

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

TWENTY-SECOND LEGISLATIVE DAY

MARCH 6, 1973

10:00 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY  
STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

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

Representative Richard A. Carter - illness;

Representative Robert L. Dunne - no reason given;

Representative Ralph Dunn - no reason given;

Representative Peter C. Granata - illness;

Representative Peter Pappas - illness;

Representative Joseph G. Sevcik - illness;

Representative Fred Tuerk - no reason given;

Representative John F. Wall - illness.



Piotrowicz: "The House will now be in order. The prayer will be given by Joseph Carey."

Carey: "Let us pray. Remember, O Lord, that your compassion and kindness are from of old. Let not our enemies exalt. Redeem Israel, O God, from distress. Amen."

Piotrowicz: "Messages from the Senate."

O'Brien: "Messages from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed a bill of the following title passage to which I'm instructed to ask concurrence to the House of Representatives to wit Senate Bill 88. Messages from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate concurred with the House in the adoption of the following preamble and joint resolution to wit. House Joint Resolution 11. Messages from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has adopted the following preamble and joint resolution the adoption of which I'm instructed to ask concurrence of the House Representatives to wit. Senate Joint Resolution Number 16."

Piotrowicz: "Reports from the Standing Committees."

O'Brien: "Mr. Blades from the Committee on Agricultural and Natural Resources to which House Bills 14, 124, 153 and 289 were reported referred reported the same back with the recommendation that the bills do pass. Mr. Blades



from the Committee on Agricultural and Natural Resources to which House Bill 42 and 199 were referred reported the same back with amendments thereto with the recommendation that the amendments be adopted and the bills as amended do pass. Mr. Blades from the Committee on Agricultural and Natural Resources to which House Bill 303 was referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted and the bills as amended do pass.. do not pass. Mr. McMaster from the Committee on Counties and Townships which House Bill 181 and 231 were referred reported the same back with the recommendation that the bills do pass. Mr. McMaster from the Committee on Counties and Townships to which House Bill 248 was referred reported the same back with amendments thereto with the recommendation that the amendments be adopted and the bills as amended do pass. Mr. McMaster from the Committee on Counties and Townships to which House Bill 249 was referred reported the same back with the recommendation that the bills do pass. Mr. McMaster from the Committee on Counties and Townships to which House Bill 332, 333 and 334 were referred reported the same back with the recommendation that the bills do not pass. Mr. Pappas from the Committee on Motor Vehicles to which House Bill 10 was referred reported the same back with the recommendation that the bills do pass. Mr. Pappas from the Committee on Motor Vehicles to which House Bill 62 was referred reported the same back



with amendments thereto with the recommendation that the amendments be adopted and the bills as amended do pass. Mr. Pappas, from the Committee on Motor Vehicles to which House Bill 86 was referred reported the same back with amendments thereto with the recommendation that the amendments be adopted and the bills as amended do not pass. Mr. Pappas from the Committee on Motor Vehicles to which House Bill 87 was referred reported the same back with the recommendation that the bills do not pass. Mr. Rose from the Committee on Judiciary I to which House Bills 6 and 374 were referred reported the same back with the recommendation that the bills do pass. Mr. Rose from the Committee on Judiciary I to which House Bills 95 and 281 were referred reported the same back with the recommendation that the bills do not pass. Mr. Rose from the Committee on Judiciary I to which House Bill 130 was referred, reported the same back with the recommendation that the bills do pass. Mr. Rose from the Committee on Judiciary I to which House Bill 175 was referred reported the same back with the recommendation that the bill do not pass. Mr. Rose from the Committee on Judiciary I to which House Bill 200 and 373 was referred reported the same back with amendments thereto with the recommendation that the amendments be adopted and the bill as amended do pass."

Piotrowicz: "Constitutional Amendment Resolutions."

O'Brien: "House Joint Resolution Constitutional Amendment Number 18, Duff and Rayson. Resolved by the House of



Representatives the 78th General Assembly, the State Of Illinois, the Senate concurring herein, there shall be submitted to the electors of this State the General Election next occurring at least six months after the adoption of this resolution proposition to amend Section 8 and Section 12 of and add Section 12.1, 12.2 and 12.3 to Article 6 of the Constitution the amended and added Sections and schedule applicable thereto to read as follows: 'Article 6, Section 8. Associate Judges. Each Circuit Clerk shall have such number of associate judges provided by law at least 1/4 of the associate judges shall be appointed from and reside outside Chicago. The Supreme Court shall provide by rule for matters to be assigned to associate judges. Section 12. Appointment Retention. The Supreme Court, Appellate Courts, Circuit Court of Cook County. The following provision shall govern the selection of the 10-year judges of the Supreme Court Judges, Associate Judges of the Circuit Court of Cook County, the Circuit Court of any other Circuit which pursuant to Section 12.1 of this Constitution shall adopt the provisions of this Section 12. All of said Supreme, Appellate, Circuit and Associate Judges shall hereinafter be deemed included in the term judge. A. Judges shall be appointed by the Governor from nominees submitted by Judicial Nominating Committees. B. The Office of a Judge shall be vacant upon his death, resignation, retirement, removal or upon the conclusion of his term without



retention if office. Whenever an additional judge is authorized by law, the office shall be filled in a manner provided by filling the vacancy in that office seat. If the vacancy occurs in the office of judge, the Administrative Director shall notify the Chairman of the appropriate nominating commission who shall immediately convene the commission. The commission may conduct informal meetings and hearings but no formal action shall be taken by the Commission except on concurrence of a majority of all Members of the Commission. Within 28 days after delivery of the notice, the Commission shall submit the list of three qualified persons to the Governor provided, however, that the Commission by certifying in writing by its Chairman to the Governor that additional time is required may take additional time not to exceed 28 days. If there is more than one vacancy on the same court, the number of qualified persons listed shall be three times the number of vacancies. The Commission may determine and advise the Supreme Court that the number of qualified persons available is less than three times the number of vacancies. The Supreme Court may accept this determination and permit only the names available to be listed. Otherwise, it shall be requested the Commission continue its search for qualified persons. The Governor immediately upon receipt of the list shall make it public. No fewer than 28 nor more than 56 days after delivery of list of the Governor, he shall



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appoint therefrom one person to fill each vacancy. If the Governor does not make the appointment within 56 days, the Supreme Court shall make the appointment promptly from the list. D. The judge appointed to fill the vacancy shall serve an initial term ending on the first Monday in December following the next General Election held after he's completed one year in office. He may at that General Election stand for retention in office as hereinafter provided. E. Not less than six months prior to the General Election next preceding the expiration of his term in office any judge previously elected or appointed may file in the Office of the Secretary of State a declaration of candidacy to succeed himself. And the Secretary of State not less than 63 days prior to the elections shall certify the judge's candidacy to the proper election officials. At the election, the name of each judge who has filed a declaration shall be submitted to the electors separately and without party designation on the sole question whether he shall be retained in office for another term. Elections shall be conducted in appropriate judicial districts and circuits. The affirmative votes of 3/5's of the electors voting on the question shall elect him to the office for a full term commencing the first Monday in December following the election. Any judge who does not file a declaration within the time herein specified or having failed.. filed.. failed of retention shall vacate his office on the first Monday





in December following the General Election whether or not his successor shall yet have qualified. F. If an incumbent does not file a declaration of candidacy within the time specified above, the selection and appointment of his successor if any shall proceed immediately in a manner similar to that above provided in this section so that the successor may take office as soon as the vacancy occurs. G. Any law reducing the number of judges of the Appellate Court in any district or the number of Circuit or Associate Judges in any circuit shall be without prejudice to the right of judges in office at the time of its enactment seek retention in office is hereinafter provided. The reduction shall become effective whenever a vacancy in the affected unit occurs. Section 12.1. Other Circuit Courts. Judges and Associate Judges of Circuit Courts outside Cook County shall be elected and vacancies in said offices shall be filled by appointment of in term periods in such manner as may be prescribed by law providing that the provisions of subparagraphs e, f, and g of Section 12 hereof shall apply to such judges, and associate judges shall be elected pursuant to the provisions of Section 12.1. However, the electors of any circuit outside Cook County may be ah.. referendum adopted.. referendum adopted and provisions of Section 12 by governed. The selection of 10 year judges, associate judges of said Circuit Court outside Cook County. The electors of such circuit outside Cook County shall vote on



the provision at the General Election held not less than three months following the filing of the petition that the Secretary of State signed by not fewer than 5% of the total number of electors who voted at the next preceding general election in the circuit. asking that the proposition be submitted to a referendum in a majority of votes cast on the proposition shall be in the affirmative. The provision of Section 12 and 12.2 shall hereinafter govern the selection of ten year judges in the certain court of the circuit. Section 12.2. Judicial Nominating Commissions. There shall be Judicial Nominating Commissions in each judicial district in the Circuit Court of Cook County in each circuit that shall hereinafter adopt the proposition pursuant to Section 12.1 hereinafter be nomination of judges of or associate judges of the Supreme Court, Appellate or Circuit Court as follows: A. The Circuit Judicial Nominating Commission for each circuit outside the first judicial district to make nomination of Circuit Court judges in each representative circuit shall consist of six persons who are not lawyers nor more than three of whom be members of the same political party and five lawyers. B. The District Judicial Nominating Commission for each judicial district other than the first judicial district other than the first judicial district be made.. make nominations for Appellate and Supreme Court Judges from each representative district



shall consist of two lawyers and two persons who are not lawyers from each Circuit Judicial Nominating Commission within the district elected by each circuit commission. In addition, non-lawyer members appointed by the Governor for any certain commission within the district. District Judicial Nominating Commission members of any circuit which does not have a Circuit Judicial Nominating Commission shall be elected and appointed in a manner provided in subparagraph D through G and this section provided however, that from and after the time there shall be a Circuit Judicial Nominating Commission in any such circuit either by reason of an election therein pursuant to Section 12.1 thereof or for reason of the establishment of such Commission by law enacted by the General Assembly for the filing of vacancies pursuant to Section 12.1. The Members of the Judicial.. District Judicial Nominating Commission from said circuit shall be elected and appointed in a manner prescribed in this subparagraph B.. C. The first District Judicial Nominating Commission to make nomination of Circuit, Appellate and Supreme Court judges from the district shall consist of eleven person who are not lawyers no more than six of whom shall be of the same political party and ten lawyers. D. The non-lawyer members of each certain commission and the commission of the First Judicial District shall be appointed by the Governor. The Governor shall designate one of the non-lawyer members



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of each commission a chairman. The chairman may vote only in case of a tie. The term of any chairman shall be three years unless his remaining term as a member of the commission expires sooner. The non-lawyer members shall reside in the district.. circuit or district from which they are appointed. E. The lawyer members of each circuit commission and of the commission of the first judicial district shall be chosen by secret ballot by those lawyers admitted to practice in Illinois whose principal office are in the appropriate circuit in any manner as shall be provided by rules which shall be adopted by the Supreme Court. The lawyer members shall reside in the circuit or district in which they are chosen. F. In appointing the initial members of each commission, the Governor shall divide the non-lawyer appointees in two groups and shall designate one group to for three years and one group to serve for six years. As near as may be, the group shall be equal in the number of members of one political party shall not exceed half the members of the group. The initial lawyer members shall be divided into two groups equal as near as may be. In such matters the Supreme Court shall provide one group to serve for three years and one group to serve for six years. All thereafter, the term of all members shall be six years. G. A vacancy in the Office of Chairman or Member of the Commission shall be filled in the unexpired term in the same manner and subject to same qualifications



as those original chosen. H. No person who holds any office under, or is an employee of, the United States, or of this state or any municipal corporation or political subdivision of this state who holds an office or who holds any official position in a political party is eligible to serve on a judicial nominating commission. Compensation for service in the state militia or the armed forces of the United States for such period of time as may determine by rules of the Supreme Court shall not be considered a disqualification. No member of the Judicial Nominating Commission may be nominated or appointed to judicial office for a period of three years from the last date of his service on the commission. The member having served a full term of six years on a commission may not be selected to serve on the commission during the next three years. I. Members of the Commission shall not receive any compensation for the services that shall be entitled to reimbursement of necessary expenses. The General Assembly shall appropriate funds of the Supreme Court for such reimbursement and for other administrative expenses for the commission. The commission may conduct such investigation and employ such staff members as may necessary to perform their duties as scheduled. If approved by the electors, these amendments shall take affect the next following the proclamation of the result of the vote. "

Piotrowicz: "Representative Kennedy moves we stand in recess



until 10:00 o'clock."

W. Robert Blair: "The House will be in order. The invocation will be by Doctor Johnson."

Johnson: "We pray. Dear Father in Heaven. We thank You for Your gracious and strong hand which sustains us and all Your children. We thank You especially for the blessing of health which enables us to be about our appointed tasks.. for the soundness of mind and senses which enable us to do those tasks well. Keep us this day, we pray, from every temptation which would in any way minimize our effectiveness as public servants. Grant us calmness of spirit, charity and judgment, control and temper and consideration in all of our actions. We bring before You, the needs of Representative John Wall, who this morning undergoes surgery as well as Representative Pete Granta and Representative Pete Pappas in their illness. Be a Heavenly Physician to them, O Lord, as You (Tape Failure).. And upon the death of Mr. Louis Walker we ask that you would be with our Chief Executive with solice in his sorrow as you direct him to seek comfort from You, the Lord of Life and Death. Hear us, O Father, as we now commend ourselves to Your keeping and to your continuing care. We pray in our Saviour's name, Amen."

W. Robert Blair: "Roll call for attendance." ABSENTEES."  
"Committee Reports."

F. B. Selcke: "Mr. Collins, from the Committee on Executive to



which House Bill 47 was referred reported the same back with the recommendation that the bill do not pass. Mr. Collins, from the Executive to which House Bill 125 was referred reported the same back with amendments thereto with the recommendation that the amendments be adopted and the bill amended do pass. Mr. Collins from the Executive which House Bill 315 and 355 were referred, reported the same back with the recommendation that the bills do pass. No further committee reports."

W. Robert Blair: "Introduction. First Reading of House Bills."

F. B. Selcke: "House Bill 502. Griesheimer. Amends the Election Code. First Reading of the Bill."

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

Fary: "May the record show, please Mr. Speaker, that Uncle Louie, Representative Janzak, is present."

W. Robert Blair: "Yeah, there's our former colleague back there in the back with Representative Redmond, Lou Janzak. Gentleman from Cook, Mr. Fary."

Fary: "Mr. Speaker, Uncle Louie and I traveled down here for 16 years, 8 consecutive terms. We ate together, drank together and virtually slept together because we had adjacent rooms. We got in all kinds of trouble and got out of all kinds of trouble and I think that Uncle Louie could write a book that each and everyone of us would enjoy. Especially on our trips coming down



here to Springfield. The experiences that we had. Very amusing. I want to relate at one time, you know because of Uncle Louie's excessive ordepoy, it's impossible to put a seat belt around him, so we were driving here one day and we were observing the speed limit, when up in front of us about an eighth of a mile was a truck loaded down with all kinds of merchandise, and as this truck passed, a little forest preserve, the wind had taken off something from that truck and lifted it up into the air. It came flying toward us as we were approaching the truck. As it stopped by the windshield, about two feet above the windshield, it turned out to be the foot of a bed - a steel foot of a bed. If you've ever seen anybody duck under the dashboard, with all that excess, in those safety belts, Uncle Louie was under that dashboard in less than one second flat, and me after him, and I think Uncle Louie will never forget that. I know we enjoyed many pleasant days with him, many pleasant hours with him, because of his convisiality, his friendship and his good sense of humor. Uncle Louie, it's nice to have you."

Hon. W. Robert Blair: Lady from Lake, Mrs. Geo-Karis, for what purpose do you rise?"

Geo-Karis: "Mr. Speaker, Ladies and Gentlemen of the House, it's my pleasure to introduce some people who want to know how the legislature works first-hand. We have the wife of our assessor from Waukegan Township, Mrs. Pat Corgan and her daughter up there and Mrs. Ikler from Highland





Park, and we have Mrs. John Cruel in the red up there from Waukegan Township and Mrs. Arthur Tomosin in the black from Zion Township, and they're going to get the full day's treatment, believe me. We welcome you."

Hon. W. Robert Blair: "Introductions, First Reading."

F. Selcke: "House Bill 503. Jaffe et al. Amends the School Code. First Reading of the Bill. House Bill 504. Berman et al. Bill for an Act to add a Section to the School Code. First Reading of the Bill."

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

F. Selcke: "House Resolution 85. Griesheimer. Senate Joint Resolution 16. Savickis."

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

Walsh: "Mr. Speaker and Members of the House, these are the agreed resolutions. House Resolution 15 by Representative Griesheimer ah.... commends Doctor James Kweder, who will retire from the active practice of medicine after 40 years and House.... Senate Joint Resolution 16 commends Miss Donna Gabstioni of Burbank, who is first runner up to the Illinois Junior Miss Pageant held December 30th and I move the adoption of the agreed resolutions."

Hon. W. Robert Blair: "Discussion. All right, question's on the adoption of the agreed resolutions. All those in favor say 'aye', Opposed 'no'. The 'ayes' have it. The agreed resolutions are adopted. All right, House Bills, Second Reading. The Clerk will proceed to call them in numerical order."



F. Selcke: "House Bill 8. A Bill for an Act in relation to fire arming training for peace officers. Second Reading of the Bill. Three Committee Amendments. Amendment No. 1 Amend House Bill 8 on Page 1 by deleting line 7... 6 and 7, inserting in lieu thereof the following and so forth."

Hon. W. Robert Blair: "All right, ah.... is there anyone who can handle Mr. Kosinski's Bill. Amendments on second reading and he's not here. Mr. Lechowicz can handle it? Fire arms training for peace officers and there's three amendments. Gentleman from Cook, Mr. Palmer."

Palmer: "Mr. Speaker, I don't find copies of any of these amendments on my desk. Maybe they have been distributed and not here."

Hon. W. Robert Blair: "All right, ah.... the Clerk advises they were distributed last week. Does anybody else have problems with their not being in their.... These are committee amendments. Right. These are committee amendments. They should be in the books. Is anybody else having trouble with them? All right, the gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, I have the impressiion that Representative Bluthardt had an amendment to this Bill. Oh, Committee Amendment? Ah.... they're in agreement with me. I move the adoption of same. Mr. Berman, I move adoption of the amendments as provided by the Committee to House Bill 8."

Berman: "When I'm up here, Mr. Kosinski, it's Speaker Berman."

Kosinski: "May I kiss your ring?"



Berman: "Any debate on the motion? Gentleman from Cook, Mr. Wolfe."

BB. Wolfe: "That's B. B. when I'm up here, Mr. Speaker. Ah... I'm not going to call you to a point of order, but I think that the ah... Sponsor ought to at least tell the Members of the House what the Amendment does briefly so that we can ascertain whether there are any objections to it."

Berman: "I think your point is well taken. Representative Kosinski. Gentleman from Cook, Representative Bluthardt."

Bluthardt: "Mr. Speaker, on House Bill 3, I have had a ah... an amendment being prepared. It should be ready any minute, so I would appreciate it if Representative Kosinski would hold up that Bill until I have that amendment."

Berman: "He's indicated that he will. We'll move on to the next order of.... Take it out of the record."

F. Selcke: "Ah.... is it printed? House Bill 12. A Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Berman: "Any Amendments from the Floor?"

F. Selcke: "Amendment No. 1. Gibbs. Amend House Bill 12 on page 44, below line 4 by inserting the following, Section 2 and so forth."

Berman: "The gentleman from Sangamon, Mr. Gibbs. I don't see the Sponsor on the floor. Can anyone handle this Amendment in behalf of Mr. Gibbs? Gentleman from Cook, Mr. Juckett."

Juckett: "Mr. Speaker, we were working some amendments out with the Sponsor of this Bill and I was wondering if it would be



possible to hold it. The Amendments are agreed in form but we don't have them prepared. If there's no objection, we'd like to do that."

Berman: "If there's no objection, we'll take House Bill 12 out of the records. Could I have the attention of the House for a moment. As you know, under the new rules, we must proceed.... Under the new rules, we must proceed in a numerical order on the calling of these Bills, on second reading and then on third reading. I would suggest to the sponsors of these Bills that if they're on second reading, that you be ready because your bills are going to be called, and the only way we can move along with dispatch is for you to be in your seats and be ready when your bill is coming up on second or on third reading. All right, Mr. Clerk, will you call House Bill 17, please. The Representative from Lake, Mr. Matijevich, for what purpose do you rise?"

Matijevich: "Are we on 17?"

Berman: "In one moment we will be."

Selcke: "House Bill 17. Bill for an Act to amend Section 19-2 and so forth the Election Code. Second Reading of the Bill. No Committee Amendments."

Berman: "Any Amendments from the Floor?"

Selcke: "Amendment No. 1. Matijevich. Amend House Bill 17, on Page 3, line 26 and 27 by deleting virtually certain and inserting in lieu thereof 'improbable'."

Berman: "Gentleman from Lake, Mr. Matijevich."



Matijevich: "Mr. Speaker, the new Art Berman, and Members of the House, ah.... I was asked to ah.... introduce Amendment No. 1 to House Bill 17 by the organization who represents the disabled people. On Page 3, where the use of the words 'virtually certain' is used, they want in lieu of that word, the word 'improbable', because there are times, although someone is permanently disabled that they may be able to go in person to the polls, so they want the wording used that it is improbable that they would be able to go to the polls and be permanently disabled. I move the adoption of Amendment No. 1 to House Bill 17."

Berman: "Any discussion? Gentleman from Cook, Mr. Palmer."

Palmer: "If the Sponsor of the Amendment would yield to a question?"

Berman: "He indicates that he will."

Palmer: "What does.... of course, I agree that something virtually uncertain is bad language, but I wonder how much better, Mr. Matijevich, would the word 'improbable', insofar as some clarity of what is meant... intended to be meant, what is improbable. Broken arm, does that make it improbable. A broken leg, ah.... what is the situation?"

Matijevich: "Well, let me tell you what the situation is that ... as it has been told to me, Romie, and that is, that someone is permanently disabled. However, ah.... on some occasions, it may appear to them that election day may be good weather, for example, and although it would be very



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difficult for them to make the polls, and impossible in bad weather; however it could be possible in good weather and so that they feel it is improbable that they would ah... go to the polls because of their physical disability, and they feel that the wording is better if it is improbable."

Palmer: "Well, who makes the determination as to the improbability. Is that a subjective standard? Ah...."

Matijevich: "That would subjective by the disabled person."

Palmer: "In other words, it can be anything ah.... that possibility that he might feel he can't go to the polls?"

Matijevich: "No, they still have to follow the law under this Bill to ah.... get the affidavits, etc. that they do have a permanent disability, Romie."

Palmer: "All right, then, the improbability would have some subjective standards and the objective standard would be that the physician's affidavit. Is that correct?"

Matijevich: "Right."

Palmer: "Fine, thank you."

Berman: "Gentleman from Christian, Mr. Tipsword."

Tipsword: "Would Mr. Matijevich yield to a question, please?"

Berman: "He indicates that he would."

Tipsword: "John, I was just looking at the language, and I wonder if you don't mean perhaps probable instead of improbable, because it appears to me that you put a double negative into the sentence by using the 'improbable version?'"

Matijevich: "Mr. Speaker, I think ah.... the Amendment was handed to me and I think Representative Tipsword is right,



and I think we'll have to hold this. Actually, what it should read is 'make it virtually improbable that he will be able to be present', and I think we'll have to hold this and reword the Amendment in behalf of the permanently physical disabled. Thank you, Mr. Speaker."

Berman: "We'll take House Bill 17 out of the Record."

Selcke: "House Bill 40. Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Berman: "Any Amendments from the Floor? The Representative from Macon, Mr. Borchers."

Borchers: "Mr. Speaker and fellow members of the House, before I have something to say about this particular Bill, I would like to have the press, particularly take cognizance of what I want to say and also the Members of the House, because every one of us have been in this damn position. Here's the front page of a newspaper with my picture on it and... yes, thank you. It's nice to have the press, if they tells the truth. But here's a typical example of perversion of truth by the press. Not only was it in my area, but in southern Illinois, I am informed. I know it was in the Chicago papers and elsewhere, and I just want to say this. It says here, ah.... 'Borchers... Representative Borchers was fined \$2,000 by the Board for burning refuse'. Now I want to make that clear. I have never been fined. I own... There's a corporation that I own 11 shares of stock in of 300. They were fined \$2,000. It's in Court now, the



Appellate Court. I want to point out to you the reasons it's in court was that the Northwestern Railroad, burning some brush, started an underground fire in a land fill...."

Berman: "Representative Borchers, one second please. For what purpose does the gentleman from Lake, Mr. Pierce arise?"

Pierce: "Mr. Speaker, are we on second reading or are we on a point of personal privilege?" I haven't heard a point of personal privilege raised yet by the Speaker. Does he have an amendment? Is this an Amendment to the Bill or what is it?"

Berman: "Mr. Pierce, I think the Representative from Macon indicated that he was arising on a point of personal privilege and House Bill 40 is his Bill, will allow him to proceed."

Borchers: "I will go to the Bill as soon as I get through with a point of personal privilege. And the record clearly shows in Court that the area involved of underground burning was at 14 degrees below zero. The ground all around was frozen including over the smouldering fire, and the area involved was ten foot by ten foot. Now that's in the record, and if anyone thinks that this is reasonable, that's why we're in Court. We don't. We'll find out if that's reasonable, but I want you all to understand that I only own 11 shares, which I've owned now for over about 14 years. The same 11 shares. There's 300 shares, but I get the credit continuously all over the State, as I'm the guy that's being fined. Well





I am not. I own again 11 shares out of 300 and I went to the newspapers, including our own and asked them to correct it when this all came out, and so far, I haven't seen one correction, although I rate the front page, as having been fined 2,000 bucks. Now I hope you people of the press will get it straight from now on, that I was not and never have been fined."

Berman: "Any further amendments from the Floor?"

Borchers: "I would like to take up House Bill 40, I believe it is instead of 30. Is that all right with the Speaker."

Berman: "What is your request?"

Borchers: "I would like to have 40 ah.... held for the purposes of an Amendment."

Berman: "All right, take it out of the record."

F. Selcke: "We're batting zero. House Bill 41. A Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any amendments from the Floor? Third Reading. Gentleman from Macon, Mr. Borchers."

Borchers: "Mr. Speaker, for the same reason, I would like to have House Bill 41 held for purposes of Amendment."

Hon. W. Robert Blair: "All right, take 41 out of the Record. Does the same request apply to 43, Mr. Borchers."

Borchers: "No, Sir."

Hon. W. Robert Blair: "All right, House Bill 43, Mr. Clerk."

Selcke: "House Bill 43. A Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill."



No Committee Amendments."

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

Selcke: "House Bill 56. Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. One Committee Amendment. Amend House Bill 56, on page 1, line 24 by adding after the second comma, the following: 'incorporated' and on line 29 inserting immediately after the word 'or', the following: 'incorporated'."

Hon. W. Robert Blair: "The Gentleman from Winnebago, Mr. North, on Amendment No. 1 to House Bill 56."

North: "Mr. Speaker, Ladies and Gentlemen of the House. Amendment No. 1 merely puts in line 24 under the second comma 'incorporated'. There is no opposition to this."

Hon. W. Robert Blair: "They couldn't hear you, Mr. North. Could you speak up again?"

North: "Mr. Speaker, Ladies and Gentlemen of the House. Amendment No. 1 to House Bill 56 adds 'incorporated' in Line 24 after the second comma. I move the adoption of Committee Amendment No. 1 to House Bill 56."

Hon. W. Robert Blair: "Any discussion? If not the question is shall House Amendment No. 1 to House Bill 56 be adopted?" All in favor, indicate by saying 'aye'. All opposed 'nay'. The amendment is adopted. Any further amendments? Third Reading. "

Selcke: "House Bill 59. A Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee



Amendments."

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

Selcke: "House Bill 69. Bill for an Act to authorize the Secretary of State to issue identification cards. Second Reading of the Bill. Two Committee Amendments. Committee Amendment No. 1. Amend House Bill 69 on page 5, line 19, by deleting the word 'of' and inserting in lieu thereof the word 'or'."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Merlo, on Committee Amendment No. 1."

Merlo: "Mr. Speaker and Members of the House. This was a word change in House Bill 69 that was recommended by the Reference and I ask your immediate adoption of the Amendment."

Hon. W. Robert Blair: "Any further discussion? If not, the motion is to adopt the Amendment No. 1 to House Bill 69. All these in favor, indicate by saying 'aye'. All opposed 'nay'. The 'ayes' have and Amendment No. 1 is adopted."

Selcke: "Committee Amendment No. 2. Amend House Bill 69 on page 3 by striking lines 16 and 17 and inserting in lieu thereof the following: 'An affirmation by the applicant that all information set forth is true and correct.'"

Berman: "The gentleman from Cook, Representative Merlo."

Merlo: "Mr. Speaker. This was a Committee Amendment. I've forgotten.... Perhaps Phil Collins can help me out on this one. I don't recall who the House Member was that introduced



this Amendment in Committee. I see the Amendment here Mr. Speaker, and it does have Representative Phillips, an affirmation by the applicant that all information set forth is true and correct, and this would do away with a notary on the application for an ID identification card, and I move the adoption of the Resolution."

Berman: "Any further discussion? Gentleman from Cook, Representative Palmer."

Palmer: "On a matter of such importance, it would seem to me that the ah.... that there should be an acknowledgement or a verified statement that it is true and correct. Now apparently, this amendment takes away that. In other words the only thing it does is just the statement by the applicant that it is true and correct. I think it should be notarized. I don't see any reason why that should be taken out. At least if it isn't, then the person submits himself to a charge of perjury."

Merlo: "Well, Representative Palmer, all I can tell you is that this was a Committee Amendment and I believe that you're going to hear other Bills that will do away with notaries, and one in particular on the drivers license. I myself agreed with Representative Phillips. I personally don't think there's any need of a notary, particularly on the identification card application. Ah.... the Secretary of State was asked his opinion and he wholeheartedly supports the removal of the notary on the ID application."

Berman: "Any further discussion? If not, the question is



shall Amendment No. 2 to House Bill 69 be adopted. All those in favor, indicate by saying 'aye'. All those opposed 'nay'. The 'ayes' have it and Amendment No. 2 is adopted. Any further Amendments? Third Reading."

Selcke: "House Bill 133. Bill for an Act to amend Section 3 of an Act in relation to Joint Election of States Attorney by two or more counties. Second Reading of the Bill. One Committee Amendment. Amend House Bill 133 by deleting lines 13, 14 and 15 and inserting in lieu thereof the following: 'shall receive such compensation from the State Treasury as provided by law for the States Attorney for a single county. He shall be paid by the county such compensation as may be and so forth'."

Berman: "Gentleman from Franklin, Representative Hart."

Hart: "Thank you, Mr. Speaker. This Amendment was suggested by the Department of Local Governmental Affairs. It doesn't do anything except rearrange the language of the Bill. It puts back some language that was taken out by the drafting of the Bill and puts in some language at the end which ah... in their opinion clarifies the intent, and I move the adoption of the Amendment."

Berman: "Gentleman from Cook, Mr. Shea."

Shea: "Dick, as I understand the Amendment, if two counties get together and decide to have a Joint States Attorney they will only pay... the State would only pay the compensation that would be due one county and not two counties. Is that correct?"



Hart: "I think that's the present law. The purpose of the Bill is to continue the State's double kick."

Shea: "Now wait, what's the purpose of the Bill?"

Hart: "The purpose of the Bill would have the State continue to pay its double kick to the two counties and then the amount that the local people would pay would be reduced ah... to the point where the State... in other words, the State pays \$12,500 per county. If two counties combine, the State would still continue to pay \$25,000 except in the event that that was more than the maximum salary of the States Attorney for that population."

Shea: "Well, I didn't think we set maximum salaries. I thought we set minimum salaries?"

Hart: "No, we set minimums and maximums. We set a range, which and the law provides that in the event County Boards can't agree that the ah... the maximum salary would be paid in this thing. In other words, the County Boards can go together and agree at a lesser amount, but if they don't then the States Attorney gets the maximum."

Shea: "All right, all I want to make sure is that nobody is taking away from the counties that revenue that the State is suppose to pay them, and you're not doing this in this bill?"

Hart: "No, in fact, we're trying to keep it the way it is. In other words, this would be an added incentive for the counties to go together because they would not lose any State money by so doing."



Berman: "Any further discussion? The gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, would the gentleman yield? Is it true, that States Attorneys salary has no maximum or minimum but is set at one level for each population division?"

Hart: "No, it is not true. There are minimums and maximums, within the ranges of the States Attorneys and the various classification of counties."

Skinner: "Could you tell me what the level of compensation would be for a county of 100,000?"

Hart: "No, I can't tell you that, but it's in the Statutes."

Skinner: "Is there an X-States Attorney here that could answer the question?"

Hart: "My co-sponsor of this Bill, Roscoe Cunningham, is an X-States Attorney. I don't know whether he can answer the question, but he is, in fact, a former States Attorney, and maybe he could answer it."

Berman: "Gentleman from Lawrence, Representative Cunningham. Question was, the salary level at 100,000 population."

Cunningham: "What I wanted to say, Mr. speaker, that there should be no argument whatever about this Bill. We discussed it in the States Attorney Committee meeting last spring and Dick Hart, very asstutely observed that if you did not have the inducement of permitting a financial gain to one county to join with another, each because of its own narrow proventialism, will insist on a States Attorney. We have a duty to encourage efficiency, by letting the State pay



its proportionate share of the inducement to combine for efficiency and law administration. I salute Dick Hart and his co-sponsor in this Bill and urge each of you to vote for it with the Amendment that doesn't destroy the effect. Now in answer to the question, I don't know how much they pay in the 100,000 category. We don't have any counties in that size in the 54th District."

Skinner: "Could Mr. Cunningham tell me what they pay the States Attorney in his county and whether there is a range?"

Cunningham: "Yes, I'm delighted to report in our county, the States Attorney gets \$21,000, which is \$3,500 more than their Representative receives for coming here to be with you."

Skinner: "Is this the highest salary that he may be paid in that county?"

Cunningham: "No, that isn't the limit. It could go up to \$24,000.... 25,000 under the Statute."

Skinner: "Could the Sponsor tell me if the reimbursement for the States Attorney is 50 percent of the salary?"

Hart: "It exceeds 50 percent in every instance downstate."

Skinner: "The amount that the State pays is a flat sum all over the State. It's \$12,500 per county. Then, the local county ah.... can and does pick up the rest. The County Board fixes the salary of the State's attorney within the ranges provided by Statute. It can be the minimum. It could be the maximum and it could be somewhere in between. The





purpose of this Bill, I guess we're not really on the Bill, we're on the Amendment. The Amendment is just rearranging some wording to clarify the intent of the legislation.

If you need information about the salaries, I would be glad to go down to the Legislative Council with you and we'll get the range, or we can probably just look it up in the Statutes. There is a classification of counties, depending upon population. And then within that classification, there is a range of salaries."

Skinner: "Mr. Speaker."

Berman: "Mr. Skinner."

Skinner: "What I am attempting to determine is, I... first let me state that I am in perfect agreement with Representative Cunningham's approach to inducing consolidation of local government that you have to provide some financial inducement. What I'm attempting to determine is whether the financial inducement would be to lower the present ah... contribution from the counties from whatever it is to absolutely zero. Will some counties be making any contribution toward the salary of their States Attorney?"

Berman: "Representative Hart."

Hart: "There is a possibility that the county portion would be reduced to zero. There is, in fact, a possibility such as in the event that suppose very small counties went together which could happen in my district, that the State would save some money, because in that event there would



not be payment of \$50,000, because this legislation puts a ceiling on the amount that the State pays, of an amount not to exceed the maximum for the States Attorney in the populated area established by the referendum."

Skinner: "Mr. Speaker."

Berman: "Mr. Skinner."

Skinner: "Don't you think the local county ought to pay something toward the salary of the States Attorney, if only a thousand dollars?"

Berman: "Representative Hart."

Hart: "Representative Skinner, ah.... I would only say this to you, I have a county in my district with the name of Pope... Pope County. The total amount of the general revenue fund of Pope County for the year is around \$20,000. They have got a States Attorney down there, a lady was just elected to States Attorney. She is yet to receive any of the local contributions. She has only received the payment from the State for her States Attorney salary. Because of the 1970 Constitution, which took off the ability of the counties to charge a sum for the collection and extension of taxes, there are many counties in extreme southern Illinois, which I represent, where the general revenue fund is not sufficient to even run the county in a minimum way, and ah.... we would like.... this legislature has already established a policy whereby two or more counties can get together and elect a States Attorney. I think that this particular Bill would be an added incentive to doing



that and I think it would be good for the counties and good for the State."

Skinner: "The gentleman has convinced me."

Berman: "Any further discussion? If not, the question is, ah.... shall Amendment No. 1 to House Bill 133 be adopted. All those in favor, indicate by saying 'aye'. 'Nays'. The 'ayes' have it and Amendment No. 1 is adopted. Any further amendments? Third Reading."

F. Selcke: "House Bill 137. A Bill for an Act to amend Sections 22 and 26 of an Act to create the White County Port District and define its powers and duties. Second Reading of the Bill. No Committee Amendments."

Berman: "Any Amendments from the Floor? Third Reading."

F. Selcke: "House Bill 157. House Bills 156 and House Bill 157."

Berman: "At the request of the principal sponsor, those will be taken out of the Record. House Bill 160 will be next."

F. Selcke: "House Bill 160. A Bill for an Act to enlarge the corporate limits of metropolitan sanitary district of Greater Chicago. Second Reading of the Bill. One Committee Amendment. Amend House Bill 160 on page 1, line 22, by inserting the word 'published' after the word 'circulation'."

Berman: "Is Representative Rayson in his seat? Is there anyone that can handle Amendment No. 1 to House Bill 160 for Mr. Rayson? Gentleman from Cook, Representative Mann."

Mann: "Mr. Speaker.... Mr. Speaker, it's great to see you up there. You really look great up there."



Berman: "Thank you."

Mann: "Mr. Speaker, ah.... I move the adoption of ah...  
Amendment No. to House Bill 160."

Berman: "Could you explain it, Mr. Mann?"

Mann: "Ah.... I'd rather ask the Clerk, Mr. Speaker, to read  
it because it's new to me. It's Committee Amendment NO.  
1."

Selcke: "Amendment No. 1. Amend House Bill 160 on page 1,  
line 22, by inserting the word 'published' after the  
word 'circulation'."

Berman: "Any debate? Representative Mann. The gentleman  
from Cook, Mr. W. D. Walsh."

W. D. Walsh: "Would the gentleman explain the effect of the  
Amendment."

Berman: "The gentleman from Cook, Representative Mann."

Mann: "Ah... Mr. Speaker, ah.... can you take this out of  
the record for just a moment, without our losing it? Ah...  
so that I can respond to the gentleman's inquiry."

Berman: "Yes, what we'll do, Representative Mann, and the  
other Members. If we have to take a Bill out of the Record,  
in its numerical order, what we will do at the end of that  
order of business, at the end of Second Reading, we will  
return and ah... call Bills again in their numerical order  
if there's request for doing so."

Mann: "Well, Mr. Speaker, I think perhaps I think I can re-  
spond to the gentleman's inquiry. Ah.... it just provides



for circulation, Bill."

Berman: "Representative Walsh."

Walsh: "I don't have a copy of this thing. I know that there's a requirement for giving notice of what's happening. The problem seems to be that ah... it imposes in the opinion of my handler an impossible restriction in some communities. Because, there are some communities that ah... do not have a newspaper of general circulation, and so I think that we may be doing something here that we'll regret and it follows a pattern of things that we've done for other requirements of notice where we're trying in this session to correct them. I wonder if you could take this out of the record for a little while so that we could talk about it."

Berman: "Representative Mann."

Mann: "Mr. Speaker, ah... I would suggest this. In order to respond intelligently to the Majority Leader, why don't we let Mr. Rayson handle this tomorrow. If he's not here, ah... then I can prepare for it."

Berman: "We'll take it out of the record at this time."

Mann: "Thank you, Mr. Speaker."

F. Selcke: "House Bill 170."

Berman: "162, Mr. Clerk, ah... we'll have to go down the list and then we'll indicate."

F. Selcke: "House Bill 162."

Berman: "At the request of the Sponsor, that will be taken out of the record."



Selcke: "House Bill 170. Bill for an Act creating the Environmental Protection Agency Legislative Study Commission, defining its powers and duties. Second Reading of the Bill. No Committee Amendments."

Berman: "Any Amendments from the Floor?"

Selcke: "Amendment No. 1. Borchers. Amend House Bill 170, on page 2, line 30, by deleting June 30, 1974 and inserting in lieu thereof, January 9, 1974."

Berman: "Gentleman from Macon, Representative Borchers."

Borchers: "Mr. Speaker, all I request is favorable action to amend... to put this amendment, to change the reporting date. And thank you."

Berman: "Any further discussion? The gentleman from Christian, Representative Tipsword."

Tipsword: "Would the sponsor yield to a question, please?"

Berman: "He indicates that he will."

Tipsword: "Representative Borchers, what, if anything, has happened to your Resolution for a Committee? I believe...."

Borchers: "I'm not hearing what you're saying."

Tipsword: "What... what has happened, if anything, to the Resolution, that I believe you also sponsored to provide a Committee to do this, ah... from the existing committees of the House?"

Borchers: "It will be coming up in due time, but I think we should approach it in both directions - Resolution and Bill."

Tipsword: "Thank you."



Berman: "Any further discussion? If not the question is shall Amendment #1 to House Bill 170 be adopted. All those in favor indicate by saying 'aye'. Opposed, 'nay'. The 'ayes' have it and Amendment #1 is adopted. Any further amendments? Third Reading."

F. B. Selcke: "House Bill 191. Bill for an Act to make an appropriation to Mrs. Silas Burkes, widow of deceased World War II veteran, ah.. Second Reading of the bill. No Committee Amendments."

Berman: "Any amendments from the Floor? Third Reading."

F. B. Selcke: "House Bill 208. Bill for an Act to amend the Environmental Protection Act, Second Reading of the bill. No Committee Amendments."

Berman: "Any amendments from the floor? Third Reading."

F. B. Selcke: "House Bill 226. Bill for an Act to provide for the Ordinary and Contingent Expense, Illinois Commission on Intergovernmental Cooperation. Second Reading of the Bill. No Committee Amendments."

Berman: "Any amendments from the Floor? Third Reading."

F. B. Selcke: "House Bill 241. Bill for an Act to amend the Environmental Protection Act, Second Reading of the Bill. No Committee Amendments."

Berman: "Any amendments from the Floor? Third Reading."

F. B. Selcke: "House Bill 254. Bill for an Act to amend the Illinois Governmental Ethics Act, Second Reading of the bill. One Committee Amendment. Amend House Bill 254 on page 1, by striking line 32 on page 2, by striking lines



one through four by inserting in lieu thereof the following:  
 'Person examining a statement shall also disclose on such  
 form whether or not he is acting in a representative or  
 employment capacity for another person or persons and the  
 name of any such actual person or persons. The person  
 examining the statement shall sign on such form an  
 affirmation that all information set forth is true  
 and correct. D. And on page 2 by striking lines 13 and  
 14 and inserting in lieu thereof the following, Section 2'..."

Berman: "The Gentleman from Cook, Representative J. J. Wolf."

Wolf: "Mr. Speaker and Members of the House. This is a  
 Committee Amendment and it just provides that it would  
 be the name of the actual person who is requested and that  
 he signs a statement setting forth that the information was  
 true and correct. I move its adoption."

Berman: "Any further discussion? If not, the question is shall  
 Amendment #1 to House Bill.. Gentleman from Cook, Representative  
 Shea."

Shea: "Well, will the sponsor tell us what the bill does and  
 explain what the amendment does again. I'm sorry, I couldn't  
 hear him for all the noise."

Berman: "The Gentleman from Cook, J. J. Wolf."

Wolf: "Did you want to know what the bill does?"

Shea: "I'd like to know what the bill does and what the  
 amendment does to the bill."

Wolf: "Okay. First of all what the bill does ah.. is set  
 forth a kind of a.. ah.. truth in lending so to say for the





Ethics statement. Right now, when someone wishes to look into your statement of economic interests, you are issued a little pink slip saying that John Doe or whoever it was had requested to look into it. What this bill does and the amendment to strengthen it would be that if I were interested in looking into your particular statement of ethics, I could have someone else do it and use his name. What this bill would say that you must divulge the name of the person that you're seeking the information for. And then sign a statement that that information is true and correct. In other words, rather than me getting someone else to do my dirty work or just to put down that I was a ah.. an employee of such and such a firm, ah.. when that firm actually wasn't seeking ah.. the information. Ah.. I would have to disclose who the real seeker of the information is. I move its adoption."

Berman: "Is there further discussion? If not, the question is shall Amendment #1 to House Bill 254 be adopted? All those in favor indicate by saying 'aye'. All those opposed 'nay'. The 'ayes' have it. And Amendment #1 is adopted. Any further amendments? Third Reading."

F. B. Selcke: "Ah.. House Bill 259. A bill for an Act to repeal an Act for the sale of United States Steel Corporation the interest of State of Illinois in certain lands. Second Reading of the Bill. No Committee Amendments."

Berman: "Any amendments from the Floor? Gentleman from Cook, W. D. Walsh."



W. D. Walsh: "Ah.. Mr. Speaker, the sponsor of this bill is not here. We did intend to talk to him about an amendment. I wonder if you could hold that?"

Berman: "All right. We'll take that ah.. House Bill 259 out of the record."

F. B. Selcke: "House Bill 277. Bill for an Act to add Section 18.1 and so forth to an Act in regard to judges and decrees. Second Reading of the Bill. Ah.. no Committee Amendments."

Berman: "Any amendments from the Floor? Third Reading."

F. B. Selcke: "House Bill 278. Bill for an Act to add Section 16.1 to an Act in reard to judges and decrees. Second Reading of the Bill. No Committee Amendments."

Berman: "Any Amendments from the Floor? Third Reading."

F. B. Selcke: "House Bill 279. Bill for an Act to amend Sections 18, 18(d), and 18(e) and 24(a) of an Act in regard to judges and decrees. Second Reading of the Bill. No Committee Amendments."

Berman: "Any amendments from the Floor?" Third Reading."

F. B. Selcke: "House Bill 282. Bill for an Act to make an appropriation to Mrs. Williard William Shephard Aikin, Second Reading of the Bill. No Committee Amendments."

Berman: "Amendments from the floor?"

F. B. Selcke: "Amendment #1, Hart. Amend House Bill 282 on page 1 by adding a Section 2 after the last line to read as follows. Section 2, this Act takes effect upon its becoming a law."



Berman: "The Gentleman from Franklin, Representative Hart."

Hart: "Mr. Speaker, this amendment makes it effective upon becoming a law. I move the adoption of the amendment."

Berman: "Any further discussion? If not, the question is shall Amendment #1 to House Bill 282 be adopted? All those in favor indicate by saying 'aye'. All those opposed, 'nay'. The 'ayes' have it. The Amendment #1 is adopted." Any further amendments? Third Reading. At this time, the Chair would like to go back and recall bills on Second Reading in which the sponsor wishes to proceed. If you do wish to proceed, please indicate ah.. Come up.. come up to the Clerk and we'll try to get you in the proper order. In relation to House Bill 8, may I call the body's attention. There's an amendment that was being prepared but because of the rules that required that amendments be printed and distributed, ah.. we cannot consider that at this moment. Ah.. accordingly, I would suggest that if there are amendments to bills, that the sponsors of the amendment and the sponsor of bills ah.. coordinate their efforts so that the Clerk can have these printed and distributed so that we can move along and consider them. I think that ah.. we have to get used to the new rules a little bit. That's why we're a little slow today, perhaps, but I would suggest that we do try to expedite these matter with ah.. coordinating the sponsors of the amendments and the sponsors of the bills and the Clerks ah.. operation. So we'll take House



Bill out.. House Bill 8 out of the record a second time.  
The next bill that has been requested is House Bill.. ah..  
the Gentleman from.. McLean, Mr. Bradley."

Bradley: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and  
Gentlemen of the House, as long as we're at slow pace  
this morning, I'd like to take this opportunity to introduce  
to the Members of the General Assembly a large group  
of ladies from Piatt County some 39 in number are down  
here touring the Capitol and watching the General Assembly  
in Action. And I would ask them to stand and be recognized  
by the House of Representatives. Thank you."

Berman: "Ah.. the next bill that's been request is ah..  
House Bill 160, again on Second Reading. Mr. Clerk,  
are we ready for that bill?"

F. B. Selcke: "Ah.. House Bill 160. A bill for an Act  
to enlarge the corporate limits of Metropolitan Sanitary  
District of Greater Chicago. Second Reading of the Bill.  
One Committee Amendment. Amend House Bill 160 on page 1,  
line 22 by inserting the word 'publish' after the word  
'circulation'."

Berman: "Gentleman from Cook, Mr. Rayson."

Rayson: "Oh, Mr. Speaker, Members of the House. This is a  
one-word, clarification amendment to revise ah.. many  
statutes which set forth local referendums but then they  
broaden it to be any paper published in the County.  
The intent of this little amendment is to allow for the  
local publication in this local community of the Village of



Madison and that's the technical word and the Illinois Press Association and the Reference Bureau saying that they're making all the state's statutes involved in local procedures to conform with this kind of technicality. So I would move for the adoption of Committee Amendment #1 of House 160."

Berman: "The Gentleman from Cook, Representative W. D. Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House. The thing that I find in this amendment is that there must be many communities and I can think of several, where there is no newspaper published. There are many circulated but none published. And it seems to me that by putting this word in here, we make it impossible for some communities to comply with the Act. Therefore, I feel that the amendment should not be adopted unless we ah.. find some language that will define the word 'publish' to include ah.. situations where there are newspapers circulated but not printed or published."

Berman: "Could we have a little order, please? Any further discussion? Ah.. the Gentleman from Cook, Representative Rayson to close?"

Rayson: "Well, I understand the Gentleman's ah.. ah.. concern and I think that the Attorney General has broadened the definition of publication considerably. It can be any area in which a newspaper brings in and has an office and distributes in that community. Furthermore, this particular section deals also if there's no newspaper published."



A newspaper of general circulation. The point is the merits of the locality in which it is, rather than have the daily lull of bulletin publish some local affair on Madison. And I think that the Gentleman's concern is colored. And I would still persist in moving for the adoption of this amendment."

Berman: "The question is shall Amendment #1 to House Bill 160 be adopted. All those in.. Gentleman from Cook, Mr. W. D. Walsh."

Walsh: "Explain my vote, Mr. Speaker."

Berman: "Do you you want a roll call, Mr. Walsh? A roll call has been requested and I'm sure he's joined by five Members. Ah.. all those in favor of Amendment #1 will ah.. indicate by voting 'aye'. All those opposed by voting, 'no'. The Gentleman from Cook, Representative W. D. Walsh."

Walsh: "Well, Mr. Speaker and Members of the House. I think what the Gentleman is doing, is irreparable harm to his bill and it is.. this amendment is defeating the purpose of it. Now I would suggest to him that he withhold the amendment, keep the bill on Second Reading until we can discuss what the word publish means. Now he says that the Attorney General has defined it. I don't know that it's defined in the statutes and it seems to me, even if it is.. it could have different definitions in different places. So I suggest to you that this is a very damaging



amendment to the Gentleman's bill. Very damaging to cities and villages that may want to become annexed to the sanitary district because they simply cannot comply with this requirement. Now I would urgently suggest that the Gentleman hold the amendment and if he will not, I beseech you to vote 'no' on it."

Berman: "The Gentleman from Cook, Representative Mugalian."

Mugalian: "Mr. Speaker, Ladies and Gentlemen of the House.

The word published ah.. has not only been commented on by the Attorney General, but I'm quite sure that reported cases define the word 'published' as appearing in the community. If a newspaper is sold to its subscriber in a community, it is then published in the community. The word, published, does not refer to the place where the newspaper is printed. It does not refer to it, 'central office'. It does refer to whether the newspaper is seen and read and distributed in the community. That is the definition of published as I understand it by the court case in Illinois."

Berman: "The Gentleman from Cook, Representative Rayson, to explain his vote."

Rayson: "Um.. well, I would heed to the Gentleman's request to poll this to satisfy the Gentleman. Frankly, I don't care whether the amendment passes or not. The Reference Bureau suggested that we do it. And that he wants to do it for all of these statutes to remove this vaguery .



where the Chicago Daily Bulletin or the Tribune can decide a legal issue because of a publication when the local people can otherwise have a backdoor referendum. No, I'll be glad to hold it and discuss it with the Gentleman. And I'm sure either way is okay with me. Because it's a rather trivia but clarifying amendment."

Berman: "Amendment #1 will be taken out of the record and House Bill 160 will also be taken out of the record."

F. B. Selcke: "House Bill 259. Bill for an Act to repeal an Act for the sale of United States Steel Corporation in the interest of the State of Illinois in certain lands. Second Reading of the bill. No Committee Amendments."

Berman: "Any amendments from the floor? Third Reading."

W. Robert Blair: "All right. We're off of Second Reading now. I thought that Mr. Berman did a very good job, there. House Bills, Third Reading. I would have to give our side equal time."

F. B. Selcke: "House Bill 77. An Act to amend Section 2 of an Act concerning jurors and repeal certain Acts therein name. Third Reading of the Bill."

Collins: "Ah.. the Gentleman from Franklin, Representative Hart."

Hart: "Thank you, Mr. Speaker. This bill would provide ah.. for 18 year olds to serve on juries. As you know, jurors are taken from voter lists. Eighteen year olds are now eligible to vote in Illinois. The Attorney General





of Illinois has previously ruled that the language in the statutes with reference to 21 year olds is more descriptive than, than substantive. And most counties now are permitted 18 year olds to be on the jury list. I believe it is right and proper that we amend the statutes, contemplate what probably is the existing practice anyway and allow 18 year olds to serve on juries. I would appreciate the support of the House on this bill."

Collins: "Ah.. any discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Ah.. Mr. Speaker, will the sponsor yield to a question?"

Collins: "He indicates he'll yield."

Hoffman: "Ah.. Representative Hart, do you provide for ah.. any exceptions to this or ah.. any reasons ah.. other than those that are presently in the law for people to be excused from serving?"

Hart: "Ah.. no. This has nothing to do with ah.. excusing people from serving on juries. There's no change. All this does is change ah.. the word.. ah.. the number, 21, to the number, 18."

Hoffman: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, let me address myself to ah.. the bill, then. It seems to me that ah.. there are probably some exceptions that we ah.. might consider as we drop the age from ah.. 21 to 18. A move which seems to me to be a reasonable improvement from



an administrative point of view if from no other. However, I think we find a number of 18 year olds who are still in high school.. ah.. who if they are called to jury duty, they would have to go through the procedure of ah.. ah.. getting exempted and as I understand it, I don't believe that is one of the exemptions in the present law. And I only suggested to the sponsor that he give consideration to this problem possibly if necessary with some follow-up legislation."

Collins: "Can we have a little order please. Ah.. it's the indication from the rear that they're having difficulty hearing." Ah.. the lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, and ladies and gentlemen of the House, am I in order to speak for or against this bill at this time with all the commotion?"

Collins: "Yes, please proceed. And if we could have a little order and pay attention to the lady's remarks."

Geo-Karis: "I think, Mr. Speaker, I rise to speak against this bill. I am in favor of 18 year old people doing many things. But as an experienced lawyer of 30 years standing, I question whether or not an 18 year old person has had enough experience and background accumulated to be able to discern the truth or the falsity of statement of witnesses from the juror's point of view."

Collins: "The Gentleman from Cook, ah.. Representative Wolf, ah.. J. J. Wolf."



J. J. Wolf: "Ah.. just a question of the sponsor, briefly."

Collins: "He indicates he'll yield."

Wolf: "Ah.. Representative Hart, just one question ah.. I had. Is there a provision for in the existing law to give a waive for a jury duty to a student who might be away at school. I'm just wondering if they get a summons to appear in jury and let's say they're out of town at school and they fail to respond, I assume then a warrant goes out for them. Is that the procedure?"

Collins: "Representative Hart."

Hart: "Representative Wolf, that could happen, although, ordinarily there are jurors called in a big list who are not served and many times they are not in the county ah.. for various reasons. Ah.. there are generally speaking ah.. more drawn than needed anyway. And ah.. ah.. if the judge wanted to, he could issue a warrant to have them brought down to appear ah.. on the call. I doubt that this would be done and then I'm sure that any judge would, you know, if you have a reasonable excuse for not being able to serve on a jury panel at the particular time when you're called, the judge will generally ah.. in his discretion ah.. excuse you. And I think that in answer to Representative Hoffman's question and the one that you suggest here, I don't believe that any judge would ah.. would force a person to miss school to serve on a jury when there are plenty of other



eligible people who would be available. And the point of it is not of course to work a hardship, but to provide a random selection. But ah.. ah.. it would not necessarily follow that a warrant would issue if the person didn't respond or you weren't able to serve him. You see, the sheriff goes out and serves these people ah.. when the binary list is.. is drawn. And then he makes a return on the list and ah.. ah.. person might be out of the county that week for.. on a vacation or might be in a hospital or could be unavailable to be served with a summons for many reasons besides being in school. Ah.. then it would be up to the court whether or not to go further or just to ignore it."

Wolf: "Well, I have no objection to your bill. I just raised a point as did the gentleman from DuPage and hope that there is some consideration given to it. Thank you."

Hart: "I'm sure any reasonable judge would give that consideration."

Collins: "The Representative from Ogle, Representative Brinkmeier."

Brinkmeier: "Mr. Speaker, and Members of the House, I'd like to urge support of this bill. It's been my good fortune for the past 25 years to be teaching senior high school students as well as coaching. And I would submit to you, that these young people on the average are more knowledgeable than those people over 21.



Secondly, I think to be consistent with what we've done in other areas, we should lower the age to 18 and.. and follow this route. And I would urge the support of the House for this bill."

Collins: "Is there any further discussion? Ah.. the Gentleman from Lake, Representative Pierce."

Pierce: "Mr. Speaker, would the sponsor yield for a question?"

Collins: "He indicates he'll yield. If we keep the drinking age at 21 and don't pass Representative Jaffe's bills, will it be possible under your bill for 18 and 19 year olds to serve on a jury where a tavern owner is charged with the crime of serving minors liquor? And would this be a conflict of some kind?"

Hart: "I don't know whether that's a question or a read hearing. But, of course, it would be possible."

Collins: "The gentleman from Livingston, Representative Hunsicker."

Hunsicker: "Mr. Speaker, ladies and gentlemen of the House, I'd like to rise in opposition of this bill. I personally don't feel that an 18 year old is mature enough to exercise judgment on matters pertaining to jury service. If any Members of this House has 18 year olds sons or daughters, I'd like to ask them this question. Would you turn the responsibility to running your home or your business or what have you over to an 18 year old son or daughter? If you can say yes, I think they're old enough



to serve on juries and if you say no I'd have to tell you I don't believe they're mature enough."

Collins: "Ah.. is there any further discussion? Tha.. the.. Gentleman from Macon, Representative Borchers."

Borchers: "Mr. Speaker, fellow Members of the House, I think a most important point has come up. Dramshop acts are not completely eliminated. We still have them. Suit is still possible. And I, for one, will vote no until I find out what the situation will be in relation to 18 year olds and their drinking. I don't think its right to put and 18 year old on a jury who is possibly judging a \$100,000 suit against ah.. under the Dramshop or against ah.. a the owner of the land of the property involved or the operator of the tavern. And they dont' stop at \$100,000 anymore. I've seen some.. ah.. some bills introduced now in the State for up to a half a million bucks. And I do think that we better stop right here until we find out what's going to happen in other ways of this law on the rules and regulations."

Collins: "The ah.. Representative from Cook, Representative Washington."

Washington: "Will, the sponsor yield for one question?"

Collins: "He indicates he'll yield."

Washington: "Representative Hart, there seems to be some confusion in the minds of some of the people as to the process which is used to screen out jurors. Would you



explain step by step how its done including the voidre?  
And also illustrate how each side has an oppportunity to  
interrogate potential jurors? Perhaps that might clear  
it up."

Collins: "Representative Hart."

Hart: "Ah.. thank you, Representative Washington. In  
answer to your question and to the questions of Representative  
Borchers and Representative Pierce, each side in a civil  
law suit has the oppportunity when their attorney is  
questioning the jurors as to their qualifications to  
serve to eliminate without any particular reason  
a certain number. This is what we call peremptory  
challenges. In a civil case where there are only one  
party on each side, the number is 5. As the number of  
parties increase on either side, the number of peremptory  
challenges increases at the discretion of the judge.  
Ah.. in this way.. ah.. if there was a person whom you  
thought was not an open-minded juror as to the issues  
in the case in which you're trying you could ask the  
court to excuse him. This would be true if you thought  
there was an 18 year old who was not able to drink who  
wanted stay in a Dramshop case, you could excuse that person  
just as you could excuse a member of ah.. some group that  
was against alcoholic liquors for other reasons than the  
fact that they couldn't go to a tavern legally and drink  
it. Each of the attorneys for the parties has an oppportunity



through a process which we call the voir dire examination which means to speak the truth that ah.. he can ask the jurors as to their qualifications whether or not they have an preconceived notions about the case. Whether they've read about it. Whether they're prejudice against the issues. Whether or not they're prejudice against one or more of the parties. Whether they could be fair. Whether or not they could listen to the evidence and read.. take the instructions of the court and trully and fairly decide the issues in the case. If you don't feel that they can answer those questions satisfactorily, then you can excuse those persons from jury service for no reason other than just the fact that you do not want them to serve. In addition to that, if any of them are prejudice which you can demonstrate that they cannot be a non-prejudice juror, then you can excuse them ask the court to excuse for cause. And this does not affect the number of challenges that you're entitled to under the statutes. I believe that the reservations that some of the members have about this would be solved by the procedures involved in excusing jurors from service. And so I think, I think that that would take care of.."

Collins: "Excuse me, Representative Hart, the noise is getting pretty bad up here. Would we please have some order? Please continue, Sir."

Hart: "I believe that that procedure established in the





statutes for picking jurors would overcome those problems that Representative Borchers and Pierce and others may have about the ah.. any one particular juror."

Collins: "Ah.. the lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "May I have leave to respond to Representative Hart?"

Collins: "Ah.. you've spoken once on the matter. Does the lady have leave to respond?"

Geo-Karis: "I'd like to respond that.."

Collins: "The gentleman from Cook, ah.. Representative R. D. Walsh, for what purpose do you rise?"

Walsh: "Well, I hate to be the one to do it. But, Adeline, I do think we should and I'll breach the rules by calling you by name. Let's abide by the rules and the lady can explain her vote when the time comes."

Collins: "I think that is proper. If the lady would explain her vote. Is there further discussion? The gentleman from Macoupin, Representative Boyle."

Boyle: "Yeah, thank you, Mr. Speaker. I think we've debated this long enough and I'd like to move the previous question."

Collins: "The gentleman has moved the previous question. Those in favor indicate by saying 'aye'."

Members: "Aye."

Collins: "Opposed.. And the motion carries. The gentleman from Franklin, Representative Hart to close."

Hart: "Very briefly, Mr. Speaker, I would just like to



reiterate the point that I made. This.. ah.. most counties are doing this now because of the Attorney General's rulling that 18 year olds are now legally eligible to serve on jurors. The purpose of this bill is to clear up many confusions that might exist and to cotify what I believe to be the existing practice. Also, I believe that it is right and proper that 18 year olds and 19 and 20 year olds be permitted to serve on jury. And I would urge the support of the bill by this membership."

Collins: "The question is shall House Bill 77 pass? Those in favor will indicate by voting 'aye'. Those opposed by voting 'no'. The lady from Lake, Mrs. Geo-Karis to explain her vote."

Geo-Karis: "Ah.. Mr. Speaker, and ladies and gentlemen of the House. I rise to explain my vote. I have mixed emotions about this bill because I'd like to point out to the Members of the House. once this bill is passed and adopted by both Houses and put into law, an 18 year old juror cannot be disqualified on the basis of age. And therefore, I vote present."

Collins: "The lady votes present. The gentleman from Lake, Mr. Murphy."

Murphy: "Ah.. Mr. Speaker and Ladies and Gentlemen of this House. Ah.. I'm going to support this bill but I think we're making a mistake by having piece-mil legislation on 18. I think if we are deciding that 18 is the point of consent, the point of maturity, I think we should have



one Bill then that grants them the right to be an adult and have the responsibilities of an adult at 18 years old rather than this piece-meal legislation. However, I intend to support this Bill."

Collins: "The gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, I rise to explain my vote. I am voting in favor of this Bill, because the 18 year olds were.... they had good enough judgement to put us in our seats. It seems to me, for that reason, they ought to have good enough judgement to be able to decide court cases."

Collins: "The Repe.... the gentleman from Cook, Representative Duff."

Duff: "Mr. Speaker, I rise to explain my vote. I've not voted for all these 18 year old bills, but... and I have a daughter who will be 18 very shortly to answer one of the queries that was made before, and I frankly think that of all the qualities of the young people today, one of the most strong, one of the most outstanding is their attitude of fair-mindedness, and I would be glad on any jury that I was trying to select to have an 18 year old on there. I vote 'aye'."

Collins: "The gentleman from Lawrence, Representative Cunningham."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, the thought occurs to me that those of you who are voting red are not paying any attention to the present state of the law. As the Sponsor pointed out, there isn't a



county in the State at the present time, with the possible exception of Cook, that doesn't have 18 year old jurors names in their list of jurors. What we're asking you, what the Sponsor's asking you to do is to make the statutory law catch up with the progress that mankind has already made by letting 18 year olds assume their legitimate role in the process. If you vote no now, logically you should go down to the polls and vote against 18 year olds voting, because that's the law of the land. If your head's in the sand, you should pull it out and vote green on there."

Collins: "Have all voted who wished? The Clerk will take the Record. On this question, there are 129 'ayes', 20 'nays', and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 78."

Selcke: "House Bill 78. An Act to make an appropriation to George Rechter. Third Reading of the Bill."

Collins: "The gentleman from Franklin, Representative Hart."

Hart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this Bill appropriates \$609.80 to George Rechter, who's a resident of Franklin County for ah.... his money due him under the World War II Veterans Compensation Act, or his World War II bonus. For some reason, he has never received it and this has been checked out with the Illinois Veterans Administration. They certified to his eligibility and we would appreciate the support of the House on this Bill."

Collins: Is there any discussion? The gentleman from Cook,



Representative Mugalian."

Mugalian: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to speak in opposition to this Bill, and the other three Bills next succeeding, and I want to make clear at the outset that my objection is not to the specific item, and I want to say that I have complete confidence in Representative Hart and the specifics of these proposals. My objection.... my question, I better put it as a question - Is the continuing practice of Bills of this kind. When I first saw these Bills on the Calendar, I was ah... I wondered what they were and checked them out. The time period within a veteran of World War II was applied to compensation was in July of 1951. I looked at the current Statute book and in fact.... ah.... there was nothing in the present Statutes that even shows one that he can obtain compensation on this basis. We are not talking about a large amount of money, but I'm concerned about the Constitution of the State of Illinois which states Article IV, The Legislature, Section 13, The General Assembly shall pass no special or local laws when a General Law is or can be made applicable. I have as much interest in the Veterans of World War II, I happen to be one myself, as anyone in this House. I would suggest that this Legislature might pass a law which would again extend the time within which World War II compensation may be applied for and received. Thank you."

Collins: "Is there any further discussion? The gentleman from Dupage, Representative Hudson."



Hudson: "Will the Sponsor respond to a question or two?"

Collins: "He indicates a yield."

Hudson: "Representative Hart, I'm assuming and I have introduced at least one Bill of this kind myself, and I'm assuming that you have ah... check this out with the Illinois IVC, the Illinois Veterans Commission, and found that ah... this gentleman's claim to be in order. Would this be correct?"

Hart: "Yes, it is, Representative Hudson. I made that statement in the ah... explanation of the Bill. I'll repeat it again. This and all the other Bills, which ah..., which I have with Representative Choate and McCormick, ah... Sponsors from the 59th District, have been cleared with the Veterans Commission and their eligibility to receive this sum has been certified to. Ah... the only thing that I could say in response to Representative Mugalian, and I know he has some sincere feelings about it. We've discussed it off the floor, would be that even if this Legislature did reopen it and close, that it wouldn't be binding on any future legislatures, and I don't believe there's any man that would come down here to Springfield and refuse to Sponsor a Bill for somebody in his District to get the World War II or Veterans Bonus that they were entitled to which for many reasons, which may have been that they could not control, they didn't receive it, and ah... ah... I have ah... great respect for Representative Mugalian and I understand his views, but I just don't believe at this time ah... it's practical to do that and for this reason,



I intend to continue the present practice, which has been adopted by Legislatures in the past, of responding to these people who want to receive the money that they're entitled to."

Collins: "The gentleman from Cook, Representative Piotrowicz."

Piotrowicz: "Mr. Speaker, I move the previous question."

Collins: "The gentleman moves the previous question. All those in favor, will indicate by saying 'aye'. Opposed, and the motion carries. Representative Hart, you wish to close?"

Hart: "I'd just like a favorable vote on this Bill, Mr. Speaker."

Collins: "The question is, shall House Bill 78 pass? Those in favor will indicate by voting 'aye', those opposed by voting 'nay'. The Clerk will take the Record. Have all voted who wished? The Clerk will take the Record. Ah... Philip 'aye'. Hyde 'aye'. Schoeberlein 'aye'. Katz 'aye'. On this question, there are 147 'ayes', 4 'nays', and this Bill having received a Constitutional Majority is hereby declared passed." House Bill 79."

Selcke: "House Bill 79. A Act to make an appropriation to Orville H. Knapper. Third Reading of the Bill."

Collins: "The gentleman from Franklin, Representative Hart."

Hart: "Again, Mr. Speaker, Ladies and Gentlemen of the House, this is another gentleman who did not receive his Veterans bonus. This Bill is for the sum of \$404.63. His eligibility has been certified by the Illinois Veterans Commission. I



would appreciate the support of the House on this piece of legislation."

Collins: "The gentleman from Lawrence, Representative Cunningham."

Cunningham: "Will the Sponsor yield to a question?"

Collins: "He indicates a yield."

Cunningham: "My question is, are each of these recipients in the five Bills that you have on the Calendar today, ah... Members of your District?"

Hart: "Yes, in fact they are Members of my county."

Cunningham: "Well doesn't it seem to espound the laws of probability that there would be so many over-looked ah... beneficiaries in your District?"

Hart: "Well, ah.... I suppose that's probably unusual. Apparently, it is up to date, but the Veterans Office in Franklin County happens to be adjoining my law office, and I have encouraged the ah... People that service that office to interrogate and look for persons who have not received their bonuses, so that they may receive them, and for this reason, maybe they're just a little more active than some of the other counties."

Cunningham: "You have anticipated and answered my next question as to how you located these soon to be grateful beneficiaries of your diligence. I'm going to recommend to my associates, Representative Keller and Blades, that we look for similar over-looked citizens in our District and we'll be back here next week with those that we find."





Hart: "I will vote for everyone of them."

Collins: "Is there any further discussion? The Gentleman from Cook, Representative Piotrowicz."

Piotrowicz: "Mr. Speaker, the Representative from Franklin County is to be congratulated for so industriously protecting the rights of the People of Franklin County, congratulate him for it, and I move the previous question."

Collins: "Well, I think the Motion's out of Order, and unnecessary at this time. The question is, shall House Bill 78 pass. Those in favor will indicate by voting.... 79.... Those in favor will indicate by voting 'aye', those opposed by voting 'no'. Gentleman from Cook, J. J. Wolf."

Wolf: "Mr. Speaker, I just looked at the Calendar. It appears that we have a number of these. I wonder if we couldn't expedite matters by having the roll call apply to all Bills?"

Collins: "Well, the gentleman could ask leave, but there has been opposition, so I think he would rather call them one at a time. Have all voted who wished? The Lady from Cook ah... Mrs. Catania, do you seek recognition?"

Catania: "Yes, ah... having listened to Representative Hart and Representative Cunningham, ah... I am just curious as to why all of these problems can't be dealt with on one Bill. Somebody told me last week that the average cost of putting a Bill through the House of Representatives is \$100. It would seem to me that we would save a lot of money if we could just combine all of these onto one Bill. It's merely a suggestion."



Collins: "Well, these all don't come to life at the same time. I think that would be the ready answer to it, and they are coming forth from time to time. They all don't arrive at the same time. Ah..."

Catania: "Well these all appeared to have arrived...."

Collins: "These are all from one District and one county. It is rather coincidental that they all came at the same time, but...."

Catania: "Yeow, would it be possible to combine them in the future when five or six occur at the same into one Bill?"

Collins: "Ah.... I'd have to reserve... I think it's possible, but I'm not sure. I'd have to talk that over with you, Sue. Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. In response to the Lady's question, there is a Bill presently being drafted to give a lump sum to Illinois Veterans Commission to pay these costs, or people who are unfortunately did not apply for their World War II pensions. And I think this would probably solve the problem and also alleviate the necessity of providing a Bill, for these unfortunate people, but I have to vote 'aye' on this Bill, Mr. Speaker, as has been the procedure up to this time, and this is the only vehicle that these People have to receive the money that they are entitled to."

Collins: "Have all voted who wished? The gentleman from Cook, Representative Hoffman. R. Hoffman."



Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, to answer the other Representative's query as far as cost on this, we have checked this out, and the base cost to institute this type of legislation is \$500. To run this legislation through the House and through the Senate Chambers and have it signed to make the final Appropriation is almost \$1800. And I would agree with Representative Lechowicz that there must be a better way. When we have no votes recorded on this Board on this type of proposition, it is not that we feel they are not entitled to this, we just feel it is an extremely expensive way to compensate these People. Now I will vote present on this proposition and on any others of this nature, strictly from the standpoint that the State of Illinois cannot afford on an individual basis to consider this legislation and spend almost five times the monetary value to what we intend to accomplish. Thank you."

Collins: "Have all voted who wished? The Clerk will take the Record." Anderson 'aye'. On this question, there are 151 'ayes', 4 'nays' and one voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 80."

Selcke: "House Bill 80. An Act to make an Appropriation to John Shovin. Third Reading of the Bill."

Collins: "The gentleman from Franklin, Representative Hart."

Hart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, ah.... I was interested to hear the remarks of



Representative Lechowicz. Ah... I served on the Appropriations Committee for the past four years and saw some of these Bills come through, and I know it was of some concern, and I think that maybe he has a good answer to the problem, and as soon as that answer is inacted into procedure, I intend to follow it, but at the present time, this is the only way that we can do these things for our constituents, and I would appreciate the support of the House on this Bill, which appropriates money to a gentleman who has not received his World War II Veterans Bonus and to which he is, in my opinion, entitled."

Collins: "Is there any discussion? The gentleman from Cook, Representative Mugalian."

Mugalian: "I rise only because what I said the first time may not have been heard by everyone. I have absolute confidence that all these claims are meritorious and that Representative Hart has investigated them and that there is no question but that these are Veterans who forgot, for one reason or another, to apply for compensation. I do think that perhaps this brief debate has been helpful, because it may simulate a new Bill that may make a indefinite statute of limitations, that perhaps it have no statute at all, so any Veteran may properly and inexpensively apply for compensation so that this House's time may not be taken up for this kind of business. Thank you."

Collins: "Is there any further discussion? The question is, shall House Bill 80? Those in favor, will indicate by



voting 'aye'. Those opposed by voting 'no'. Tipsword 'aye'. Have all voted who wish? Clerk will take the record. On this question there are 144 'ayes', 6 'nays', one voting 'present', and this Bill having received a Constitutional majority, is hereby declared passed. House Bill 81."

Selcke: "House Bill 81. An Act to make an appropriation to Robert Alloy Branch. Third Reading of the Bill."

Collins: "The gentleman from Franklin, Representative Hart."

Hart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill for a Korean bonus for this Veteran. I would appreciate the support of the House."

Collins: "Is there any discussion? The question is, shall this Bill pass? House Bill 81 pass? Those in favor will indicate by voting 'aye', those opposed by voting 'nay'. Have all voted who wish? Blades 'aye'. Gentleman from Wayne, Representative Blades."

Blades: "Ah... I'm on this Bill, but I didn't get to kick my switch on the other Bill. I would like consent of the House to be on the other Bill."

Collins: "The gentleman asked unanimous consent to be added as voting 'aye' on House Bills 78, 79 and 80. Does he have leave? Leave's granted. Have all voted who wish? Clerk will take the Record. On this question, there are 151 'ayes', four 'nays', 1 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed?" House Bill 98."



Fredric B. Selcke: "House Bill 98. An act to amend the School Code. Third Reading of the Bill."

Rep. P. W. Collins: "The Gentleman from Cook, Representative Shea."

G. W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 98 allows the Chicago Board of Education to use its Section 16 land either to sell it or mortgage it upon approval of 3/5 of the Board to repay a \$35 million loan that this House allowed the Board to borrow from a rehabilitation bond fund. I'd ask for the support of the House."

Rep. P. W. Collins: "Is there any discussion? The Gentleman from Cook, ah.. Representative W. D. Walsh."

W. D. Walsh: "Mr. Speaker, and Ladies and Gentlemen of this House, the \$35 million that the Gentleman refers to is a part of \$250 million that this House, in their lack of wisdom a few years ago permitted the Chicago Board of Education to raise by issuing bonds without referendum for the rehabilitation, they said, of school buildings in Chicago. Now, we, at that time, saw pictures of school buildings in terrible condition. They needed new boilers, they needed plastering, they needed all sorts of things. It was the position of many of us, though, that bond money must not be spent for maintenance, which was, in effect, what was done at that time. Now, that wasn't bad enough, but two years ago, we went from bad to worse. At that time we provided that \$35 million of the \$250 million could be



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spent for operating expenses; that is, janitor supplies, teachers' salaries, janitor salaries, and so forth. That's what happened to \$35 million. And now the Chicago Board of Education has come along with this Bill, and provided that the \$35 million they spent, for operating expenses that was raised from the issuance of bonds, be repaid by the sale of real estate, of capital goods. Now, this includes ah.. land all over the city, because the Chicago Board of Education owns a great deal of land, some of which is not very productive, and I might point out that Midway Airport is owned by the Chicago Board of Education. and leased to the city of Chicago for less than \$25 thousand per year. Now, this amounts to 9/100 of a cent per square foot per year for the lease of Midway Airport. I submit to you that maybe the boys and girls might fair a little better if they got a.. an equitable rental for such places as Midway Airport and maybe all of this business wouldn't have been necessary in the first place. Now, I have no objection to the Chicago Board of Education or any school board selling land so that they can buy other land for capital improvement, but to sell land for operating expenses is wrong, it's absolutely wrong, and the Chicago Board of Education ought to be told this by this Body, and they ought to clean up their House, and start financing responsibly, and I urge you to vote 'No' on this Bill."

Rep. P. W. Collins: "The Gentleman from Cook, Representative Mann."

R. E. Mann: "Ah.. Mr. Speaker, I wonder if the distinguished majority leader, I know that this is a bit out of order,



whether he would yield to a question."

Rep.P. W. Collins: "The Gentleman indicates he'll yield."

R. E. Mann: "Ah.. Bill, ah.. why is it wrong? I'm interested in your remarks. Ah.. why is it wrong to sell land for operating expenses, and ah.. as against, you know, selling it for other reasons. What's wrong with that?"

W. D. Walsh: "What's wrong is that we're mortgaging the future. We're requiring that our sons and daughters and grandchildren pay off the mistakes the Board of Education.. that the Board of Education is making now. That's whats wrong with any deficit financing. Now, if you issue bonds, that's bad enough. But the point is, that the work for which the bonds were issued has not been done. And presumably, it had to be done then, its got to be done even worse now, and so they're going to have to issue more bonds. The solution is to charge, in the first place, to charge proper and equitable rent for the property that they own now. And the Midway Airport example is just one, and the other thing is, for operating expenses, to raise their tax level. If they're going to spend the money, they're going to have to pay for it and pay for it now."

IR. E. Mann: "Well, Mr. Speaker, may I ask the minority leader.. ah.. the Assistant Minority Leader a question?"

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

R. E. Mann: "Ah.. Gerry.. ah.. what particular parcels are you anticipating selling?"

G. W. Shea: "I'm not anticipating selling or mortgaging any.





When this Bill went to the Education Committee, there was some question about it. We submitted to the Education Committee every parcel that the city of Chicago er.. that the School Board in the city owned. The lease on it, the terms on the lease, and every parcel that they had available either for sale or mortgage. It was my thought that they could mortgage some of the property and pay back that loan. Now, we put in two safeguards in the Bill. We said sale or mortgage and we said only upon approval upon 3/5 of the Board so it would take 7 Members of an 11 Member Board to approve this action. And this is nothing more than what every school district outside the city of Chicago presently had the authority to do."

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

A. L. Berman: "Mr. Speaker, I rise in support of House Bill 98, and I would merely point out that these are what are generally termed as Section 16 land. And these are lands that as far as every school district throughout the State other than the Chicago Board of Education, has already sold these, and converted these lands to the cash position for use by these other school boards. In response to the majority leader's point, I would point out that what we're doing here is taking one type of capital asset and converting it back to another type of capital asset which was a bond, because a sale of the property would be used to repay the amount of money that was borrowed, not taken from, but borrowed from the rehabilitation bond fund. I think, that from an accounting



point of view it's a proper form of procedure, from a point of view of past practices throughout the rest of the State it's a proper form of procedure, and I would urge your support of this Bill."

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

H. Huskey: "Mr. Speaker, in response to ah.. the methods used around the State, in nearly every school district throughout the State, the Board is an elected Board. I want to point out that the authority of this Board that we'd be turning over the authority of the mortgages of the sales doers and the appointed board, not an elected board."

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

R. J. Kosinski: "Will the Sponsor yield to a question?"

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

R. J. Kosinski: "Ah.. Gerry, the proceeds from such action, specifically what will they go to pay?"

G. W. Shea: "This Body originally authorized the School Board of the city of Chicago to issue up to 250 million bonds.. million dollars in bonds for rehab. of Chicago Schools. They had spent approximately \$25 million of that in a planned program. They were still in authorization of \$225 million that had not been used. We passed a Bill in this House, authorizing the School Board to borrow up to \$35 million out of that fund, to keep the Chicago schools open so that they could qualify, and that the children could be educated. Now, it's time to repay that loan. That loan will have to be paid out of operating educational funds unless we, as the General Assembly do something about it. Now, it just



doesn't seem right and proper to take money to be used for the education of our children and repay a loan through building purposes when we could use some of the money from the land and mortgage it and repay that loan and then let the income from the land pay back the loan and then keep as much as we can in the educational fund."

R. J. Kosinski: "This, then, in no way ah.. interferes with the use of that \$250 million for school rehabilitation without referendum, does it?"

G. W. Shea: "Absolutely not. It will insure that that entire amount will be available for school rehabilitation purposes."

R. J. Kosinski: "This is a process instead of.. instead of utilizing that money on a \$35 million transfer."

G. W. Shea: "It's to repay it.. repay it into the rehab. fund so that we will not have to use educational funds to repay it."

R. J. Kosinski: "Thank you, Gerry."

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

J. R. Lundy: "Mr. Speaker, Ladies and Gentlemen of the House, will the Gentleman yield to a question?"

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

J. R. Lundy: "May I ask, as a newcomer, why the authorization for the sale of Section 16 land is limited to the purposes of repaying the loan taken against the rehabilitation bond issue. In other words, if other school districts in Illinois have already got the authority to sell Section 16 land, and if we feel that the Chicago Board of Education ought to have the same authority, why do we limit the authority to selling the land only for a specific purpose? I'm afraid, and I'm



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sure this is not the intent of the Bill, but I'm afraid it looks as if we are authorizing this ah.. action simply to benefit the bond holders rather than to benefit the school board or the parents and children in the city of Chicago. Could the Gentleman respond to that question for me?"

G. W. Shea: "Well, first of all, the bondholders are going to be paid back one way or another because it's a lien on the education fund. So that what we're attempting to do with this Bill is insure that every dollar that goes into the educational fund is used for educational purposes. Now, if you ask me why I limited it to the \$35 million, that's an obligation that has to be paid back at this time. And let.. let me just say when I firstpurposed it to the educational committee, ah.. I.. I thought that everybody was opposed to it. After the Bill was fully explained and with the Amendment, it came out of the educational committee without a dissenting vote, and my thought is, right now, I want to get some means of paying back that loan so that we don't have to take \$650 million a year out of the educational fund. Ah.. if you think that we ought to be able to expand the purposes, ah.. I'm sure you'd put in a Bill. Ah.. I'm going to take what I can get, if I can get it right now."

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

H. Yourell: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "All those in favor of the Gentleman's motion, say 'Aye', opposed 'No'. The 'Ayes' have it."



The previous question has been moved. The Gentleman from Cook, Mr. Shea, to close."

G. W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill came out of the education committee without a dissenting vote, after it was fully explained, and I would appreciate the support of the House."

Hon. W. Robert Blair: "Alright. The question is 'shall House Bill 98 pass?' All those in favor will vote 'Aye', and the opposed 'No'. The Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "I'd just like to point out to those of you in the suburbs and downstate, that really, this isn't a Chicago problem. Chicago's problems are our problems. They're the problems of our schools. What's going to happen, if you'll look at the proposal of the Chicago Board of Education, for their Legislative program, you'll find that this \$35 million and much much more is going to be paid by the tax payers of the State of Illinois, and it's going to be paid at the expense of your schools. Now, I suggest to you that you look very carefully at this, and that you change your vote from 'Aye' to 'No'."

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

R. E. Mann: "Well, Mr. Speaker, I'd like to explain my 'Aye' vote. Ah.. I'm voting for this Bill with great reluctance. I don't know how you mortgage school land, but beyond that, I have serious reservations about how the Board of Education spends its money, period, whether it be for mortgages, loans, or anything else. I have schools in my district that don't



have toilet paper, and I know darn well that schools along the gulf coast have toilet paper, best visual aids, best teachers, and best everything else in the city of Chicago. And I said ah.. during my primary campaign last March, that I would never vote for another education bill unless Mr. Redmond came down with all the Members of the Board and explained why we couldn't get along on a \$800 million for the city of Chicago during a school year. Nevertheless we are in a situation, we are in a crisis. I think the Assistant Minority Leader has explained that ah.. we do need the money to keep the schools going, but Gerry, I'd just like to point out that notwithstanding what we're about to do now, if I understand the financial plight of the Board of Education in the city of Chicago properly, we are in for another strike next fall because of poor planning and poor budgeting. I'd much rather see the Board of Education spend what it had, than waste what it doesn't have. And I would just hope that the next time we have a Bill involving an appropriation from the Board of Education in the city of Chicago, that Mr. Redmond come down with a suitcase and stay and answer some questions. We're sick and tired of supporting this wasteful bureaucratic Board of Education. Thank you, Mr. Speaker."

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

H. J. Hyde: "Ah.. thank you, Mr. Speaker. Ah.. Ladies and Gentlemen of the House, I'm supporting this Bill, but in



the feint expectation that if appraisers are needed to appraise this property, that the ah.. Board of Education would not seek the aid of the Clerk of Cook County, but would put alot of names in the hat and hold a drawing. Thank you."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the Record. On the question, there are 122 'Ayes', 31 'Nays'. The Bill, having received the Constitutional majority is hereby declared 'passed'." Gentleman from Cook, Mr. William Walsh."

Walsh: "Ah.... there were some announcements, Mr. Speaker, that ah... some People want to make. May I, while I have the floor, ask that Representative.... have unanimous consent, that Representative Peter Pappas be added as a co-sponsor to House Bill 372?"

Hon. W. Robert Blair: "All right, no objection. Gentleman from Cook, ah... Mr. Duff."

Duff: Mr. Speaker, ah... I would like to make a motion. Ah... as Chairman of Judiciary II, we are having a 2:00 today, a hearing on all of the Capital Punishment Bills that have been put in. There is a Bill, House Bill 433, which ah... Representative Huskey and Palmer ran into a little trouble with during the Reference Bureau problems, and so the Bill is being assigned to Judiciary II and in their behalf, I would like to move ah... that we suspend Rule 18b, so that that Bill may be heard ah.... this afternoon with all the other Capital Punishment Bills. House Bill 433."

Hon. W. Robert Blair: "Yeow, well, you're asking to suspend



18b. That takes 107 affirmative votes, so we can't do it by leave."

Duff: "Well, let me then explain..."

Hon. W. Robert Blair: "That's all right. You just ask for consent, but the Rule requires 107 affirmative votes. All right, now...."

Duff: "Now, the reason for this, Mr. Speaker, of course, is that we anticipate having to spend four or five hours on this Capital Punishment subject. All the witness from the major organizations ah... have been notified and we feel that for the sake of the time of the Committee and the General purpose of the subject, we would like to support Representative Huskey and Palmer's desire to have this heard this afternoon also."

Hon. W. Robert Blair: "All right, the gentleman moves to suspend the provisions of Rule 18b, so that the Bill for which he referred may be set for hearing this afternoon in Judiciary II, along with other Bills on the same subject, which have already previously been set. This requires 107 affirmative votes. All those in favor, will vote 'aye' and the opposed 'no'. Gentleman from Cook, Mr. Shea."

Shea: "I'm all for bypassing Committee, but this Bill has not been assigned to Committee yet."

Hon. W. Robert Blair: "All right, I didn't understand that in the gentleman's comment. The gentleman from Cook, Mr. Duff."

Duff: "Ah.... Representative Shea, you were busy on that





Bill, when I was asked by the Representatives to check with the assignment of bills committee, and I went over by you and could not interrupt. Did not feel I should. So I spoke to two other Members of the Committee and I understand you're meeting immediately after adjournment this morning, and they have indicated to me that since this is a Capital Punishment Bill, they would favor it being assigned to ah... Judiciary II, and this would, of course, involve your leave, and I apologize for not interrupting you."

Hon. W. Robert Blair: "The gentleman's point's well taken, ah.... I would suggest if you're going to assign it there, in order for this matter to proceed in a proper fashion, ah.... that the Members of the Committee on Assignment do that right now. If that's what you're going to do, because I think that is out of order at this point, because you can't set a matter for hearing as long as it's resting in the Committee on Assignments."

Shea: "That was my point. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Your point's well taken. Now, all right ah.... All right, gentleman from Cook, Mr. Klosak and Mr. Cox are now conferring and the Chairman of the Committee indicate that they have assigned it. All right, that Bill has now been assigned to Judiciary II and so now the gentleman's motion now is in order. Have all voted who wished? The Clerk will take the Record. On this question, there are 138 'ayes', no 'nays', and the gentleman's motion to suspend prevails. Gentleman from Cook, Mr. B. B. Wolfe,



has a similar motion, I understand?"

B. B. Wolfe: "No, Mr. Speaker, just a parlia.... Are we on the Order of Motions right now? Generally, I have a Motion, but if we're not on that order, I'll wait until tomorrow."

Hon. W. Robert Blair: "Well, we were... we went back to Motions for Mr. Duff, but we had intended to adjourn right now, if we could, but if something is pressing."

B. B. Wolfe: "No, it's not pressing. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "We'll recognize you on it tomorrow. All right, for what purpose does the gentleman from Champaign, Mr. Clabaugh, rise?"

Clabaugh: "Announcement, Mr. Speaker. I would like to call the attention of the eight members that are on the financing of Education Study Commission, Representatives Berman, Stone, Yourell, Hart, Rose, Collins and Washburn, that our meeting will be held at 4:30 this afternoon in G-4, that is in the Conference Room on the Second Floor of the State Office Building, and we urge, really urge, your attendance. Thank you."

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

Walsh: "Mr. Speaker, I move that the House adjourn until 10:00 AM tomorrow, March 7."

Hon. W. Robert Blair: "Until 9:30?"

Walsh: "9:30 perfunctory, 10:00 regular session."

Hon. W. Robert Blair: "Right, in following the procedures,



we've been handling matters that may be handled in a perfuncted between 9:30 and 10:00, which is primarily introduction, first reading of bills. All right, the gentleman's motion is that the House adjourn until the hour of 9:30 AM tomorrow, which will be perfuncted until 10:00, and the Regular Session will start at 10:00 AM. All those in favor say 'aye', opposed 'no', and the 'ayes' have it. The House stands adjourned."

