago to close its saloons and rest.. and prohibit the sale of alcoholic beverages in restaurants, etc.?"

J. S. Matijevich: "Ah, Joe, I'll tell you. That may take an Attorney General's opinion. My opinion is they'd probably stay open."

Voice: "Mr. Speaker, may I briefly speak to the Bill."

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

Voice: "Mr. Speaker, Ladies and Gentlemen of the House, I think my colleague, Representative W. D. Walsh, from the fifth district, ah.. hit this thing right on the head. I think it's a bad Bill and it should be defeated."

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

A. L. Berman: "Mr. Speaker, to address myself to the Bill,



I think there's some confusion here. I've got the Bill in front of me and I'd like to call the attention to, especially Representative McMaster and Representative McGah. This Amendment.. this Bill before the Amendment that we are asked to vote on now. This Bill said that no City Council could prohibit the sale of alcoholic liquor on the day of election. Now the Amendment strikes that prohibition out. The way I read the Bill with the Amendment that we are asked to concur in, would leave it up to local option as to whether there would be or would not be the sale of alcoholic liquor on election day. Now, I've got a copy of the Amendment and and a copy of the Bill if you'd like to examine them. The way I read it, it would be up to the local option to prohibition that was in the Bill when it was in front of this House is being taken out by the Amendment."

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

H. J. Hyde: "Well, I would like to inquire of Mr. Berman, if that isn't the state of the law now, so what do we need the Bill for?"

A. L. Berman: "Well, Henry, in order for me to answer to that I'd have to go back to the intent and perhaps ah.. the Chief Sponsor could answer that."

Hon. W. Robert Blair: "He indicates he'll take a shot."



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The Gentleman from Lake, Mr. Matijevich."

J. S. Matijevich: "The reason that we need it, Henry, I didn't hear that. Did I take a shot at Henry; is that it? We need this, Henry, because the Bill signed by the Governor.. what it says is the sale of alcoholic liquor on election days shall be according to the Dram Shop Act so we needed to Amend this Act, too. The Bill he signed last week, which by the way, with all this fuss here, because of the Senate Sponsor of the Bill, wrongly interpreted on the Floor of the House or Floor of the Senate, everybody in the State of Illinois thinks it's law now. So forget about all the fuss; I'm sure nobody in your home areas got all excited about it. They think it's the law now. We needed to Amend this Section also. Otherwise, it's not the law."

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

A. T. McMaster: "Ah.. Mr. Speaker, may I ask the Sponsor of the Bill another question?"

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

A. T. McMaster: "Since the ah.. there does seem to be alot of confusion about this Bill. I wonder if we might hold this Bill, if the Sponsor would not agree, to hold it over until Spring Session so we might have a little more clarification on it."



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J. S. Matijevich: "Well, I don't think that's necessary.

I think ah.. it's demonstrated we have the votes here once before. It's demonstrated by what happened to the Senate. In fact newspapers editorialize the good that the Senate Bill did. Ah..not that everybody is listening to newspaper editorials nowadays, but really what I'm getting at is it's already been printed that we've taken this action and I think all we would do would lead to confusion because the Governor has already signed the Bill and most people think that it's a law now, so let's pass what the people think is the law anyhow."

A. T. McMaster: "Well, there evidently seems to be a misunderstanding, Mr. Matijevich as what the people think and what actually is the law. Otherwise there would not be any necessity of this Second Bill and the Amendments that you were speaking of. And I don't seem to have read the newspaper articles in regards to this. I'm sorry."

J. S. Matijevich: "Someone said I explained the Bill in the tradition of Babe McNavoy, and that ought to be good enough for you."

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

W. J. Murphy: "Mr. Speaker and Ladies and Gentlemen of the House, there is no confusion on this Bill at all. I don't think you're listening to what John says. The Bill has



already been passed that taverns may be open on election day has corrected the election laws but they didn't add the Dram Shop Act. This is no new Bill. This is just correcting it so it can go into force. Now we've been hard enough on the drunks today by passing implied consent. At least give them this, will you?"

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

B. M. Glass: "Thank you, Mr. Speaker. Without delaying the point as what has not been clarified to our satisfaction Sir, if this Bill is passed it will be possible for local communities to prohibit the sale of alcoholic liquor on election days. I think if this Bill requires all taverns to stay open, and takes away from the local authorities the power to prohibit closing, then it's a bad Bill. I don't believe that point is clear. It seems to me until it is, we should not support the Bill."

Hon. W. Robert Blair: "Any further discussion? Oh, the Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Well, Mr. Speaker, I think Representative McMaster made a very reasonable suggestion. This Bill won't be effective until October 1, 1972, anyway. I just don't see that there is any point at all in us voting on it now when we can consider it in depth in the Spring and if the Sponsor persists in calling the Bill, I suggest



that we vote 'No' and postpone it until the Spring."

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

Alright. The question is 'shall..' Alright. The Gentleman from Lake, Mr. Matijevich to close."

J. S. Matijevich: "I think ah.. everybody fairly confused this Bill which is good legislation. Let me say, as I've heard Representative Walsh say on several questions, the Bill will be no worse or no better if we hold it until Spring. The Bill is going to be the same Bill later. It is a good Bill. In my opinion it does give the local option by removing that prohibition. I.. I think we added alot of confusion to the Bill. I think it's a good Bill now. Therefore, I see no reason to delay it, and I ask for your favorable support to House Bill 206 which the people think is law anyhow."

Hon. W. Robert Blair: "The question is 'shall the House concur in Senate Amendment Number 2 to House Bill 206'. All those in favor will vote 'Aye' and the opposed 'No'. Ah.. Yourell, 'Aye'. The Gentleman from Lake, Mr. John Henry Kleine."

J. H. Kleine: "Mr. Speaker, I'd like to explain my vote on this particular issue. I feel that this concept is a good concept. We've certainly as a Body have approved the concept on the previous Bill. There is some apparent



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confusion but the way to get the confusion ah.. organized is to pass this Bill, and if there is any problem. I'm sure that the Clerk will so tell us, and then we can come back in the spring and take rather than hold it and I would take Representative Matijevich's word that if he believes the local option is not in any way ah.. demonstrated out of the Bill then I would be in favor of voting for it and I so concur."

Hon. W. Robert Blair: "Have all voted who wished? The Gentleman from Lake, Mr. Matijevich."

J. S. Matijevich: "Mr. Speaker, we're so close to this. I think.. I want to be home as much as anybody. In fact, it's my wife's birthday today and I thought we were going to go out tonight, but since we're this close, I think we should poll the absentees."

Hon. W. Robert Blair: "Well.. well, let's take the Record. Have all voted who wished? The Clerk will take the Record. The Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Well, Mr. Speaker, I want to make a public deal with Representative Matijevich. If he will remove his motion to poll the absentees, I will not request a verification."

Hon. W. Robert Blair: "The Gentleman from Cook er.. Lake, Mr. Matijevich."



J. S Matijevich: "Just for the hell of it, I don't want to deal with you. I never do make deals, Bill. I'm going to go ahead anyway, and then I'll wait for your deal."

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

W. J. Murphy: "I want to reemphasize, Mr. Speaker, that they should read the Amendment. The Amendment takes care of the very thing they're objecting to. It allows each municipality to vote on it themselves and I think it's just a question that they haven't read the Amendment."

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

Fredric B. Selcke: "Barnes. Barry. Borchers. Bradley. Brinkmeier. Campbell. Capuzi. Choate."

Hon. W. Robert Blair: "Brinkmeier, 'Aye'."

Fredric B. Selcke: "Otis Collins."

Hon. W. Robert Blair: "Otis Collins, 'Aye'."

Fredric B. Selcke: "Conolly. William Cunningham. Downes.

Duff. Dyer. Epton. Fleck. Granata. Hall. Henss.

Hirschfeld. Gene Hoffman. Houde. Jones. Kahoun. Karmazyn.

Keller. Klosak. Lauterbach. Lehman. Lindberg. McClain.

McCormick. McDevitt. Moore. North. George O'Brien.

Pappas. Pierce. Rayson. Redmond. Regner. Rose.



Schlickman. Shapiro. Timothy Simms. Springer. Stedelin.
Stone. Telcser. Jack Thompson. Waddell. Walters.
Washburn. Genoa Washington. Harold Washington. "

Hon. W. Robert Blair: "Harold Washington, 'Aye'.

Fredric B. Selcke: "Williams. Zlatnik."

Hon. W. Robert Blair: "Barry, 'Aye'. William Cunningham,
'Aye'. Yourell, 'Aye'. You're recorded once. Alright.
The Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Mr. Speaker, I.. I request a verification."

Hon. W. Robert Blair: "Alright. The Gentlemen will please
be in their seats. The Gentleman from Cook, Mr. Yourell,
for what purpose do you rise?"

H. Yourell: "Yes, Mr. Speaker. I voted once but I think you
owe me one from the other day."

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

J. S. Matijevich: "Could I have a count before we go to this
part of the deal because I might finally end up dealing
with you now."

Hon. W. Robert Blair: "92 'Ayes' and 32 'Nays'."

J. S. Matijevich: "Ah.. I'll take your deal now. Could I
postpone consideration? And then by that time I think
we'll get it straight. You know, really the problem
with me is I felt it didn't take away the local option
but I never really could say what an Attorney General's



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opinion or what a Clerk might say. But I really felt it did, but by then I'm sure we'll all agree to it. Thank you very much, Gentlemen."

Hon. W. Robert Blair: "Alright. There is leave to take it out of the Record, I mean to put it on postponed consideration. Gentleman from ah.. Cook, Mr. Simmons."

A. F. Simmons: "Ah.. Mr. Speaker. I would like to make an announcement. House Bill 2485 was just passed by the Senate, 36 to 1. That's the Bill that gives the incumbents first place on the ballot. And I might suggest to you, and any of you that feel that this Bill is important to you, you might convey your thoughts to the Governor when he ah.. considers whether or not he should sign it."

Hon. W. Robert Blair: "Alright. On ah.. Senate Bill's Third Reading is Senate Bill 1271."

Fredric B. Selcke: "Senate Bill 1271, an Act to Amend Section 11-135-2, Illinois Municipal Code, Third Reading of the Bill."

Hon. W. Robert Blair: "The Gentleman from DuPage, Mr. Redmond."

W. Redmond: "Mr. Speaker, and Ladies and Gentlemen of the House, Senate Bill 1271 as Amended provides for the method of replacing ah.. Water Commissioners to comply



with the requirement of the State Constitution the one judicial appointment is now made by the ah.. ah..

Chairman of the County Board. And I ask your approval."

Hon. W. Robert Blair: "Any further discussion? The question is 'shall Senate Bill 1271 pass'. All those in favor shall vote 'Aye', opposed 'No'. Have all voted who wished? The Clerk will take the Record. On this question there are 124 'Ayes', one 'Nay'. The Bill having received the Constitutional majority is hereby declared passed. Messages from the Senate."

Fredric B. Selcke: "Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives and passed the Bill of the following Title: House Bill 3571 together with the following Amendment thereto an induction to which I am instructed to ask concurrence of the House passed the Senate as Amended November 13, 1971 by a 3/5 vote. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the adoption of House Amendment Number 1 to a Bill of the following Title: Senate Bill 1224 concurred in by the Senate November 13, 1971 by a 3/5 vote.' Kenneth Wright, Secretary. 'Mr. Speaker, I am



directed to inform the House of Representatives that the Senate has exceeded to the request of the House of Representatives for a Conference Committee to consider the difference between the two Houses in regard to House Bill Amendment Number 1 to House Bill 589, action taken by the Senate November 13, 1971.' Kenneth Wright, Secretary."

Rep. A. A. Telcser: "Senate Bill's First Reading."

Fredric B. Selcke: "Senate Bill 1130. A Bill for an Act to Amend Sections 12-10 and so forth, the Illinois Public Aid Code, First Reading of the Bill."

Rep. A. A. Telcser: "House Bill's First Reading."

Fredric B. Selcke: "House Bill's First Reading. House Bill.."

Rep. A. A. Telcser: "Representative Shea, for what purpose do you rise, Sir?"

G. W. Shea: "Is the House Sponsor of Senate Bill 1130 on the Floor?"

Rep. A. A. Telcser: "Is Representative Moore on the Floor? No, he's not on the Floor."

G. W. Shea: "Then could you leave it on the order of First Reading, please?"

Rep. A. A. Telcser: "Take it out of the Record."

Fredric B. Selcke: "House Bill 3765, Burditt. Ah.. a Bill



for an Act to Amend Section 9, Illinois Education Facilities Authority Act, First Reading of the Bill. House Bill 3766, Burditt. An Act to Amend Section 3.07, Illinois Educational Facilities Authority Act, First Reading of the Bill. House Bill 3767, Schneider. An Act to Amend the Pharmacy Practice Act, First Reading of the Bill."

Rep. A. A. Telcser: "On the order of Concurrences appears House Bill 3571, for which purpose the Gentleman from Cook, Representative Glass arises."

B. M. Glass: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this was the Bill granting the Homestead Exemption to residents of cooperative apartments. The Amendment put on in the Senate was requested and drafted by Dale Young of the Department of Local Government Affairs to make the Bill technically sound and workable and I move to concur with the Senate Amendment."

Rep. A. A. Telcser: "Is there any discussion? The Gentleman has moved that the House concur with Senate Amendment Number 1 to House Bill 3571. All those in favor of concurrence will signify by voting 'Aye', the opposed by voting 'No'. Have all voted who wish? The Gentleman from Cook, Representative Burditt to explain his vote."

G. M. Burditt: "Mr. Speaker, Ladies and Gentlemen of the House, run it."



Rep. A. A. Telcser: "This has an emergency clause, and will take 107 votes. Have all voted who wish? Take the Record. On this question the 'Ayes' are 120, the 'Nays' are 0 and the House concurs with Senate Amendment Number 1 to House Bill 3571. On the order of Concurrences appears House Bill 30.. Oh! That was Senate Amendment Number 2. "

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

H. J. Hyde: "Mr. Speaker and Ladies and Gentlemen of the House, I now move this House stand adjourned until the hour of 12:00 noon on January 12th, pursuant to the adjournment Resolution we previously adopted."

Hon. W. Robert Blair: "All in favor say 'Aye', opposed 'No', and the House stands adjourned."

Adjourned

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