

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

THIRTY-EIGHTH LEGISLATIVE DAY

APRIL 9, 1973

12:00 O'CLOCK NOON

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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

Representative Tobias Barry - no reason given;  
Representative John Brandt - no reason given;  
Representative Roscoe D. Cunningham - illness;  
Representative Peter C. Granata - illness;  
Representative John E. Grothberg - illness;  
Representative Richard O. Hart - no reason given;  
Representative Gene L. Hoffman - no reason given;  
Representative Michael J. Madigan - no reason given;  
Representative Joseph P. McGah - no reason given;  
Representative Richard A. Mugalian - no reason given;  
Representative Romie J. Palmer - no reason given;  
Representative Daniel M. Pierce - no reason given;  
Representative John Edward Porter - no reason given;  
Representative George E. Sangmeister - no reason given;  
Representative Eugene F. Schlickman - no reason given;  
Representative Fred J. Schraeder - no reason given;  
Representative Carl W. Soderstrom - no reason given;  
Representative John F. Wall - illness;  
Representative Bernard B. Wolfe - no reason given;  
Representative Harry Yourell - no reason given.



## 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 Craig - illness in family;

Representative Peter C. Granata - illness;

Representative John E. Grotberg - illness;

Representative Edmund F. Kucharski - no reason given;

Representative Robert F. McPartlin - illness;

Representative John F. Wall - illness.



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

1.

Murphy: "The House will be in order. The prayer this morning will be by the Reverend Johnson."

Johnson: "Let us pray. Gracious God, our heavenly Father, we thank you for the safety of this past night, and ask you to guard and keep us in this day and the week which is before us. Be pleased especially to bring in safety into this Chamber, those who are even now, are traveling hazardous highways. As we prepare for the tasks of this day, may we do so with Your blessing. If our efforts this week shall prosper, let them be in accordance with Your will. If we find success in those things we undertake, let it resound the glory of Your name and the well being of our fellow citizens in this commonwealth. We also pray now for Senator Betty Ann Keagan, who this morning, submitted to surgery. We ask you Lord to bless those who minister to her, and that according to Your gracious will, you will restore here speedily to her labors in the Senate. At the same time, we bring to remembrance all in this House who still stand the need of Your healing mercy and restoring grace. This we ask because you are a merciful God, creator, preserver, and redeemer. Amen."

Murphy: "Roll call for attendance." And for the benefit of some of those who are in the gallery, you may notice some vacant seats here this morning. I'm sure you've heard the radio reports, there is some bad weather north of here and I know that members are on their way down, but I assume very



definitely because of the weather conditions that some of them are going to be a little bit late this morning. Alright the Chair recognizes the Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, will the record show that Representatives Granata, Wall, and Roscoe Cunningham are absent because of illness."

Murphy: "The journal will so show. The Gentleman from Union, Mr. Choate." Alright, the Gentleman from Cook, Mr. Walsh."

Walsh: "Representative Grotberg is also ill, Mr. Speaker, and absent for that reason."

Murphy: "The journal will so show. Committee Reports."

Fred Selcke: "Mr. Schoeberlein from Public Utilities to which House Bill 46 was referred reported same back with recommendation the Bill do pass and be re-referred to Appropriations. Mr. Schoeberlein, from Public Utilities to which House Bill 45 was referred, reported same back with Amendments thereto with the recommendation that the Bill be adopted and the Bill do pass as amended. Mr. Schoeberlein, Public Utilities to which House Bill 643 was referred reported same back with with Amendments thereto with the recommendation that the Amendments be adopted and the Bill as amended do not pass. Mr. Blades, from Agriculture and Natural Resources to which House Bill 648 was referred, reported same back with the recommendation that the Bill do pass. Mr. Blades, from Agriculture and Natural Resources, to which House Bills 733 and 783 were referred,



reported same back with the recommendation that the Bills do pass. Mr. Blades from Agriculture and Natural Resources to which House Bill 727 was referred, reported same back with recommendation that the Bill do pass and be re-referred to Appropriations. Mr. McMaster, from Counties and Townships, to which House Bill 347 was referred, reported same back with recommendation that Bill do not pass. Mr. McMaster from Counties and Townships to which House Bill 396 was referred, reported same back with Amendments thereto and the the recommendation that the Bill be adopted as amended do pass. Mr. McMaster, from Counties and Townships to which 397, 398, 399, 519, and 739 were referred, reported same back with recommendation that the Bills do pass. Mr. McMaster, County and Township, to which Senate Bills 81 and 227 were referred reported back with recommendation that Bills do pass. Mr. Rose from Judiciary 1 to which House Bill 579 and 712 were referred, reported same back with Amendments thereto with recommendation the Amendments be adopted and the Bills do pass. Mr. Rose from Judiciary 1 to which House Bill 586, 27, 628, 652, and 767, were referred, reported same back with the recommendation that the Bills do pass. Mr. Rose from Judiciary 1 to which House Joint Resolution 23, reported same back with recommendation that Resolution be adopted. Mr. Wolfe from Veteran Affairs, Personnel Pension, to which House Bill 449, 615 were referred, reported same back with the recommendation that the Bills do pass. Mr. Wolfe from



Veteran Affairs, Personnel Pension to which House Bills 450, 498, 599, were referred reported same back with the recommendation that the Bills do not pass. Mr. Blades from Committee on Agriculture and Natural Resources to which House Bills 290 and 364, were referred, reported same back pursuant to Rule 23D; they were ordered tabled. Mr. North from Cities and Villages to which House Bill 349 was referred, reported same back pursuant to Rule 23D; the Bill was ordered tabled. Mr. Rose from Committee on Judicial 1 to which House Bills 324 and 325 were referred, reported same back pursuant to Rule 23D; the Bills were ordered tabled. No further committee reports.

Murphy: "Introduction and First Reading of House Bills."

Fred Selcke: "House Bill 1006, Ron Hoffman, amends the Municipal Code, First Reading of the Bill. House Bill 1007, Ron Hoffman, amends Park District Code, First Reading of the Bill. House Bill 1008, Ron Hoffman, amends Park District Code, First Reading of the Bill. House Bill 1009, Ron Hoffman, amends Act relating to State Revenue, Sharing, First Reading of the Bill. 1010, Ron Hoffman, amends Park District Code, First Reading of the Bill. 1011, Schlickman, et al, amends Insurance Code, First Reading of the Bill. 1012, Leinenweber, et al, amends the Local Mass Transit District Act, First Reading of the Bill. 1013, W. D. Walsh, et al, amends the School Code, First Reading of the Bill. 1014, Soderstrom, et al, amends the School Code, First Reading of the Bill. 1015, Borchers, amends



the Vehicle Code, First REading of the Bill. 1016, Matejevich, amends the Vehicle Code, First Reading of the Bill. 1017, Lundy, adds new section to Insurance Code, First Reading of the Bill. 1018, Lundy, amends the Probate Act, First Reading of the Bill. 1019, Lundy, amends Public Campaign Financing Act, First Reading of the Bill. 1020, Lundy, appropriates \$100,000 for Ordinary Tax and Campaign Financing Board, First Reading of the Bill. 1021, Lundy, et al, amends the Illinois Governmental Ethics Act, First Reading of the Bill. 1022, Borchers, et al, provides for free vasectomy or tubal litigation for anyone between the 1st and 18th years of age and over, First Reading of the Bill. 1023, Borchers, appropriates \$2,000,000 to the Department of Public Aid, First Reading of the Bill. 1024, Rayson, provides any person as a Representative of Class, manner or mean in a matter of preceding pending for State Regulatory Aid. First Reading of the Bill. 1025, Rayson, et al, amends Act regarding the use of credit cards. First Reading of the Bill. 1026 Rayson, et al, creates an Act to apprise individuals of governmental records or files, First READING of the Bill. 1027, Rayson, et al, amends the Correction Code, First Reading of the Code. 1028, Rayson, et al, amends the Election Code, First Reading of the Bill. 1029, Rayson, amends the Civil Practice Act, First Reading of the Bill. 1030, Rayson, et al, creates a Commission on Recycling to





study reduction of waste, First Reading of the Bill. 1031, Rayson, et al, appropriates \$50,000 Commission on Recycling, First Reading of the Bill. 1032, Rayson, et al, amends Act regarding use of credit cards, First Reading of the Bill. 1033, Rayson, et al, amends School Code, First Reading of the Bill. 1034, Hudson, et al, amends Judges' Retirement System, First Reading of the Bill. 1035 Hudson, et al, amends School Code, First Reading of the Bill. 1036, Matejevich, et al, amends Civil Administrative Code, First Reading of the Bill. 1037, Leinerweber, et al, amends Juvenile Court Act, First Reading of the Bill. 1038, Schrader, et al, amends the Election Code, First Reading of the Bill. 1039, Geo-Karis, et al, amends the Illinois Municipal Code, First Reading of the Bill. 1040, Schneider, et al, amends the School Code, First Reading of the Bill. 1041, Boyle, et al, appropriates \$220,000 to the Department of Transportation, First Reading of the Bill. 1042, McLendon, amends Public Defender Act, First Reading of the Bill. 1043, Brinkmeier, et al, provides for the conveyance to the City of Freeport, First Reading of the Bill. 1044, Richard Holloway, et al, amends Insurance Code, First Reading of the Bill. 1045, McGrew, et al, makes the appropriation of ordinary expense Board of Vocational Education, First Reading of the Bill. 1046, Duester, et al, Creates the Chicago area Metropolitan Transportation System Act. First Reading of the Bill. 1047 Duester, et al, amends Motor Fuel Tax Law, First Reading of the Bill. 1048, Duester, et al, provides for the deposit



to the Mass Transit Fund, First Reading of the Bill. 1049, Matejevich, et al, amends Public Utilities Act, First Reading of the Bill. 1050, Blair, et al, amends Open Meetings Act, First Reading of the Bill. 1051, Matejevich, et al, amends School Code, First REading of the Bill. 1052, Craig, et al, adds section to the Illinois Vehicle Code, First Reading of the Bill. We got anymore? Huh?"

Murphy: "Agreed Resolutions."

Fred Selcke: "House Resolution 194, Greisheimer. House Resolution 195, Wadell, etal. House Resolution 196, Kelly, et al."

Murphy: "The Gentleman from Cook, Mr. William Walsh."

Walsh: "Mr. Speaker, and Ladies and Gentlemen of the House, these are the Agreed Resolutions, House Resolution 194 commends and extols Mayor Kent Chandler, Jr. for his long service as Mayor of the City of Lake Forest. House Resolution 195, by Representative Waddell, congratulates the Elgin Maroons in their remarkable season in placing fifth in the Class AA Division in the Illinois State Basketball Tournament. And House Resolution 196 commends the Tinley Park Jaycees upon their excellent service to the community and to the State, and I move the adoption of the Agreed Resolutions."

Murphy: "Is there discussion? Question is on the Gentleman's motion to adopt the Agreed Resolutions, all those in favor say aye, opposed no, the ayes have it, and the Resolutions are adopted. We'll now go to the order of House Bills



Second Reading. The first Bill to be called is House Bill 388."

Fred Selcke: "Do you want to go to the next one?"

Murphy: "Well the sponsor is not in his seat, we ought to proceed to the next Bill, Mr. Clerk."

Fred Selcke: "House Bill 389, Georgi, an Act..."

Murphy: "Mr. Clerk, I don't see Mr. Georgi in his seat; proceed with the next Bill."

Fred Selcke: "Pierce, he's not here either."

Murphy: "Mr. Pierce is not here? The next two Bills are Mr. B. B. Wolfe's, skip those."

Fred Selcke: "Timothy Simms, 414."

Murphy: "Mr. Pappas isn't here. Alright read House Bill 414."

Fred Selcke: "House Bill 414, Simms. A Bill for an Act to amend the Income Tax Act, Second REading of the Bill. No Committee Amendments."

Murphy: "Are there any Amendments from the floor? The Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "Barry is not here. Taylor is not here. Day, yeh, Mr. Day, 424. House Bill 424, Day, A Bill for an Act to amend the Public Building Commission Act, Second Reading of the Bill. One Committee Amendment. Amend House Bill 424 on page 1, lines 23 and 29, by deleting when a county has less than 3,000,000 population on page 7, by deleting lines 25, 26, 27."

Murphy: "The Gentleman from Peoria, Mr. Day, is recognized."



Day: "Mr. Speaker, and Ladies and Gentlemen of the House, this Amendment was accepted in Committee at the request of Cook County and it simply puts Cook County back in the Bill as the original Amendment excluded Cook County, it puts them back in, at their request it was put back in and I move the adoption of the Amendment."

Murphy: "The question is, shall Committee Amendment No. 1 be adopted? All those in favor say aye, opposed, nay, and the ayes have it and the Amendment is adopted. Are their further Amendments? The Bill is order to Third Reading."

Fred Selcke: "House Bill 431, DiPrima, A Bill for an Act to amend the Viet Nam Veterans Compensation Act, Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there Amendments from the Floor?"

Fred Selcke: "Amendment No. 1, DiPrima, Amend House Bill 431 in line 9, by deleting 1977 and inserting in lieu thereof 1975."

Murphy: "The Chair recognizes the Gentleman from Cook, Mr. DiPrima."

DiPrima: "Mr. Speaker, all this Amendment does is correct a typographical error there. They put 1977 instead of 1975. I move for the ....I move to approve the Amendment."

Murphy: "The question is, shall Amendment No. 1 be adopted? All those in favor say aye, the opposed no, the ayes have it. The Amendment is adopted. Are there further Amendments? The Bill is ordered to be advanced to the Order of Third



Reading. Hirschfeld is not here."

Fred Selcke: "Rigney? Yeh, Rigney. Give me 442. House Bill 442, Rigney. A Bill for an Act to amend an Act relating to State Parks, Second REading of the Bill. No Committee Amendments." ::

Murphy: "Are there any Amendments from the floor?"

Fred Selcke: "Amendment No. 1. Rigney, Amend House Bill 442 by striking everything after the enacting clause and so forth."

Rigney: "Mr. Speaker, the purpose of Amendment No. 1 is merely to clarify the language in the Bill. It was pointed out to me by a staff man, that we perhaps had made an error in the drafting and this is the purpose of No., I move for its adoption."

Murphy: "The question is, shall Amendment No. 1 be adopted? All those in favor say aye, opposed, nay, the ayes have it and the Amendment is adopted. Are there further Amendments? The Bill is ordered to the Order of Third Reading."

Fred Selcke: "Jones, not here. 445. House Bill 445, W. D. Walsh, A Bill for an Act to amend the Motor Fuel Tax Law, Second Reading of the Bill, no Committee Amendments. Are there any Amendments from the Floor? The Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "Bluthardt's not here. J. J. Wolfe. Is J. J. Wolfe here? House Bill 457, J. J. Wolfe. A Bill for an Act making appropriations to the Illinois Veterans Commission



Second Reading of the Bill. No Committee Amendments.

Murphy: "Are there any Amendments from the Floor? This Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "Is Fleck here, I can't see. Is Fleck here? No he's not here. McMaster? Is McMasters here?"

Murphy: "Is Mr. McMaster on the floor? He's not here Mr. Clerk."

Fred Selcke: "Washington's not here. Richard Walsh is not here.

Rigney, give me Rigney. 479. House Bill 479, Rigney

A Bill for an Act to amend the Election Code, Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there any Amendments from the floor?"

Fred Selcke: "Do we have any Amendments"

Murphy: "The Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "Macdonald, give me the next one. House Bill 481

Macdonald. A Bill for an Act to create a scenic river system, Second Reading of the Bill. Four Committee Amendments. Committee Amendment No. 1. Amend House Bill 481 on page 3 line 27, and so forth."

Murphy: "Alright, the Lady from a...Cook, Representative Macdonald is recognized."

Macdonald: "I wonder if Representative Calvo or Representative Hirschfeld are here?"

Murphy: "It appears they are not here...a...and I understand there are some Amendments to be offered. Mr, Clerk, take it out of the record for the time being."



Fred Selcke: "House Bill 529, Day, A Bill for an Act relating to local improvements. No Committee Amendments."

Murphy: "Are there any Amendments from the floor? The Chair recognizes the Gentleman from Union, Mr. Choate."

Choate: "A point of inquiry, Mr. Speaker. I think that all of us in the House fully realize the importance of Second Reading. I think we also understand that many members are not present at the Order of Second Reading today simply because of the weather conditions and they had anticipated flying and were unable or are unable to fly to be here. I would ask Mr. Speaker, therefore, that in the interest of being fair to some of these members, that if they do have Amendments to some Bills that are being advanced to the order of Second Reading, that we have sort of a Gentlemens' understanding that the Bills be called back for the purpose of giving these Gentlemen the opportunity to offering any Amendments that they might have."

Choate: "Well, that suggestion is surely agreeable with the Chair at the moment Mr. Choate. No Amendments from the floor on House Bill 529 and it is therefore to be ordered to be advanced to the Order of Third Reading."

Fred Selcke: "We took it out of the record. Blades is not here. Rigney, 542. House Bill 542, Rigney, A Bill for an Act to amend the Motor Fuel Tax Law, Second Reading of the Bill, no Committee Amendments."

Murphy: "Are there any Amendments from the floor? The Bill is ordered advanced to the Order of Third Reading."



Fred Selcke: "Georgi's here now. House Bill 555, Georgi, A Bill for an Act to implement and regulate lottery within the State. Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there any Amendments from the floor?"

Fred Selcke: "Amendment No. 1. Piotrowicz and Matejevich, Amend House Bill 555 on page 4, by striking lines 1 through 4 and inserting in lieu thereof the following and so forth. Yen, Matejevich."

Murphy: "The Chair recognizes the Gentleman from Cook, Mr. Matejevich...I'm sorry, the Gentleman from Lake, Mr. Matejevich."

Matejevich: "Mr. Speaker, this Amendment came actually out of some discussion in Committee wherein the majority of the membership of the Committee felt that all of the revenue from the lottery ought to go to the common school fund, so Representative Piotrowicz did introduce this Amendment and I am co-sponsor of it. We think that it strengthens Lottery Bill, the original Bill had set it up into four different categories for the revenue and I think the sponsor has been agreed with us that this does strengthen his Bill, so I think...I would move the adoption of Committee Amendment No. 1 to House Bill 555."

Murphy: "Is there discussion? The question, is shall Amendment No. 1 be adopted? All those...the Gentleman from Cook, Mr. Lechowicz."





Lechowicz: "A point of information, Mr. Speaker. I thought that the original Bill had the revenue being diverted both for the School Fund and also for the Municipalities and the sponsor of the Amendment pointed out that now the money will be going strictly to the School Funds. It was my Amendment that was being proposed in Committee that would be the four different budgets, or the four different revenue areas would be reallocated for not only for Municipalities, but for Transportation, School Fund, and the General Revenue Fund for the various cities. Now if the sponsor of the Bill would indicate to me as far as this Amendment is agreeable with him, I won't have any further questions."

Murphy: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Thank you Mr. Speaker, and I am aware of the deliberation in the Committee and I'm aware of Representative Lechowicz's Amendments, but I feel in order not to hold the Bill up and were going into May already, we thought we'd get it out of the House in this fashion, and then work on it in the Senate, where our stumbling block is really going to be. I would appreciate support in this Amendment."

Murphy: "Is there further discussion? The Gentleman from Cook, Mr. Dunn, is recognized. R. L. Dunne."

Dunne: "A...question for the sponsor." Excuse me, but I just got in a little late, but I'm very interested in this Bill. Has it been amended to, so its permissable so that some of



the funds can be directed towards transportation?"

Giorgi: "Did the Amendment provide that all of the money go into the Common School Fund. All of the monies."

Dunne: "Even the money that is directed to the Municipalities?"

Giorgi: "It was taken out of the Bill. If you recall at the Committee meeting, there were four categories. It was a Mass Transit Subsidy, Common School Fund Subsidy, Local Government Distributive Fund Subsidy, and the Collectors Funds. We thought there would be about \$25,000,000 in each of those categories, but the consensus was that schools were the number one priority, and I'm aware of what transpired in Chicago over the week end where they'd like to use lottery funds to subsidize mass transit, and like I told the Committee, its not personal with me, and I think our problem is going to be in the Senate anyway, so I just as soon get it into the Senate and resolve any differences we might have because we're going to be into May pretty soon, and we won't have much time left."

Murphy: "Is there further discussion? The Gentleman from Cook Mr. Shea."

Shea: "Is it my understanding that when you get it on Third Reading, you are going to leave it sit there for a little bit and you'll bring it back for more Amendments?"

Giorgi: "I'll bring it back for Amendments if I can get it out of the House this week, Mr. Shea. I don't want to keep it here until May."



Shea: "Is there some rush?"

Giorgi: "Time." I've seen the most beautiful legislation in the House die because of time."

Murphy: "Is there further discussion? Alright, the question is shall Amendment No. 1 be adopted? All those in favor say aye, opposed nay, the ayes have it and the Amendment is adopted. Are there further Amendments? The Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "House Bill 557, Washburn. Amends an Act relating to State Finance. Second Reading of the Bill. One Committee Amendment. Amend House Bill 557, page 1, line 11, by striking 7, inserting in lieu thereof 14."

Murphy: "The Gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you Mr. Speaker, and Ladies and Gentlemen of the House. Amendment No. 1 to House Bill 555 changes from 7 to 14 the number of days in which budget bills have to be introduced after submission of the budget message and I move for its adoption."

Murphy: "Is there further discussion? The question is on Committee Amendment No. 1, all those in favor say aye, opposed nay, the ayes have it and the Amendment is adopted. Are there further Amendments? The Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "House Bill 558, Washburn, An Act relating to Reports by Executive Aids, Second Reading of the Bill. One Committee Amendment. Amend House Bill 555 on page 2, and so forth."



Murphy: "The Chair recognizes the Gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you Mr. S-speaker. Amendment No. 1 merely adds an effective date of July 1, 1973. I move for its adoption."

Murphy: "Is there discussion? The question is shall Amendment No. 1 be adopted? All those in favor say aye, opposed nay, the ayes have it and the Amendment is adopted. Are there further Amendments? The Bill is ordered advanced to the order of Third Reading."

Fred Selcke: "House Bill 559, Washburn. A Bill for an Act to amend an Act relating to State Finance, Second Reading of the Bill. No. Committee Amendments."

Murphy: "Are there any Amendments from the floor? The Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "House Bill 560. Washburn. A Bill for an Act creating a joint legislative committee on fiscal overviews, Second Reading of the Bill. One Committee Amendment. Amend House Bill 560 on page 1, Section 3, line 27, by deleting 6 and so forth."

Murphy: "he Chair recognizes the Gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker. Amendment No. 1 to House Bill 560 makes three changes. It increases the number of committee members from 6 to 10 by adding the Speaker and the Minority Leader of the House and the President and the



Minority Leader of the Senate, and it also adds an effective date of July 1, 1973 or upon becoming law, whichever comes later. I vote for its adoption."

Murphy: "Is there discussion? The question is shall Amendment No. 1 be adopted? All those in favor say aye, opposed nay, the ayes have it and the Amendment is adopted. Are there further Amendments? The Bill is ordered advanced to the order of Third Reading."

Fred Selcke: "Rayson's not here. House Bill 582, T. Miller, A Bill for an Act to amend the Municipal Code, Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there Amendments from the floor? The Bill is ordered advanced to the order of Third Reading."

Fred Selcke: "Is Arnell here? Where's Arnell sit?"

Murphy: "Is Representative Arnell here? Yes he is."

Fred Selcke: "House Bill 583, Arnell. Amends an Act relating to counties. Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there Committee Amendments from the floor?"

The Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "LaFleur. Is LaFleur here?"

Murphy: "Mr. LaFleur are you on the floor?"

Fred Selcke: "House Bill 584, LaFleur, Amends the School Code. Second Reading of the Bill. No. Committee Amendments."

Murphy: "Are there any Amendments from the floor? The Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "Clabaugh is here. 586. Yourell is not here."



House Bill 586. Clabaugh. A Bill for an Act making appropriation for the Department of Local Government Affairs Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there any Amendments from the floor?"

Fred Selcke: "Amendment No. 1."

Murphy: "The sponsor of the proposed Amendment is not here.

Let's take it out of the record."

Fred Selcke: "Arrigo is not here. Macdonald? Where she go?"

Murphy: "Is Representative Macdonald on the floor?"

Fred Selcke: "She's not here now. Ebbesen. Alright. House Bill 600, Ebbesen. An Act to amend an Act relating to the County Board. Second Reading of the Bill. No Committee Amendment."

Murphy: "Are there any Amendments from the floor? The Chair recognizes the Gentleman from Cook, Mr. Shea,"

Shea: "Maybe, I missed something, but House Bill 586 is Mr. Clabaugh's Bill. Was that Bill called?"

Fred Selcke: "Out of the record."

Shea: "He took it out of the record? Alright, thank you."

Murphy: "Are there any Amendments from the floor? Alright the Bill is ordered advanced to the order of third reading."

Fred Selcke: "Pierce? Is Pierce here? Representative Pierce here? Richard Walsh isn't here. Terzich? Terzich is here. 622. House Bill 622. Terzich, A Bill for an Act to amend the Insurance Code, Second Reading of the Bill, no Committee Amendments."

Murphy: "Are there any Amendments from the floor? The Bill is



ordered advanced to the Order of Third Reading."

Fred Selcke: "629, Matejevich. House Bill 629, Matejevich, A Bill for an Act to amend an Act relating to the treatment of alcoholism. Second Reading of the Bill. Two Committee Amendments. Committee Amendment No. 1. Amend House Bill 629, page 4, by striking lines 19, 20, and so forth."

Murphy: "The Gentleman from Cook...a Lake, Mr. Matejevich, with respect to Amendment No. 1."

Matejevich: "Mr. Speaker and Members of the House. Committee Amendment No. 1 clarifies the language that a hospital be licensed under the Hospital Licensing Act and improved private or public alcoholic facility meets the standards prescribed under the Uniform Alcoholism Treatment Act. I move for the adoption of Committee Amendment No. 1"

Murphy: "Is there discussion? The question is shall Committee Amendment No. 1 be adopted? All those in favor say aye, the opposed nay, and the Amendment is adopted."

Selcke: "Committee Amendment No. 2. Amend House Bill 629, page 6 by striking lines 1 and 2, and inserting in lieu thereof the following. Hospital license and so forth."

Murphy: "The Gentleman from Lake, Mr. Matejevich, with respect to Amendment No. 2."

Matejevich: "Mr. Speaker and Members of the House. Committee Amendment No. 2 does two things. It includes the same language as Committee Amendment No. 1 in a different



section and also it adds additional language to make sure that the Cross Hospital Plans provide coverage for alcoholics. I move for the adoption of Committee Amendment No. 2 to House Bill 629."

Murphy: "Is there any discussion? The question is shall Committee Amendment No. 2 be adopted? All those in favor say aye, opposed nay, and the Amendment is adopted."

Fred Selcke: "Amendment No. 3. T. H. Miller. Amend House Bill 329 as amended in Section 1 and so forth."

Murphy: "The Chair recognizes the Gentleman from Cook, Mr. Tom Miller."

Miller: "Mr. Speaker, Members of the House. The Amendment No. 3 to House Bill 629 has been introduced for your consideration for the following reasons. I think everyone of us in this Chamber are very much concerned about the treatment of alcoholism in our State. I certainly am and I think you are to. Now the thrust of Amendment No. 3 to House Bill 629 to take away the mandate that all group health care insurance policies provide coverage for alcoholism. Consider for a moment, if you will, the Womens' Christian Temperance Union being mandated to have treatment for alcoholism in any group policy they might choose to enter into. Why at this state of affairs, in this state of time, in our State, should we mandate that every group health care policy have in it mandatory provision to provide for alcoholic treatment. I think we are going too far too soon."





And when we look at the language of House Bill 629 was introduced, they referred to alcoholic treatment facilities that haven't yet been created in the State of Illinois. House Bill 629 provides for treatment at alcoholic treatment facilities that are going to be created by House Bill 631. We don't even have the treatment facilities yet. In the State of Wisconsin where they had three existing treatment facilities, they did provide for insurance coverage at that type of an institution. It seems to me that we are very premature in providing for coverage for facilities that we don't even yet have in the State of Illinois. I'm as concerned as the sponsor and other proponents of 629 to provide coverage and Amendment No. 3 does stipulate that no group health insurance policy can exclude treatment for alcoholism. I move its adoption, Mr. Speaker."

Murphy: "The question is on discussion. Alright, the Gentleman from Lake, Mr. Matejevich, is recognized."

Matejevich: "Mr. Speaker, and Members of the House, House Bill 629 is a product of the Alcoholism Study Committee. We learned that Committee study this problem, we also studied the situation in Wisconsin. Now Amendment No. 3 would gut the intention of our Bill and that's to provide mandatory coverage for alcoholism. One of the, at least two who testified in our House Committee did testify to the fact that very often people who suffer from alcoholism do get



treated in hospitals, but not for the illness of alcoholism. Actually, the premiums experienced won't be that high. Now as to whether alcoholism treatment facilities are licensed under the Alcoholism Treatment Act, we don't have the Act yet, but we do have alcoholism treatment centers which will be licensed."

Murphy: "Just a minute, Mr. Matejevich."

Matejevich: "Now the leadership on both sides of the aisle have sponsored this Bill as well as the main alcoholism Bill, 631 and all I ask the Membership, take my word for it, amendment No. 3 will gut this very fine progressive legislation and I ask you to vote against Amendment No. 3."

Murphy: "The Gentleman from Cook, Mr. Duff, is recognized."

Duff: "Mr. Speaker, and Ladies and Gentlemen of the House, I agree very much with most of what the speaker said, however I was also a Member of the Committee on Alcoholism and I am very much in favor of House Bill 631 and I will be in favor of House Bill 629. I'm also a Member of the Chicago Counsel on Alcoholism which as many of you know, is one of the principle agencies in the State to work for effective understanding of this problem. Nevertheless, I do agree with the sponsor of this Amendment, the Representative from Cook, in one particular, and that is that I'm not sure that the thought was made clear that this group insurance mandate does in fact apply to facilities not yet in existence. Consequently, I think his reasoning is logical and even though I am a Member of the Committee, I will support this



Amendment."

Murphy: "Is there further discussion? Alright, the Gentleman from Cook, Mr. Tom Miller, is recognized to close the debate on the Amendment."

Miller: "Mr. Speaker, and Members of the House, all I ask you to do now is to consider whether or not you feel it is important at this stage of time in group health coverage to mandate that every group health policy have in it coverage for alcoholic treatment. I suggest that there are many people in the State of Illinois not in need of such treatment and are not willing to bear the expense of it. And let's face it, there will be the expense in the premium for providing this type of coverage. Anybody who has an alcoholic problem today can be treated in medical facilities under their existing health care plan. I earnestly support and ask your support of Amendment No. 3 and let's look at this very carefully and if we need the Bill left in its present form, at a later date we can always go back to it, but to mandate it now, it seems to me is too early in time." Alright.

Murphy: "Alright, the question is, shall Amendment No. 3 be adopted? All those in favor say aye, all opposed say, nay. There is to the Chair that the nays have it. Do five members request a roll call? Alright, we shall have a roll call. Alright the question is, shall Amendment No. 3 be adopted? Those in favor vote aye, and opposed nay. Have all voted who wished? Take the record Mr. Clerk.



The Gentleman from Cook, Mr. Juckett."

Juckett: "Well, Mr. Speaker and Ladies and Gentlemen of the House, the thing that worries me about this Bill without the Amendment is the tremendous cost that can arise to everybody in the State of Illinois rather than those who have the specific problem. I think the Amendment is reasonable and its trying to get at the specific problem for the specific people. At this point in time, they can't get anything. But we're going to do is spread it to everybody and we're going to put health insurance out of the cost of the reach of everyone. And I would urge to vote green and let's try it on a test basis, when they get some experience then they can apply it without having everybody put out of the health cost business."

Murphy: "The results on this roll call, there is 37 ayes, 55 nays, and the Chair recognizes the Gentleman from Cook, Mr. Tom Miller."

Miller: "Thank you Mr. Speaker, I request a verification of the nay vote on that roll."

Murphy: "The Chair recognizes the Gentleman from Lake, Mr. Matejevich."

Matejevich: "Well, first I want to poll the absentees, but I'd like to explain my vote on this too. Because it very well may be that if you adopt Amendment No. 3, the cost will be more, because you would be taking out the use of public treatment facilities which probably would be cheaper. I



don't think that as far as I'm concerned, that the adoption of Amendment No. 3 reduces cost at all. And it may increase the cost, but again I would say, Mr. Speaker, I would request a poll of the absentees on this particular Amendment hoping that many more members would vote no on the poll of the absentees."

Murphy: "Mr. Clerk, request has been made to call the vote of the absentees."

Fred Selcke: "Arrigo. Barry. Berman. Borchers. Boyle. Brandt. Brummet. Caparelli. Capuzi. Catania. Collins. Cunningham. Day."

Murphy: "Just a moment, the Gentleman from Peoria, Mr. Day, votes aye."

Fred Selcke: "Douglas. Dyer. Epton. Ewell. Fary. Fleck. Flynn. Garmisa. Geo-Karis. Getty. Gibbs. Giglio. Granata. Grieshiemer."

Murphy: "The Gentleman from... Mr. Grieshiemer votes yes."

Fred Selcke: "Grotberg. Harpstrite. Hart."

Murphy: "Harpstrite, aye."

Fred Selcke: "Hirschfeld. G. Hoffman. Ron Hoffman. J. Holloway. R. Holloway. D. Houlihan. Jacobs. Emil Jones. Katz."

Murphy: "Record Dan Houlihan, no."

Fred Selcke: "That's a mistake on my part, he's already recorded as voting no."

Murphy: "He's already recorded as voting no."

Fred Selcke: "Krause. Laurino. Lechowicz. Leinenweber."



Londrigan. Madigan. Mann. Maragos. Martin. McAuliff.  
McAvoy. McGah. McGrew. McLendon. Merlo. Kenny Miller.  
Mugalian. Murphy. Neff. Palmer. Patrick. Pierce."

Murphy: "Mr. Patrick? Mr. Patrick desires a vote? No? Record the Gentleman as no." Mr. Clerk, let's clean up a few of these that are seeking recognition. "A...Mr. McLendon."

McLendon: "I vote no."

Murphy: "Record the Gentleman as no. Mr. James Holloway. No. Mr. Boyle."

Boyle: "No."

Murphy: "No. Mr. Terzich?"

Terzich: "How am I recorded?"

Murphy: "We haven't gotten to that yet. We are just on absentees."

Terzich: "Change my vote to yes please."

Murphy: "Change Mr. Terzich from no to aye. Let's proceed Gentlemen with the absentee and then we'll come back to you."

Fred Selcke: "Pierce. Piotrowicz."

Murphy: "Record Mr. Piotrowicz as aye. Record Mr. Polk as aye."

Fred Selcke: "Porter. Rayson. Sangmeister. Schlickman.  
Schneider. Schraeder. Sevcik. Skinner."

Murphy: "Record Mr. Skinner as no."

Fred Selcke: "Soderstrom. Springer."

Murphy: "Springer, aye."

Fred Selcke: "Stiehl. Stone. Telcser."



Murphy: "Telcser, no."

Fred Selcke: "Tuerk. Wall."

Murphy: "Just a minute. Mr. Tuerk, no."

Fred Selcke: "R. Walsh. W. Walsh."

Murphy: "W. Walsh, no."

Fred Selcke: "Walters. Williams. J. J. Wolfe."

Murphy: "Just a minute. Mr. Williams. Mr. Williams, no."

Fred Selcke: "J. J. Wolfe."

Murphy: "J. J. Wolfe, aye."

Fred Selcke: "B. B. Wolfe. Yourell."

Murphy: "Alright, now Mr. Clerk, there are several asking  
recognition. Mr. Mann."

Mann: "Mr. Speaker, how am I recorded."

Fred Selcke: "The Gentleman is recorded as not voting."

Mann: "I vote no."

Murphy: "Vote the Gentleman no. Mr. Thompson, R. L. Thompson."

Thompson: "How am I recorded, Mr. Speaker?"

Murphy: "How is the Gentleman recorded?"

Fred Selcke: "The Gentleman is recorded as voting no."

Murphy: "Mr. Beaupre, how's he recorded?"

Fred Selcke: "The Gentleman is recorded as voting no."

Murphy: "Mr. Flynn, how is he recorded?"

Fred Selcke: "The Gentleman is recorded as not voting."

Murphy: "Vote the Gentleman no. Alright, the Chair recognizes  
the Gentleman from Cook, Mr. Tom Miller."

Miller: "Mr. Speaker, I withdraw my request for a poll of the



no votes and I think they've got enough greens and we'll let it go at that."

Murphy: "Well now, you've got enough greens, we haven't finished this roll call yet, Mr. Miller. Mr. Bluthardt. how is the Gentleman recorded?"

Fred Selcke: "The Gentleman is recorded as voting yes."

Bluthardt: "Change that to no please."

Murphy: "Change the Gentleman to no, Mr. Douglas?"

Douglas: "How am I recorded Mr. Speaker?"

Fred Selcke: "The Gentleman is recorded as not voting."

Douglas: "Please vote me no."

Murphy: "Vote the gentleman no. Mr. Schoeberlein? The Gentleman from Cook, Mr. Tom Miller, is recognized."

Miller: "Mr. Speaker, rather than prolong the agony here can we cease this, I think the....."

Murphy: "Do you care to withdraw your motion to adopt Amendment No. 3."

Miller: "yes."

Murphy: "We can do so. Alright the Gentleman withdraws Amendment No. 3. Is the Gentleman conceding that the Amendment is lost? On this questions there are 43 yeas, 67 nays, and the Gentleman's motion is lost. Are there further Amendments? Hearing none, the Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "House Bill 641, Williams. A Bill for an Act authorizing the Director of the Department of Transportation





to make an examination and study of Silver Creek in Cook and DuPage County. Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there any Amendments from the floor? The Bill is ordered advanced to the Order of Third Reading."

Fred Selcke: "Pappas is not here. Farley's here. House Bill 644. Farley. A Bill for an Act to amend the Public Aid Code, second reading of the Bill. No Committee Amendments."

Murphy: "Are there any Amendments from the floor? The Gentleman from Cook, Mr. Farley, is recognized."

Farley: "Mr. Speaker, I request that this be taken out of the record. I have an Amendment pending now."

Murphy: "Does the Gentleman have leave to take it out of the record? Hearing no objection House Bill 641 is taken out of the record for the time being."

Fred Selcke: "644."

Murphy: "644? Alright, 644 is taken out of the record."

Fred Selcke: "a...658, Duff. A Bill for an Act in relation to the indemnification of private citizens who suffer injury or damage in connection with the commission of a crime, Second Reading of the Bill. One Committee Amendment. Amend House Bill 658 on page 1, line 14, by deleting the word "widows" and in lieu thereof, inserting "surviving spouse" and so forth."

Murphy: "Alright, the Chair recognizes the Gentleman from Cook, Mr. Duff."



Duff: "Mr. Chairman, this is a Committee Amendment, which ah... corrects an error by changing the word ah... 'widow' to 'spouses' and then ah... put the limitation on the expenditure. I move the adoption of Amendment #1 to House Bill ... I mean Committee Amendment #1 to House Bill 658."

Murphy: "Is there discussion? The question is shall Committee Amendment #1 be adopted? All those in favor say 'aye' and the opposed 'nay' and the 'ayes' have it and the amendment is adopted. Are there further amendments? The Bill is ordered advanced to the order of Third Reading."

Fredric B. Selcke: Duff... or Rayson's not here. Jones is not here. Houlihan? House Bill 695, D.L. Houlihan. A Bill for Act to amend the School Code. Second Reading of the Bill. One Committee Amendment. Amend House Bill 695 on page 1, line 13 by inserting after the word 'interest', 'the words of the teacher' and on page 1, line 28 by inserting after the word 'interest', 'the word of the teacher'."

Murphy: "The gentleman from Cook, Mr. D.L. Houlihan."

Houlihan: "Mr. Speaker and Members of the House, Committee Amendment #1 was introduced by myself, the Sponsor of this Bill. The purpose of the amendment is to limit the exemption which is provided for in this Bill to that of a teacher, which is the original intent of the Bill, therefore I move the adoption of the amendment."

Murphy: "Is there discussion? The question is shall Committee Amendment #1 be adopted. All those in favor say 'aye' and



the opposed 'nay'. The 'ayes' have it and the amendment is adopted and the amendment is adopted. Are there further amendments? Bill is ordered advanced to the order of Third Reading."

Fredric B. Selcke: "House Bill 724, W.D. Walsh. A Bill for an Act to create the Illinois Development Disabilities Act, Second Reading of the Bill."

Murphy: "All right, the Bill is ordered taken out of the record."

Fredric B. Selcke: "House Bill 748, Brinkmeier. A Bill for an Act to amend the School Code, Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there any amendments on the floor?"

Fredric B. Selcke: "Amendment #1, McCourt. Amend House Bill 748 on page 1, lines 14 by inserting immediately after the period the following and so forth."

Murphy: "The gentleman from Cook, Representative McCourt is recognized."

McCourt: "Mr. Speaker, Amendment #1 ah... mainly ah... helps school districts or ah... prevents school districts from coming into direct competition if there happens to be mass transportation systems already in that area. This was discussed in the committee and I believe that the Sponsor approved of the amendment. I move the adoption of the amendment."

Murphy: "All right, the gentleman has moved... ah.... does the gentleman from Ogle, Mr. Brinkmeier wish to be recognized?"



Brinkmeier: "Yes, Mr. Speaker and Members of the House, I did discuss this ah... proposed amendment with Representative McCourt ah...I have no objection to it and I would urge the Members of the House to adopt this amendment."

Murphy: "All right, the question is shall Amendment #1 be adopted. All those in favor say 'aye' and the opposed say 'nay' and the 'ayes' have it and the amendment is adopted. Are there further amendment? The Bill is ordered advanced to the order of Third Reading. All right, we'll start with House Bills Second Reading and we'll now start with House Bill #3."

Fredric B. Selcke: "The gentleman is not ah.... yes, there he is. House Bill #3, Hanahan. Creates the State Labor Relations Board."

Murphy: The Chair is understanding that one of the Sponsors of a proposed amendment is not present and therefore this Bill will be taken out of the record for the time being. The gentleman from McHenry, Representative Hanahan."

Hanahan: "Well, Mr. Speaker, I postponed it last week for the same reason, and ah.... I have no objection to Ray Ewell's ah... amendment ah..., which is the first amendment to be offered and ah.... I understand there are amendments by Representative Hyde, and Tuerk. Representative Grotberg is not here but I understand that Representative Tuerk will handle his amendment and I would like to move the Bill along because I do have a deadline this week for passage on Third Reading and ah... I don't want to get trapped."



These are controversial amendments, ah.... if you would hold them until later in the day until these legislators are present I would like to hear the Bill today on Second Reading."

Murphy: "Is the Chair to understand that there is a legislator present that will handle any proposed amendment? Is somebody going to take care of Representative Grotberg's amendment, who is absent because of illness? All right, with that understanding, let's proceed, Mr. Clerk, unless there is objection."

Fredric B. Selcke: "This Bill has been read a second time and amendments ah... through 6 were adopted. The next amendment to be considered is Amendment #7, Ewell. Amend House Bill #3 on page 4 by inserting between lines 20 and 21 the following and so forth."

Murphy: "The Chair recognizes the gentleman from Cook, Mr. Harold Washington who is handling the amendment for Mr. Ewell."

Washington: "Mr. Speaker and Members of the House, this amendment has been agreed upon by the Sponsor. It's simply a standard anti-discriminatory amendment, which has been placed into the Bill and I move it's adoption."

Murphy: "Question is shall Amendment #7 be adopted. All those in favor say 'aye' and opposed 'nay', the 'ayes' have it and the amendment is adopted. Are there further amendments?"

Jack O'Brien: "Amendment #8, Tuerk. Amends House Bill #3 as follows on page 9 between lines 20 and 30 and the following



and so forth."

Murphy: "All right, the gentleman from Peoria, Mr. Tuerk is recognized."

Tuerk: "Mr. Speaker and Members of the House, what this amendment does, very simply, is ah... it's a total prohibition of strikes. I think what it would do would be to put the House Bill.... or at least attempt to put the House Bill in fair ah... in some similar form of order here ah... so that if and when it does pass out of the House, at least it would have the strike prohibition on it. I think we have not come to the point in time and in the history of the State of Illinois and in this movement to put public employees under collective . . . . I don't think that we want to permit strikes on the part of the public employees and that's what this amendment does and I move for it's adoption."

Murphy: "Is there discussion? The gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker and Members of the House, probably the most controversial amendment that is offered on this Bill of House Bill #3, which would allow collective bargaining in the public sector is a prohibition of strikes. Number one, I believe that the amendment is misplaced to a Bill of this nature because what I'm discussion in House Bill #3 is the statutory and orderly provisions of recognition in a orderly process of who is and who will be recognized as a collective bargaining agent. It also gets into the areas



of mediation, conciliation and arbitration, but no where in the Bill do I say that people have a right to strike and no where in the Bill do I believe that it would be proper to say that public employees shouldn't have the right to strike. I think that what is basic here is that if some legislators would like to see a no strike law in Illinois they should submit a no strike law or a Bill pertaining to no strikes by public employees, but to amend a Bill that has nothing whatsoever to do with the right to strike or the right not to strike and to sum out..... to cloud up the issue of whether or not we should recognize a bargaining representative in an orderly procedure to come about to that fact, I think is misplaced. The amendment with all good intention, and I understand the insistence of the Sponsor introducing an amendment of this nature, would be really not to allow collective bargaining, but to prohibit some people from exercising their constitutional rights of which we're all a service. Now I suggest to the Members of the House, that when you prohibit a person from striking, your actually attempting to remove the anti-slavery provision of the United States Constitution because nobody could convince me as a trade unionist or as an american citizen that I can be compelled to perform a service that I individually or collectively refuse to do. Now I don't care what some people would like to make you believe, but there is no way of compelling in America somebody to perform or somebody to do a days work of your decision of what a



days pay should constitute. A prohibition is a right of withdraw of service is not only anti-union, but it's anti-american in that manner. The issues of right to strike are not new to this House. We have debated them in the past and we have overwhelmingly defeated them. I suggest to the Sponsor of the amendment that if he would like to debate the issue of right to strike or right to withdraw of services, and who should have that right, then I suggest that he introduce a Bill to that nature. Similar to any Bill that would strike out an agency shop provision. This amendment would probably be the gut amendment that would be offered to the Bill to kill the Bill because as the Sponsor well knows and as those anti-union people who are circulating throughout the State of Illinois and trying to beat down the trade union movement and the rights of the trade unionists, this is the amendment that they would use to do such a trick. I just suggest to the Members of the House, this is probably one of the most serious of all amendments that could be offered to a Bill. This is the amendment that would take away a citizens right of refusal to work. Now is you want to talk about who should have a right to strike and who shouldn't, that should be a Bill separate from this because I could suggest in an argument against any prohibition Bill of ah... separate Bill introduced for a person having a right to strike, I'd suggest that, do they want a group of janitors or a group of gardeners in park district in the City of Chicago, to not have the





right of not working? What health, welfare, and safety as the citizens of Illinois would they be effecting? Certainly to compare conversly in the private sector, if somebody wants to introduce a no strike law, I would suggest that there are areas outside the public service that would tend to be more injurious to your public health, safety, and welfare and I would suggest those private working for Commonwealth Edison, who nobody gets up and suggests that they shouldn't have the right to strike, but simply to say that public employees should not have a right of withdrawal of service, is not only anti-union, but anti-american and I urge the defeat of this amendment."

Murphy: "Is there further discussion? The gentleman from Cook, Mr. William Walsh."

Walsh: "Mr. Speaker and ladies and gentlemen of the House, I rise to support this amendment and suggest that the gentleman from McHenry is talking about an individuals right to strike. We're not addressing ourselves to that at all, we're talking about the collective right to withdraw services. We're requiring membership in a collective bargaining unit here and so when we talk about a strike, we're talking about a collective withdraw of services and that's what we object to. Now Mr. Speaker, when the police in Montreal withdrew their services, a few years ago, they turned Montreal into a city under siege. The police were gone for three or four days and the elements ah... of corruption took over the city until the police were brought back. Now public



service is different than private services, we have to accept that. There is a big difference between a police-mans services and the services of somebody making a machine part. We can get along with the machine part, but we can't get along without police or fire services, nor indeed can we get along without the services of a school teacher. And may I suggest that they are different too in another way. The bargaining aspect is entirely different. The policemen are bargaining with a village or City Board. The board is there to reflect public sympathy and public sentiments. They are not there to gaurd the pocketbooks of stockholders, nor indeed are they the owners themselves and are they trying to get as much money for themselves as they possibly can. They are there actually to do the bidding of the public and the public is not that hard to deal with. Now I suggest to you, Mr. Speaker, that this is a good amendment. This anendment should pass, and while the gentleman is correct that the Bill is silent on the question of whether public employees have the right to strike, there is certainly the tacit approval in the Bill for public employees to strike and they should not so I urge your support for this amendment." Go

Murphy: "Gentleman from Cook, Mr. Barnes."

Barnes: "Mr. Speaker and Members of the House, I will have to rise to disagree with the Majority Leader on the purpose of this particular amendment. I can understand and I concur with some of what he said concerning certain ah....



public employees and ah.... striking depending upon ah... what ah... service ah... they are ah.... in what service they are giving to the public. I think that this amendment in it's total does what so many of the amendments of this type will do. It tends to through the baby out with the bath water. It tends to lump everyone in ah... in a cold sweep saying that all employees, public employees do not have the right of withdrawal of service. Now I can concur with the Sponsor of the Bill that it would seem to me rather felonious that ah... janitors in some other municipality or other alive workers would not have the right to make the decision on rather or not they would work for certain remuneration for their services. I think to offer an amendment of this type which would blanket in everybody in total ah... it's something that simply should not be did in this Bill and if you feel that there are some exceptions; the exceptions to which the Majority Leader has addressed himself to. I can concur with perhaps putting in a Bill offering up that particular exception, but I think that to offer up an amendment in total to insist that no public employee should have the right for withdrawal of his services, I think would simply gut out the whole purpose of House Bill #3 and I rise to oppose this amendment and I think that people operating for municipal government and working in various occupations are not second class citizens and they should have the same rights as all citizens in our state and all citizens in the United States and that's to be able to make a decision on



whether or not they will work for whatever remuneration they are getting and I rise to oppose this amendment. It's a bad amendment and it should be defeated."

Murphy: "The gentleman from Marion, Mr. Stedelin."

Stedelin: "Mr. Speaker and ladies and gentlemen of the House, I've been a labor man and I've been a business man and I'm absolutely opposed to this amendment and I'll tell you why. I can remember back in the days when I really fought for labor and we had an injunction served on us that two men couldn't be together at the same time and we got that whipped. When you talk about policemen and firemen striking, that's absolutely a wrong statement. That is the easiest place to refill that there is. If you folks remember when Couliage was Mayor of Boston, they went on a strike and the National Guard was there in sight of two hours and that is the way it would be now, but they don't want to stay there. Now it appears funny to me that the only way that the laboring man or anyone sells his service has a right to negotiate is with his services. Now I can remember when I was Lieutenant Governor of the Kiwanis, and the Governor of the I.I.A. District of Kiwanis was a farmer and he had a hundred cattle on the feed lot and he didn't like the price of the meat so he took them off the feed lot and when I was a manufacturer if I didn't like the cost of what I manufactured, I could take it off. Or a grocerman can take it off. Now you show me one particular reason, what a man that sells these services because that's what he's



got, don't have a right have a right to refuse those services if he wants to. My goodness ladies and gentlemen, this is America and we have a right to defend our rights. Now I'll vote for a Bill that says no strike when a contract is in force, but I will never, never vote for any Bill that says you cannot strike no matter what particular branch of government might be. I've seen strikes in the City of Centralia on the mental health, on the nurses themselves and they went in there and worked for nothing and took care of it. There is no body, no body in the world that has a bigger heart than the labor man in the United States of America. This is an American Bill and let's get this Bill passed and let's quit discrimination against the public employees. Thank you."

Murphy: "The Gentleman from Macon, Mr. Borchers, is recognized."

Borchers: "Mr. Speaker and fellow members of the House, each of you ask yourself this one thing. Your house is on fire, you call the fire department and the fellow that answers the phone says I'm sorry we are on strike. Or the burglars are coming into your house and again you call the police and the police officer says I'm sorry, we are on strike. Now as the Majority Leader stated there a difference between working for a factory and the people and we'd better think about that. I don't want to call the fire department and find out that the fire department is on strike."

Murphy: "Is there further discussion? Alright, the question is



shall Amendment No. 8 be adopted? And before we do that I'll return to the Gentleman from Peoria, Mr. Day...Mr. Tuerk to close the debate."

Tuerk: "Well, Mr. Speaker and Members of the House, I've heard some remarks made and an attempt made to try and relate this Bill or this Amendment and the prohibition of strikes to relate it to private industry where you do have the opportunity for union and management to negotiate a contract and put in the contract various provisions for strike or no strike etc. etc. Now the suggestion is made that with public employees, we are dealing with the same thing. I submit to you, we are not. This type of concept of collective bargaining for public employees has been discussed for a matter of ten to twelve years that I'm aware of and to this date, the Bill still hasn't passed. And one of the big stumbling blocks has been the fact that the public employees have the right to strike. Well I submit to you that the only ones that are going to suffer by the public employees to strike would be the tax payer himself. And the employer, which is the public sector. And I submit to you that you have a different set of rules relative to part bargaining on the part of public employees as against that phase of private industry where you have organized labor and management bargaining. Now the sponsor of this Bill has alluded to the fact that myself, as sponsor of the Amendment, I think the inference has been that I'm



anti-union, and this is not the case at all. What this Amendment tries to address itself to is the problem of tying up public services in the public sector and frankly I don't think that we are ready for that nor will we be ready for that type of treatment. Its not a trick, its a... we're not trying to treat public employees as second class citizens, what we are trying to do is enforce and provide for continuity of services in the public sector and for those reasons I would move and reaffirm my position, move for the adoption of this Amendment."

Murphy: "Alright, the question is....does Mr. Holloway desire recognition from Cook County?"

Holloway: "I'd like to have a copy of the Amendment."

Murphy: "Alright, the question is, shall the House adopt Amendment No. 8. Do you wish a roll call on this? Do five members want a roll call, or yeas and nays, No? They want a roll call. Alright, the question is, shall Amendment No. 8 be adopted. Those in favor vote aye, opposed nay. Have all vote who wished? Take the record. On this question there are 42 ayes, 61 nays, and the motion to adopt Amendment No. 8 fails. Are there further Amendments?"

Jack O'Brien: "Amendment No. 9. Grotberg. Amends House Bill 3 as follows: on page 2 between lines 29 and 30 you have the following and so forth."

Murphy: "Ah...who is handling this for Mr. Grotberg? A..."



the Gentleman ....can someone indicate who is handling this for Mr. Grotberg?"

Shea: "I wasn't handling this for Mr. Grotberg, he's entitled to a better fate than that. I wonder if the sponsor, though, would agree to move the Bill to Third and if Mr. Grotberg is back at a later date perhaps moving it back, to consider Mr. Grotberg's Amendment at that time."

Murphy: "For what purpose does the Gentleman from DeKalb, Mr. Ebbesen, arise? "

Ebbesen: "A..Mr. Speaker...Mr. Speaker and Ladies and Gentlemen of the House, John Grotberg, as you know, is hospitalized, and I'd be very happy to explain the Amendment as I see it. I would be unable to respond to too many questions because I perhaps would'nt respond as Mr. Grotberg, but as I read this Amendment No. 9 what it merely does is define what a strike is and it provides for, if the a...if we have the collective bargaining and it reaches an empassé. that the a....if the ...if we reach an empassé, of course, then the in writing, it can be submitted...a 15 days in advance in which the a...they could state that they are going to strike and of course, if it is in the confines of the legislation or the law, then they would be allowed. Of course, it also states and here in Section D where a strike creates or threatens a ...the a....health and safety and welfare and the public employer, which of course would be the Governmental agency, has the right to go to the court for an injunction, and in essence, that's about it, you can





read it for yourself, but I would feel that I rather doubt that Mr. Grotberg will be back this week, and so rather than see the Amendment fail for lack of consideration, I would appreciate it if all members of the House would take the time to look this over a little bit and give it serious consideration."

Murphy: "Is there discussion? The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Well, Mr. Speaker, and Members of the House. Instead of debating the issue, I'd like first, to raise a point of order, whether Representative Grotberg was here or not, I would raise the point of order and I think the determination of the Chair should see whether or not Amendment No. 9 would be in order with the Bill. Based on the premise that Amendment No. 1 to House Bill 3 clearly brought into the Bill the Anti-Injunction Act of 1925 in the private sector to be applicable to the House Bill 3 if House Bill 3 is adopted into law. In that context, if Amendment No. 1 were part of the Bill, and Amendment No. 9 were adopted, it would have two sections of the Bill completely opposite in intent on the rights of the courts or the rights of the public employer going into court seeking an injunction, so I'd raise a point of order on whether or not this Amendment could be...could be adopted in context, because of Amendment No. 1 already being adopted."

Murphy: "Question, Mr. Hanahan. Is it your question that this conflicts with Amendment No. 1? In what respect, sir?"



Hanahan: "It conflicts in Amendment No. 1 that Amendment No. 1 which was adopted by the House of Representatives, brings in to the Bill the provisions of the Anti-Injunction Act of 1925 which prohibits a court from enjoining a strike in the private sector. We have amended that law into the collective bargaining law in House Bill 3. Now if that were adopted in part of the law which prohibited a court from entering an injunction and then Amendment No. 9, were adopted, it would allow a court to enjoin a strike, it would seem to me that the Bill would be completely contrary within its own provision of whether or not a court has jurisdiction in a labor dispute."

Murphy: "The Chair will rule that it appears that Amendment No. 9 is not in any way in conflict with Amendment No. 1. Is there further discussion with respect to Amendment, proposed Amendment No. 9? The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Alright, then in fact, Mr. Speaker, I agree with your ruling as far as technically, there is no difference, there is nothing in error as far as the Amendment submitted. I suggest though; that if Amendment No. 9 were adopted, it would be within the same Bill, a complete opposite Section disallowing the prohibition that was put in with Amendment No. 1 of a court enjoining a strike, but as long as the ruling is that we'll debate Amendment No. 9 then I would like to go on to the debate of Amendment 9. Amendment No. 9 suggest just the opposite of what the Majority



Leader suggested before, that it would not prohibit a person from striking. He's talking about in concert, or together, but the first page of Amendment No. 9 on line 4 a strike means any concerted action in failing to report for duty, the willful absence from one's position. Now I'd like to suggest that in many public employees service units that there is one employee of a bargaining unit, and I'd suggest in a high pressure boiler's steam installation in a public school, the fireman, or oiler, or the operating engineer, may be the only employee of that unit, or of that union, to bargain in behalf of under the provisions of the House Bill 3, and if he went on strike, he, individually, it would be under the definitions, of Amendment No. 9 of House Bill 3, a strike, so when we talk about one individual being prohibited from withdrawing services and having to go to work and having to perform a service at a wage or a condition of employment or that he, individually, may not like, then I'm suggesting Amendment No. 9 would do such a thing. To go further, to allow courts to enter into a collective bargaining...to allow a court to enter into the free collective bargaining that House Bill 3 would allow in the public sector, would beat in the gates, the very thing that the legislator is attempting to do. And that is to allow public employees to have a right of being represented in behalf of themselves for wages, hours and conditions of employment. Now to say that the court has



some God-given knowledge of procedures or facts concerning employment. Since 1925, we in Illinois, enjoy an Anti-Injunction Law that prohibits a court from enjoining a strike in the private sector. Now in 1965, this statute was amended to...or it was interpreted by the Supreme Court of Illinois to include the hospitals that a court cannot enjoin a hospital strike, and in 1970, the Supreme Court of Illinois ruled that a public employee strike cannot be enjoined. So I don't know what the big hue and cry is that all of a sudden by Amendment, we need to somewhat prohibit public employees from the right to strike. The very thing that we are talking about that happened in Montreal, was the failure of collective bargaining, not the essence of collective bargaining. When people fail to negotiate, when people to come to grips with a problem, this is a failure of collective bargaining. I suggest that 90% of all stikes that have ever happened in the United States in the last century, has happened over recognition, not over wages, hours, or conditions. Just the fact of public employers having to sit down with a public employee representative somehow has been reprehensible in the failure to do so has lead to labor unrest in the public sector and strikes. But this Amendment is a yellow dog Amendment. Its what we would consider in the trade union movement, a way around to get the courts into the picture to goof up and to pertray that the courts have some great knowledge of what is happening in a work circumstance, that they could judiciously lay down



the law to some public employees or to some public employers. I suggest that collective bargaining works best when the public employee and the public employer sits down and negotiates with the right of the public employee withholding his services with the right of the public employer saying we are not longer going to provide the services. Now that is what the essence of this Amendment is and I urge its defeat."

Murphy: "Is ther further discussion? The Gentleman from DeKalb, Mr. Ebbesen, to close the debate."

Ebbesen: "Thank you Mr. Speaker. These little difficult circumstances, not being familiar with this Amendment, but the only thing I can say is that Amendment No. 1 that a.. that a...Representative Hanahan was referring to does not apply to any one other than...in fact an act from 1925 applying to employee organizations, the Act for public educational institutions and agencies is not too broad. It does not include police, fire, and what have you, or other public employees and in closing, all that I can say is that this does not really prohibit a strike, but it merely means that during the negotiations or collective bargaining, it you reach an empasses, a...in writing, 15 days a...they say they are going to go on strike, and if in the event, there is interference with the over-all health and safety and welfare of the citizens that the employer which would be the governmental agency does have the right to go to the courts for an injunction. I would urge the adoption



of Amendment No. 9."

Murphy: "Alright, the question is, shall Amendment No. 9 be adopted? All those in favor say aye, those opposed say nay, the no appears to have it and the...do you want a roll call? Okay, you shall have a roll call. All those in favor vote aye, and opposed nay. Have all voted who wished? Take the record, Mr. Clerk. On this question, there are 23 ayes, 74 nays, and the motion to adopt Amendment No. 9 failed. Are there further Amendments, Mr. Clerk?"

Jack O'Brien: "Amendment No. 10. Hyde. Amends House Bill 3 on page 5, line 34 by striking the words "or by utilizing" and so forth."

Murphy: "The Chair recognizes the Gentleman from Cook, Mr. Hyde."

Hyde: "Mr. Speaker, ladies and gentlemen of the House. Amendment No. 10 to House Bill 3 is rather a simple Amendment. I would point out that House Bill 3, in its present form, does not require the election of a particular labor organization as a prerequisite to certification of that organization as the bargaining representative of the public employees. In other words, under the Bill as it now stands without this Amendment, certification could take place pursuant to, and I quote from the Bill, any other appropriate and suitable method close quote, to determine the majority employees sentiment. Now what this means, that is that a bargaining agent could be certified by petition. The union people walk around or somebody else with a petition



and a worker could very well feel intimidated and pressured to sign a list indicating his preference for a particular union. Now what this Amendment does, it that it requires the the certifying of the bargaining agent be done by secret ballot. Now this surely is the American way. I heard the distinguished chief sponsor of this Bill talk about un-American things and it seems to me that in an election, one of the blessings of our form of government, is the secret ballot. So big brother doesn't look over your shoulder and see how you vote. So what this Amendment does in part, is guarantee that the certification will occur pursuant to a secret ballot and I certainly can't see any objection to that. Now there's one other change made by Amendment No. 10 and that is prohibits a sweetheart contract between the management and the union. Because as the Bill now reads, a secret...I'm sorry...a sweetheart arrangement could be reached by agreement, and so what this Amendment does is that it requires that any union that is to be certified must be selected by secret ballot, not by agreement between people, nor by petition or anything else. This can hardly be construed as a anti-union Amendment, it is a pro-democratic Amendment and I move its adoption."

Murphy: "Is there discussion? The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker, Memebers of the House. Mutual consent is not unheard of in the public or private sector and though



construed erroneously as considered a sweetheart deal, I suggest that its a method, if you do not allow mutual consent, it is a harrassing method to make an employer representative of a single employee go through the whole bothersome procedure of having a secret ballot election by petition to the State Labor Relations Board that this Bill provides for. We allow, very nominally, the right that a mutual consent. Nothing in this or any other act, prohibits recognition of a labor organization as the exclusive representative by a public employer by mutual consent. Now I suggest that the reason why that language is in the Bill is not to do with the sponsor of the Amendment No. 10 suggest, and that is to intimidate or coerce any member or any public employe to having to join a union. Because, further in the Bill, if that was the intent of the sponsor, he would try to negate the shop or the union shop provision that is in the Bill. He doesn't attack that, he just attacks that on the recognition whether or not a public employe by his own free will determines without the bothersome procedures of a State Labor Relations Board election, to say that I belong to the Carpenters Union and therefore, I do not want to go through an election to say that I am a member of the Carpenters Union and would like to be represented by the Carpenters Union in my behalf in consideration of my wages, hours, and conditions. I could go on and on and show in the public sector where there are





three truck drivers working for a township or two glazers working for a school district, or one engineer working for a county, or one gardener working for a greenhouse that belongs to a park district, or two or three janitors working in behalf of the County Building Commission, that would be effect by this Bill that would not necessarily want nor would have any desire to have a secret ballot election to determine what union they were represented by. In the case of the building trades, especially, you and I all know that an electrician of Local 131 in Chicago or a plumber of Local 130 or a carpenter, or a painter, does not need a secret ballot election to be proud of the fact that he belongs to that particular local or that particular building trade union, and behalf of the other types of trade unionists, the janitors, the elevator operators, the service type of employees, the American State, County, and Municipal, that may only represent the small segment in an office or a public board, that they do not need to be told by secret ballot that they want or have to be suggested by a secret ballot that they would want a particular labor organization representing them. Because there is adequate provisions in the Act that if a union is not representing a given public employees, that the employee has a right to petition a new bargaining agent election at any time after twelve months of certification, that he so desires, that this is only in behalf of, that this provision of the



Act is only in behalf of those unique public employees who are already...who do already belong to a trade union that they do not have to petition for secret ballot elections of making the statement that I belong to the Carpenters Union, I belong the Painters Union, or I belong to the Barbers Union, and therefore, I do not want a secret ballot election to determine whether or not I want that union representing me. Now it says mutual consent. And that is the important word in this Bill. And that means that the public employee and the public employer agrees that that public employees belongs and should be represented continually that public employee representative organization. Now if any time after that recognition is granted at twelve months, it'll ...it allows for a petition of decertification and it certainly does not prohibit another union from seeking that employee signing a recognition card and 30% of the employees sign recognition cards of a different union, then there would have to be then, a secret ballot election for representattion. This is only a provision for those small units that do not need a State Labor Relations Board, secret ballot election, and I urge the defeat of this Amendment."

Murphy: "Is there further discussion? Alright, the Gentleman from Cook, Mr. Hyde, to close the debate on the motion."

Hyde: "Well thank you Mr. Speaker. I must congratulate the chief sponsor of this Bill for making an argument against



secret elections. Especially, in labor relations. For the life of me I couldn't begin to know how to approach that type of argument, because intimidation and coercion is inherent in a non-secret election. I heard the Gentleman use the astonishing word "avoid the bothersome procedure of secret election". Now can you imagine in some municipal agency the political sponsor of most of the workers coming around with a petition saying here, sign this, we want a mutually recognized union. It seems to me to be utter nonsense and absolutely a dagger blow at the heart of the democratic process to deny a secret election in one of the most important operations of government. Certainly, if this Bill becomes law, and the police and the firemen and the health department have the right to strike, as apparently they will, you know who's going to be running the government then, the elected officials won't be. It will be those that are in control of those essential services that without which the city and the municipality cannot function. Now the least we can do is let the workers vote in a secret ballot to select the union of their choice, not somebody else's choice. Not some political boss's choice. And so that is what this simply seeks to do, permit their certification only by a secret ballot. And when you talk about a sweetheart contract, if you just listen to the language of this Bill without this Amendment, nothing in this Act or any other Act prohibits



recognition of a labor organization as an exclusive representative by a public employer by mutual consent. Well, who's mutual consent? The workers? Let them express that consent in a secret ballot so that the union who will represent them will be the ones they want and not some political boss. I respectfully move adoption of Amendment No. 10."

Murphy: "The question is, shall Amendment No. 10 be adopted? All those in favor vote aye, all opposed nay. Have all voted who wished? The Gentleman from McHenry, Mr. Hanahan is recognized to explain his vote."

Hanahan: "In explaining my vote, Mr. Speaker, and Members of the House. I must admit that the perponderance of the eloquence of the spokesman of the Amendment No. 10, the sponsor of Amendment No. 10 could persuade a lot of people that greasy meat wasn't fat before being cooked, but it doesn't change the fact that mutual consent, if determined by a State Labor Relations Board, which is provided under this Act. If they did not consider that the mutual consent which was freely given, that I doubt whether they would agree that a mutual consent were given and therefore would order a secret ballot election. I do suggest that it isn't the most terrifying Amendment that would go on this Bill, its not going to change a lot, its just going to clutter it up with meaningness type of an election in behalf of a single unit employee that knows what union he belongs to and doesn't need a secret ballot to say that he is proud to belong to a



specific union. I just suggest that the intent of the sponsor and the intent of this legislation is not to allow secret mutual consent of sweetheart agreement, and certainly in all of the years that I have been involved in labor relations, I have never found where you can't sneak by a mutual consent agreement when you have more than three or four or five employees because God knows that any one of them is bound to resist a sweetheart deal if it isn't in their betterment or in their behalf and therefore would object to the mutual consent and the State Labor Relations Board would have no alternative but to order a new election. I do suggest that the Amendment would just clutter it up, the Bill, it is not necessary, but if it is the will of the House, I will accept it, but if it is not, what I suggest is good labor law in behalf of the working people of Illinois."

Murphy: "Have all voted who wished? Take the record, Mr. Clerk. On this question, there are 61 ayes and 58 nays, therefore the House has adopted Amendment No. 10. Are there further Amendments, Mr. Clerk?"

Jack O'Brien: "Amendment No. 11. Hyde. Amends House Bill 3 on page 6, line 30, by adding at the end of line 30, the following, and so forth."

Murphy: "The Gentleman from Cook, Mr. Hyde, is recognized."

Hyde: "Mr. Speaker, having succeeded in Amendment No. 10, I withdraw Amendment No. 11. You want that? Well, I.I.I.I. Especially now, Mr. Speaker, I have leave to table Amend-



ment No. 11."

Murphy: "Does the Gentleman have leave to table Amendment No. 11? Is there objection? The Gentleman from McHenry, Mr. Hanahan, is recognized."

Hanahan: "On the question, I would have fought harder against Amendment No. 10 had I known the sponsor of Amendment No. 11 was going to do this. I respectfully urge, I have no objection to Amendment No. 11. I do think its a defect in the Bill and in consideration that Amendment No. 10 were adopted then I would respectfully request that you not table Amendment No. 11 and then submit it for adoption."

Murphy: "The Gentleman from Cook, Mr. Hyde."

Hyde: "Knowing that one should beware of gifts, at least look through the cellophane. I will point out that here's what Amendment No. 11 does. Amendment No. 11 simply says that in the secret election if a member of the government, that is one who is going into the election, an elector wishes no union to represent him, he would have that right, rather than having to select between two unions. And so with Mr. Hanahan so enthusiastically insists, I certainly will ask then, that it be adopted."

Murphy: "Alright, the question is, shall Amendment No. 11 be adopted? The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Yes, I think the sponsor has pointed out there is a defect in the fact that I never wanted a public employee in determining whether or not he wanted the labor organization or an association that the Bill would provide to



represent them to have the provision on the ballot also to read that unit,,...that no union or organization represent them. I think its just in clarification of a point. We don't prohibit that in the Bill and by Amendment No. 11 being adopted it would just add to the democracy that Amendment No. 10 just brought into the Bill."

Murphy: "The question is shall Amendment No. 11 be adopted? The Gentleman from McHenry, Mr. Skinner, is recognized."

Skinner: "Would the other Gentleman from McHenry yield?"

Murphy: "Which one? Mr. Hanahan?"

Skinner: "There is only one other one from McHenry. Mr. Hanahan would you be in favor of a similar Amendment for public officials?"

Murphy: "Does the Gentleman from....."

Hanahan: "I thought we had one here when I tried to get a raise in pay a few times, you honor."

Skinner: "Mr. Hanahan, for public officials, you have to vote for the people on the ballot. In fact, its not even required to have a write-in box at the present time."

Hanahan: "Oh, are you talking about on the ballot that no public official shall servè?"

Murphy: "Yeh, I figure that to amend the Constitution,there."

Skinner: "Representative Hanahan, Representative Skinner, Representative Waddell, and the fourth candidate, or none of the above. Would you favor one of those in an Amendment such as that?"



Hanahan: "Ha. Ha. No I figure that would be a debate all of its own on the constitutional amendment that would provide that the office would not be filled by anyone, but in this case when people petition a public State Relations Board for recognition, and I think that they should also have a right that those who do not want to be represented, should on the ballot, say that they do not want representation and so vote."

Skinner: "I certainly look forward to that debate."

Murphy: "The question is shall Amendment No. 11 be adopted?"

All those in favor say aye, those oppose, nay, the ayes have it and the Amendment is adopted. Are there further Amendments? This Bill is advanced to the order of Third Reading."

Jack O'Brien: "House Bill 58. Craig. A Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there any Amendments from the floor? The Bill is advanced to the order of Third Reading."

Jack O'Brien: "House Bill 63. Craig. A Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. Two Committee Amendments. Amendment No. 1 amends House Bill 63 on page 2, line 20, by inserting service station after garage."

Murphy: "The Gentleman from Vermilion, Mr. Craig, with respect to Committee Amendment No. 1."

Craig: "I move for the adoption of Committee No. 1 which will





eliminate service stations from this Act."

Murphy: "Is there further discussion? The question is shall Committee Amendment No. 1 be adopted. All those in favor say aye, all opposed nay, The Ayes have it and the Amendment is adopted."

Jack O'Brien: "Committee Amendment No. 2. Amends House Bill 63, page 1, line 2 and 6 be deleting and so forth."

Murphy: "The Gentleman from Vermilion, Mr. Craig."

Craig: "I move for Committee Amendment No. 2 to be adopted to House Bill 63."

Murphy: "The question is on the adoption of Committee Amendment No. 2. All those in favor say aye, opposed no, the ayes have it and the Amendment is adopted. Are there further Amendments? The Bill is advanced to the order of Third Reading."

Jack O'Brien: "Mr. Maragos isn't here. House Bill 168. Blades. A Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there any Amendments from the floor?"

Jack O'Brien: "Amendment No. 1. Blades. Amends House Bill 168 on page 3, line 1 by striking 25 and inserting in lieu thereof the following, 30."

Murphy: "The Gentleman from Wayne, Mr. Blades, is recognized."

Blades: "The Amendment No. 1 changes the teaching time that a teacher must teach from 25 years to 30 years to receive maximum retirement. I move the adoption."



Murphy: "Is there discussion? The question is shall Amendment No. 1 be adopted. All those in favor say aye, opposed nay, the ayes have it and Amendment No. 1 is adopted. Are there further Amendments?"

Jack O'Brien: "Amendment No. 2. J. J. Wolf. Amends House Bill 168 on page 2, line 34 by deleting the and so forth."

Murphy: "Is Representative J. J. Wolf on the floor? The Gentleman from Wayne....Mr. Wolfe, this is Amendment No. 2 to House Bill 168. Recognize Mr. Wolfe, the Gentleman from Cook."

Wolf: "I'm sorry, Mr. Speaker, what disposition have we made of Amendment No. 1?"

Murphy: "Amendment No. 1 was adopted. Now we're talking about Amendment No. 2, which I understand is your Amendment, sir."

Wolf: "Well, at this stage of the game, Mr. Speaker, there is not much point...I'm sorry I was not in my seat, I was across the aisle...but I know the other day, when the Bill was up, I said I wanted to be recognized to speak on Amendment No. 1. Of course, it is adopted now, too late for it, so I'll save my story for third reading and try to defeat the Bill then."

Murphy: "The Chair has a question of Mr. Wolf. What is your desire with Amendment No. 2? The Chair did not understand."

Wolf: "You might as well table it at this point, Mr. Speaker."

Murphy: "Does the Gentleman have leave to table Amendment No. 2. Hearing no objection, Amendment No. 2 is tabled. Are there



further Amendments?:

Jack O'Brien: "Amendment No. 3. Berman. Amends House Bill 168 on page 1, line 1."

Murphy: "I don't see Mr. Berman on the floor. Is Mr Berman here?"

The Chair will recognize the Gentleman from Wayne, Mr. Blades."

Blades: "I can explain Mr. Berman's Amendment to the Bill, and I'm in agreement with his Amendment if the rest of the Members wish to know. What Mr. Berman proposes to do is to do is to include the Chicago teachers under the same rules that we are adopting for downstate retirement. I would move for the adoption of Amendment No. 3.

Murphy: "Alright, the Gentleman moves for the adoption of Amendment No. 3. The Chair recognizes the Gentleman from Cook, Mr. J. J. Wolf.:

Wolf: "Well, Mr. Speaker, I'm going to oppose Amendment No. 3 because it just makes a bad Bill twice as bad. The Pension Laws Commission opposes the Bill itself and what Mr. Blades has done is that his Bill has covered downstate teachers and Amendment No. 3 by Mr. Berman would also cover the Chicago teachers. I think we're talking somewhere around... I think we're talking about \$42,000,000 for downstate teachers before this Amendment. I have no idea what this is going to add to it and I don't know, Mr. Berman is not on the floor, I hate to take a vote on his Amendment without his being here."

Murphy: "Is there further discussion? The Gentleman from Cook,



Mr. William Walsh."

Walsh: "Isn't Representative Berman the sponsor of the Amendment?"

Murphy: "That's my understanding sir."

Walsh: "Well, if he's not on the floor, shouldn't we withdraw the Bill?"

Murphy: "The Chair recognizes the Gentleman from Union, Mr. Choate."

Choate: "I would make the same request that the Majority Leader just did. This is Representative Berman's Bill. It is no fault of his if he isn't here. He's tied up at the airport unable to get transportation here, and I would request that this Bill be taken out of the records."

Murphy: "Does the sponsor agree that this Bill be taken out of the record?"

Blades: "If...if...yes...if there is going to be opposition to the adopting of this Amendment, I propose or suggest to the Speaker that this be taken out of the record until Mr. Berman can get here."

Murphy: "With leave of the House, this Bill will be taken out of the record for the time being. Is Mr. Yourell on the floor?"

Jack O'Brien: "House Bill 264. Redmond. A Bill for an Act to Amend Section 1 of an Act appropriating funds to the Department of Transportation for Division of Water Resource Management and Capital Improvements Project. Second Reading of the Bill. No Committee Amendments."

Murphy: "Are there any Amendments from the floor? The Bill is



ordered advanced to the order of Third Reading."

Jack O'Brien: "I don't think Ron Hoffman is here, is he?"

Murphy: "Mr. Ron Hoffman on the floor?"

Jack O'Brien: "Yourell's not here."

Murphy: "House Bills Third Reading."

Jack O'Brien: "House Bill 216. P. W. Collins. A Bill for an Act to amend the Election Code. Third REading of the Bill."

Murphy: "The Gentleman from Cook, Mr. Phil Collins."

Collins: "Mr. Speaker, I would ask those Bills be taken out of the record for the time being."

Murphy: "Alrighty. Go on through Collins to 227."

Jack O'Brien: "House Bill 227. Barnes. A Bill for an Act creating day-care study commission. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, Members of the House. House Bill 227 is a very simple Bill. It creates the study commission for day care and the whole object of the idea behind House Bill 227 is to try to get some clarity and make some determination on the status of day-care and they are concerning the many centers that feel that there are many problems that will be cropping up due to new regulations on day care and whether or not there should be any indication or any forthcoming of additional funds to be picked up by the State in terms of the over-all day care system. I would move...I don't know of any objection to this particular



Bill, and I would hope that I could receive all of the support from my colleagues on House Bill 227."

W. Robert Blair: "Alright, is there discussion? Hearing none, the question is shall House Bill 227 pass. All those in favor vote aye, and the opposed no. Have all voted who wished? The Clerk will take the record. On this questions there are 102 ayes and 2 nays, and this Bill having received the constitutional majority is hereby declared passed. Any of those....alright."

Martin: "How am I recorded, please?"

W. Robert Blair: "How is Mrs. Martin recorded? You are recorded as voting no."

Martin: "Change me to voting aye."

W. Robert Blair: "Change Mrs. Martin from nay to aye. Schlickman's not here. Hoffman's not here. Rayson isn't here? Rayson's not here. Gibb's here?"

Jack O'Brien: "House Bill 245. Gibbs. A Bill for an Act making appropriation relating to the Court of Claims. Third Reading of the Bill."

W. Robert Blair: "Not there. Okay. Take it out of the record. Roscoe's not here. Is Friedland here? Okay."

Jack O'Brien: "House Bill 253. Friedland. A Bill for an Act making appropriations to the Department of Transportation. Third Reading of the Bill."

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

Friedland: "Thank you Mr. Speaker, ladies and gentlemen of the



House. Houe Bill 253, the synopsis is incorrect in Amend-  
ment to reduce the appropriation from \$30,000 to \$15,000  
for a study on the Otter Creek watershed in the Elgin area.  
I'd appreciate your support."

W. Robert Blair: "Discussion? The Gentleman from Cook, Mr.  
Lechowicz."

Lechowicz: "Thank you Mr. Speaker, ladies and gentlemen of the  
House. The only thing I'd like to point out that this  
appropriation is not part of the Governor's budget. Otter  
Creek, although it has never been studied, is a tributary  
over the Fox River which has been studies many times. A  
complaint has been registered with the Department of Water=  
ways that the City of Elgin is draining its storm sewers  
into Otter Creek and flooding new subdivisions downstream.  
I think what we should do is probably study various  
tributaries on a larger basis and a plain basis and I would  
unfortunately, oppose this Bill at this time."

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

Schneider: "Thank you Mr. Speaker, I have a question of the  
sponsor and I wonder if he's yield."

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

Schneider: "John, on your area as I know with many of the  
projects that are approved by the Division of Waterways,  
we're kind of acting after the fact. I was wondering if  
you could inform me on the question as to whether or not  
there was any kind of regulation for building on flood



plains? I recognize its not a State responsibility at this point, but do you know what kind of efforts your area is making in terms of prohibiting the construction of new homes, and it looks like Representative Lechowicz has indicated that there are some new subdivisions that are being flooded, are there restraints offered in your area?"

Friedland: "I can't be specific on that. The problem occurs outside the corporate limits of the city and there will be an attempt to get the county and the township efforts involved in this too."

Schneider: "Well, the general nature of the problems in many of these kinds of Bills are it seems to me a lack of local responsibility in many ways of regulating the construction and development of housing subdivisions and so on. And it seems to me that the State of Illinois is now getting stuck with all the Bills and all the costs of not only doing the survey, but also eventually constructing what might ever be necessary for the regulation of such flood control. I don't see that that is the problem of the sponsor. I sure have an interest now as a legislator now in taking a good look at the way local municipalities and counties and townships are ignoring what appears to be a essential responsibility of regulating construction on their property and I think we ought to take a good look at many of these Bills as to whether or not we ought to start being responsible for it."





W. Robert Blair: "Is there further discussion? The Gentleman from Kane, Mr. Friedland, to close."

Friedland: "Thank you Mr. Speaker, ladies and gentleman of the House. This is not unusual measure. It's similar to the one passed by the House a week or two ago sponsored by Representative Tipsword and I'd appreciate your support."

W. Robert Blair: "The question is shall House Bill 253 pass? All those in favor vote aye, the opposed no. Have all voted who wished?" Brinkmeier, aye. The Clerk will take the record. Barnes?"

Barnes: "Mr. Speaker, how was I recorded?"

W. Robert Blair: "How was the Gentleman recorded?"

Jack O'Brien: "The Gentleman was recorded as voting aye."

Barnes: "Change that to present Mr. Speaker."

W. Robert Blair: "Barnes from aye to present. Hanahan?"

Hanahan: "Would you please change me from no to aye, sir?"

W. Robert Blair: "Hanahan from no to aye. Where are we now Mr. Clerk? 88. The Gentleman from Kane, Mr. Friedland?"

Friedland: "Mr. Speaker, in rising to explain my vote, I just state that this Bill had a fair hearing in the Appropriations Committee and was re-referred to the Committee on Agriculture and Natural Resources, I do need just one or two votes to help put this measure over and I agree that Representative LaFleur handle the Bill in Committee. I was busy in another Committee and we did cut the appropriation to \$15,000 from \$30,000 after we received additional



supportive data which revealed that the survey may not be as extensive as we first thought of and I'd appreciate the support of the Membership."

W. Robert Blair: "Philip, aye. Beaupre?"

Beaupre: "Mr. Speaker. Would you please change my no vote to aye, please?"

W. Robert Blair: "Change the Gentleman from no to aye. The Gentleman from Vermilion, Mr. Craig."

Craig: "How am I recorded?"

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

Jack O'Brien: "The Gentleman is recorded as not voting."

W. Robert Blair: "Vote him aye. Give me a record Mr. Clerk. On this questions there are 91 yeas, 10 nays, 2 present. This Bill having received the constitutional majority of the Membership is hereby declared passed."

Jack O'Brien: "House Bill 265. Philip. A Bill for an Act to amend Sections of an Act to provide for the creation of management of forest preserve districts. Third Reading of the Bill."

W. Robert Blair: "The Gentleman from DuPage...Alright, the Gentleman from DuPage, Mr. Philip is now on this way to his seat. Hey Pate, this is your Bill. Ha. Ha."

Philip: "Mr. Speaker, and ladies and gentlemen of the House, I certainly think I owe the House a little apology and I'm very sorry because I just wasn't quite paying attention quite frankly. House Bill 265 in effect allows forest preserve districts to increase their bonded indebtedness



from a per cent and a half to 2%. For the reasons of flood plain, during this past flooding situation in DuPage County, we had in my legislative district alone, about 140 some homes that had been flooded out. They had been flooded out because the State Highway Department has come along and put in a four lane highway that in effect has created a dam. On one side you have the four lane highway and on the other side you have Salt Creek, and to say the least, its a disaster area. These people in this area have been without septic tanks for at least six months. They have been without fresh water, county highway department had to bring a water truck over to supply the people with fresh water, believe it or not. What this will do will allow our forest preserve to come in and buy property in the flooding areas. In other words, along Salt Creek, in the flooding area, they'll be able to come in and condemn the property, buy the property, and what it does it increases the bonded indebtedness from a per cent and a half to 2%."

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

Brinkmeier: "Mr. Speaker, does the sponsor yield?"

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

Brinkmeier: "I'm wondering is the synopsis correct in the State's in that it removes that restriction or limitation of 300,000 to 1,000,000, that has been eliminated? That provision of the Act?"

Philip: "Yes, I believe that is correct. You know there are



only, if I remember correctly in the State of Illinois, about 16 Forrest Perserve Districts in the entire state."

Brinkmeier: "Thank you."

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

Lechowicz: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Robert Blair: "He indicates that he will."

Lechowicz: "Representative Philip, what guarantee in the Bill that the land is acquired for flood control purposes will remain as such?"

Philip: "Well, I think that once the Forrest Perserve purchases it for flood planning, they can't sell it."

Lechowicz: "Is it in the Bill?"

Philip: "It's in the state statute. The Forrest Perserve, ah... if I remember correctly cannot buy land and then turn around and sell it in the future for some other purpose."

Lechowicz: "And my second question is how much does this increase the bond indebtiveness?"

Philip: "Well, it would make a total of about ah... in DuPage, with the asseseed valuation would make it about \$27,000,000 for the purposes of buying flood plan property. Let me say this Ted, the last time that we purchased ah... Forrest Perseve Land ah... the bond rate was 4.7%, which is one of the lowest. Our rating is excellant and we had no trouble selling the bonds at all."

Lechowicz: "Now is this without referendum?"

Philip: "That is correct. At the present time right now, ah..."



we have a 1 1/2% without referendum at this point. All this does is increase it 1/2%."

Lechowicz: "Ah.... thank you."

W. Robert Blair: "All right, the question is..... Mr. Shea."

Shea: "How many Forrest Perserve Districts throughout the state does this effect right now?"

Philip: "I think that there is a total in Illinois of maybe ah...15, 16, or 17, Representative Shea."

Shea: "O'kay. If it effects ah... 16 in DuPage you've now got ah....1 1/2%, is that right?"

Philip: "That is correct."

Shea: "O'kay. How much of that 1 1/2% is now issued?"

Philip: "How much of that 1 1/2% is DuPage now using?"

Shea: "The 1 1/2% times your assessed evaluation from at least the figures that you just related to me would be about \$81,000,000. Is that right?"

Philip: "No, I think that the amount abounded that we could float would be about \$27,000,000."

Shea: No, ah.... that's if this increase....."

Philip: "Total, total."

Shea: "What's the total assessed evaluation in DuPage County, as equalized?"

Philip: "I think it's ah....if I remember correctly, I have the figures here ah.... about \$2 1/2 million dollars. \$2 1/2 billion, I'm sorry.... that's right, about 2 1/2 billion dollars."

Shea: "2 1/2 billion? So ah... could I ask you this. Could you



hold this Bill until we figure out what other districts ah... if it effects something in Kane or Kendall or what other counties it effects and what we're talking about in money?"

Philip: "All right. Well, let me just say this. We have had some communication from the other Forrest Perserve Districts and they are all in favor of it. And I think that if I remember correctly the Cook County..... this doesn't effect the Cook County Forrest Perserve District, but I understand that they are on record in favor of it also. I'll be more than happy to hold it."

Shea: "I just want to see what it does. We've got some Members that are curious about their districts over here."

Philip: "I'll be more than happy to."

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

Fredric B. Selcke: "House Bill 288, Martin. An Act in relation to real estate installment contract. Third Reading of the Bill."

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

Martin: "Mr. Speaker and ladies and gentlemen, House Bill 288 ah... pertains to persons who purchase on residential real estate contracts. What the Bill merely does is to warn the buyer that it is a legal contract that they are signing and ah... it will act also to let them know that if payments are missed that their homes may be taken like rent. This must be printed..... the warning must be printed in large letters ah... above the application as well as above the signature of the purchaser. Anyone failing to do so would



tend the contract voidable within two months. I would certainly appreciate a favorable vote on House Bill 288 as it will prevent people from buying on contract and then learning when someone is ill ah... that their homes may be taken from them because they are unable to live up to the contract and I would appreciate a favorable vote on Hosue Bill 288."

W. Robert Blair: "Discussion? Question is shall House Bill 288 pass. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wish? Gentleman from Cook, Mr. Jake Wolf."

Wolf: "Mr. Speaker and Members of the House, by way of explanation I don't see anything that would be wrong with this Bill as a matter of fact I think it would be a great help to persons who purchase porperty on contract. You know, if you purchase on contract and you miss one payment or two payments, you can loose your home. All this Bill, as I understand it does, it to print on the contract a warning that if payments are missed that you are subject to have your home taken away. I think this is more than fair or right for people to have a perfect understanding so that they know the difference between a land contract and a conventional contract of sale. I think that it is a good Bill and it ought to be passed."

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

Martin: "I just wanted to add that there was a Committee Amendment ah.... that stated that the two witnesses would not be



necessary."

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

Katz: "I also wanted to add, Mr. Speaker and ladies and gentlemen of the House that the Bill in it's original form was discussed at considerable length with the Real Estate Association here in Illinois and that the final product was one ah... on which they concurred. This is not opposed by the real estate groups but was drafted in accordance with what they thought was an acceptable way of dealing with the problem."

W. Robert Blair: "Have all voted who wish? The Clerk will take the record. On this question there are 120 'ayes' and 2 'nays' and this Bill having received the constitutional majority is herevy declared passed."

Fredric B. Selcke: "House Bill 291, Jaffe. A Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

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

Jaffe: "Mr. Speaker, and ladies and gentlemen of the House, the synopsis is actually wrong. We had amended the Bill to conform with suggestions made by the Illinios Municipal League ah.... the Bill as it now stands is supported by the Illinois Municipal League. It's supported by Attorney General Scott and it's supported by the E.P.A. House Bill 291 is an effort to close a major loop hole in the Illinois Environmental Law, which permits companies to obtain variations and permits from the Pollution Control Board by de-





fault. Under the present law if the Board does not rule on a request for a variation within 90 days, the variation is granted. Under House Bill 291, as it now stands, the Board is given up to 120 days to rule and if by that time the Board has failed to make a decision, ah... it is neither granted or denied. I would like to stress that. Now there is no granting by default nor is there any denial by default and the Bill says that the Board must act within 120 days. House Bill 291 would change the Variation Law to favor and protect the public instead of the polluter. At the present time, even if a clerical mistake took place and a file was mislaid for 90 days, a major variation could be granted without a hearing. I should call to your attention that on January 16, 1973 the Illinois Pollution Control Board granted variations in four cases by default. Commonwealth Edison was granted two variations in air pollution, receiving one year extensions on air pollution control that is powered and stationed near Pekin and a Will County station near Lockport. In other variations granted by default on the same day, Olan Manufacturing Corporation at East Alton was granted a years grace from the State of Illinois water standards. In Lake County, a developer in Highland Park was permitted to connect three 24 unit condominiums a Sanitary District, which is already overloaded. I would just like to say that at the present time the Bill is now supported by Attorney General Scott. He was here on the floor jsut a week and a half ago and we discussed this Bill



in a very comprehensive manner and he said that he is for it and he said that he was for it two years ago. The E.P.A. is for it and the Illinois Municipal League is now for this Bill with the amendments that it now does have and I would solicit your favorable vote."

W. Robert Blair: "The gentleman from Lake, Mrs. Geo-karis. Ah.... I mean lady from Lake."

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, I rise to speak in opposition to this Bill for the following reasons. If the E.P.A. is careless and does not do it's job properly so therefore under the former circumstances some business, small business or large, is able to continue in operation, I believe that it is the E.P.A.'s responsibility. If we pass this Bill, we are penalizing some small business or any business for that matter, simply because if the E.P.A. does not choose for six months it may well put some of these smaller businesses out of business. I think they are entitled to know what is going on within 90 days on not six months. I therefore rise to speak against this Bill."

W. Robert Blair: "The gentleman from Sinclair, Mr. Flinn."

Flinn: "Mr. Speaker, would the Sponsor yield for a question?"

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

Flinn: "Representative Jaffe, if the 120 expired and the Board had not taken any action, would not someone who had been previously accused be building up some liability all the time that the Board had not taken any action for all the



time to follow from there out?"

Jaffe: "Well, let me tell you what they do now, Monroe, in order to get around this thing. If 90 days elapses and they haven't come to a conclusion what they automatically do now is they try to deny the case. So really, the person is being penalized as their practice is today. In answer to Mrs. Geo-Karis, she indicated six months. This is no longer six months under the synopsis..... the synopsis says six months however, with the amendment ah... is 120 days and after that 120 days, there is no variation by default, nor do they grant nor do they deny; but at the end of 120 days they can go into court and they can get an injunction against the Board. The Board would be guilty of malfeasance if they followed a practice of not going ahead within 120 days."

W. Robert Blair: "Now for what purpose does the lady from Lake Agsinn rise?"

Geo-Karis: "Mr. Speaker, I stand corrected, but even if it is 120 days, according to the Bill, after my recollection, having read it, if the Board does not act within 120 days the permit would be automatically denied. Is that correct?"

Jaffe: "Well, I explained it. It is not automatically denied anymore. It's neither granted or denied, but they are mandated to act within 120 days. This was the problem that we had. We had the problem two years ago and one of the objections that George Burdit had at that time was that it was automatically ah...denied. Well, I took that portion out of it and it is satisfactory with the Illinois Municipal



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League. The Illinois Municipal League suggested this Amendment. Its supported by them and its also supported by Attorney General Scott when he was here on the floor of the House the other day. He told me that there was one case in which he spent \$30,000 in prosecuting for the State of Illinois and all of a sudden it was shot down the drain because of ths particular law. The Attorney General wants this badly. E.P.A. wants it badly, and the Illinois Municipal League wants it. It has been amended and I think its a good Bill, so do not read the synopsis. The synopsis is wrong."

W. Robert Blair: "The Gentleman from Wayne, Mr. Blades."

Blades: "Mr. Speaker, ladies and gentlemen of the House. I must rise in opposition to this Bill. This Bill had a fair hearing in Committee and was voted down in Committee. When the sponsor brought it back on the Floor which of course he had a right to do. What he is proposing here, he originally proposed that when anyone applies to the Environmental Protection Agency for a variance, that they be given six months time. Under the present law, they have to make a decision within 90 days of whether or not the variance is granted. The he amended his Bill to 120 days. Now I submit to you that if you apply for a permit you have to have a permit to continue and you apply for it then you don't get a decision within 120 days, then you have apparen-ly been denied because you haven't got the permit. What'



the present laws does is make the Department the Pollution Control Board act within 90 days, which I think that it should do. Now they don't have a big lot of Bills over ther or a big lot of applications for variances piling up. They only situation that ever existed where a variance was granted was on the change of the administration was when the Senate refused to confirm Don Hence at that time, and they didn't have a quorum on the Board. Then there were two or three variances that were granted at that time. But I submit to you that 90 days is ample time for industry to have to wait to see whether or not they can get a variance from a regulation that the Control Board has asked. So they may be...of course there are agencies for this but I submit to you that the Manufacturers' Association is against this and industry is against this. And I suggest we defeat the Bill."

W. Robert Blair: "The Gentleman from Sinclair, Mr. Flynn."

Flynn: "Yes, Mr. Speaker, and ladies and gentlemen of the House

I did not get a clear answer from Representative Jaffe about my question, but I would like to now take the opportunity to speak against the Bill."

W. Robert Blair: "Oh, alright."

Flynn: "I'm not asking for the floor a second time I got turned off before I got ...."

W. Robert Blair: "I'm sorry, did Mr. Jaffe try to want to make his answer clearer or do you want to...you can't you don't want to? Okay. The Gentleman from Sinclair, Mr. Flynn, then



on the issue."

Flynn: "My question was originally, what kind of liabilities would be built up at the end of the 120 days if the Board in fact, had not acted at that time? I understand that the variance would not be granted nor be denied, but that says nothing insofar as the liabilities are concerned. There are a number of queries down in my district that have been months and months trying to contact or receive information rather from the Board concerning a variance and they cannot find out anything about it. There is absolutely no communication taking place between the querie owners and the Board at this time. And they are not a large profit making organization, none of them, and they cannot afford to build up liabilities which are unknown to them."

W. Robert Blair: "I'm sorry, Mr. Jaffe, now wants to answer the question, alright?"

Jaffe: "I believe I now understand the question. I didn't understand it before hand. Monroe, what would happen now is the very thing that you are worried about would not happen because right not they can sit there for 90 days and after 90 days they can say if they have decided not to reach a decision that this is going to be denied, and they can deny it and keep the person hanging forever because he has to file a new variations and he has to file for a new permit. Under my Bill, after 120 days, they are mandated to act and if they do not act within 120 days you



can go right into court against them. So I think this Bill would put them in a much much better condition than what they are now."

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

Fleck: "Will the sponsor yield for a question or two?"

You know I was a co-sponsor of the original Bill and I've got a few problems with the Amendment. It seems to me, well first of all you provide that if there isn't a quorum present in the Bill, that the Board does not have to exercise a decision within 120 days so that you are out of the mandate on that."

Jaffe: "No, no, first of all, let me say that about the quorum. There has to be a legally, there has to be enough people to actually make up a quorum. If you look at the language, it says, To constitute a quorum have...let's see...members to constitute a quorum have not been qualified by law to serve. This covers the situation that we had when Governor Ogilvie lost the election and then he appointed several people to go onto the Board. The Senate would not ratify them and would not accept Governor Ogilvie's appointment. Therefore you did not have enough number of people that were actually qualified by law to serve."

Fleck: "I..I understand that point perfectly clear, but my point is this. When does this...a..let's call it a statute of limitations...what if you get into, I file a variance and 30 days or 60 days later there isn't a quorum,



a member resigns and there hasn't been a replacement appointed yet, a...do I continue operating as I was prior to the filing for the variance? Is it being granted, being denied, or what?"

Jaffe: "Well, I think everybody really is under a mis-apprehension over this. If you are applying for a variance, you are applying for something that you are not doing at the present time. In other words, you are not going to be hurt because you are going to be...the worse thing that'll happen is that you are in the same position. When you apply for a variance, you are asking for something different. You are not asking for something the same. I mean...if you are in the same position today, you know, and you ask for a variance, and they don't do anything tomorrow, you are in the same position tomorrow as you were today."

Fleck: "But your Amendment doesn't do anything in regard to the statute where it says that it will be deemed denied, as far as I can read. I want to get to another problem. You realize the problem they had with court reporters. They underestimated their budget as far as paying court reporters for transcribing a hearing. Now what if they run out of money as far as the transcribing of hearings and they are forced to shut down, what happens to the applications in those circumstances?"

Jaffe: "You know, Charley, I think that you always have to remember that a Court of Equity will suspend the jurisdiction





of the Board to hear any other matter. And a Court of Equity can always come in here, especially after 120 days and a Court of Equity can take over and will take over."

Fleck: "Are you simply saying then that if the court reporters if they run out of money as far as paying any court reporting, then a Court of Equity will come in some kind of injunctive relief, that is the only relief that a petitioner of the Board would have?"

Jaffe: "What would the Board do now? You know what the Board would do now? They would grant or deny as a matter of course."

Fleck: "Alright, now I got one last question. You say it is either deemed granted or denied? Now where are you, it seems like a very wonderful state of limbo that you have left the Board in or the application in."

Jaffe: "No, you are not in a state of limbo because then you can take court action."

Fleck: "Well, can't you take it now under any equity or chancery powers of the circuit courts of this State?"

Jaffe: "In which way, I don't follow you, Charley?"

Fleck: "Well, it seems to me, if for some reason you got a situation where a bonified determination cannot be made by the Board that you can always go to a court and ask for some kind of equity relief."

Jaffe: Charley, here's the thing. At the present time, you have a situation where the Board doesn't act, you know



it is granted as a matter of course, and this is left an awful lot of problems, and you know, Sam Lawton has testified on it, and has indicated that there Board wants it and every thing else. I really think that you are seeing problems that are not there."

Fleck: "Well, Mr. Speaker, if I may speak to the Bill for about 20 seconds. I think the original Bill in its original form had a lot of teeth and for an environmental viewpoint was qualified as a strong piece of legislation, but the way I read this Amendment and the unwritten court proceedings, it could take place after for some reason, the Board doesn't act on a variance, it seems to me that we are just where we are today anyway, and I think the Bill in its present form is really quite harmless. It doesn't do a lot, it just simply tells the Pollution Control Board that they have to act within 120 days and left off the hook if for some reason there isn't a legal quorum of the Board sitting in in these matters. So as far as I'm concerned I don't think that Bill does much of anything and if we pass it we are not going to hurt anything and if we pass it we are not going to help anything."

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

Borchers: "Mr. Speaker, fellow members of the House. I'd like to make three points. The chairman of this five-man Pollution Control Board is paid about \$35,000 a year, the other four, \$30,000. We pay them well to do their duty.



The other part is that ....one of the other points that I would like to make is, if this 120 day passes and no action is taken, some poor possibly devil, or business, small business, is going to have to go to court and find out what there are going to do and what they can do. They deserve a taxpayers right to be able to know what they can or cannot do without having to spend more money from these gentlemen, from waiting for a decision from these gentlemen who are so well paid. Another thing I'd like to point out, is that during this period of time that they are waiting for the variance, you can't underestimate under any condition, owing to the size of the business what financial hardships they are being put to by the fact that you are changing another 90 days. And putting it in there. Its the duty of that Pollution Control Board to let small business and people know instead of as they are today, failing to act. Its their duty and obligation to let people know. Now I might throw in one more thought here and that is the variance is not granted and this extra period of time is there and they have breaking theoretically or supposedly, in the meantime, now that in itself is unjust, so I think this should be defeated."

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

Lechowicz: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, this type of Bill has been introduced consistently for the past three years, and I believe that there is a lot



of confusion on this Bill today, because of the inaccuracy of the Legislative Digest Synopsis. Its a good Bill, it was good then and it is good now. Presently, the agency has 120 days to comply. Well, we were hearing these Bills in the Environment Committee the last couple of years, the agency testified that many times, they did not have the proper staff or the proper research to look into the decision within 120 days. At that time, it went into an automatic default." Representative Jaffe recommended that we extend the time given the agency the proper evaluation period and then make it mandatory instead of going into default that the measure would be corrected and passed upon. The second point that was brought up was the question of a quorum. This Bill rectifies that situation. I would hope that the members would look at the Amendment. Its a good Bill. I solicit your support."

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

McMaster: "Mr. Speaker, since this Bill has had sufficient discussion. Evidently over several sections, I would move the previous question."

W. Robert Blair: "All those in favor, say aye. Opposed, no. The ayes have it, the Gentleman from Cook, Mr. Jaffe to close."

Jaffe: "Mr. Speaker, and Ladies and Gentlemen of the House, I think the problem here comes because the synopsis is wrong. I asked the council, the Reference Bureau actually,



to change the synopsis, which they didn't have enough time to do. However, this Amendment was instituted really at the request of the Illinois Municipal League. This Bill is now supported by the Illinois Municipal League, it is supported by Attorney General Scott, and it is supported by the E. P. A. I want to tell you that Sam Lawton came before the Committee and testified that there is a back-log there, that they do need additional time. Originally, I wanted to go to 90 days, but it was the feeling of the Illinois Municipal League that we should only go to 120 days and I agreed with them that it should be lessened to that particular time. All we are doing, really, is that we are going to 120 days and we are eliminating the pocket granting of variances. I think that this is a good Bill I think it has been needed for a long period of time, and I request an aye vote."

W. Robert Blair: "The question is, shall House Bill 291 pass? All those in favor vote aye, the opposed no. The Gentleman from Christian, Mr. Tipword."

Tipword: "Mr. Speaker, I'd like to explain my vote, please. I'm voting no on this Bill because not of any lack of respect for the sponsor of this Bill and I know he most sincere in presenting it. But I'm voting no because the Environmental Protection Board has acted so arbitrarily and so unfairly in the past, and it has been very dilatory in its actions as has other parts of the Environmental



Protection Agency, its related agency, in its actions that it has taken. It has required so very much from industry and from anyone who wants a variance, and then proceeds so very slowly on its own, and I think that that is the reason why we need the 90 day period so that someone can know whether or not they are going to have a variance and whether or not they can proceed with their business. There has been a great economic burden upon the State of Illinois and upon the promotion of business in the State of Illinois. And consequently, due to their past actions which I hope are remedied in the future, I feel constrained to vote no to extend the time for the Environmental Protection Board."

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

Jaffe: "In explaining my vote, I would merely like to tell the preceding speaker that I believe that he has the Bill all wrong. Under the synopsis, it would be denied under the Amendment, as the Bill now stands, it would not be denied. It would neither be granted nor would it be denied. So I think that you are really looking at the synopsis and you are being confused by the synopsis when, in fact, you are not looking at the Amendment, which is really now the Bill itself. I have to tell you once more that this Bill is supported by the Illinois Municipal League. I worked for a long time period of time with them to hammer out this Amendment. I worked with the Attorney



General Scott. He was here in the House a week and a half ago talking to me about this particular Bill, and told me as I said before hand, there are cases that they have spent \$30,000 prosecuting or defending wherein all of a sudden, because of the lapse of time, its work product has gone down the drain and something that has been granted against the wishes of the people of the State of Illinois. If you are going to take it out on the E.P.A., I think you are really taking it out on the wrong people, because the Attorney General wants the Bill, the Illinois Municipal League wants the Bill and the people of this State wants the Bill. The only one that I know that is against this particular Bill is the Illinois Manufacturing Association, and if you do not pass the Bill I have to tell you that your are telling the people of the State of Illinois that you don't care what your Attorney General says, you don't care what the E.P.A. says, you don't care what the Illinois Municipal League says all you care about is what the Illinois Manufacturing Association wants."

W. Robert Blair: "Have all voted who wished? The Clerk will take the record. Alright, this time, there are 70 ayes, and 53 nays, the Gentleman from Cook, Mr. Jaffe."

Jaffe: "I would like leave to put it on postponed consideration, Mr. Speaker."

W. Robert Blair: "Alright, does the Gentleman have leave? Hearing no objections, it will be placed on the order of



postponed consideration."

Fred Selcke: "House Bill 301. Neff. A Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

W. Robert Blair: "The sponsor wishes that to be taken out of the record."

Fred Selcke: "A Hanahan, 311. House Bill 311. Hanahan.

An Act in relation to strike breakers. Third Reading of the Bill."

Arthur Telcser: "The Gentleman from McHenry, Representative Hanahan."

Hanahan: "Mr. Speaker, and Members of the House, House Bill 311 is the strike breaker bill that got Governor Ogilvie in a little bit of problems with the Trade Union movement a few years ago and it passed the Illinois House, it passed the Illinois Senate, and was put on his desk and he had an erroneous type of suggestion that he should veto the Bill because it doesn't mean anything to labor. Now the strike breaker bill became a symbol of some of the Trade Unionists opposition to the Governor's candidacy for re-election. I'm sorry to say have been one of the prime reasons for his defeat in consideration that many Trade Unionists did not support the Democratic candidate and could not in good conscience, the Republican candidate over this type of Bill. The Strike Breaker Bill is a very simple philosophical Bill that would prohibit people who are employe professionally, professional employed of





following labor strikes around the country and seeking to be employed in place of the striker, not to take the place of the worker, but to take the place...or to injure the situation in a given locality by offering their labor at generally, much higher wages than the striker would be receiving. This could stop the strike. Now, this is Bill is amended at the request of the Illinois State Chamber of Commerce, many who were in opposition to the Bill thought that the Chamber's position, that the strike breaker was not defined adequately. A...Mr. Tuerck introduced an Amendment on Second Reading, which was adopted by this House, which I believe would be sufficient to override the objections to what is a professional strike breaker, but a few years ago when the now deceased and former colleague of ours, Representative Houd, handled the Bill, a...I...I...read a statement about what is a strike breaker written by Jack London of many years ago and I thought it would be interesting that the Bill would prohibit this type of person and I'd like to quote Jack London's poem about a strike breaker. He said after God finished the rattlesnake, the toad, and the vampire, he had some awful substance left, which he made the strike breaker. A strike breaker is a two-legged animal with a cork = screw soul, a water-logged brain, and a combination back-bone made of jelly and glue. Where others have hearts, there is a tumor of rotten principle. When a strike breaker comes



down the street, men turn their back and angels weep in heaven and the devil shuts the gates of hell to keep him out. No man has the right to be a strike breaker. So long as there is a pool of water deep enough to drown his body in or a rope long enough to hang his carcass with. Judas Escariat was a gentleman compared with a strike breaker. For betraying his master, he had the character to hang himself. A strike breaker hasn't. That soul sold his birthrite for a mess of pottage. Judas Escariat sold his Savior for 30 pieces of silver. Benedict Arnold sold his country for a promise of a commission in the British Army. The modern strike breakers sells his birthrite, his company, his wife, his children, and his fellow men for an unfulled promise from his employer trust, or corporation. Edsel was a trader to himself. Judas Escariat was a trader to his God. Benedict Arnold was a trader to his country. A strike breaker is a trader to himself, a trader to his God, a trader to his country, a trader to his family, and a trader to his class. There is nothing lower than a strike breaker. Now with that in mind we are talking about the professional strike breaker and we would like to outlaw him from employment or seeking employment here in Illinois. Right now, many major cities, including the City of Chicago, have an anti-strike breaker law on their ....within their ordinances. I believe the City of Rockford, the City of Peoria, the City of Alton, the City of McHenry have these provisions by ordinance. We do not need in



Illinois, with a situation where there is a labor dispute professionals coming in to try and take the place of the striker so that he could disrupt the strike, a free and orderly collective bargaining process. I suggest to the Members of the General Assembly that if we do not want that type of substance within the State of Illinois, we pass House Bill 311 and I so move."

Arthur Telcser: "Is there any discussion? The question is shall House Bill 311 pass? All those in favor signify by voting aye, the opposed by voting no. Bluthardt, aye. Have all voted who wished? Merlo, aye. R. Dunne, aye. Have all voted who wished? Take the record. On this question, there are 122 ayes, 1 nay, and this Bill having received the constitutional majority is hereby declared passed. Merlo wants aye in there. Ralph Dunne."

Fred Selcke: "House Bill 313. Hanahan. An Act regulating contributions by certain employers to benefit funds or fringe benefit there employees. Third Reading of the Bill."

Arthur Telcser: "The Gentleman from McHenry, Representative Hanahan."

Hanahan: "Mr. Speaker, and Members of the House. House Bill 313 is probably one of the most important Bills for the working men and women that will be introduced this session in regards to their health, welfare, and pension plan. This is an Act that would penalize the employer who voluntarily agreed in writing to contribute in lieu of wages



a fringe benefit amount towards the health, welfare, and pension plan, or an apprenticeship, or a dentistry program that he voluntarily agreed to submit this payment to a trust fund and then willfully, and I must underline this word willfully because this was the objection of the State Chamber of Commerce and the Illinois Manufacturer Association, which I amended the Bill so that their objections would be removed. That this employer or corporation willfully refused to pay after notice the amount due to the trust fund for health, welfare pension amounts. Now this is probably the hardest day of reckoning there is to a businessman when he believes that he has a Blue Cross premium paid or he believes that he has a pension paid and months later, after he's through with his employment with that employer he finds that that employer skipped out and failed to pay that fringe benefit and then all of a sudden he has his hospital bill returned to him because his contributions weren't made. This Bill is actually a employers Bill. As I suggested to the Committee on Industry Industrial Affairs that the employers that legitimately bid for ah... on a job knowing that they have to pay the fringe benefits along with the wages, they bid a certain level of contract price. Against certain types of shlack operators they come into a community that bid just the payment of the wages knowing full well that they are gonna skip out without paying the health and welfare and the fringe benefit premium. So therefore the legitimate, good employer looses the job to this type of fink outfit that comes in and



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underbids a good contractor. But that isn't enough. Months later when the employee who has not been contributed in behalf of, submits his pension application or he submits his health and welfare application for some benefits for some doctor bills or hospital bills, he finds out that he hasn't got it. What happens, the other good employers who have been contributing make up generally the difference by providing the benefits without that fink contractors contribution in the pot. So in one respect we are not only protecting the fringe benefit of the employee we are also protecting the contractors who make up the trust fund that provide these fringe benefits to employees. The penalties for failure on the first offense is a business offense and a fine up to \$100. Now that is after a conviction that they were notified and they willfully disregarded this payment request. On second offense it becomes a misdemeanor with a penalty up to \$500 fine and six months in jail sentence. I suggest that it doesn't pertain to all employees and all trade unionists. It does pertain mainly to the building trades and the service occupation employees that provide services to contractors and are employed by firms that have fringe benefit contracts. I think that one of the greatest need right now is to protect our working men and women in Illinois by this type of legislation and I urge the adoption of House Bill 313."

Arthur Telcser: "Is there any discussion? Gentleman from Cook, Mr. Shea."

Shea: "I wonder if the Sponsor will yield for a question?"



Arthur Telcser: "He indicates that he will."

Shea: "Tom, right now, like in one of these employee pension funds, haven't they got some entrustees? Aren't they normally set up where it's a trust ah.... with trustees? All right, now ah.... under the present law, can the trustees sue the employer for these contributions?"

Hanahan: "They may sue, right, in civil court."

Shea: "O'okay they can now sue in civil court and get money, right?"

Hanahan: "The trouble is they can't find the contract or you'd need a State's Attorney or a Sheriff in order to find these types of contractors."

Shea: "O'okay, but I mean they can do that now?"

Hanahan: "They can do that right now but it just isn't very practical, Jerry."

Shea: "O'okay now, ah... is there anything about willfully withholds in there. In other words, it can't be a neglect or oversight, it's gotta be a willful withholding?"

Hanahan: "It must be a willful withholding after notification. It's after 30 days provided in a grace period provided in a trust agreement so in reality before a trust could go to a State's Attorney to apply for some ah.... grievance of this problem, it would probably be five months, at least four months before they could even go after the failure of contribution."

Shea: "All right, so what your telling me is that right now the trustees could sue for damages or ah... you know, ah... act-



ually for what's due them but sometimes we can't find these people or maybe they want to withhold it because they are using the money for some other purpose?"

Hanahan: "That's right."

Shea: "All right, and now what your saying is that for willful withholding that the trustees can now then go to a State's Attorney and try to get some action to protect the rights of the working people, is that right?"

Hanahan: "Yes, that's all it does."

Shea: "I think that this is a good Bill, Tom, and ought to be supported."

Arthur Telcser: "Is there further discussion? The question is shall House Bill 313 pass? All those in favor signify by voting 'aye' and the opposed by voting 'no'. Have all voted who wish? Macdonald 'aye'. Have all voted who wish? Take the record. On this question..... Phil Collins 'aye'. Holloway 'aye'. Representative Geo-Karis, for what purpose do you rise?"

Geo-Karis: "Will you please put me down as voting 'present'."

Arthur Telcser: "Please record Representative Geo-Karis as voting 'present'. On this question there are 140 'ayes' and no 'nays' and 1 answering 'present' and this Bill having recieved a constitutional majority is hereby decalred passed."

Fredric B. Selcke: "House Bill 319, Douglas. A Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Arthur Telcser: "Gentleman from Cook, Representative Douglas."



Douglas: "Mr. Speaker and ladies and gentlemen of the House, this Bill would make completely optional the inclusion in the rules of the Department of Public Health a pap smear or a preventive medical device used for the early detection of uterine cancer for every woman admitted to a hospital in Illinois. The Bill to reassure anyone with any question about the question ah... about the invasion of privacy clearly allows the option for any woman in a hospital to refuse to have the test done. The amendment specifically says that every woman for whom the test is applicable or to whom it is offered will have the right to refuse such tests on the council of the attending physician or on her own judgement. This Bill is strongly supported by the Illinois Division of the American Cancer Society on the grounds that the pap smear is the single most effective preventive medical device available to the health care professions today. It is also supported by many public health groups. The Department of Public Health, after many discussions, also has supported the Bill. We have no known opposition and I would appreciate a favorable vote."

Arthur Telcser: "The gentleman from Sangamon, Representative Jones."

Jones: "Mr. Speaker, and ladies and gentlemen of the House, I rise in support of this Bill as a Member of the Board of Directors of the Illinois Cancer Society and as a cancer cured patient myself, I know the importance of early detection. This Bill is sponsored by the Illinois Cancer Society





as a part of it's educational campaign to detect cancer in it's early stages where there's a definately possibility of a cure. House Bill 319 simply makes it possible for a female patient to be advised of the advantages of the pap smear test and she then determines whether or not she desires to take the test. This is potentially life saving legislation and I urge your affirmative vote."

Arthur Telcser: "The gentleman from Cook, Representative Lechowicz."

Lechowicz: "Mr. Speaker, will the Sponsor yield for a question?"

Arthur Telcser: "He indicates that he will."

Lechowicz: "Is there a certain age that this will be administered at or ah..."

Douglas: "Yes, this is available and will be offered only to adult females patients under law, that would mean that the age ah.... I think the age that is mentioned is 20 years of age or older."

Lechowicz: "Thank you."

Arthur Telcser: "Is there further discussion? Does the gentleman wish to..... Gentleman from Macon, Representative Alsup."

Alsup: "Mr. Speaker, will the Sponsor yield for a question?"

Arthur Telcser: "He indicates that he will."

Alsup: "Well, I was wondering.... a young woman in the maternity ward who has just had a baby or just about to have the baby, I'm wondering now if you intend to apply pressure to



these people, ah.... this wouldn't sound reasonable to me. I think it might be o'kay if you don't have the Bill in such a shape that the refusal is more embarrassing than the discomfort in some cases. The young woman, age 20, or 25 who has just given birth ah.... I kind of doubt how much this is needed and can you foresee that the patient can graciously refuse without pressure, this is what concerns me."

Douglas: "Representative Alsup, the time at which this test would be done is on admission to the hospital. Every patient, male or female, who is admitted to a hospital in Illinois today under state law and under the regulation of the Department of Public Health and under the rules of the Joint Commission on Accreditation of Hospitals, which must on their state law, must accredit every hospital in this state, has to have a history and physical examination on admission. Therefore the pap smear, which is a very simple test, would be done at the time of the initial examination by the attending physician. It would be done before the delivery of the child, it would be done at a time when the doctor in the routine course of his examination would simply say, 'Would you like to have the pap smear done?' Very often, I would imagine this would just be done routinely anyhow. I don't think that there would be that problem of doing it after the delivery of a baby at which time this would certainly be touchy thing to get involved with. It would be at the initial entry into the hospital situation just like a blood count is done or a urinalysis is done and



I don't think it would be the kind of imposition you might be concerned about."

Arthur Telcser: "The gentleman from Peoria, Representative Day."

Day: "Would the Sponsor yield for a question?"

Arthur Telcser: "He indicates that he will."

Day: "Representative Douglas, as I understand this Bill, if a woman were admitted to the hospital say for a broken arm ah... that she would have to indicate that she did not a pap test made ah... is that right?"

Douglas: "Yes, that's right. Every patient who is admitted to a hospital, as standard procedure is given a number of tests today, which do not necessarily relate directly to the purpose of the patients admission. Even though it might seem that this kind of a test was not related to the broken arm nor might be a blood count or a urinalysis or as some hospitals require even a chest Xray... This is just one more preventive medical technic that would be included because of the evidence that we have that early uterine cancer can be readily discovered in this way and that it would be a service to the patient."

Day: "And does this apply to women of all ages?"

Douglas: "It applies to women 20 years of age or older."

Day: "And what approximately what would be the additional cost of this?"

Douglas: "We estimate that the initial cost would be approximately \$5.00 although as with any medical procedures, a clinical laboratory would have to work out their arrangements



in doing this with the cost center of the hospital."

Day: "I see, thank you."

Arthur Telcser: "Is ther further discussion? The gentleman from Cook, Representative Terzich."

Terzich: "Bruce, ah... on this ah... on that additional \$5.00 ah... who would determine ah... who would read the pap test? Would that require a radiologist? Would this be and addi-tional charge?"

Douglas: "No, a pap test is a microscopic examination. It has to be read by a ah... the kind of person who reads micro-scopic smears, which would either be a clinical pathologist or people who are specially trained in this area."

Terzich: "Now ah.. when someone is admitted in the hospital for any type of an illness, ah.. do they have certain re-quirements such as the Xrays or the blood tests that are normally taken?"

Douglas: "According to the rules of most hospitals and accord-ing to the rules of the Department of Public Health and the Joint Commission on Accreditation of Hospitals, ah... certain tests are standard practice, blood count, urinalysis, ah... asking certain questions, ah... some hospitals when surgery is required they require a chest plate. It would just be a matter of including this as one of the optional things that the hospital would have to make available to the patient."

Terzich: "Why do they require these tests?"

Douglas: "This test?"

Terzich: "No, why did they require those Xrays and blood tests,



and blood count and what have you?"

Douglas: "Those...those tests are required so that, generally, so that if a patient on admission has any disease which may in any way effect the patient's treatment, or in the sense of preventive medicine in that they may give information which may be valuable either to the patient's doctor or to the patient is done as standard procedure."

Terzich: "Don't most insurance companies just cover necessary services and supplies? Does it have to be necessary for it to be ellegible for the expense?"

Douglas: "No. Insurance companies, to my knowledge, Bob, and this is your field more than mine, a...insurance companies generally will cover a history and physical examination as prescribed by the individual hospital and I don't think that they get involved with the question of what is included with the history and physical. That is something that the individual doctor, and in many instances, the individual hospital rules determine."

Terzich: "Alright, thank you."

Arthur Telcser: "Alright, the Gentleman from Will, Representative Kempiners."

Kempiners: "Representative Douglas, I have a question that just came to mind-it may have been raised in the Committee Hearing, but I can't remember it. What if a woman is brought in unconscious, and she's in a coma and later died, is there any problem to the hospital if this question is not asked or they do not take a smear test?"



Douglas: "That question has been brought up and we received the interpretation. The American Cancer Society was concerned about that, that obviously if a woman cannot respond to questions...a...and she's in that serious condition, a preventive medical technique would not be that important anyhow, especially since its...there might be a possibility she might not survive, it might simply be answered in the chart that a routine history and physical was done, and if this was part of the routine hospital procedure it could be inferred that at least the doctor was aware of it at the time that he did it, but there could hardly be any question of liability if it was not done under those circumstances."

Arthur Telcser: "The Gentleman from Cook, Representative Fleck."

Fleck: "Will the sponsor yield for a question?"

Arthur Telcser: "He indicates he will."

Fleck: "This appears to be absolutely a nothing Bill, but the one thing that seems a little strange. Why do you limit it to this type of examination? Why not breast cancer, or the other types of cancers? Tuberculosis? Multiple Sclerosis? And every possible disease? It seems like we are starting to put a notice on all the hospitals that to start various examinations to patients when they come in. At least the examination and they are going to get tied up in a lot of offers and acceptances. Is there any reason why this particular examination is so important?"



Douglas: "Yes, Representative Fleck, you call it a nothing Bill. Last year, it was estimated with very reliable statistics, that as many as 4,500 women lives were saved by the early discovery of uterine cancer. Its the single most effective preventive medical treatment of tests that is known to medical science. When a lump is found in a breast, which is also a routine part of any history and physical exam, you may ask why is that not written down under law, and the answer is that it is usually done in the routine course of the history and physical, and very often, we've learned no matter how much we have attempted to get doctors to use this test, that it is just simply not done. Now the medical people have gone along with this only because they have accepted the fact that, unfortunately, there is very often, women do not have this kind of a test done. I think that it has saved so many thousands of lives in recent decades that the justification for its inclusion is adequate."

Fleck: "Representative Douglas, is the Illinois State Medical Society have a position on this Bill? Are they for it or against it, how do they stand?"

Douglas: "As I recall, they did not testify in Committee. They certainly are not opposed to it. I think that they asked me a number of questions, the Department of Public Health in conference with the Medical Society came in and supported the Bill. I don't think that there was any opposition on their part. They had some reservations at one point because



of their concern that there might be an inference here that doctors were not doing their jobs, but what we found in our early investigation is that some patients admitted to the hospital, especially who come into the hospital who don't have their own private doctor, sometimes went through the whole medical procedure without some preventive medical techniques and we justified this on the ground that some women did not receive test that other women might have received."

Fleck: "Well, I, thank you, I just wanted to know what the need was for this type of legislation?"

Arthur Telcser: "The Gentleman from Moultrie, Representative Stone."

Stone: "Mr. Speaker, I move the previous question on this non-controversial Bill, that we spent 22 minutes on."

Arthur Telcser: "The Gentleman has moved the previous question. All those in favor signifying by saying aye, the opposed, no, the Gentleman's motion prevails. The Gentleman from Cook, Representative Douglas, to close."

Douglas: "On this non-controversial Bill, Mr. Speaker, I ask for the House's favorable consideration."

Arthur Telcser: "The question is, shall House Bill 319 pass. All those in favor signify by voting aye, the opposed by voting no. The Lady from DuPage, Representative Dyer, to explain her vote."

Dyer: "A...Mr. Speaker, I'm not sure its necessary, it looks like the Bill is just doing well without my speaking, but





I think its an excellent Bill for preventive women...  
medicine for women. It will save many womens lives every  
year. I'm glad to see so many yes votes."

Arthur Telcser: "Have all voted who wished? Take the record.  
I'm sorry, Representative Geo-Karis a?"

Geo-Karis: "I rise to explain my vote, Mr. Speaker. I feel  
this Bill has a lot of good to it, but I think we are  
prescribing medical practices, we aren't having an invasion  
of privacy, because there will be an entry on the women's  
record if she refuses to take the test, which can be  
used for or against her if she should be involved in some  
accident or anything else after that and therefore I rise  
to vote present."

Arthur Telcser: "Record Representative Geo-Karis as voting  
present. Representative Getty for what purpose do you  
rise?"

Getty: "Mr. Speaker, how am I recorded?"

Arthur Telcser: "How's Representative Getty recorded?"

Fred Selcke: "The Gentleman is recorded as not voting."

Getty: "Would you record me aye, please?"

Arthur Telcser: "Record the Gentleman as voting aye. Duff, aye."

On this question, 128 ayes, no nays, one answered present  
and this Bill having received the constitutional majority  
is hereby declared passed."

Fred Selcke: "House Bill 323. Douglas. A Bill for an Act  
to amend the Criminal Code, Third Reading of the Bill."



Arthur Telcser: "The Gentleman from Cook, Representative Douglas."

Douglas: "Mr. Speaker, I'd like to take this out of the record for the time being."

Arthur Telcser: "Take it out of the record."

Fred Selcke: "House Bill 350. Douglas. An Act in relation to the regulation of smoking in public places. Third Reading of the Bill."

Arthur Telcser: "The Gentleman from Cook, Representative Douglas."

Douglas: "Mr. Speaker, Ladies and Gentlemen of the House. This Bill which has become known as the non-smoker's bill of rights, means a great deal to many of us. And while I do not wish to mention anyone's name on the floor of this House or any members of this House's name who have often spoken out strongly on the question of their right to breathe clean air. I would like to appeal to the smokers in this House to recognize that this piece of legislation is not discriminatory against smokers, it is simply asking that non-smokers have a right to breathe clean air. It deals with the question of public places of accommodation. It deals with public buildings. It essentially says that those who by the nature of their daily lives, business or pleasure, who go places and to wish to have an opportunity to breathe in air which is contaminated with smoke for people who for years, have accepted the fact that smoke



is something that you just simply breathe in when you are out in public. I ask you for your support on this Bill, I think in a sense, the Bill is harmless, the Bill is a statement of public policy and I think that Illinois should proudly support it and I ask for your favorable consideration."

Arthur Telcser: "The Gentleman from Cook, Representative Duff."

Duff: "Excuse me, Representative, I couldn't see you through the smoke. Would you explain it a little bit more?"

Arthur Telcser: "The Gentleman from Cook, Representative Washington."

Washington: "Mr. Speaker, Members of the House. This Bill came before the Executive Committee and I suggested to Representative Douglas that it was an innocuous and meaningless Bill, although I agree with the principle. I think its dangerous to pass this kind of legislation because it prescribes certain conduct which permits no sanctions or punishments for violation of this type of conduct. In other words, if we pass this Bill and a restaurant owner attempts to enforce what has innunciated by us as a public policy, he will antagonize his customers and he has no sanction to back him up. Its not a crime or anything else. I suggested to Representative Douglas that he should put in a House Joint Resolution memorializing the various public facility places throughout the State to attempt to cajole or entice the customers into not smoking on the premises. But to put a Bill like this into the law a mere statement of policy, with no sanctions



involved therein, seems to me to make a mockery out of the concept of statutory law. I would strongly urge that you vote this Bill down and that Representative Douglas proceed by way of a House Joint Resolution. I agree absolutely with what he is trying to do, but I don't think you should lose the sanctity of the law, the statutory law, to gain unless you are going to enforce it and this doesn't do that."

Arthur Telcser: "The Gentleman from Macon, Representative Borchers."

Borchers: "Mr. Speaker, fellow Members of the House. I don't smoke, no I don't chew, to that question. But...and I don't care and I don't care for the smoke, to tell you the truth. But I think that everyone has to use reasons, and it would be strange indeed for me to take action on a vote for this Bill, because I certainly think and believe that each individual should have freedom and this is a...from my point of view, though I don't like smoking, and sometimes you all bother me, that do smoke, I still grant you the right to have the freedom to do so. I want my right, for example, should you smoke all through the year, some of you that do smoke, I reserve my right to burn a few leaves for a week that is in a couple of nights in the fall. So I can't vote very well for this Bill. It would be inconsistent, so go ahead and smoke, but for heaven sakes, take account to which direction the wind is blowing and try



to refrain just a little bit from some of the Gentlemen here, including myself in the House. We do have our rights, but so do you, so I can't possibly vote for this Bill."

Arthur Telcser: "The Gentleman from Lake, Representative Matejevich."

Matejevich: "Mr. Speaker, and Members of the House. I'd like to reiterate what Representative Washington said. I think I too, in Committee, said to Representative Douglas, that I thought we ought to have a resolution.a...the...a policy that we are adopting if its only a policy, it should be in the form of a resolution. I don't think we ought to put on our books something we really don't mean. And I think the principle is laudatory. Actually to vote out of Committee as far as I thought, was a vote that was in behalf of the witness that Dr. Douglas had, I believe it was Dr. Levine who did a tremendous job, but I think that when we go into what this law will do, and the fact that those people who think that they must abide by this law and it would be costly to them, but would finally realize that it was a policy that really had no teeth behind it and they would go into some expense to find out really that this wasn't a law that they had to follow, and I think that we would all be wise in voting against this and supporting Dr. Douglas in a resolution that would say the same thing and would formulate the policy that ..a...a of the people of the General Assembly."



Arthur Telcser: "Is there further discussion? If not, the Gentleman from Cook, Representative Douglas, to close."

Douglas: "Mr. Speaker, I tried as well as I could, and as diplomatically as I could in my introductory statement on this Bill, to emphasize my concern that this Bill should not be an undue hardship on smokers. But in closing, I'd like to respond to the statements made of the last few speakers. I think it is thoroughly reprehensible for smokers, wherever it may be, to be totally unconcerned about those who stand next to them, who sit next to them, and have to breathe in the filthy air that they put up over our heads. Now, I don't agree, and that's why I've introduced this Bill that a meaningless resolution should be thought up because a resolution would have not more chance of passage or not passage than this Bill does. What I'm doing is, I'm appealing to the good sense and sensitivity of all of you and those of you who smoke as well, to recognize that this Bill, if it were to pass, would in a sense, do the same thing that Article 11 that the Illinois Constitution does. The Constitutional Convention in its infinite wisdom, and after a great deal of debate with the same kinds of discussions taking place, passed the following Article. The public policy of the State of Illinois and the duty of each person is to provide and maintain a healthful environment for the benefit of this and future generations. And then the



following sentence, I think, is key, that Article of the Illinois Constitution says, the General Assembly, this General Assembly, shall provide by law for the implementation and enforcement of this public policy. Now there are those who may say that that is no relevant to the question of smoking, that it only has to do with the filth that comes out of the chimneys out of factories. In addition, under Section 2 of that same environmental Article, it says each person has the right to a healthful environment. Each person may enforce this right against any party, governmental, or private, through appropriate legal proceedings, subject to reasonable limitation and once again it says, and regulation as the General Assembly may provide by law. Now by resolution. What I am doing is attempting to follow through on what the Constitutional Convention started. I for one, feel very very unhappy when I sit in a train or I walk into a theatre and under a sign saying No Smoking, there is someone sitting there puffing away polluting the air that I have to sit and breathe. I'm proud that the Democratic Conference a week and a half ago, on a motion made by me agreed, that there would be no further smoking in the Democratic Conference. There is nothing funny about that. At that moment when that happened, 18 people had left the room because they couldn't stand to stay in there with the smoke polluting the air. And I'd like to make a rather blunt statement as I finalize



this position. I don't want people polluting the air over my head that I have to breathe, some of the other people in this House and some of the people who live in this society who go around with upper respiratory problems and who have discomfort and very severe unhealthy reactions to the smoke that they have to breathe that is put in the air by smokers anymore than I want you to spit in the water that I drink. And there is a perfectly good analogy there. Just like this society passed laws years ago that would prohibit tubercular people and others from spitting on the street, I think there is a perfect analogy here where we who do not smoke and even those of you who do smoke have a perfect right to ask that smoke not be blown off into the air. And I plead with you to recognize that there is validity in this Bill, that the public policy position I'm asking this General Assembly to take is a very solid one, is a socially sensitive one, is a non-controversial one, and I beg of you to understand that it would be in the best interest of the State of Illinois for you to vote yes on this Bill. Thank you."

Arthur Telcser: "The question is, shall House Bill 350 pass. All those in favor signify by voting aye, the opposed by voting no. The Gentleman from Cook, Representative Washington."

Washington: "Mr. Speaker, I always thought that the purpose of debate was to join issue and resolve a question. I don't think there is anybody in this House that objects





to the purpose, the goal of this piece of legislation. I would have hoped that the Gentleman would have addressed his remarks to what Representative Matejevich and I said. We simply said we agree with you and it is best to proceed by a way of a House Resolution so that the people of the State of Illinois will understand the General Assembly recognizes that a lot of non-smokers are beset and harrassed by cigarette smoke. We did not challenge the purpose so I don't understand the last ten minutes of his closing remarks. I suggest that you defeat this Bill or keep it from getting 89 votes and suggest to the Gentlemen by your vote that he proceed by way of a House joint resolution. I vote present, Mr. Speaker."

Arthur Telcser: "Record Representative Washington as voting present. The Gentleman from Sangamon, Representative Londrigan."

Londrigan: " Mr. Speaker, Ladies and Gentlemen of the House. I was one of those on the Executive Committee which helped get this out of the Committee. A Bill like this might properly be called a Non-Smokers Civil Rights Bill, or an Equal Rights Bill. Recently in the newspapers, we heard of people who have upheld the rights of the non-smoker. We felt that while this Bill was unworkable, we should present this issue out on the House floor so that it would get the proper publicity on this real problem. Non-smokers do have rights. As we all know, the smokers have not seen fit to give any consideration to the non-smokers, so I would



to be registered present on this Bill and hope that we will get further discussion on the problem in the future."

Arthur Telcser: "Record Representative Londrigan as voting present. The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Thank you Mr. Speaker and because of the references that were made earlier by Representative Washington, Matejevich and Londrigan, and also being part of the Executive Committee where we got this Bill on the floor, but with the intention that the resolution would be in proper order in lieu of the Bill, I'd like to be recorded as being present."

Arthur Telcser: "Record the Gentleman as present. The Gentleman from DuPage, Representative Hudson."

Hudson: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I, too, sat in Committee when this Bill was being debated. I think the only question that I had was that in the area of the responsibility of this Bill might in some way be an infringement upon the liberty of the individual. But I have taken firm stands here in the past pointing the liberty and the freedom of the individual, but I think there is a point at which liberty can indeed become license. And we recognize the right and we have here in this House, certain people who drink. The ages have been lowered, we know that people are going to drink if they want. I have not subscribed to the Bills presented here,



but nevertheless, they are going to drink, but if at the same time, they do not have the right because they enjoy drinking, to take some of that bourbon or scotch whiskey or whatever it might be and introduce a little of that into your drinking glass if they happen to be dining with you because they like it, they enjoy it, and I think, in a sense, that what happens when the smokeeers presume to smoke when there are those who don't like it. I think its an infringement upon the liberty of the freedom of the man who prefers not to breathe the noxious fumes into his lungs. And I think he has a right to be protected in some way against this infringement upon his freedom to breathe air and fresh air as he possibly can, and with this explanation, Mr. Speaker, I cast a green light in favor of this Bill."

Arthur Telcser: "The Gentleman from Cook, Representative Kosinski."

Kosinski: "Mr. Speaker, as an inveterate smoker, and while I'm puffing my cigarette and explaining my vote, I wish to indicate that I have great concern for my fellow members of this House and any public area who resent my smoking in their presence. In consequence, while the mechanics of this Bill may not be correct, and Mr. Washington may be perfectly correct, as a gesture to my friends who resent smoking, I place this green light."

Arthur Telcser: "The Gentleman from Cook, Representative Douglas to explain his vote."



Douglas: "Mr. Speaker, in response while I explain my vote.

To those who assumed that I was going to put in a resolution rather than this Bill, that was not my intention or did I say that I was going to do that. I feel very firmly and strongly that the hundreds of letters that I've received from all of your constituents justify this Bill. A resolution that may be the ultimate thing that I may do, is not my intention right now. I am using this forum today to call on the people of Illinois to let all of you know how they feel about this Bill. Mr. Speaker, since it's obvious at this point that the 89 votes are not going to be up there today, I will prolong this until the moment that the rules forbid me to go on and I'd like a postponed consideration while I call on your constituents to let you know how they feel about the air that they have to breathe whenever they go."

Arthur Telcser: "The gentleman has asked leave for postponed consideration ah.... under the rules he is entitled ah..... the Sponsor under the rules does have that prerogative and House Bill 350 will be put on the order postponed consideration."

Jack O'Brien: "House Bill 358, Barnes. A Bill for an Act to amend the Boat Registration and Safety Act. Third Reading of the Bill."

Arthur Telcser: "Gentleman from Cook, Representative Barnes. Do you want that out of the record? 358? All right, take it out of the record."



Jack O'Brien: "House Bill 369, McPartlin. A Bill for an Act to amend the Revenue Act, Third Reading of the Bill."

Arthur Telcser: "Gentleman from Cook, Representative Shea."

Shea: "Mr. McPartlin, ah.. I think... is is the Nurse's Office and he has asked that those Bills be held on Third, ah.... 369 and 370."

Arthur Telcser: "O'kay, take it out of the record."

Jack O'Brien: "House Bill 381, Davis. A Bill for an Act to amend the Fair Employment Practices Act. Third Reading of the Bill."

Arthur Telcser: "Gentleman from Cook, Representative Davis."

Davis: "Mr. Speaker and ladies and gentlemen of the House, this is an amendment to the Illinois Fair Employment Practice Act, which would give initiatory powers to the Commission. Let me begin by saying that out of the City Four States Act that have Fair Employment Practice Law, 25 have initiatory powers. In 1961 this Act was passed directed by law, The Illinois Fair Employment Practice Commission is directed by law to investigate and resolve all charges of employment discrimination. Originally it ah...had a deescalator clause and it effected those who employed 100 or more and then in two years it went down to 75 and in two more years to 50 and then finally down to 25, those who employ 25 or more and that 's where it is today. Now this amendment, ah... some folks have asked me about this amendment. This is not to harass anybody. This is ah... this amendment has not been designed to harass any business."



In fact, as far as Chicago is concerned and so far as the state merchants are concerned and so far as the downtown banks are concerned, they're doing a great job on Fair Employment Practice Commission, as I've continued to say, that I'm proud of the job that they are doing, beginning with Marshall Fields on the North, to back on the South, you can see evidence of the result of Fair Employment Practice. I would be the last one to offer an amendment to harass business because we live in a capitalistic society and it takes capital to run business and capital is the goose that lays the golden egg and if you start harassing the goose that lays the golden egg, they won't lay any golden eggs and we'll all suffer. We ah... ask for here, and I handled the amendment, which would permit the State of Illinois F.E.P.C. Commission to handle federal cases. We passed that Bill here in the State of Illinois and now we handle cases from the E.E.O.C. Commission, ah... they report to us. Then we passed another amendment here, which one of the distinguished ladies handled, which included ah... that it was unlawful to discriminate because of sex. That was passed in 1971. Therefore the Equal Employment Opportunity Commission, E.E.O.C., is required to defer the Equal Employment Opportunity Commission, E.E.O.C., that's the Federal Commission, is required to defer all charges of discrimination filed with them to the Illinois F.E.P.C. Commission. Now the Equal Employment Opportunity Commission



has informed our commission that their back log is so long that there is currently a lag from 12 to 18 months before an investigator is even assigned to the case. Now the mere fact that they assign those cases to us does not release their jurisdiction. Let me point out to you that it was the intent of the Dirksen Amendment to Title 7 of the 1964 Civil Rights Act, which provided for deferrals of cases to the Illinois Civil Rights Commission of the Illinois Fair Employment Practice Commission. It was intended the Illinois General Assembly, that the State of Illinois handle F.E.P.C cases on all levels. Now of course the federal act has no statute of limitations, but let me give you know a report on what has happened. Testifying for this amendment was the distinguished Chairman, the Honorable Bill Ives, of Hinsdale, who most of you know and are familiar with. All we're trying to do is to bring the Illinois statute in conformity with the federal statute so we can handle the cases. We're not trying to brow beat anybody. Bring them into conformity with our statute so we can do the job that this General Assembly asks us to do. Here is what has happened. Out of 1,688 cases reported to us, we had to return 1,024 without an investigation simply because we do not have initiatory power. Now the E.E.O.C., the federal government, has that power. A letter to one of those men can cause them to investigate, but we do not have that power. So what happens is that we must sent the case back even after you directed our commission to go



forward and handle those cases. So then, ladies and gentlemen of the House, I would ask you if you can see your way clear to give me a vote on this amendment because it will require a majority of the commission vote before any investigation can be instituted. This is your Fair Employment Practice Commission and we have to take on now the ladies. We have to investigate Fair Employment Practice charges brought by ladies and it has increased the case load, not only of this commission, but of the federal commission. Instead of sending them back, let's do like that man of blessed memories, Senator Everett Dirksen, asks us to do, let's handle all of our cases here in Illinois. Let's bring it into conformity with the E.E.O.C., the Federal Civil Rights Fair Employment Practice Committee. I solicit your vote and if there are any questions, I would be happy to answer them if I can."

Arthur Telcser: "Is there any discussion? Question is shall House Bill 381 pass. All those in favor signify by voting 'aye' and the opposed by voting 'no'. The gentleman from Livingston, Representative Hunsicker."

Hunsicker: "Mr. Speaker, and ladies and gentlemen of the House, I rise to oppose this Bill. Anyone who has an legitimate complaint should have enough intestinal fortitude to sign that complaint, I think. You have to do this when you have a complaint in civil law even the sheriff won't go out and arrest anyone on your complaint, unless you sign the complaint. I'd like to know how far we are going to go as far





the F.E.C.P. is concerned. Talk about harassment, I think that this would be harassment to the fullest degree and I think that this Bill should be defeated."

Arthur Telcser: "Gentleman from Cook, Representative Shea, in McAvoy's seat. Oh o'kay ah.. record... he's not on. Gentleman from Cook, Representative Hyde."

Hyde: "Mr. Speaker and ladies and gentlemen of the House, the purposes of this legislation are excellent and ah.. the Sponsor is ah... a very excellent person but ah... the problem is that under this theory of this Bill, the complainant, the prosecutor, the judge and the jury are all the same party. Now why not give the Attorney General or give some other agency of government the power to initiate complaints but for goodness sake, why give the power to initiate a complaint, to prosecute a complaint, and to judge the complaint to the same agency of government. It just isn't right. It doesn't ah... admit a fair play to both sides of this controversy. Why even bother to have a hearing if the agency that's going to make the determination makes the complaint? Now why not..... I'm all for giving initiatory powers to a governmental agency because I can see an employee being reluctant to file a complaint. It's a shame, but I can see that as a fact. But to give to the very agency that's going to adjudicate it, the power and the right to bring the complaint in the first place, is hardly fair play and for that reason alone I must oppose this Bill."



Arthur Telcser: "The lady from Lake, Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, I rise to support this Bill and cast my vote for it because we have already passed House Bill 48, which says: 'Immense the Fair Employment Practice Act by adding to the definition of complainant these Fair Employment Practice Commissions.' So I feel that by passing this Bill will simply be uniform about it and in line with House Bill 48. Therefore I cast my vote as 'aye'."

Arthur Telcser: "Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker and ladies and gentlemen ah... the Sponsor of this Bill, I think is the most informed person and the most sincere person when it comes to the area of fair employment. He has always persevered in his seal and he has been unfrailing in his duties. I think that we ought to give just a little bit more consideration to this Bill and what it does. Actually all that this Bill is going to do is bring the law into compliance with the federal standards. Now I understand that there are some who are raising a technical objection of yes, your giving the same party the right to be the judge and the jury etc, But this is not in essence a trial of that nature. What your saying is that your weighing the probabilities that a person who is really and truly discriminated against, can come in and sign a complaint againt his own employer. That's like asking a child who has been beaten by a father ah... or a reletive to come in and then to say again that I want to



sign a complaint against this relative and I want to go back home ~~and~~ and receive the same treatment. All your saying is, ~~you are~~ not having people with witch tendencies or that type ~~of~~ ~~people~~, who are commissioners. You have fair and reasonable and open minded people, and I'm sure that the a... ~~the~~ appointees to this commission are open minded. And ~~is~~ ~~it~~ you are simply saying is where a person cannot protect ~~themselves~~, that you are trying to give them a little ~~assistance~~. Ah...Mr. Davis has put his finger on a sensitive area and again all we need is just a little help ~~to~~ ~~do~~ a few of the right things done, and we would appreciate a vote."

Arthur ~~Talbot~~ "Have all voted who wished? The Gentleman from Cook, ~~representative~~ Holloway."

Holloway: ~~Mr.~~ Speaker and ladies and gentlemen of the House, this ~~is~~ ~~a~~ ~~good~~ Bill, this Bill is a strictly consistent with ~~the~~ tradition, its consistent with the real intent ~~of~~ the legislature for creating the FEPC in the first ~~instance~~. Now, if any of you have had any experience with ~~FEPC~~, you'll know that FEPC is not a gung-ho commission out to ~~slap~~ people over the head. Its one of the most ~~considerable~~ commissions in government and basically it directs ~~its~~ real effort in the direction of negotiation. Now ~~there~~ ~~is~~ no question but that employees are reluctant to sign a complaint. Now under this Bill the employee would ~~have~~ to sign a letter to the FEPC, which is a tech-



nical distinction, but really it isn't any different. So I'm asking you ladies and gentlemen of the House to support this Bill and to make the FEPC an effective instrument of the intent of the House in its first instance of creating the FEPC."

Arthur Telcser: "Have all voted who wished? The Gentleman from Cook, Representative Davis."

Davis: "Mr. Speaker and ladies and gentlemen of the House, although I was not asked to conclude the debate, thank you, I don't want to ....ah, let me say that all we're doing is complying with the federal act. You told us to handle those federal cases. President Johnson, before he died said he wanted us to do this. Now we can't handle them if you don't give us the tools to handle them with. The federal act has initiatory powers. Will you take the roll call while I'm in the lead? Ha.Ha. There was 89 up there, if that stays up there...there's 90 up there. That concludes my talk. Please leave that 90 up there. Ha.Ha."

Arthur Telcser: "Have all voted who wished? Take the record. On this questions there are 97 ayes, 28 nays, and this Bill having received the constitutional majority is hereby declared passed."

Jack O'Brien: "House Bill 373. Shea. 1973 Revisuary Bill."

Arthur Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, will you hold 373 and 374 today. They've been, at the request of the Majority Leader and in con-



currence with the majority of the House, they've been held up until...tomorrow's the last day for calling them."

Arthur Telcer: "Alright."

Jack O'Brien: "House Bill 380. LaFleur. A Bill for an Act to amend an Act concerning disclosure of sources of information obtained by certain persons in the news media.

Third Reading of the Bill."

Arthur Telcser: "The Gentleman from DuPage, Representative LaFleur."

LaFleur: "Mr. Speaker, ladies and gentlemen of the HOUse, House Bill 380 is a newsmen shield bill. It is much similar to four other bills that were presented to the House and one in the Senate. Representative Hirschfeld's Bill was passed out last week. Representative Berman's Bill, Bill 475 will be up on Third Reading today if we get to it. It is not much in variance with the other Bills, I would appreciate a yes vote on this Bill."

Arthur Telcser: "Is there any discussion? The Gentleman from Cook, Representative J. J. Wolf."

Wolf: "Will the sponsor yield for question?"

Arthur Telcser: "He indicates he will."

Wolf: "How does this Bill differ from the one we just passed?"

LaFleur: "Probably, J.J., in simplicity, its a simple Bill.

It merely addresses itself to the basic question of should there be a shield bill or should there not be a shield bill. The call the absolute, but I don't think its anymore



absolute than anybody else's. It does not go as much in debt with explanation with the others. It does not face many of the questions that have come up before and they are anticipating as far as court tests, of this Bill. It merely says that no person may be made to disclose his source of information."

Wolf: "Is there any special reason why you didn't want to be more definitive? Or you preferred....I'm just wondering if we throw the thing back to court, why are we passing the Bill?"

LaFleur: "I don't believe we are throwing it back to the court. But we voted the thing before that were ways of a newsman being made to disclose his source with the interpretations being made. Now in Illinois, this did not come about, but in other states, it has come about, and in court interpretation is the reason they have been held in contempt. This is a direct approach to this. If this has to be tried by the court, I think its the best approach to be tried. I don't know if this is a Bill that is going to end up J.J. I really don't. I think all of us have met and talked about this and hope that perhaps somewhere along the line, if we get this out of the House, all these Bills out of the House, that we will sit down and try to modify this so that it is an acceptable point to everybody who has sponsored this type of Bill."

Arthur Telcser: "Is there further discussion? Does the Gentleman wish to close? The question is, shall House Bill



380 pass? All those in favor signifying by voting aye, the opposed by voting no. Have all voted who wished? Take the record. The Gentleman from DuPage.....Representative Tipsword, for what purpose do you rise, sir?"

Tipsword: "Merely to request, Mr. Speaker, that I might be recorded as voting present on this."

Arthur Telcser: "Record Representative Tipsword as voting present on this. Representative Craig, present. Douglas, aye. McClain, aye. Redman, aye. Lundy, aye. Bluthardt, aye. J. J. Wolf, present. McAuliffe, aye. Okay, change Hudson from no to aye. Geo-Karis, aye. Fleck, how is Representative Fleck recorded?"

Jack O'Brien: "The Gentleman is recorded as voting no."

Fleck: "Mr. Speaker, I did vote against Representative Hirschfeld's Bill. I felt it was similar to this, I felt it went too far. I think it is imminently unfair to the sponsor of this Bill, which has a similar proposition, that it shouldn't pass the House along with Representative Hirschfeld's, so I'd like to be recorded as voting aye."

Arthur Telcser: "Record the Gentleman as voting aye. You got 86 so far. Representative Stone, for what purpose do you rise, sir?"

Stone: "Mr. Speaker, I would like to explain my vote."

Arthur Telcser: "Proceed."

Stone: "I think that possibly some people were resting and not listening. I think this Gentleman is entitled to 89 votes



because I think the intention of all the sponsors of all of these shield Bills was that there Bills, that each Bill be passed, and that they be sent to the Senate. The Senate would then probably pass all of them, and the Governor could choose which one he thought was the best. In fairness to the Gentleman, I think he should have three more votes."

Arthur Telcser: "Alright, Cox votes aye. Campbell?"

Campbell: "Mr. Speaker, how am I recorded?"

Arthur Telcser: "How is the Gentleman recorded?"

Jack O'Brien: "The Gentleman is recorded as voting no."

Campbell: "I also voted no on Hirschfeld's Bill, but for the same reasons indicated by Representative Fleck, I'd like to change my vote from no to aye."

Arthur Telcser: "Record the Gentleman as voting aye. Dyer, aye. Dyer, aye. Duester, aye. Lauer, Representative Lauer, how is Representative Lauer recorded?"

Jack O'Brien: "The Gentleman is recorded as voting no."

Lauer: "Mr. Speaker, for the same reasons, record me as aye."

Arthur Telcser: "Record the Gentleman as aye. Representative Simms, how is Representative Simms recorded, Timothy Simms."

Jack O'Brien: "This Gentleman is recorded as not voting." No, W. T. voting aye."

Arthur Telcser: "Okay, Springer, aye. Representative Neff, for what purpose do you rise, sir?"

Neff: "How am I recorded, Mr. Speaker?"

Arthur Telcser: "How is the Gentleman recorded?"





Jack O'Brien: "The Gentleman is recorded as voting no."

Neff: "Ah, change that to aye."

Arthur Telcser: "Record the Gentleman as voting aye. Holloway, Bob Holloway, aye. Farley, aye. Beatty, aye. Ken Miller, aye. Robert Dunne, aye. On this question there are 98 ayes...this is your first Bill, isn't it Leo? On this question, there are 98 ayes, 17 nays, 3 answering present, and this Bill having received the constitutional majority is hereby declared passed. Representative LaFleur, for what purpose do you rise, sir?"

LaFleur: "I'm glad to see that all the members of the House are perceptive in passing this good legislation."

Jack O'Brien: "House Bill 382. Duester. A Bill for an Act to amend the Illinois Noxious Weed Law. Third Reading of the Bill."

Arthur Telcser: "The Gentleman from Lake, Representative Duester."

Duester: "Mr. Speaker and ladies and gentlemen of the House, ah...for many many years noxious weeds, such as marajuana, ragweed and many others were controlled by the townships in Illinois and a few years was Bill was enacted putting control in the counties. There was a little confusion and ambiguity in the law because some of the townships desire to continue to eradicate weeds and to control this problem. And so this legislation which has the full support of the Department of Agriculture simply provides that where a



county and a township want to cooperate and reach an agreement on the control of noxious weeds, they may, and solve the problem. And as it happens in Lake County, which I represent, the townships feel that they can do a more efficient job of controlling the noxious weeds at less cost to the taxpayers, so this Amendment to the law will authorize the county and the townships to enter into these sort of agreements."

Arthur Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Will the sponsor yield for questions?"

Arthur Telcser: "He indicates he will."

Shea: "Now, whose going to pay for this? You say the county and the township enter into an agreement, who pays for this?"

Duester: "In response to the question, there is...the county has authority to set up a fund and the amendment makes the change in that provision that I know of."

Shea: "Well, in other words, you mean a county could now enter into an agreement with the township, let the township go ahead and do it and then pay the township to do it?"

Duester: "Yes, the county could. For example, in Lake County, I understand the county desires not to set up a county weed control department, but to cooperate with the townships and have them do it. And under the provisions of the change in the law, the county could establish this noxious weed control fund and simply use the funds that are collected to reimburse the townships pursuant to the



agreement that they might enter into."

Shea: "Well, right now, in the Constitution, we've got an  
co-  
inter-governmental operations section. Couldn't they do it  
under that?"

Duester: "In response to the gentleman's question, I think that  
that's possible, however, the Lake County State's Attorney  
and the Chairman of the Lake County Board and our Township  
supervisors felt that there was an area in which the law  
was unclear and they thought that this Amendment in the  
noxious weed control act, would clarify if, satisfy them,  
and so its possible they might find their authority some  
where else, but its very clear here, so that someone who  
is interested in noxious weeds can look to the specific  
appropriate section of the Illinois law relating to noxious  
weeds and they don't have to look through the whole statute  
book, or read the Constitution to do anything else. It  
makes it quite clear in the Act and eliminates confusion,  
I think."

Shea: "Well, but here we were just a year or two ago, voting  
a limit on the amount of money a township could legally  
levy, and now what we are doing is saying, once you run  
up against that levy, let the county levy for you and let  
the county give you the money?"

Duester: "Ah, in response to the Gentleman's suggestion, I  
think this just provides a little flexibility and latitude  
to allow local governments to work out the exact enforcement



of the law in a way that will save the taxpayers money. Now no county has to do this, no township has to do it, but the law is just optional and the law allows them to do it where they would like to do it. For example, in Lakeville, a Township, they have well-established program of notifying all the local people that they ought to cut their weeds, and if they don't cut their weeds, the township will come over and do it and the township has a better understanding of Mrs. Brown owns a certain stretch of land and so on and so forth, they know the people better and they think that they, on the township level, can do a better job of enforcing the law, and this simply allows the Lake County or another county, who wants to enter into an agreement, it changes the law in no way, except recognizes and makes clear that ability that the county can say, we are still the controlling agency, and the Department of Agriculture is interested in that. We are still the control agency, we are responsible for the law, but in this case, we'll just enter into an agreement with the township and they'll do it. They might enter into an agreement with some private company, perhaps, to perform some service that the county might think would be more efficiently performed by that vehicle."

Shea: "Well, can the townships now get rid of weeds if they want to? Isn't that one of their powers, duties, and functions?"



Duester: "I think that's the part that's unclear, because of the understanding...the interpretation of our Lake County's State's Attorney was that it wasn't ...there was some doubt as to whether the township could do it. The county didn't want to do it, it wasn't clear the township could do it, and so they said let's have a clarification of the law to make sure that the county and the township can get together and agree."

Shea: "Well, wouldn't it be better to amend the Township Act, a...saying its part of the township function of township government rather than in effect, by some subterfuge attempting to expand the tax base of a township?"

Duester: "No, I might say, in response to the question of the distinguished Assistant Minority Leader, this is no subterfuge. I think when we are dealing with the subject of noxious weeds, that somebody who is looking through the Illinois statutes, would look in the index under noxious weeds and he's wind up in this section, and we would like to have all the laws pertaining to noxious weeds in this section. This does not have to do with the general law expanding townships generally, it just has to do with this one specific agricultural problem that is of great concern at least in my county, and some others. I don't think its any subterfuge at all, its very clear and it clarifies a problem that is in the law. And as I say, the Department of Agriculture supports this and we still, after this



Amendment would be adopted, the county would still be the control agency responsible for the control of weeds."

Arthur Telcser: "The Gentleman from Kane, Representative Hill."

Hill: "Would the sponsor yield to a question?"

Arthur Telcser: "He indicates that he will."

Hill: "Under this piece of legislation, right now in Kane County, I believe we have two, what they call, Weed Inspectors, and under your piece of legislation, we could still end up with those two, plus maybe ten or twelve additional ones that the county pays in the various townships in the County of Kane. It seems, well, certainly, don't say no....I mean, how can you say no when it gives the right of coming to an agreement with the township of hiring a person in that township for the purpose of inspecting weeds?"

Duester: "May I respond to the Gentleman's question?"

The Amendments says a control agent authority may by agreement with a township and so forth, delegate its responsibility and it just says "may". A, Kane County would not have to. This simply means where a county and a township want to do this, they can do it. Nobody has to do it. Kane County does not have to do it, and the suggestion you make, that there might be a multiplicity of a noxious weed control agents or something, is just not so, unless your county and the specific township in question agree, and the word, I read again, says the control authority may by agreement with the township.



delegate the responsibility for the control and the eradication of noxious weeds within the bounds of such entity.

Does that answer your question?"

Hill: "A, Mr. Speaker, and ladies and gentlemen of the House, it certainly does. You gave me an answer on both sides of the issue, you have said that it is possible to do this, and then again, they may do it. I'd like to point out to the members of this House that this certainly is an area of providing additional work for the township and in not only my county, but throughout the State of Illinois. And don't forget, the monies to pay these various people, will come directly from the property taxes, and it seems to me that our property taxes are high enough as it is without hiring an additional ten or twelve patronage workers in our various counties, in order to inspect weeds, when the counties today, does this job with one or two people. I'd like to point out to you that the people in my district are very disgusted and discouraged with the area of property tax, and everytime that you people put an additional man or woman on the payroll, not only in Kane County, but in other counties, that has the tendency to increase the property taxes of our area, and this is a very bad piece of legislation, and certainly, should go down to defeat."

Arthur Telcser: "Is there further....the Gentleman from Macon, Representative Borchers."



Borchers: "Mr. Speaker, I'd like to ask the sponsor a question."

Arthur Telcser: "He indicates a yield."

Borchers: "Now normally, you know we are on the same side, but this tax situation has me bothered among other things. How is this going to change from what it is now? Am I gonna have a new bureauacrcy coming out and see that I have to cut weeds in the back forty or out in the timber or something, how's it going to effect me? I don't want to be further annoyed and harrassed. It's bad enough now."

Duester: "Yes, I might say to the Gentleman, we are on the same side. This is not going to change anything at all, and I thought that the distinguished gentleman who spoke previously, could read, or at least understand what the word "may" means. This doesn't bring any bureauacrcy anywhere. It doesn't do anything. In fact it is just designed just the opposite of some county setting up a new bureauacrcy known as the County Noxious Weed Control thing, now for many years, townships have been controlling noxious weeds and in my county the township feels...and the county, feels that the township is doing a better job than the county could do and it just says may, M-A-Y, may. Nobody's going to do it. No patronage people have to be put on any payroll. Its just if a county wants to, they may and even then, if the township doesn't want to, they can't. Its a mutual thing, its like marriage."

Borchers: "Another question then, how do you think of this from





a township angle, do you think a farmer or a landowner would be able to better protect himself against some sort of power or exercise the power than the county?"

Duester: "A, in response to the Gentleman's question, this makes no change in the law as it is right now. It would improve the law, because in some areas, I say, suppose there is a widow who has a little patch of ground and she hasn't gotten around to cutting down the weeds and the township might be a little sympathetic and understanding to her problem, and might say, well look, we'll give you 30 days or something; whereas if you move it away from the township to the county, she might have a problem. But again, I say it's already in the county and this is simply a permissive or an optional thing that if the county and the township want to agree, like if you and I want to agree that you would cut the weeds, we can agree and we can cut."

Borchers: "I'd have to pay for them."

Arthur Telcser: "The Gentleman from Will, Representative Kempiners."

Kempiners: "Mr. Speaker, it gives me great privilege in moving the previous question."

Arthur Telcser: "The Gentleman has moved the previous question. All those in favor signifying by saying aye, the opposed no the gentleman's motion prevails, and Representative Duester to close."

Duester: "Oh, I don't think, Mr. Speaker, that anything more



needs to be said. This is an economy measure that was suggested to me by our township and county officials, and I think its a good Bill, I'd like to see some green lights and it is absolutely permissive, if you read it, it just says may, it doesn't hurt anybody and I urge the adoption of this Bill."

Arthur Telcser: "The question is shall House Bill 382 pass, all those in favor signify by voting aye, the opposed by voting no. Have all voted who wished? Telcser, aye. The Gentleman from Peoria, Representative Day."

Day: "Mr. Speaker, and Ladies and Gentlemen of the House, I certainly can't see anything wrong with this Bill. It seems to me that it would have the effect of promoting cooperation between township government and county government. This sort of thing is done, has been done for years in the case of maintenance of streets and highways where a county will make arrangements with a city to maintain its highway or vice-versa, and it seems to me that if you have a situation where the township government is in a better position to perform this service for the people, why this is the economical and efficient way to do it. It seems to me a good Bill for those reasons."

Arthur Telcser: "The Gentleman from Knox, Representative McMaster."

McMaster: "Mr. Speaker, and ladies and gentlemen of the House, by way of explaining my vote. I think the issue has become little bit confused. Last session, we passed a law desig-



nating or permitting the county to be the noxious weed authority. In some cases this has not been satisfactory. The counties have not taken the opportunity to taking the Noxious Weed Commission or handling it under the county level. It was permissive last session. Again this allows the township and in the case where the county has gone to control, to go back and let a township handle it individually under their, and perhaps, eventually, all townships will handle it again. I think the purpose is to avoid a duplication of taxation and the duplication of effort by letting us go back to individual township if they so desire. I see nothing wrong with this Bill as it has been presently amended."

Arthur Telcser: "The Lady from Lake, Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House,

As Shakespeare said, "Much ado about nothing" All this Bill is doing is giving an option. There is nothing mandatory about it. We've had the experience where the statute, which it modified, has not been too clear and it simply gives an option to do a better job. I don't know where patronage, or anything else comes in, and I rise to explain my vote of aye, and I urge you to go ahead and vote for it. It's not going to hurt anyone to do so."

Arthur Telcser: "The Gentleman from Winnebago, Representative Anderson."

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

I want to say a word about this Bill. It is sure a Bill



that we don't have to push down anyone's throat. They go in for it and get the permission themselves to give it away from the county and take care of it. It's a real good Bill. For instance, I know of a township who would like to take care of their own weeds because they think they could do a better job. Well, if that is the case, just let them do it. They have to pay for it, its their business, if they don't want to do it, they don't have to do it. I think we need a lot of green lights on this Bill, this is a Bill that's cooperation between the units of government."

Arthur Telcser: "The Gentleman from Macon, Representative Borchers:"

Borchers: "Well, Mr. Speaker, and fellow members of the House. I decided to vote no for a simple reason. Now we have towns like Danville, Decatur, Springfield, Peoria, all lying along rivers. Many other towns lying along pretty good size creeks, like Clinton to Salt Park, etc. And it occurs to me that in those towns and villages to have this kind of a situation, that if a township controls they can go down and harrass to no end, because they control the township, the city, or the municipality, the small municipality, or the large municipality, controls the township, so they can harrass beyond measure the remaining farming interest in that particular township. And that I fear, because in my town of Decatur, I'm sure that, as a bottom land owner for one thing, I might have to go down



and cut every year ah... the ah... weeds along the river and the trees and I'm just afraid that this would delegate authority down to a point where it could be very costly to the ah... farm owner who has the medium size creek or river running through his land ah.. or otherwise and lying within the township where there is a larger city where the politicals control, lies in the city or ah.. the small village."

Arthur Telcser: "Gentleman from Cook, Representative Bluthardt."

Bluthardt: "Mr. Speaker and Members of the House, I think that this Bill is a good Bill for especially those townships outside of Cook County. It seems to me that the good this Bill does far out weighs the bad that this Bill might have done. I think the bad of this Bill is the robustity that we heard in the ah.. explanation and the debate. I also would like to point out that the Constitution of Illinois, in my opinion, gives the county this authority without the requirement of statutory law. I would urge that you vote for it, never the less."

Arthur Telcser: "Have all voted who wish? Take the record.

On this question there are 66 'ayes' and 55 'nays', and the gentleman from Lake, Representative Deuster."

Deuster: "Mr. Speaker, I ask leave that this be placed on postponed consideration."

Arthur Telcser: "O'kay, House Bill 382 will be put on the order of postponed consideration."

Fredric B. Selcke: "House Bill 421, Juckett."

Arthur Telcser: "Is Representative Juckett on the floor?"



Fredric B. Selcke: "House Bill 433, Huskey. An Act to establish the penalty of death for murder and certain cases and provide procedures for determination as to when it is to be imposed. Third Reading of the Bill."

Arthur Telcser: "Take that out of the record. O'Kay, and Representative Berman is not on the floor. We will go to Senate Bills, Second Reading."

Fredric B. Selcke: "Senate Bill 302, Craig. An Act to amend Sections 1 and 2. An Act to provide for the ordinary contingent expenses for the Secretary of State. Second Reading of the Bill. No Committee Amendments."

Arthur Telcser: "All right, are there amendments on the floor? Third Reading. Senate Bills, First Reading."

Fredric B. Selcke: "Senate Bill 72. An Act to amend an Act relating to the State Finance. First Reading of the Bill. Senate Bill 97. A Bill for an Act to amend the weed law. First Reading of the Bill. Senate Bill 125. An Act to enlarge the corporate limits of Metropolitan Sanitary District of Chicago. First Reading of the Bill. Senate Bill 144. An Act to add Section 25 to an Act providing for creation operation of Hospital Districts. First Reading of the Bill. Senat Bill 172. A Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 174. A Bill for an Act to make an appropriation for Lenonard W. Anderson. First Reading of the Bill. Senate Bill 201. A Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 222. An



Act making an Appropriation for the Department of Transportation. First Reading of the Bill. Senate Bill 356. An Act to vacate land release and easement in Jackson County, Illinois. First Reading of the Bill. Senate Bill 398. An Act to amend Section 6 of the Commission of Mental Health Act. First Reading of the Bill."

Arthur Telcser: "Representative Fleck, for what purpose do you rise, Sir?"

Fleck: "Mr. Speaker, I have a motion in relation to Senate Bill 393. I would move to suspend the provisions of rules 29 and 30 and advance the Senate Bill 398 to the order of Second Reading without reference to Committee."

Arthur Telcser: "O'kay, is there any discussion? The gentleman has moved that the provisions of rules... 29 and 30 be suspended for the purpose of having Senate Bill 398 advanced to the order of Second Reading? Is that correct?"

Fleck: "That is correct. For my democratic friends, an... there is no home rule amendment or anything on this, it is very harmless."

Arthur Telcser: "O'kay, any discussion? Yes, the gentleman explained it.... do you want him to explain it again? All those in favor signify by voting 'aye' and the opposed by voting 'no'. Have all voted who wish? Take the record. Leon 'aye'. Ewell 'aye'. Jaffe 'aye'. McGrew 'aye'. Dave Jones 'aye'. On this question there are 110 'ayes' and no 'nays' and the gentleman's motion to suspend the rules prevails. Brummet 'aye'. O'kay, Consent Calendar,



Second Reading."

Fredric B. Selcke: "House Bill 302. Amends the Vehicle Code. Second Reading of the Bill. House Bill 351. Amends the Election Code. Second Reading of the Bill. House Bill 435. Amends the Municiple Code. Second Reading of the Bill. House Bill 446. Amends an Act relating to alcoholic liquor. Second Reading of the Bill. House Bill 462. A Bill for an Act to provide authority to the Department of Public Health to license private sewage disposal. Second Reading of the Bill. House Bill 532. Amends the Governemantal Ethics Act. Second Reading of the Bill. House Bill 533. Creates the Youth Camp Act. Second Reading of the Bill. House Bill 535. An Act in relation to Public Health. Second Reading of the Bill. House Bill 538. An Act relating to land in Lake County."

Arthur Telcser: "Representative Shea, for what purpose do you rise, Sir?"

Shea: "I think that there is an objection on 587 so that oughta go just on the regular calendar."

Arthur Telcser: "O'okay, the Clerk is going to call and see if there was an objection."

Shea: "I think that there was. If not, I'm sure that there will be."

Arthur Telcser: "There was no objection filed ah... formally ah... according to the Clerk. O'okay, there is an objection being filed to 587 and that will be taken off the Consent Calendar."





Fredric B. Selcke: "House Bill 595. Amends the Library Systems Act. Second Reading of the Bill. 596, amends an Act relating to indebtedness. Second Reading of the Bill. 611, an Act concerning conveyances. Second Reading of the Bill. 660, amends Section 2.1 of an Act in relation to gas, oil, coal and other certain underground resources. Second Reading of the Bill. House Bill 719, an Act to amend the Vehicle Code. Second Reading of the Bill. House Bill 753. An Act to amend Section 2 on an Act requiring all owners of highrise apartments buildings proposed to appropriate instructions relating to fires. Second Reading of the Bill. Senate Bill 140. A Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Senate Bill 141. An Act to provide the manner of levying or imposing taxes for the provision of special services to the areas with boudries of home rule units. Second Reading of the Bill."

Arthur Telcser: "O'kay, amendments will be adopted automatically.

We are also informed that House Bill 535 had an objection filed to it. That is not on the Consent Calendar. Let the Clerk check on 535. Oh yes, it was just filed today after the calendar was already printed so that will be taken off of the Consent Calendar. O'kay, Consent Calendar Second Reading is now Third Reading. Consent Calendar, Third Reading, Third Day. Also, on Consent Calendar, Third Reading, Third Day there is an error.... House Bill 432 should not appear on the Consent Calendar, Third Reading,



Third Day. O'kay."

Fredric B. Selcke: "House Bill 202. An Act concerning Public Utilities. Third Reading of the Bill. House Bill 376. An Act to amend the Illinois Pension Code. Third Reading of the Bill. House Bill 378. An Act to repeal an Act relating to the upper Mississippi Riverway Compact. Third Reading of the Bill. House Bill 416. An Act to amend Section 6 of the Equal Opportunities for the Handicapped Act. Third Reading of the Bill. House Bill 420. A Bill for an Act to amend the Park District Code. Third Reading of the Bill. House Bill 470. An Act to repeal Section 4 of an Act to regulate the refrigerated warehouses and so forth. Third Reading of the Bill. House Bill 527. An Act to amend the Probate Act. Third Reading of the Bill. House Bill 543. An Act to amend the Fair Employment Practices Act. Third Reading of the Bill."

Arthur Telcser: "Question is shall Consent Calendar, Third Reading, Third Day pass. All those in favor signify by voting 'aye' and the opposed by voting 'no'. Have all voted who wish? Take the record. On this question there are 114 'ayes', Representative Waddell, for what purpose do you rise, Sir?"

Waddell: "Mr. Speaker, I would like to be recorded as voting 'present' on 378 and 'aye' on all of the others."

Arthur Telcser: "O'kay, record Representative Waddell as voting 'present' on 378. McMaster, Schoeberlein, Hanahan, Bill Walsh, voting 'aye', and these Bills having received



the constitutional majority is hereby declared passed. On the order of concurrences appears House Bill 201, for which purpose the gentleman from DuPage, Representative Philip is recognized."

Ohilip: "Mr. Speaker and ladies and gentlemen of the House, Senate Amendment #1 to House Bill 201 subtracts the sum of \$21,961 from the appropriation of the new State Comptroller. I move the adoption of Amendment #1. I move that the House concur to Amendment #1 to House Bill 201."

Arthur Telcser: "Is there any discussion? Gentleman has moved that the House concur with Senate Amendment #1..... lady from Lake, Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, would the Sponsor yield for a question?"

Arthur Telcser: "He indicates that he will."

Geo-Karis: "According to House Bill 201, there is an additional appropriation of \$985,039,00. How does your amendment modify that?"

Philip: "I'm sorry, I couldn't hear you at all."

Geo-Karis: "According to House Bill 201, there is an additional appropriation of \$985,039.00. There are amendments in the Senate, am I correct? Would you please explain the amendment?"

Philip: "Amendment #1 is a Senate Amendment and it subtracts from that appropriation \$21,961.00."

Arthur Telcser: "Is there further discussion? Gentleman from McHenry, Representative Hanahan."

Hanahan: "I was just wondering is this from a Conference Committee



or is just the concurrence of the Senate?"

Philip: "This is just in concurrence with the Senate. This is a Senate Amendment."

Hanahan: "And it will take away another \$21,000 from the House Bill that we sent over after we amended down."

Philip: "That is correct."

Arthur Telcser: "Gentleman from Cook, Representative Kosinski."

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

Arthur Telcser: "He indicates that he will."

Kosinski: "Would you fill me in, ah... what was the original amount of the appropriation?" When it came before the Committee? Do you remember?"

Philip: "I can tell you what it was when it went over to the Senate, \$817,000."

Kosinski: "But what action occurred in Committee, ah.. in the Appropriations Committee?"

Philip: "We cut the appropriation."

Kosinski: "From what to what, Sir?"

Philip: "You know I'm afraid that I don't have that figure at my fingertips ah..."

Kosinski: "My point is ..... is this amount that we're considering now from the Senate, greater or less than the Bill after Appropriations Committee amended it?"

Philip: "It's less."

Kosinski: "Thank you."

Arthur Telcser: further discussion? The gentleman has moved that the House concur with Senate Amendment #1 to



House Bill 201. All those in favor signify by voting 'aye' and the opposed by voting 'no'. Final action will take 89 votes. The gentleman from Christian, Representative Tipsword."

Tipsword: "Mr. Speaker, I'd like to explain my vote."

Arthur Telcser: "Proceed, Sir."

Tipsword: "In explaining my vote, I would just like to say that I am very pleased to see that this amendment has come over from the Senate and I'm pleased to support it because this is the sume, approximately, that the House wished to pare this Bill down to and there was a very violent Tribune editorial attacking attacking Members on the Democratic side of the aisle for asking to have it cut back. This is approximately the amount, now cut down by the Senate that we're ask to support that was originally proposed here in this House and which received such adverse criticism."

Arthur Telcser: "Have all voted who wish? Take the record.

On this question there are 129 'ayes' and no 'nays'.....

Jimmy Taylor 'aye', and the House concurs with Senate Amendment #1 to House Bill 201. House Bills, First Reading."

Fredric B. Selcke: "House Bill 1053, Brinkmeier et al. A Bill for an Act creating the State Board of Education. First Reading of the Bill. House Bill 1054, Tuerk et al. Amends the Park District Code. First Reading of the Bill. House Bill 1055, Tipsword et al. Amends the Worksmen's Compen-



sation Act. First Reading of the Bill. House Bill 1056, Carter et al. Appropriates \$500,000 to the Department of Public Health. First Reading of the Bill. House Bill 1057, Craig et al. Amends the Soil and Water Conservation District Law. First Reading of the Bill. House Bill 1058, Kosinski et al. Amends the Criminal Code. First Reading of the Bill. House Bill 1059 D. Houlihan et al. Amends the Community School Lunch Program. First Reading of the Bill. House Bill 1060, Duff et al. Adds Chapter 6 to the Organization of Probation Services. First Reading of the Bill. House Bill 1061, Douglas et al. Amends the Illinois Purchasers Act. First Reading of the Bill. House Bill 1062 Stiehl et al. Amends the Vehicle Code. First Reading of the Bill. House Bill 1063, Philip et al. Appropriates \$3,860,000 to the Department of Transportation. First Reading of the Bill. House Bill 1064, Carter et al. Hypertension Study Commission Act. First Reading of the Bill. House Bill 1065, R. Carter. Appropriates \$500,000 to the Commission to study hypertension. First Reading of the Bill. House Bill 1066, Philip et al. Appropriates \$30,000,000 from the Personal Property Tax Replacement Fund. First Reading of the Bill. House Bill 1067, Philip et al. Personal Property Tax Replacement Act. First Reading of the Bill. House Bill 1068, Leon et al. Provides for the Department of Public Health to refund fees stated under the Illinois Contract for Plumers and Certification Act. First Reading of the Bill. House Bill 1069, North et al.



Amends the Illinois Municipal Code. First Reading of the Bill. House Bill 1070, North et al. Amends the time period for Public Corporation Bond Act. First Reading of the Bill. House Bill 1071, Fleck et al. Amends an Act relating to the effective date of laws. First Reading of the Bill. House Bill 1072, Stone et al. Amends the Industrial Park Revenue Bond Act. First Reading of the Bill. House Bill 1073, Hanahan et al. Provides no employee, even though compensated at the rate of one and one-half times the basic wage and so forth. First Reading of the Bill. House Bill 1074. Hanahan et al. Amends the Fair Employment Practices Act. First Reading of the Bill. House Bill 1075. Hanahan. Requires employers to allow a paid 20 minute lunch period. First Reading of the Bill. House Bill 1076. Hanahan et al. Prohibits employers from requiring or permitting employees from lifting or moving objects weighing more than certain prescribed amounts. First Reading of the Bill. House Bill 1077. Hanahan. Amends Vehicle Code. First Reading of the Bill. House Bill 1078. Schneider et al. Creates an Act requiring fee schedules of health care professionals. First Reading of the Bill. 1079. Matijevich et al. Amends an Act relating to Dental Practice. First Reading of the Bill. 1080. Skinner. Amends the Revenue Act. First Reading of the Bill. 1081. Skinner. Amends Revenue Act. 1082. Tipsword et al. Amends an Act to revise the law in relation to plats. First Reading of the Bill. 1083. Stone et al. Amends Universities



Civil Service Act. First Reading of the Bill. 1084.  
Springer et al. Appropriates \$49,940 to Department of  
Conservation for historical research. First Reading of  
the Bill. 1085. McGrew et al. Amends Highway Code.  
First Reading of the Bill."

Arthur Telcser: "O'kay, General Resolutions. On the Speaker's  
Table appears House Resolution Amendment No. 6 for which  
purpose the gentleman from Cook, Representative Douglas,  
is recognized."

Douglas: "House Resolution 6, ah.... Mr. Speaker, Members of  
the House, is a.... is a resolution approved by the De-  
partment of Public Health, in which we are asking them  
simply in the deliberations that they are carrying out  
relating to the collection of the distribution in the  
State of Illinois, that when they report back to the State,  
that they simply report to the General Assembly as well  
as to the Executive Branch of government, so that we're  
informed of what they're doing to make sure that blood is  
made available for all citizens of Illinois under the new  
Blood Labeling Act, and I ask for your favorable support."

Arthur Telcser: "Is there any discussion? If not, the gentle-  
man has moved that the House adopt House Resolution Amend-  
ment No. 6. All in favor of adoption, signify by saying  
'aye', the opposed 'no', and the Resolution is adopted.  
On the Speaker's Table appears House Resolution No. 34,  
for which purpose the gentleman from Cook, Representative  
Merlo is recognized."





Merlo: "Ah.... Mr. Speaker, would you please recognize Representative Dunn Deuster for the purposes of Amendments to this Resolution?"

Arthur Telcser: "O'kay, the gentleman from Lake, Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, ah.... the Transportation Committee discussed this Resolution and suggested an Amendment be worked out between the Sponsors and to be responsive to some of the suggestions. Amendment No. 2 ah... indicates this language that we urge the Congress of the United States to enact legislation to make available additional Federal funds or to enable State and Local Government throughout the United States to use highway trust fund monies for the support, operation and improvement of public transportation systems. This is just a Resolution to urge Congress to do what they seem to be about to do anyway and ah.... the language is such that it's optional and it ah... simply urges Congress to provide some additional funds or to make existing funds available. The language has the agreement of the Sponsor and myself and I believe it's satisfactory to the desires of the Transportation Committee."

Arthur Telcser: "Representative Deuster, the Clerk tells me you have two Amendments on his desk to this Resolution. Do you wish to adopt both of them?"

Deuster: "No, ah... if there's an Amendment No. 1, I wish to Table that."



Arthur Telcser: "O'okay, Sir, we're going to.... let's just label Amendment 2, Amendment No. 1. O'okay, the gentleman has moved....."

Deuster: "Well, wait, Mr. Speaker, ah.... no, there's an Amendment No. 1 and Amendment No. 2, which on Number 1, we'll Table that. I move to Table that, Amendment No. 1."

Arthur Telcser: "Well, there's no need to Table that, if we haven't adopted it, so we'll just label Number 2, Number 1....."

Deuster: "All right, fine."

Arthur Telcser: "O'okay, that's what we want. Gentleman has moved to adopt Amendment No. 1 to House.... Gentleman from Cook, Representative William Walsh."

Walsh: "Well, Mr. Speaker, I just got a copy of this ah.... Amendment. It seems to me it does a great deal more than the original Resolution. Well, let's see, would you explain this to me once again and tell me how this is different, Representative Deuster, from the original?"

Deuster: "Yes, in response to .... different than the original Bill?"

Walsh: "Yes."

Deuster: "Oh, the original Resolution said we were urging Congress to take money out of the Highway Trust Fund, I believe, and ah.... this Resolution simply urges Congress to make available additional Federal Funds or to enable State and local governments, you know if they wanted to, to give them the option. That had been discussed in the



Congress to make it optional so that if the State of Illinois wanted to decide to use the funds ah... any way they wanted to, why they could do that, use their allotment. So the Chicago Region, if they wanted to use their funds for the support of Mass Transit, that could be done. But the word 'or' was in there and the word 'enable' in there to make it optional and to simply ah... be a general expression of the great interest of this General Assembly in the subject of financing mass transportation and to urge our Congressmen to move forward and to do something."

Walsh: "Well, isn't the term 'highway trust fund', isn't that peculiar to the Federal monies for ah... the motor fuel purposes?"

Deuster: "Yes, I would say in response.... in response to the distinguished majority leader's question, the United States Senate, ah... passed a Bill providing 250 million dollars, which would come from the Federal Highway Trust fund. This Bill was changed in the House Public Works Committee, although the subject is coming to the floor of Congress. The House Public Works Committee recommended, I believe, that it come out of General Revenue, and so ah... this Resolution was not designed to ah... interfere in any way with the best judgement of Congress and the Administration, but to simply provide a legislative vehicle to show them that we were really interested in this and hope that they will help us. As you know, we spent a lot of time discussing



the financing of the Chicago Area Mass Transit Systems and ah.... I'm advised the Nixon Administration has ear-marked about 58 million dollars for the ah.... financial support of a Regional Mass Transportation System in northeastern Illinois, and so ah... the Congress and the Administration working together will provide something, and .....

Walsh: "Finally, is it your intention that if this Resolution passes as amended, that it will be the policy of this House, that Motor Fuel Tax monies, State and Local, be used for mass transportation purposes? Is that what you say partly in this Amendment?"

Deuster: "The answer is 'no'. Ah.... we're just saying Congress you do one thing or another or do something. Ah... provide some additional Federal funds, ah..... and it does not express a policy that we think highway trust funds money should be rated or anything like that."

Walsh: "Let me read the one, two, three, fourth line beginning in the center at 'or', 'or enable state and local government throughout the United States to use Highway Trust Fund monies for the support, operation and improvement of public transportation. Now except for the use of the words 'highway trust fund monies', which in our case, I would interpret to be motor fuel tax monies, it sure seems to me like that would be the policy of this House, if this Resolution as amended passed."

Deuster: "Ah... in response to that suggestion, I don't think so. We're not talking about Illinois State motor fuel



funds at all. We're talking about the two funds that Congress is contemplating. As a matter of fact, I believe Representative John Anderson of Rockford and a number of others are cooperating ah... to offer an Amendment on the House Floor in the United States House, and they will decide one way or another and ah... this Resolution just expresses that option. They may go one way or another, and we're just urging them to do it."

Arthur Telcser: "Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, the ah... Sponsor of the Resolution mentioned my Congressman from the 16th Congressional District, and I would like to inform him that there isn't one mile of Interstate Highway in his Congressional District and I don't think you're going to have much luck with him attempting to get motor fuel tax money used for mass transit."

Arthur Telcser: "Gentleman from Champaign, Representative Clabaugh."

Clabaugh: "Mr. Speaker, if I can get through to the gentleman over there. If I can get a little alley-through to talk to him, I'd like to ask him a question. Representative Deuster, now you have said what this ah... Resolution as amended wouldn't do. Now will you please tell me and the Members of this House, will this provide.... is this an Act.... request from this House to the House of Representatives in Washington that they use highway trust funds for the building of, or for the expenses of mass transit?"



Deuster: "In response to the gentleman's question, the answer is 'no'. Representative Merlo originally introduced a Resolution, which was referred to the Transportation Committee, and we endeavored to work out some modified language that would be flexible enough so that it would not really permit the House one way or the other, but we were just trying to urge Congress to help us out, because ah... we on the State level and the Regional level are going to try and finance mass transit, and we just think the Federal fellows of Congress, we ought to just put a little heat on them too, and urge them to come along and help contribute to the solution of this problem out here, and it's an intention to provide a Resolution. It will be mailed down there and show them that we are watching them, and we encourage them to do something."

Clabaugh: "But you are asking them to take that fund, take the funds from the Highway Trust Fund, aren't you?"

Deuster: "No, Sir. We're respecting the legislative prerogatives of Congress to do what they think is wise and best. That is the reason that we amended, or recommended an Amendment to the Merlo Resolution because in its original form, I believe it would have done that, and we wanted to improve it and change it. We leave it up to Congress. But we're just kind of pleading with them to help us out in this subject of financing mass transit, and I think anybody can live with them, because it's optional and I would recommend if it does pass, and I hope that it is adopted, that each



person who has a view on this, would write his Congressman, send a copy of the Resolution and say now, fellows help us out and do it, and this is what I feel you ought to do."

Clabaugh: "I still haven't gotten any direction to my question. I'll try to frame it in a different way. If you didn't mean that you wanted to give the impression to the Congress that this House wants them to take it from the Highway Trust Fund, then why was the Highway Trust Fund put in there, number one, and number two, you say it was amended, was the Highway Trust Fund wording taken out by your Amendment?"

Deuster: "Yes, in answer, it's obvious that the word was not taken out. It's sort of like we said 'Congress we'd like you to provide some financial aid and you can either do it A, B, C, D or you know, something like that. That was the intention of it at any rate, not to be ah.... make a commitment of any kind."

Arthur Telcser: "Is there further discussion? Gentleman from Cook, Representative Peters."

Peters: "Mr. Speaker, unless I'm out of order, I'd like to move the previous question."

Arthur Telcser: "Previous question has been moved. All in favor, signify by saying 'aye', the opposed 'no'. Does the gentleman wish to close the debate? Apparently not. Do you wish Representative Deuster? Representative Deuster to close."

Deuster: "Ah.... Mr. Speaker and Ladies and Gentlemen of the House, I'm not the author of the Resolution. I just



offered an Amendment. I think it would be appropriate for me to yield to the Author of the Resolution who came before the Transportation Committee, the distinguished gentleman from Cook County, Mr. Merlo, and he may have some comments on his Resolution."

Arthur Telcser: "Gentleman has offered to move the Adoption of Amendment No. 1 to House Resolution No. 34. All in favor of adoption, signify by saying 'aye', the opposed 'no'. Do you wish a roll call, Representative Deuster, and the gentleman's amendment is going to fail unless someone wants a roll call. Gentleman from Cook, Representative Merlo, do you want to save the Amendment or shall I declare it a loss?"

Merlo: "Well, Mr. Speaker, it's quite obvious that this Amendment is not going to go anywhere, but I do wish that I have time to consult with the Sponsor of the Amendment and perhaps we could remove the ah.... the issue, which is the Highway Trust Fund, and just amend it to read from General Revenue fund. I think this is quite obvious ah.... Ladies and Gentlemen of the House, that there is going to be some monies forthcoming. So if ah... I could request the Chair to, of course, we will Table this Amendment and then just go right ahead and amend, hold it over on postponed consideration, we'll amend it again."

Arthur Telcser: "O'okay, the gentleman's motion to adopt the amendment fails. We'll leave the Resolution where it is now on the Speaker's Table. On the Speaker's Table appears





House Resolution No. 48, for which purpose the gentleman from Winnebago, Representative Giorgi, is recognized."

Giorgi: "Thank you, Mr. Speaker. House Resolution 48 was heard in the Cities and Villages Committee and passed out unanimously and has been on the Calendar for a month, and all it does is it allows the Governor's office, the Capital Development Bonding Authority, the Urban Redevelopment Authority in Rockford, to study the feasibility of building a State of Illinois Building in the Rockford land area. It is going to necessitate a Bill being introduced later on, so I'd appreciate your support for the feasibility study."

Arthur Telcser: "Is there any discussion? The gentleman has moved that the House adopt House Resolution Number 48. All in favor of adoption, signify by saying 'aye', the opposed 'no', and the Resolution is adopted. On the Speaker's Table appears House Resolution Number 68, for which purpose the gentleman from Winnebago, Representative Simms, is recognized."

Simms: "Ah... Mr. Speaker, Ladies and Gentlemen of the House, House Resolution 68 simply directs the Insurance Laws Study Commission to study the feasibility of requiring health insurance companies to pay for out patient benefits for hospitalization claims on policies issued in Illinois. It's just a request for a study by the insurance ah... study commission, and I respect your favorable vote."



Arthur Telcser: "Is there any discussion? Gentleman has moved the House adopt House Resolution Number 68. All in favor of adoption, signify by saying 'aye, the opposed 'no' and the Resolution is adopted. On the Speaker's Table appears House Resolution 82, for which purpose the gentleman from Lake, Representative Matijevich, is recognized."

Matijevich: Mr. speaker and Members of the House, House Resolution Number 82 received unanimous recommendation by the Executive Committee and it urges Congress to look favorably on a five-year extension of the present law, which provides Federal impact aid to school districts, abutting military installations. I received favorable letters from Senators Percy and Stevenson, and my Congressman, Bob McClory, on this Resolution, and I move adoption of House Resolution Number 82."

Arthur Telcser: "Is there any discussion? Gentleman has moved the House adopt House Resolution 82. All in favor, signify by saying 'aye', the opposed 'no'. The Resolution is adopted. On the Speaker's Table, appears House Resolution 103, for which purpose the gentleman from Cook, Representative Fleck is recognized."

Fleck: "Mr. Speaker and Ladies and Gentlemen of the House, ah... this is my first Resolution, as a matter of fact. But all this Resolution does is it immoralizes Congress to pass certain Bills which would ah... spread the Federal Income Tax funds to sparity so that us single people are now paying under the Tax laws, since we can't file a joint re-



turn, and I might say, after spending 10-1/2 hours trying to figure out my taxes yesterday, for me personally this is quite timely, and I do move the adoption of this Resolution."

Arthur Telcser: "Is there any discussion? Gentleman has moved the House adopt House Resolution Number 103. All in favor of adoption, signify by saying 'aye', the opposed 'no', and the Resolution is adopted. On the Speaker's Table, appears House Resolution Number 105, for which purpose the gentleman from Effingham, Representative Keller is recognized."

Keller: "Ah.... Mr. Speaker, and Ladies and Gentlemen of the House, I have an amendment up here for House Resolution 105, deleting the ah.... House Resolution 105, deleting the word 'enforce'. I wish for that to be adopted."

Arthur Telcser: "Gentleman has moved to adopt Amendment 1 to House Resolution 105. All in favor of adoption, signify by saying 'aye', the opposed 'no'. The Amendment is adopted. On the Resolution, the gentleman from Effingham, Representative Keller. Representative Walsh, for what purpose do you rise, Sir?"

Walsh: "Gentleman yield to a question?"

Arthur Telcser: "He indicates he will."

Walsh: "Chuck, we talked about this when you were introducing it. Ah.... isn't there Statutory provisions for this, for keeping people moving out of those rest areas?"



Keller: "I talked to the Department of Transportation, Bill, and they told me 'no'."

Walsh: "Thank you."

Arthur Telcser: "Gentleman from Macon, Representative Borchers."

Borchers: "Mr. Speaker, fellow members of the House, I was a scout master quite a while and we took a lot of trips. And I can tell you right now, you move a troop of scouts, and you have to feed them, you put a two hour limit in relation to preparing their food and toileting and all of those things, you can put a scout master, or a girl scout leader possibly into quite a bind. I wish I knew more reasons why this is...."

Keller: "I could not agree with you more, Webber, and this is why I took the word 'enforce' out, but we have a situation in my county and in Don Brummet's county over there, where they just spent about \$250,000 on two or three of these here rest areas camping grounds. KOA is one of them. One is a private camp ground, etc., and the State has come in and built these two rest areas out on the Interstate highway, and spent some million dollars and these campers are hooking up to State electricity and they're hooking up and staying up all night, and this is what I'm trying to stop."

Borchers: "Well, I could see stopping all night, but this two hour business, it looks to me could be short, pretty short time."

Keller: "Well, there has to be some kind of common sense used."



Borchers: "Agencies that I have discovered, agencies of government don't have any common sense. They go to the letter of the law."

Keller: "That's what I know, and I know that's why I took the word 'enforced' out, so that's why we hope our local people down there have some common sense. I'm sure you're familiar with that term."

Borchers: "Well, I don't trust them."

Arthur Telcser: "Gentleman from Will, Representative Kempiners."

Kempiners: "Mr. Speaker, will the gentleman yield to a question?"

Arthur Telcser: "He indicates he will."

Kempiners: "If I am taking a long trip and I'm down in your area of the State and I want to stop and sleep for four hours, would I be prohibited from sleeping in my automobile?"

Keller: "Well, ah.... I don't think they're going to stop you from sleeping in your automobile. This is more designated to stop, because two of the camp grounds this year, are in such financial shape to do after these rest areas that opened up, that they are not going to probably be able to be open yet this year, if we are going to continue to let people camp there all night."

Kempiners: "Well, I'm not so worried about the campers, because I agree with you on that, they shouldn't be camping on State land, but if I'm traveling and I want to catch four hours of sleep and I need it, will this necessitate my going to a motel or hotel, or campground, or would I be able to pull off on one of the rest areas?"



Keller: "By the word 'enforced' being taken out of there, I don't think anybody is going to come up and suggest you get out of there, especially being parked in an automobile."

Arthur Telcser: "Is there.... Gentleman from Madison, Representative Kennedy."

Kennedy: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to call your attention to ah... House Resolution 105. The way I understand it, and I would like you to listen to me, any citizen of the State of Illinois or visitors from out of State, who went into a rest area with his family, in a trailer, with one or two children, would be prohibited from staying over night. And I think that's wrong. I don't believe our State meant those rest areas to be used in any other means than what they are. What I'm trying to say is, I think you should allow persons to stay over night, if he meets the requirements of cleanliness. And I think this might be a bad resolution, and I wish you'd look at it a little closer than you have been, because I don't think it's going to do what you think it's going to do. Thank you."

Arthur Telcser: "Is there further discussion? If not, the gentleman has moved that the House adopt House Resolution 105. All in favor of adoption, signify by saying 'aye', the opposed 'no'. Do you wish a roll call?"

Keller: "Mr. Speaker, I would like to explain ah... a little bit about this and ask for a roll call."



Arthur Telcser: "All right."

Keller: "What this Amendment..... Resolution here does is, it is protecting private industry in our own communities in Illinois. And I think that's what we better get back to doing. We better get back to protecting our taxpayers, the People who are paying the Bill here in the State of Illinois, and do something for them, instead of trying to put them out of business. Now, this is what I'm trying to do with this Resolution. I'm trying to save two mens life savings, who put their life savings in these camp grounds, and they are going to go busted, if they don't have this Resolution. They've got to have some type of protection, and the State's not giving it to them. If we want to have taxpayers in the State of Illinois, in stead of becoming a welfare state, we better do something for the taxpayers, and that's what this Resolution is going to do. I ask for a favorable vote."

Arthur Telcser: "The gentleman has moved that the House adopt House Resolution 105. All in favor of adoption, signify by voting 'aye', the opposed by..... Representative Hill, for what purpose do you rise, Sir?"

Hill: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I have traveled extensively in other States and I have found myself, time and time again, stopping at rest areas in other States, and staying there for three and four hours. I think the restriction that you have on this piece of legislation of two hours, is entirely too short. I believe that you're



going to put the State of Illinois in the position where we are going to be very tough on anyone stopping in our rest areas for over two hours. Now I would like to point out to you, that that would also affect the citizens of the State of Illinois who have paid for this particular improvement along the highway. Now I wouldn't object if you would bring a resolution in here for say five or six hours, but to put it in the area of two hours, I think we're just asking for trouble, because the other States then are going to start doing the same thing and when we travel through this great land of our's, we're going to find out that restrictions eventually will be down to maybe fifty minutes or twenty minutes, and I certainly wouldn't want to see anything like that. I would rather that you take the Resolution ah... back again and amend it to five or six hours and not to the two hours, and I think I could vote for that."

Arthur Telcser: "Gentleman from Effingham..... first, we'll have you close, Representative. Gentleman from Cook, Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Members of the House, ah.... I for one supported this Bill in the Committee and it was brought out fully discussed. Ah.... both pros and cons. And I favor Representative Keller in supporting this ah... this Resolution. I think it's high time we start separating who's going to benefit and who's going to work, and who's





going to have private enterprise and what we're going to do in this State. Either the State of Illinois is going to have everything and running everything, or we're going to protect some of our People that are in business today, and this is the thrust of this Bill, and this is why I'm supporting it and I hope you other legislators will support it. It's to protect the people that have gone into business to have People to use their camps and keep the people out of the State government and not have State government and not have State government supply these People on the highways."

Arthur Telcser: "Gentleman from Wayne, Representative Blades."

Blades: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Resolution. We know there isn't anything legally binding as far as the Resolution is concerned. There's not going to be anybody arrested. I don't think it was ever intended when these rest areas were built that the State of Illinois furnish a free place for somebody to park for a day or two, and this is what this amounts to. To make it available for those who might want to stop for two, three or four hours, rather than it already be taken up with People staying there eight or ten hours. That's the intent of the Resolution, and I think it's a good one, and I urge your support."

Arthur Telcser: "Is there further discussion? Gentleman from Lake, Representative Matijevich."



Matijevich: "Mr. Speaker, I don't like to prolong a debate on a resolution, of all things, but I think that we are making a mistake. You know the Department of Transportation very likely, ah... because we passed on their appropriations, will take this as a mandate that they've got to do this. And I think it is unfair to the people who can't afford it, who might have to take trips across country, that they can't stay for a good many hours, resting on the highway. You know what we are going to do? We are going to put up signs saying that they are limited to two hours and we're going to put people on the highway that shouldn't be driving. They need a little rest. So I think this is a bad resolution, let's knock it out. This resolution is strictly for the motel and hotel operators. We are for the people. Let's beat this resolution."

Arthur Telcser: "Is there further discussion? Gentleman from Effingham, Representative Keller to close."

Keller: "Mr. Speaker and ladies and gentlemen of the House, what happens to us with this here resolution is the same thing that the State of Indiana is going to ah... a two hour parking limit. It's not enforced. The resolution, as Representative Blades pointed out to you, is not something that is going to be enforced. All we're doing is trying to keep the traffic moving. People who are going to stop there during the day time and have lunch and everything. It's just to keep people from camping there over night and to try to help stimulate private industry in this country."



I would appreciate a favorable vote."

Arthur Telcser: "The gentleman has moved that the House adopt Resolution #105. All those in favor of the adoption signify by voting 'aye' and the opposed by voting 'no'. Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker, I would just like to say that 2000 years ago, a traveler was indeed heavily burdened. I think that we are looking at the same proposition here today. I do not think that the Inns ought to be so full that we cannot afford rest for the travelers. I for on will vote 'no'."

Arthur Telcser: "Gentleman from Will, Representative Kempiners."

Kempiners: "Thank you Mr. Speaker. In explaining my 'no' vote, I think that there are people who have to make trips such as truck drivers and they have time limits on them and when they pull into a rest area or an individual person such as myself pulls into a rest area to take ah... 40 winks, if we don't wake up in two hours, even though there is not enforcement in here, ah... there is no gaurantee that we won't be picked up and taken in for some other violation. I think that what we may be doing to forcing over tired people to drive on a highway when they can't stay for more than two hours. Now I concur with what the Sponsor is trying to do with regard to camping facilities, I would suggest that he might amend it to read in that direction. I urge a 'no' vote in the way that it is written."

Arthur Telcser: "Gentleman from Cook, Representative Dunne."

Dunne: "I just want to give credit to Representative Bluthardt



for giving me an excellent reason for voting 'no' on this."

Arthur Telcser: "Gentleman from McHenry, Representative McGrew."

McGrew: "Parliamentary inquiry, Mr. Speaker."

Arthur Telcser: "State your point, Sir."

McGrew: "Ah... does the resolution take 89 or just a majority of those voting?"

Arthur Telcser: "Just a majority of those voting, Sir."

McGrew: "Thank you."

Arthur Telcser: O'kay, have all voted who wish? Take the record.

On this...The Speaker wishes to vote 'aye'. On this question there are 36 'ayes' and 67 'nays' .... record Representative Boyle as voting 'present', one answering 'present' and the gentleman's motion to adopt House Resolution #105 fails. On the Speaker's Table appears Hosue Joint Resolution #5, for which purpose the gentleman from Cook, Representative Huskey is recognized."

Huskey: "Mr. Speaker and ladies and gentlemen of the House, this House Joint Resolution #5 is a very simple resolution. All it is is a vehicle to provide the leadership among the communities of the southwest area of Chicago to form their own voluntary Mass Transit System within their own communities to keep their bus lines alive. Their bus lines are not being subsidized by any of the recent voted funds. It strictly a line ah... that if it doesn't get help ah... or some type of ah.. leadership, it will dissolve itself, so this is merely a resolution... a volunteer resolution among all the Mayors... to get all the Mayors of all the cities



in the southwest Cook County to join together to keep a Transit System alive and tha's all it amounts to."

Arthur Telcser: "Is there any discussion? Gentleman has moved that the House do adopt House Joint Resolution #5. All those in favor of the adoption signify by saying 'aye' and the opposed 'no' and the resolution is adopted. Representative Geo-Karis, for what purpose do you rise?"

Geo-Karis: "Well, I'll tell you. I'm looking at House Resolution #5 in my book..... it's a Joint Resolution?"

Arthur Telcser: "No, it's a Joint Resolution. House Joint Resolution #5."

Geo-Karis: "Oh, I thought you said House Resolution. O'kay."

Arthur Telcser: "O'kay, Representative Choate is not here. On the Speaker's Table appears House Joint Resolution #17, for which pupose the gentleman from DuPage.....#5 was adopted, I'm sorry. House Joint Resolution was adopted. O'kay, Representative Choate is not on the floor. On the Speaker's Table appears House Joint Reso.... Representative Choate.....On the Speaker's Table appears House Joint Resolution #17, for which purpose the gentleman from DuPage. Representative LaFleur is recognized."

LaFleur: "Mr. Speaker, ladies and gentlemen, House Joint Resolution is an attempt to recognize the Constitution and it's mandate to the legislature to pass auditing accounting and reporting laws. This would put this part of the Constitution in the Inner Government Cooperation Commission with the charge to them to report back in 1974. I would ask



I would ask that this do pass."

Arthur Telcser: "Is there any discussion? The gentleman has ask that the House do adopt House Joint Resolution #17. All in favor of the adoption signify by saying 'aye' and the opposed 'no'. The resolution is adopted. On the Speaker's Table appears House Joint Resolution #18, for which purpose the gentleman from Cook, Representative Lechowicz, is recognized."

Lechowicz: "Thank you Mr. Speaker and ladies and gentlemen of the House. House Joint Resolution #18 proposes a Joint House Senate Appropriations Committee to study the impact of recent Federal Social Service Regulations. Basically, what it amounts to is that the leadership of both the House and the Senate Appropriations Staff will look into the Federal cutbacks and monies, not only to the states but the counties and cities as well. Our projections on the state level are approximately \$111,000,000. The County of Cook alone, the figure of Federal cutbacks in \$90,000,000. In the City of Chicago the figure is a little over \$100,000,000. What we're trying to do is establish an appropriate agency, a Committee, to look into the various social projects that are being eliminated under the Federal Government, and possibly come into proper legislation in discussing the dollar amounts and the programs involved as far as having to *John* Time is of a critical essence, as we all know, because Congress is presently undertaking this test know. It is not a which of any sort



it's generally the Federal Fiscal impact in the State of Illinois and exactly what agencies are effected. I would appreciate favorable consideration on this House Joint Resolution #18."

Arthur Telcser: "Gentleman from Cook, Representative W. D. Walsh."

Walsh: "Well Mr. Speaker and ladies and gentlemen of the House, this certainly looks unnecessary to me, of course as any action that we take, memorializing Congress, or evaluating Congress, or whatever else you do with Congress, is unnecessary and time consuming. This seems to me is a slap at the Republican Administration in Washington and I ah... don't think that it befits us to do that. It seems to me that the agencies effected, ah... by the administrations position on social services, certainly know how they are effected or how should know how their effected in one or more areas and it should be up to them to report to us if they want to make up for the revenue or ah...if they ah... it is their position that Federal Revenue money be used purpose. So I would urge that we defeat this resolution."

Arthur Telcser: "Gentleman from Cook, Representative Juckett...."

I'm sorry ah... one second, Bob. Gentleman from Cook, Representative Juckett."

Juckett: "Mr. Speaker, will the distinguished Sponsor yield for a couple of questions?"

Arthur Telcser: "He indicates that he will."

Juckett: "All right, it's my understanding that ah... we want to study the effect of the loss of these funds ah... on the



Federal Programs?"

Lechowicz: "The main thing we want to study is the new Federal Social Services Regulations under the Social Security Act and see exactly what departments are effected, the dollar amounts, and to see what areas that we can possibly help in."

Juckett: "Well, now if it were to be found that there were certain programs that were cut back or curtailed ah... as a result of this investigation, would it be your intention to ah... if these programs were worthwhile to ah... then fund it on a state level?"

Lechowicz: "If it's fiscally possible, yes."

Juckett: "Are these items in the Governor's budget?"

Lechowicz: "That's a difficult question to answer to be honest with you because certain projects are, certain projects are to be recalled under the Olgivie Budget were included but never passed in Congress so it's about the same position as under the Olgivie Budget."

Juckett: "Well, it would seem it me ah... Mr. Speaker, that the distinguished Sponsor of this resolution ah... generally rises and ah... I think ver wisely questions whether items are in the Governor's Budget because we all must be fiscally responsible. I always do commend the gentleman for doing this, but it would appear that if this resolution were to pass, and if it were found to be that some of the items are effected and that we would not be given back some ah... Federal Funds on here, that if we were to then put it into our budget ah... it would certainly put the Governor's





Budget out of....more out of wack than it already is and I think that we oughta ah... study the situation very carefully before we ah... offer more monies than are already not included in the Governor's Budget and I think that the distinguished Majority Leader was correct. Maybe we oughta put it to rest and save some of the taxpayers money."

Arthur Telcser: "O'kay, the gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker and ladies and gentlemen of the House, maybe I missed the import of this resolution but it certainly doesn't call for spending of any state money. It asks that the Members of the Appropriations Committee of the House and the Senate sit down together and determine what the impact of certain Federal Legislation is on current Illinois programs. It's programs that effect every Member's district in this House. Now all we want to do is find out what the impact of certain rules and regulations of Federal Government are going to be on programs that we have previously voted for or against. I think that this is a good measure. I think that it deserves the support of both sides of the aisle because it will do one thing. It will give us the information in which to prepare ourselves to vote on this budget."

Arthur Telcser: "Gentleman from Logan, Representative Lauer."

Lauer: "Mr. Speaker and ladies and gentlemen of the House, I think that this is a Joint Resolution that we can all sup-



port. In fact, it was discussed fairly throughly in the Appropriations Committee and passed out of the Appropriations with a 24 in favor and none against and none voting present. It would seem to me that perhaps it would be well to take a look at what the Committees have done in their considerations of these Bills and save the time of the House because I think that we could probably anticipate that the Committees have done their work fairly throughly and it would also seem to me ladies and gentlemen that we waste quite a great deal of time by actually replowing ground that the Committee has worked on throughly. I'm quite sure that this is not going to cost anything, if fact, it may save us a great deal. I know the impact in my district, which actually does not have this many Federal Programs.... Service Programs has generated quite a great deal of mail when the few programs that we do have were abrogated and I have found that there has been a very serious impact upon my district. I would strongly recommend, ladies and gentlemen of the House, that you do pay attention to the action taken by the House Appropriations Committee and give support on both sides of the aisle to this resolution."

Arthur Telcser: "Gentleman from Cook, Representative Lundy."

Lundy: "Mr. Speaker and ladies and gentlemen of the House, to respond to some of the remarks that have been made, it seems to me that this resolution is not a slap at the existing administration in Washington. Those who agree with the new guidelines under Title 4(a) and those who don't agree



with them ah.... it seems to me that both have to admit that the impact of the new guidelines on state programs and on many local programs, for that matter, is tremendous. Many of us would like to know, more definately, more specifically than we know now, exactly what that impact is going to be. I seems to me that that is all that this Committee is supposed to do. It isn't a slap, it isn't critical of the administration. It's simply saying that we want to know specifically what the impact of the new guidelines on existing programs is going to be. Certainly there is some possible implications for ah... state funding of some of these programs, but as has been pointed out, this resolution in itself, doesn't commit this House to spending a single dime and I don't think that that is a valid criticism of this resolution. It came out of the Appropriations Committee 24 to nothing. It would perform a valuable service to every Member of this House and so I would urge a 'yes' vote on this resolution."

Arthur Telcser: "Gentleman from Cook, Representative Kosinski."

Kosinski: "Mr. Speaker and ladies and gentlemen of the House, because of the diverse opinions from very knowledgeable people, I can't help but feel that there is some sort of misunderstanding here. We Members of the Appropriations Committee on both sides of the aisle have a concern. Federal Funding is becoming limited because of a need. We don't question the need, but we must know where these limitations are occuring to properly judge House Appropri-



ations within this legislature. In consequence, this group will give us those guidelines that permit us to know how to proceed. It's imperative that the action of the Appropriation Committee of the entire House. I recommend that this resolution pass."

Arthur Telcser: "Gentleman has moved that the House do adopt House Joint Resolution #18. All in favor of adoption signify by saying 'aye' and the opposed by saying 'no'.... Roll Call,..... and the resolution is adopted. On the Speaker's Table appears Senate Joint Resolution #10, for which purpose the gentleman from Whiteside, Representative Miller is recognized."

Miller: "Mr. Speaker and Members of the House, I'm sure that we all know that there is problems back in the local level on the property taxes. The purpose of Senate Joint Resolution #10 is to set up a Committee of six Members of the Senate Revenue Committee and six Members of the House Revenue Committee. This would be equal division as far the two political parties are concerned. The purpose of this Committee is to study tax reform, as far as property taxes are concerned throughout the state. This Committee is supposed to report back by ah...next February... February of 1973. This is similar to a Committee that has functioned in the past. Mr. Speaker, I solicit the support of the House on this resolution."

Arthur Telcser: "Is there any discussion? Gentleman has moved that the House do adopt Senate Joint Resolution #10."



All in favor of adoption signify by saying 'aye' and the opposed by saying 'no' and the resolution is adopted. On the order of motions, the gentleman from Cook, Representative Mahar."

Mahar: "Yes, ladies and gentlemen of the House, I rise to request that Rule 18 be suspended to allow the hearing of some Bills in the Sub-Committee of the Agriculture Natural Resources Committee. This due ah... to the holiday next week, there is going to be a problem with these Bills if we don't have an opportunity to hear them this week, so I request to your consideration."

Arthur Telcser: "Representative Mahar, the Minority Leader has asked me if you have discussed this with their side."

Mahar: "Yes, I have discussed it with the Sponsors of the Bills who ah... is on the Sub-Committee and recognizes the need to have them discussed prior to....."

Arthur Telcser: "O'okay, the gentleman has moved that the House suspend the provisions of Rule 18 so that.... O'okay, now could you hold that for a moment so that..... and then with leave of the Hou.... I don't need leave, but I'd like to move back to Senate Joint Resolution #10, which was just adopted. It has been pointed out that we will be spending money ah.... Representative Miller, are we going to be spending money with the adoption of that resolution?"

Miller: "The answer is, yes. It's a fund for this purpose, ah... both in the House and the Senate."

Arthur Telcser: "In the past ah... we have taken Roll Calls on



the adoption of resolutions ah... in which we spent money, so in order to back up.... the gentleman has moved that the House adopt Senate Joint Resolution #10. All in favor of the adoption signify by voting 'aye' and the opposed by voting 'no'. This is simply to get a Roll Call vote, since we are going to be spending money for this. Have all voted who wish? Duff 'aye'. Have all voted who wish? McClain, 'aye'. Take the record. Ewell, 'aye'. Gibbs, 'aye'. Harpstrite, 'aye'. Fleck, 'aye'. On this question there are 120 'ayes' and no 'nays'... Rayson 'aye'. Mann, 'aye'. Mahar, 'aye'. Malloy, 'aye'. Senate Joint Resolution #10 is adopted. O'kay, Representative Mahar is still talking on this side. On the order of motion, gentleman from Cook, Representative McAvoy."

McAvoy: "Thank you Mr. Speaker and Member of the House. I move to suspend the appropriate rule on the five and a half day of the posting of Bills, to have House Bill 531 heard in the Banks and Savings and Loan Committee on Thursday. This is due to the 45 day limit, which the limit would be up on the 20th of April and the main Sponsor of the Bill has made the request. I would appreciate a favorable consideration on this motion."

Arthur Telcser: "The gentleman from Cook, Representative W. D. Walsh."

Walsh: "Mr. Speaker, the Sponsor of the Bill, Representative Kosinski and the Chairman have talked to me about this and while I don't rise to object to what is being done, that is



suspending the rule with respect to posting. I would like to point out that this is a very significant Bill. The Bill could possibly cost the taxpayers of the State of Illinois \$18,000,000 in return ah...of ah... to the savers of City Savers, The Savings and Loan Association, ah....

I do feel that in doing this in two days we might be cutting some people out of testifying that would be ah...interested in doing so and I refer specifically to the Department Roman and I would.... while not objecting, and I repeat that, I would ah..hope that you would inform the Department of Financial Institutions that ah... they should be there and they should be apprised of the meeting."

Arthur Telcser: "Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, am I correct that if this Bill came out of Banks and Savings and Loans, it would have to be referred to the Appropriations Committee anyways?"

Arthur Telcser: "I would say so, yes."

Shea: "All right, thank you."

Arthur Telcser: "O'kay, the gentleman has moved to suspend the rules of 18 for the purposes of..... oh, I'm sorry, the gentleman from Cook, Representative Kosinski."

Kosinski: "In response to the ah... Majority Leader, Mr. Walsh, I assure you that all things will be affected to make this ah... a justifiable hearing in every sense, Sir."

Arthur Telcser: "The gentleman has moved to suspend the provisions of Rule 18 ah.... so that House Bill 531 can be posted. All in favor of the gentlemans motion signify by



voting 'aye' and the opposed by voting 'no'. 107 votes.

Have all voted who wish?"

Unknown: "Mr. Speaker, may I explain my vote?"

Arthur Telcser: "Proceed, Sir."

Unknown: "Mr. Speaker and ladies and gentlemen of the House, the problem here of course is our holiday. We've been called from our switches, we thank you for this consideration."

Arthur Telcser: "Record Telcser 'aye'. This will take 107 votes. Have all voted who wish? Keller, 'aye'. Borchers, 'aye'. Juckett, 'aye'. Have all voted who wish? Take the record. Fleck, 'aye'. Take the record. On this question there are 109 'ayes' 1 'nay' and the gentlemans motion to suspend the rules prevails. Gentleman from Cook, Representative Mahar."

Mahar: "Yes, the Bill concerned here are 562.... or Bills, I mean, are 562 to 575 ah... and I would request ah... a favorable vote of 107 on this."

Arthur Telcser: "The gentleman has moved that the ah... the provisions of Rule 18 be suspended....."the gentleman from Cook, Representative Shea."

Shea: "As I understand this, Mr. Speaker, what they are doing is having a Sub-Committee Hearing on these Bills. Now is there any requirement anyplace in our rules for posting notice for a Sub-Committee Hearing?"

Arthur Telcser: "The Parliamentarian informs me that ah... the Speaker had ruled previously that a posting was necessary





as in the case of an election contest ah... which the Sub-Committee considered ah.... a couple of three weeks ago."

Shea: "Well, I can understand it with an election contest, it's very important, but here we've got a Sub-Committee Meeting that has to again then go back to the full Committee, report to the full Committee, and the full Committee is going to vote on it."

Arthur Telcser: "Is there further discussion? The gentleman has moved to suspend the provisions of Rule 18 for the purposes of posting so the Sub-Committee can hear the Bills 562 through 575. All in favor signify by voting 'aye' and the opposed by voting 'no'. Gentleman from Cook, Representative Shea."

Shea: "What date are they going to hear these now?"

Arthur Telcser: "Thursday, April 12, at 8:30 in the morning. Gentleman from DuPage, Representative Schneider."

Schneider: "Mr. Speaker, might I take just a little bit of the time of the House just to explain the nature of the legislation, but also the circumstances that surround it. First of all, the Bills were heard last Thursday in an extended discussion that ran over an hour in trying to excess the nature of the legislation. The Bills deal with the Division of Waterways and ask that they be transferred ah... parts ah... parts to be transferred out of the Department of Transportation and into the Department of Conservation. All we are asking with the Sub-Committee and the reason for



the Sub-Committee being promoted was the notion that we'd like to get Members of the various Department effected to be able to appear before the Sub-Committee, in as much as they were unable or unwilling to appear on last Thursday. So we have already had a hearing on parts of the Bills. We wanted to extend that hearing and then next ah... then report the Bills out on April 26th, which is ah... within one day of the 45 rule and this is playing it very close until we are sure as to whether or not the vacation will effect the 45 days. So there is no violation of that. I just ask that we get some support to hear the Bills in the Sub-Committee."

Arthur Telcser: "Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Mr. Speaker, may I address a question to the Chair as far as policy is concerned?"

Arthur Telcser: "Certainly."

Lechowicz: "If we make a precedent here, any Bills that we assign to a Sub-Committee in Appropriations, are we going to have to come back to the House floor and ask for 107 votes and to have that Bill posted for a Sub-Committee action? I'll tell you why, Mr. Speaker, I don't know whether the decision should be made today or not. Last year we put two billion dollars worth of Bills in Sub-Committee, and if turn we're going to have to be required to post those Bills for a hearing, it shakes me from a fiscal stand point as far as the requirement of having those Bills heard, voted upon in Sub-Committee, and required to



bring it to the full attention of the Committee. So I think what we are doing here today is a very serious thing, Mr. Speaker, as far as having the requirement of coming on the House floor and asking the Members to reconsider to have a Bill heard in Sub-Committee, which has already been assigned to a Committee process."

Arthur Telcser: "Well, Representative Lechowicz, it is my.... in my opinion I concur with what you said, however I feel bound by previous rulings of the Speaker ah... to do this today. I think that we can take this up at our weekly rules meeting. There is a meeting again on Thursday morning and perhaps be specific in the House Rules for these Sub-Committee Meetings."

Lechowicz: "Thank you, Mr. Speaker."

Arthur Telcser: "Have all voted who wish? Take the record. On this question there are 114 'ayes' and 3 'nays' and the gentlemen's motion prevails. The gentleman from ah... take the record Fred, I thought you did. On this question there are 116 'ayes' and 3 'nays' and the gentlemen's motion prevails. The gentleman from Peoria, Representative Day, did you wish to make a motion?"

Day: "Mr. Speaker, and ladies and gentlemen of the House, under the heading of motions ah... I'd like to move at this time to table the motion on House Bill 528."

Arthur Telcser: "The gentleman has moved to table the motion relative to House Bill 528. All in favor signify by saying 'aye' and the opposed by saying 'no' and that motion ..."



shall be tabled. The Gentleman from Cook, Representative DiPrima."

DiPrima: " A...Mr. Speaker, Ladies and Gentlemen of the House, Tomorrow night the Veterans of Foreign Wars are honoring the legislators with a beautiful dinner over at the Holiday Inn East and all I want is the name of anyone who isn't going to attend. I'll make another announcement tomorrow, so any time tomorrow if you aren't going to be able to make it, give me your name and that'll clear you."

Arthur Telcser: "Are there further announcements? No other motions. The Gentlemen from Cook, Representative W. D. Walsh."

Walsh: "Mr. Speaker, I move that the House adjourn until 9:00 o'clock tomorrow morning for perfunctory session, 9:30 for regular session. That's a half an hour earlier than usual."

Arthur Telcser: "Okay, the Gentleman has move that the House stand adjourned until the hour of 9:00 o'clock tomcrrw morning perfunct. 9:30, a half an hour early, regular session. All in favor signify by saying aye, the opposed no, the House stands adjourned."

