

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

THIRTY-NINTH LEGISLATIVE DAY

APRIL 10, 1973

9:30 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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

- Representative Peter C. Granata - illness;
- Representative John E. Grothberg - illness;
- Representative Fred J. Schraeder - no reason given;
- Representative John F. Wall - illness.



Murphy: "The House will be in order. The prayer will be by Joe Carey."

Carey: "Let us pray. We ask this question of thee O God. What have I done for the Lord for all he has done for me? Amen."

Murphy: "We will have the Committee Reports."

Fredric B. Selcke: "Mrs. Dyer, from Higher Education to which House Bill 464 was referred, reported the same back with the recommendation the Bill do pass. Mr. Epton, from Insurance to which House Bill 756 was referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted, those amended to pass. Mr. Epton, from Insurance, to which House Bill 827 and 828 were referred, reported the same back with the recommendation that the Bill do pass."

Murphy: "Introduction and First Reading of Bills."

Fredric B. Selcke: "House Bill 1086, Londrigan et al. Amends the Unified Code of Corrections. First Reading of the Bill. House Bill 1087, Londrigan et al. Amends the Juvenile Court Act. First Reading of the Bill. House Bill 1088, Londrigan et al. Amends the Criminal Code. First Reading of the Bill. House Bill 1089, Londrigan et al. Amends the Act creating the Department of Children and Family Services. First Reading of the Bill. House Bill 1090, Campbell et al. Appropriates \$397,067 for the Board of Governors for State Colleges. First Reading of the Bill."

Murphy: "General Resolutions."



Fredric B. Selcke: "House Resolutions 193, Madigan et al."

Murphy: "Representative Douglas moves that the House recess till 9:30 A.M."

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

Johnson: "Please All Might God, with us send the work to which we put our hands this day. May the remembrance of former blessings encourage us in all of our deliberations. Sustain us in all moments of indecision. Guide us in all of our resolutions and uphold us when we seek to do those things which advance the well being of all who live in this commonwealth. We also become before you in behalf of Melody, the wife of Representative Eugene Barnes, for whose continuing recovery we both thank you and seek your healing strength. Uphold her and all of this Assembly with your mercies. We are bold to bring this and all of our requests before you in the name of him whos service to us urges us to service to you and to one another. Amen."

W. Robert Blair: "Roll Call for attendance. Committee Reports."

Fredric B. Selcke: "Mr. Collins, from Executive, to which House Bills 387, 493 and 577 were referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted, Bills amended do pass. Mr. Collins, from Executive, to which House Bills 425, 436, 549, 623 and 678 were referred, reported the same back with the recommendation that the Bills do pass. Mr. Collins, from Executive, to which House Bills 444, 624, and 732 were



referred, reported the same back with the amendments thereto with the recommendation that the amendments be adopted. Those amended do pass. Mr. Collins, from Executive, to which House Bill 681 was referred, reported the same back with the recommendation that the Bill do pass. Mr. Collins, from Executive, to which House Bill 765 was referred, reported the same back with the recommendation the Bill do not pass. Mr. Collins, from Executive, to which House Joint Resolution Constitutional Amendment #15, was offered, reported the same back with the recommendation that the resolution do not pass. Mr. Collins, from Executive, to which House Joint Resolution Constitutional Amendment #16 was offered and reported the same back with the recommendation that the resolution do pass. Mr. Collins, from Executive, to which House Joint Resolution Constitutional Amendment #17 was offered and reported the same back with the recommendation that the resolution do not pass. Mr. Collins, from Executive, to which House Bill 195, 234, 308 were referred, reported the same back pursuant to Rule 23 (D), the Bills were order tabled. Mr. Collins, from Executive, to which House Resolutions #20 and #47 were referred, reported the same back in pursuant to Rule 23 (D), the resolutions were ordered tabled."

W. Robert Blair: "Agreed Resolutions."

Fredric B. Selcke: "House Resolution #197, McMaster et al.

House Joint Resolution #29, Neff."

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



Walsh: "Mr. Speaker and ladies and gentlemen of the House, ah... House Resolution #197 by McMaster commends Jerry Dale King, the owner and operater of a 780 acre farm near Victoria, who is the outstanding young farmer of America. House Joint Resolution #29 ah... by Representative Neff commends Mr. Ralph Brown of the Transportation Department on long and ah... faithful service to the state and commends him on his upcoming retirement and I move the adoption of the agreed resolutions."

W. Robert Blair: "Discussion? All those in favor of the adoption of the Agreed Resolutions say 'aye', the opposed 'no', the 'ayes' have it and the resolutions are ah... adopted. All right, the gentleman from Cook, Mr. William Walsh."

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

W. Robert Blair: "The Journal will so indicate. Are there any ah...over here? Introduction."

Fredric B. Selcke: "House Bill 1091, Merlo et al: Amends the Election Code, First Reading of the Bill."

W. Robert Blair: "House Bills Third Reading." The gentleman from Cook, Mr. Shea."

Shea: "Mr. Collins ah... has a series of Bills, I think now is the appropriate time to call them."

W. Robert Blair: "We ah... we would have to go out of order to get there, ah... would you like to give us 107 votes? Not ver hard."



Fredric B. Selcke: "House Bill 3, Hanahan."

W. Robert Blair: "Take it out of the record."

Fredric B. Selcke: "House Bill 4, Washington. A Bill for an Act to amend the Code of Criminal Proceedure, 1963. Third Reading of the Bill."

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

Washington: "Mr. Speaker and Members of the House,.... Mr. Speaker, I'm in somewhat of a quandary, if I may say so. It's quite evident that many of the Members are not on the floor of the House, and I look around and I see that some Members who had promised to support House Bill 4 are not on the floor. I don't exactly want to waive my right to be heard this morning, but I would like a full Membership here."

W. Robert Blair: "Well, we announced yesterday that we would start business here today at 9:30 and ah... I think the best way to get people to get people to be here when we are going to start is to go on Third Readings at the beginning so...."

Washington: "I can sympathize with your zealous attempt to do business, Mr. Speaker, but I'm going suffer from the lack of attendance, that's my point."

W. Robert Blair: "Well, then take it out of the record."

Washington: "Will you get back to it today, Mr. Speaker?"

Washington: "I can't tell you that. The gentleman from Cook, Mr. Lechowicz."



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

Lechowicz: "Mr. Speaker, I was informed yesterday that ah... the Rules Committee will be meeting and I was wondering in order to be fair about it, maybe they should consider as far as when the Bill is introduced as far as it's numerical order and the date that it comes out of Committee or is really posted on our calendar or recommendation do pass out of a committee; and be put in that order instead of straight numerical order because I think it's injustice for a Member who has a Bill number ah.... for example, number 300, to wait until we go through a consecutive order in lieu of the date that it's in order for that specific date that it was recommended for the calendar. So if the Rules Committee would address itself to that situation, I think it would be more equitable."

W. Robert Blair: "Well, the Rules Committee has been doing that very thing and I ah... there were two or three alternative plans suggested last week and they will be convening again ah... on Thursday morning of this week and we'd be delight to have you there to ah... reemphasize your point. We will convene at 8:30 in Room 212. Harold, are you going to go or are you going to come back, or what?"

Washington: "You'll come back to me?"

W. Robert Blair: "Well, I ah... I certainly will try to. I want to get as many Bills as we can off of the calendar before we break for the Easter recess and that's why I ah...."

Washington: "Well, I certainly would appreciate it if you



could get back to me."

W. Robert Blair: "Well, I certainly will try, as long as the understanding that if I don't that we will get to it tomorrow. We certainly will get to it this week and ah... you've got enough days left to have it heard."

Washington: "Thank you, Mr. Speaker."

W. Robert Blair: "Your welcome."

Fredric B. Selcke: "House Bill 13, Barnes."

W. Robert Blair: "All right, he wants that taken out."

Fredric B. Selcke: "House Bill 16, Merlo."

W. Robert Blair: "All right, take that out."



Frederic Selcke: "House Bill 18. Hyde. An Act to establish the penalty of capital punishment for specified categories for the crime of murder which the Act creates. Third Reading of the bill."

W. Robert Blair: "Do you want to go? Okay. He says he'll go. Go ahead."

H. J. Hyde: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 18 is a capital punishment bill. And it is an attempt by some of the ah.. very fine ah.. criminal law scholars ah.. Mr. James Zagel of the Attorney General's Office and others ah.. to meet the objections set forth in the United States Supreme Court decision of Furman v. Georgia. To meet that test which, as we know, sets down the dogma that the... capital punishment cannot be ah.. ah.. frivolously or freakishly imposed, that is to say discretion ah.. cannot be abused and ah.. they set it with such force that it is the opinion of scholars that any discretion at all is subject to abuse and then would be proscribed. So this is a mandatory capital punishment bill ah.. because it is our view that the only way to meet the objections of it being imposed only against certain oppressed groups.. ah minority groups is to impose it against any one and every one who commits a certain kind of crime. In other words, the thrust of this bill is emphasis on the ah.. crime and the victim rather than the criminal. Now we set up mandatory capital punishment for a conviction of the following categories of murder. First of all the murdered individual was an elected official of any public office--



federal, state or local or a candidate. The reason for that is since the George Wallace, Bobby Kennedy, ah.. John F. Kennedy, ah.. Martin Luther King situation, although, Dr. King was not a candidate for office or an elected official. Public figures are certainly targets for people who have assassination in mind or publicity in mind, so ah.. we felt they were especially vulnerable. Secondly, the murdered individual was a peace officer or fireman killed in the course of performing his official duties. I think this is self-explanatory. Third, the murdered individual was an employee of an institution or facility of the Department of Corrections. In other words, a prison guard. Fourthly, ah.. the mass murderer. If a person has been convicted of murdering two or more individuals ah.. under an Illinois law or any other law of the United States. Ah.. to me it is an obscenity that a man like Speck ah.. will not receive capital punishment for the mass crimes he committed. Ah.. five, the murdered individual was killed as the result as the intentional destruction, alteration, disruption, or adulteration of community water, electric, gas, sewage, or transportation facilities or the contamination of liquid or solid food products intended for community consumption. Or sixth, the murdered individual was killed as the result of hijacking an airplane, a train, ship, bus or other public conveyance. Seventh, the person committed the murder pursuant to a contract, agreement, or understanding. That is the assassin for hire. And eight.



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is the procurer of the contract. The person procured the commission of murder by another through contract agreement or understanding. Number nine includes the murdered individual was killed in the course of a robbery, rape, aggravated kidnapping or arsen by a party to the crime. Now, armed robbery has resulted in over an 800% increase in murders pursuant to armed robbery in the last five years. Aggravated kidnapping, as you know, involves a kidnapping for money. Arsen may also involve the intentional bombing of a building. Now, if any of these murders are the result, ah.. involves any of these factual situations following the conviction by the jury, the trial judge shall notify the chief judge and he impanels a three-judge court solely for the purpose of sentencing. In other words, under this plan you have what's called a bifurcated trial. The jury assesses guilt for murder and the three-judge panel has the sole responsibility of sentencing. The jury is totally divorced from the sentencing process. Now, ah.. the prosecutor has no discretion either. Once a murder trial has been completed, the three-judge court ah.. is impaneled and the court hears evidence ah.. as to whether any of the facts within the nine categories I have just read to you exist. Now, if the majority of the three-judge, that's two out of three, find beyond all reasonable doubt that any one of those facts exist, then they must impose the death penalty. The plan in this bill separates the penalty from the crime. It disassociates the jury from any penalty imposition and the facts that show that the crime fits within one of these



nine categories are similar to evidence in aggravation or mitigation which are presented to a judge following any criminal trial. Now, ah.. I have discussed with you the outlines of the bill. Ah.. certainly the bill is far from a perfect solution to a problem that may well have no perfect solution because of the very confusing guidelines or better lack thereof that the Supreme Court gave us in Furman v. Georgia. But the people of Illinois, and I do believe the people of the United States of America, want a death penalty on the books for those crimes that are most heinous, for those crimes that are most premeditated, as an expression of society's outrage at the ultimate crime which is the taking of innocent life. And I want to stress the emphasis is on the innocent life, the victim, rather than the criminal. I submit, that in our last time this matter was put to a vote in November of 1970, the electorate came back 2 to 1 in support of retaining the death penalty. Forty-one states have the death penalty on their books and are now grappling with Furman v. Georgia as we are. And so, I think this meets all of the objections and all of the problems and I think this will help protect the community ah.. from wanton murderers ah.. which unfortunately are on the rise. So I respectfully solicit your support for House Bill 18."

W. Robert Blair: "Discussion. Gentleman from ah.. Will, Mr. Leinenweber."

H. D. Leinenweber: "Thank you, Mr. Speaker. Members of the House, I would like to rise in support of House Bill 18."



I think this is a fine bill. I think it grapples successfully with the constitutional problem. I think that we are doing the will of the people by enacting such legislation. I would like to say, that in my opinion, the death penalty does act as a deterrent to the ah.. crimes legislated against. If it does not act as a deterrent, obviously, I don't see any rational basis for such a bill. Now, the question is always asked -- prove statistically that it acts as a deterrent. Well, this is difficult to prove. Although, Mr. Hyde has an oppressive array of statistics about the increase of armed violence which has resulted since the date back to abolition of capital punishment some ten years ago. However, I think in looking at the issue of whether or not the capital punishment bill will act as a deterrent, one has to use some form of logic. That is, I would argue this way, that I think we can assume that people will act rationally. Now, there is a will to life and people who act rationally want to live and they will not do some act which will lead to their death. Now, those who do not act rationally will go ahead and kill, this is true. However, there certainly will be some people who act rationally and will be deterred. And in my opinion, to deter one person from killing an innocent person is worth the execution of several persons guilty of taking the life of other people. Therefore, I think this is a pro-life type of bill and will attempt to save lives. It is not a death dealing bill but it will tend to save the lives of innocent persons. Consequently, I urge you to vote yes on House Bill 18."



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

2054
 R. A. Mugalian: "Mr. Speaker, Members of the House. May I have some order, Mr. Speaker? I can't hear myself talk. It has been argued for generations, since at least the Lex Taliones and since the time of Moses, the majority of men have accepted killing of one form or another as legitimate. A lesser number, at the same time have opposed that view. They used to say, "An eye for an eye", but I tell you, do not resist one who is evil. Instead, if he strikes you on the right cheek, offer him the left." A quotation that needs no citation. But from a narrower framework, the argument about the death penalty generally and mandatory death sentences particularly, represents a challenge to our common law system itself. The genius of that system has been its flexibility. Common law judges have invented such brilliance and now seemingly self-evident notions such as offer, acceptance and consideration, or proximate cause, or prove.. proof beyond a reasonable doubt, or the reasonable man's standards. All of these notions, and many more, are marked by their dynamic dimensions. They are not static. The law is not locked into place it can help men solve their ever-changing problems within a mutually acceptable and changing framework. As Justice Holmes has said, 'The life of the law has not been logic, it has been experience.' A mandatory death sentence, especially.. a mandatory sentence, especially a death sentence, flies in the face of almost a thousand years of common law history. It is an ill-advised approach at the philosophical level



because, in the words of Justice Blackmore, 'This approach encourages legislation that is regressive and of an antique mold for it eliminates the element of mercy in the imposition of punishment. I thought we had passed beyond that point in our criminology long ago.' And, Ladies and Gentlemen, at the more pragmatic level, it is even more ill-advised. Each of us recognizes at least some circumstances where mercy may be in order. Yet, a mandatory death sentence forbids and prohibits a juror from doing what we ourselves would do. Rather than convict in such circumstances, a lesser verdict is often returned. In the words of Mr. Justice Brennan, 'The unfortunate effect of the death penalty upon the functioning of the judicial process is well-known.' But, regardless of the level from which this issue is looked at, or which philosophical or religious end of the spectrum, mandatory sentences of death are not in the best interests of our system of government and should be rejected. President Nixon in a radio.. recent radio address said, 'We must attack crime without pity.' Yes, but we must not so attack the criminal. Thank you."

W. Robert Blair: "Gentleman from Sangamon, Mr. Gibbs."

W. J. Gibbs: "Mr. Speaker, will the Sponsor yield to a couple of questions."

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

W. J. Gibbs: "Representative Hyde, as I read this there are four amendments, is that right."

H. J. Hyde: "Yes sir, but there's only one that's operative and that's ah.. Amendment No. 4th ah.. 4 because that has ah..



stricken everything after the enacting clause. So, you can disregard the first three and just look at Amendment No. 4."

W. J. Gibbs: "In reference to the mandatoryness of this death penalty, does it give any discretion to the ah.. this ah.. three judge and panel court."

H. J. Hyde: "I didn't hear you, Mr. Gibbs."

W. J. Gibbs: "Is there any discretion with the three judge and panel court."

H. J. Hyde: "No sir, ah.. the ah.. in imposing the sentence ah.. they.. they must impose the death penalty if they find the fact, ah.. beyond all reasonable doubt, fit the crime within any of the nine specified categories."

W. Robert Blair: "Alright, let's.. let's wait a minute. Let's see if we can get this noise level down. Now, I.. I know you all can't hear. Now we've got a long day ahead of us and ah.. in order to get this Calendar moved ah.. I suggest that we're going to have to hold the noise level down or we're going to have people asking for people to repeat questions ah.. so that they can hear what's being asked. So, just wait a minute now 'til you get that noise level down. Alright, let's, let's try it and see how far we get. Go ahead, Mr. Gibbs."

W. J. Gibbs: "Ah.. Mr. Hyde, in reference to the Leopold and Loeb case, for instance, would that require then a mandatory death sentence in that case, and you're all familiar with the facts there."

H. J. Hyde: "Ah.. yes, I believe so, because that was a ah.. that was a kidnapping. Ah.. and ah.. they took little Bobby



Franks and ah.. mutilated his body ah.. course, it was a thrill killing ah.."

W. J. Gibbs: "What I'm saying is it takes into considera.. it doesn't take into consideration the age then of the defendant in any way."

H. J. Hyde: "No sir."

W. J. Gibbs: "The other question I have is ah... you call for a mandatory death sentence for the killing of a candidate or any elected official. And that's regardless of the cause. If a school board member was having difficulty with his wife and she killed him ah.. it would be mandatory that she get the death sentence. Whereas, in another instance, if it wasn't an elected official or candidate, they ah.. she would not receive the death sentence. Is that right?"

H. J. Hyde: "Well, ah.. you have underscored a difficulty with the bill, but I have no way to solve that because ah.. candidates or political figures ah.. may very well be victimized by the assassins bullet while going to the theatre and we only need to look at Abraham Lincoln ah.. to ah.. visualize that situation. Now, I would hope ah.. you see, the Supreme Court has put us in this box where we cannot use discretion. I would only say that in that situation ah.. I would hope the Prosecutor or the Grand Jury would not indict for murder. I would hope that, on the automatic appeal to the Governor, the Governor still would have his power to commute the sentence. That that would occur ah.. and that unusual situation would be handled in that fashion. But, I know of no way to ah.. pro.. provide protection to a public



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

official ah.. when he's on duty and when he's off duty because you can be assassinated either way. But, nevertheless my sympathy doesn't ah.. eh.. isn't too strained for the wife who murders her husband on a Saturday night, because it's still murder."

W. J. Gibbs: "Then, the last question I have concerns the ah.. ah.. 'scuse me just a second let me make a note here. Under the killing of Martin Luther King, ah.. as I understand it, ah.. the murder in that instance, under your bill, would not have received the mandatory death sentence. Or would he under one of these categories."

H. J. Hyde: "Ah.. probably not, unless it could be shown, and I believe it.. well I take back.. probably not. I'm sure that was a murder by contract, or by agreement. Ah.. ah.. the evidence of that has been very mysteriously ah.. kept quiet ah.. but ah.. there's no doubt in my mind that there were more people involved in that than just ah.. James Earl Ray and ah.. I'm confident that that was a murder by contract."

W. J. Gibbs: "Then.. I do have one more question. You stated there were 41 states that now impose the mandatory death sentence, ah.. are any of them in compliance with this."

H. J. Hyde: "No sir, I meant there are 41 states that have the death penalty on their books. I was talking about the ah.. legislative ah.. sanction for the death penalty not mandatory."

W. J. Gibbs: "Well, my question is, does any state that you know of have a bill or a law similar to this."

H. J. Hyde: "Ah.. no sir, although several state are now going through this very process we are of trying to comply with the



guidelines.. if you can dignify them by calling them that.. that the Supreme Court gave us in Furman v. Georgia I know in the.. in the Federal ah.. arena mandatory ah.. sentencing is ah.. part of their Federal plan to meet Furman v. Georgia. "

W. J. Gibbs: "That's all I have. Thank you."

W. Robert Blair: "Ah the.. the Gentleman from Cook, Mr. Rayson."

L. H. Rayson: "Ah.. would the gentleman yield to some questions, Mr. Speaker."

H. J. Hyde: "Yes sir."

L. H. Rayson: "Ah.. I appreciate what you've done and you've made a very honest attempt to try to remove the vagueres of the Thurman decision, but isn't one of them, as interpreted not only by the Minority.. ah.. Majority Court, but also reinterpreted by the Minority Court, that selectivity and discretion should be removed. And aren't you, in a sense, by a three judge panel, reintroducing the concept of discretion and ah.. perhaps selectivity."

H. J. Hyde: "Ah.. I honestly do not see that there's any discretion left in this bill at all. If the crime fits within the.. ah.. any of the nine categories there's absolutely no discretion."

L. H. Rayson: "Well, if.. if that's the case, then I think it was clearly enunciated in the decision my the Minority Justices that if you have a mandatory penalty there must be no exit. It must be either 'Bang' you get the death penalty or, two, he's acquitted. Isn't that.. that the implication of the Minority Justices."



W. Robert Blair: "Let's.. let's wait a minute. The.. the noise level's right back up to where it was."

H. J. Hyde: "Mr. Speaker, I regret, I really did not understand."

W. Robert Blair: "Well, I.. that's the problem we're wrestling with. Ah.. if ah.. we're trying to expedite the House business and ah.. the noise level is so high. You all are talking and I realize you ah.. don't appreciate the fact when you all talk how high the noise level gets. So this is the second time on this one bill that ah.. that the Sponsor's had to ah.. ask the person that's asking questions to repeat them. Simply because he can't hear them. So we'll just wait now until we get the noise level down. We can be here tonight after committees are over."

L. H. Rayson: "Thank you, Mr. Speaker. Ah.. I appreciate your last response and it was quite persuasive, but I'm wondering though that did not the Minority Justices rather clearly say that if you have mandatory death that it's a one-shot deal, either there's ah.. a conviction under the crime which automatically imposes mandatory death, or you're acquitted. And don't you invade that kind of concept by this process of double due process."

H. J. Hyde: "Ah.. no sir, ah.. I think ah.. that is exactly what we have here, but we do separate the sentencing process from the ah.. fact finding process on guilt for the crime. And the reason for this is to escape from the very complex difficulties the Witherspoon Case imposed on qualifying a jury for the death penalty. It's my belief and the belief



of the drafters of this bill, including Mr. Sevcik, who is the Chief Co-Sponsor, and Mr. Nowart, who was at one time ah.. Chief Counsel of the Illinois Legislative Investigating Commission, that if we separate the jury from the sentencing we don't get into the Witherspoon difficulties of qualifying the jury for the death penalty. But the ah.. the discretion is not in the bill because the court won't let us have it in the bill and once the ah.. finding of guilty occurs then the trial judge must seek the impanelling of the three judges who under the fact ah.. the facts as brought out in the trial must consider whether or not ah.. the crime fits with any of the nine categories. Now, the State may aduce additional evidence, not as to guilt, but as to whether or not the crime fit within any of the circumstances. Ah.. then the court beyond all reasonable doubt by a majority rule must impose the death penalty. It simply .. it.. it says in a negligence case where you find liability first and then damages second. But the.. the.. the ah.. sentence is by the court, the finding of guilt is by the jury."

L. H. Rayson: "Ah.. thank you again for your thoughtful interpretation. Ah.. the third question, and I think you, in part, indicated there's difficulties with some of your enumerated ah.. crimes, take the example of three people who are on a robbery binge and ah.. they were apprehended somewhere along the way and ah.. one of them shot say a guard at this ah.. plant. Ah.. do we distort the principle of aiding and abetting ah.. ah.. or are they all guilty of murder. And then do we run in the problem of the three judge panel



saying that only one of them could be the murderer?"

H. J. Hyde: "Well, you're adverting to one of the ah.. ah.. very difficult areas in criminal law called a felony murder where if ah.. two people go out on a crime and one person has a gun and ah.. in the commission of say the robbery, ah.. the victim is killed both are liable for murder. Now, ah.. if you feel that is unjust, it would seem to me that that statute which imposes the ah.. ah.. vulnerability for murder on anybody participating in a felony during which a murder occurs ought to be amended. This bill does not address itself to that, but simply says if the victim is killed during the performance of an armed robbery, then ah.. that is the type of murder that qualifies it for the mandatory death penalty. And the reason for that is that is the one category that ah.. has escalated almost beyond belief, an 875% increase in murders during armed robbery in Chicago alone in the last five years."

I. H. Rayson: "Well, I appreciate that, again. But I think a language in your paragraph 9 indicates it must refer to the finding of a single defendant. That's the problem I raised there. But the fourth and last question, Henry, is ah.. is in our Bill of Rights, ah.. Section 11 of Article I.. 'all penalties shall be determined both in accordance to the seriousness of the offense and with the objective of restoring the offender to useful citizenship.' I think you take care of the first part, but I don't think you take care of the second part. And that's mandatory language.. 'shall consider!'"



L. H. Rayson: "Do you feel any conflict there?"

H. J. Hyde: "No, sir. Because ah.. in reading the transcript of the debates of the Constitutional Convention, it is quite clear that it was not the intention of the delegates to eliminate capital punishment or to make it a constitutional impediment. Ah.. in fact, that concept was offered to the delegates and specifically rejected. Ah..the ah.. the restraint that that section of the Constitution imposes, may very well be, and I assert that it is a restraint, not on the judges but on the legislature in ah.. ah.. determining what sentences shall fit what crime. And in our legislative deliberations ah.. it is my view that we do this. We then reach a decision, and we, the legislature, have fulfilled that mandate. We have considered whether or not rehabilitation is suitable for this or for that crime. That's the only way that sentence can mean anything, because otherwise there would never be a minimum sentence in any crime. Ah.. so that is a restraint on the legislature.when Ah.. when we do consider that factor, we have met the Constitutional mandate. Ah.. the fact that ah.. that language is in the Constitution, does not bar capital punishment. I think that is clear by the referendum that was submitted to the voters in November of 1970 as well as the transcripts of the debate."

L. H. Rayson: "Okay. Just one second. Well, Mr. Speaker, just ah.. a last remark. And I appreciate the Gentleman's answers and he's done a great job. And trying to do what I consider rather impossible task, that is to make constitu-



tional what Furman, in its fuziness, won't allow us to. And since we haven't executed anybody in this state for over 11 years, and since the crime rate on homicide has gone down in the City of Chicago 111 over the past year, I rather suggest we're being wiser if we wait and see what the Supreme Court will do in narrowing their decision for the reason, that'll leave six dates of passed mandatory bills, another 35 are considering them and I would hope that wisdom suggests that we exercise restraint on this most difficult subject. Thank you."

W. Robert Blair: "Gentleman from Macon, Mr. Borchers.. is he. All right the.."

W. Borchers: "Mr. Speaker and all Members of the House, in relation to the Lindbergh kidnaping, after that kidnaping and the murder of this little Lindbergh boy, the Federal Congress passed the death penalty law. Now, there has been stated on the floor of the House, in the past, and I'm not sure whether it's been stated today.. I think it has been. But it's been stated that the death penalty is not a deterrent. Well, let me point out to you if you want to check the records that when the death penalty went into effect for kidnaping, we had no kidnappings for.. until we begin to be weak again, til after World War II. Well, there was a couple of kidnappings, I'll have to retract that one statement. But because of the death penalty, the kidnappings, practically 98, 95% fell off in this country because of the death penalty and the imposition of the death penalty. It wasn't until the



'sob-sisters', so to speak, and the 'do-gooders' began to get a hold of the law and began to change things that we got into kidnapping ah.. which we all know is going on today. But if we would have continued our position of the death penalty in relation to kidnappings as we did after the Lindbergh child was ah.. was ah.. murdered, we probably would have no kidnappings ah.. kidnappings today as it was let's see for 30 ah.. 29, 30 or thereabouts for about 15 years. Kidnappings in the United States of America practically ceased. I might tell you that in France, the guillotine is still used for rape/murder. The last rape/murder/guillotine was five years ago. Everybody in France knows, that if you rape/murder, your head, you're put on that guillotine and your head is spudded off into basket filled with sawdust. Nobody will like the prospect, so it has a decided affect in stopping rape/murder. So, this is a deterrent for murder and a certain classification carried under this bill. So, I think it's an excellent reason why we should support this bill. The deterrent is there."

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

R. E. Mann: "Well, Mr. Speaker. I think one of the points that ah.. has alluded us throughout this entire debate concerns the meat of the Supreme Court decision--mainly that capital punishment is cruel and unusual punishment and not permitted under our own Constitution. And we're addressing this particular problem as if it were some kind of procedural roadblock ah.. to which we ah.. given some



traffic engineers, could maneuver around this maze and come up with a bill which in effect will satisfy the prohibition of our Constitution. And I would submit to you that ah.. killing ah.. in the 'old days' in France by guillotine and killing now by the electric chair is cruel and unusual punishment no matter how you devise a legislative bill and that in the ah.. end I think the Supreme Court, which fortunately does not poll ah.. the citizens of the country in order and before arriving at a decision, but makes it on the basis of its own grasp of the law will find that all the crimes we're talking about as heinous as they are, and they certainly are, are prohibited by the Constitution which prohibits cruel and unusual punishment. And I think that the law today is that.. that killing by the state, whether it be by electric current or by guillotine, is prohibited because it is cruel and unusual punishment. Now as I listen from the Gentleman from Decatur construct his own statistics and then use those statistics to support his arguments, ah.. I'm reminded of the item that appeared ah.. in a London newspaper oh, a hundred or two hundred years ago when a reporter reported that at the hanging of a pick-pocket ah.. many of the spectators returned home to find that their wallets had been stolen. Ah.. there is no deterrent, there is no ah.. ah.. argument that can sustain ah.. Webber Borchers' theory that ah.. mur.. that capital punishment is a deterrent to murder. It just isn't there. But fortunately, ah.. the



opponents of capital punishment no longer have to rest their case on that argument. We can now rest our case on the ultimate argument--namely, that a state that kills its own citizens, is indeed, a barbaric state. And, further, this should not be dismissed lightly, we know from cases like the William Eldon Miller case or Lloyd Eldon Miller case, that prosecutors are capable of ah.. distorting evidence, that juries are capable of making mistakes. And just like we want to protect the innocent life, we want to protect the innocent defendant. I think that we ought to permit the Supreme Court to settle, see what ah.. it produces in terms of our homicide rate, and also see what the next move of the Supreme Court is going to be. I would like to predict that the next move of the Supreme Court will be to prohibit all capital punishment laws on the grounds that they are, indeed, cruel and unusual punishment."

W. Robert Blair: 'Ah.. the Gentleman from Rock Island, Mr. Polk."

B. Polk: "Would the sponsor yield to a question?"

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

B. Polk: "The distinguished Representative from Macon County indicated that he felt that the death penalty was, in fact, a deterrent and ah.. do you in fact believe that the death penalty is a deterrent in itself?"

H. J. Hyde: "Yes, I do, sir. Although I will concede it is almost clinically and scientifically impossible to



know how many crimes were not committed because the death penalty was on the books. I would also concede it isn't much of a deterrent if it isn't enforced. And ah.. so part of the policy of making the death penalty ah.. a viable deterrent would be to have it enforced by the court."

B. Polk: "Ah.. would you happen to know, by any chance, how many men were sent to Joliet in 1971 on 'murder 1'?"

H. J. Hyde: "I don't know that we have 'murder 1' in this state ah.. but ah.. I do not know how many men were sent to Joliet for murder. No. Would you instruct me?"

B. Polk: "I, I ah.. think you find 124. Now, if we are going to ah.. once again start the death penalty in the State of Illinois, then this would make it mandate upon us to ah.. burn someone practically every other day. I am hopeful that we wouldn't do it on Sundays. Ah.. would you have any opposition to the ah.. electric chair ah.. being made public, since if in fact you do believe it is a deterrent? And having these electricutions ah.. televised, hopefully, over Channel 12, which is an education station so that everybody can see what it's like when a man walks in that room, is strapped down, and what happens to his body when the current hits it."

H. J. Hyde: "Only, I would agree to that, sir if they would also televise the funerals of the deceased murder victims and take us into the homes when the news is broken to the wives and the mothers and to the sisters and the children of the ah.. victims of these 124 murderers. I would like to see that too, on television."



B. Polk: "It's ah.. it would be interesting to see what type of sponsor we could get to do this over television. Thank you."

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

R. E. Brinkmeier: "Mr. Speaker, would the sponsor yield.. to a question?"

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

R. E. Brinkmeier: "I'm sorry ah.., Henry, if I missed this, but does your bill provide for mandatory death penalty for hijacking? Is that included?"

H. J. Hyde: "Does it provide for mandatory death penalty what, Bob?"

R. E. Brinkmeier: "For hijacking?"

H. J. Hyde: "Yes, sir. If a murder, a murder results not just for hijacking or rape, but a murder must result.. a death, ah.. and then if that does happen, then the death penalty is mandatory."

R. E. Brinkmeier: "Very good. Mr. Speaker, may I address myself to the bill, please? Mr. Speaker, Members of the House, seven years ago, as a freshman legislator, I was a co-sponsor of a bill by my good friend, Lee Rayson who was the chief sponsor, which called for a seven year moratorium on the death penalty. My deskmate at that time was George Sol, who many of you remember as having served previously as Sheriff of Tazewell County. And



he is.. he gave me a rather valid argument as to why the death penalty should be maintained. He pointed out to me, that in many instances, when either he or his deputies ah.. made arrests and the people had that were loaded, ready to be used, the question would be posed to them quite frequently, 'You had guns. They were loaded. Why didn't use them?' And he said invariably their answer would be, 'Man, I don't want to fry.'

Now to me, this is a pretty good argument. Criminologists will tell us that the greatest deterrent to crime is the certainty of punishment. And I think that if we have a mandatory death penalty, it certainly would be a deterrent. I think this is a good bill, I urge your support. I plan to vote for it. Thank you."

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

R. G. Day: "Would the Sponsor yield for a question."

H. J. Hyde: "Yes, sir."

R. G. Day: "Well, Henry, the ah.. the ah.. thing that ah.. bothers me about this bill is Subparagraph (3) on the first page, under Section 9-1, where reference is made to ah.. ah.. ah.. defin.. including in the definition of murder those who are attempting a forceful felony. And, ah.. I'm thinking of a case where a successful burglary has been committed and then while the ah.. culprit is making his getaway in the car he negligently runs over someone and kills 'em. Now, as I understand a situation like that, there would be some discretion on the part of the State's Attorney as to whether he wanted to indict that man for manslaughter or murder. Is that correct."



H. J. Hyde: "Yes, sir. Ah..that is not within one of the nine categories because we felt premeditation ah.. was not there or the extremely serious nature ah.. of the crime, such as poisoning water for human consumption, or setting fire to a building."

R. G. Day: "Well, in one of those cases that you refer to, one of the nine categories, ah.. it would be possible to have a unlawful killing without premeditation wouldn't it."

H. J. Hyde: "Oh, yes, ah.. if the ah.. nature of the act was of such dimensions as set forth in ah.. ah.. any of the nine paragraphs."

R. G. Day: "Well, would there be descretion in.. in such a case on the part of the State's Attorney as to whether he would be indicted for manslaughter or murder."

H. J. Hyde: "Well, ah.. yes, and there's no way to avoid that. In fact, the State's Attorney has the discretion not to indict at all. Ah.. and ah.. unless we have our justice run by robots or by computers, I don't know how we're going to totally erase prosecutorial discretion. The prosecutor has the discretion as to what witnesses he will as.. produce before the Grand Jury, what witnesses he will have testify at the trial. Now, this is the sort of prosecutorial discretion that is inherent in every criminal proceeding and the Supreme Court did not ah.. direct itself ah.. against that as being abused."

R. G. Day: "Well, it seems to me that ah.. it.. it wouldn't be good ah.. ah.. criminology or good jurisprudence to mete out the same ah.. penalty for a ah.. unlawful killing ah.. which



results from ah.. let us say negligence while in the act of committing a felony ah.. as for example the Speck Case where you have ah.. ah.. clear evidence of not only ah.. premeditation and.. and clear cut intention to ah.. kill one person but a number of people and ah.. it seems to me that we're kinda getting away from the old idea of ah.. letting the punishment fit the crime ah.. in a bill such as this."

H. J. Hyde: "Well, I agree, sir, and ah.. ah.. the situation you describe would be ah.. a classic manslaughter situation, not murder, and I would think that ah.. the State's Attorney would seek an indictment for manslaughter. Ah.. and in the Speck situation I think that speaks for itself."

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

T. S. Lechowicz: "Speaker, I move the previous question."

W. Robert Blair: "All those in favor say Aye."

Members: "Aye."

W. Robert Blair: "Opposed. No. The Ayes have it. Previous question's been moved. The Gentleman from Cook, Mr. Hyde, to close."

H. J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, ah.. I don't think any useful purpose ah.. will be served by making a long ah.. plea for the death penalty. I think the will of the governed, the consent of the governed, which is still a part of our ah.. governmental system, ah.. if the judges will let us, ah.. wants ah.. capital punishment on the books for those ah.. murders that are so gross and so vicious that society feels in its ah.. very ah.. ah.. strong



right of self-defense that it ought to have capital punishment on the book. I am always amused at the tender solicitude ah.. that some people are able to find for ah.. people ah.. little better than animals who ah.. murder innocent victims. We all know who the Boston Strangler is, but we don't remember the victims, do we. We all remember who Truman Capote idealized ah.., if you can call it that, in his book 'In Cold Blood', but we don't remember the victim. Well, I say it's time to think of the victims. It's time that society ah.. focus on the innocent lives that are snuffed out by people to whom life has become so cheap. Nobody enjoys the death penalty. Nobody takes glee at seeing someone electrocuted. But society ah.. eh.. has got to express its outrage at the ultimate crime which is the taking of innocent human life ah.. by imposing the ultimate penalty. I respectfully solicit your green light."

- W. Robert Blair: "Alright, the question is 'Shall House Bill 18 Pass'. All those in favor will vote Aye and the Opposed No. ... The Gentleman from Cook, Mr. Getty."
- L. M. Getty: "Mr. Speaker, Ladies and Gentlemen of the House, in explaining my vote, I want to call attention to all of you who appoint in this that I think it's a very, very serious, very serious precedent that we would set today if we pass this bill. We are to impanel, we are asked to impanel a three judge jury to make findings. And a majority, a majority of that three judge panel makes the finding of facts and upon that the death penalty would ah.. be imposed. And I respectfully suggest to you that if we have a three judge



panel today where a majority makes the findings,
not have a jury of twelve where only two-thirds or a majority
are required to make the finding. I suggest this is an
extremely dangerous precedent and I certainly suggest that
a No Vote is in order on this particular death penalty bill."

W. Robert Blair: "The ah.. Gentleman from ah.. Lake, Mr.
Deuster."

D. E. Deuster: "Ah.. Mr. Speaker and Ladies and Gentlemen of
the House, ah.. in connection with this ah.. death penalty
measure there has been some discussion of the need for ah..
deterrents and traditionally we have had, ah.. in civilized
nations, the death penalty, for two reasons. Not only to
deter .. to.. to deter and prevent and discourage crime, but
also to punish it. And, ah.. I am fearful that if we do not
adopt death penalty legislation we'll have the situation ah..
which occurred at the time that President John Kennedy was
assassinated where ah.. an assassin assassinated the President
and then an outraged citizen assassinated the assassin,
probably because he felt there might not be appropriate
justice. And, I think that it's very important that we
consider, not only in deterring crime, but in punishing those
ah.. ter.. terribly vicious crimes. Because if society does
not punish them, then we run the risk of having individual
citizens taking the enforcement of the law and the meting
out of punishment into there own hands. And so I.. I think
that we should put green lights up here and support this good
bill."



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

W. Robert Blair: "Have all voted who wished. The Clerk will take the Record. The Gentleman from ah.. ah.. Franklin, Mr. Hart."

R. O. Hart: "Ah.. in explaining my vote, Mr. Speaker, I am not against the death penalty per se, and I, in fact, voted for one of ah.. Representative Wolf's bills, the one about ah.. the murdering of people in Corrections. However, all of the statistics that have been quoted or misquoted, there's one glaring omission, there are no statistics about the deterring value of the mandatory death sentence.. the mandatory feature of the death sentence. It.. there is absolutely only one justification for a mandatory sentence and that would be the deterring value of it. However, this bill leaves so much room for discrimination in its enforcement that I want to be recorded on this bill as voting No and I would like to have had the opportunity to do so before the lights were run. So, would you please have the Clerk record me as voting No."

W. Robert Blair: "Ah.. Gentleman from Cook, Mr. Duff. I.. I want to point out that this is an example of where we could save an awful lot of time and that's the reason I took the Roll Call when I did. This measure has 102 votes right now and ah.. I think the gentleman's proposal over here that we have an explanation of vote ah.. after Announcements every day ah.. might prove out the point that we can move this House a lot faster. If you'd take a look at what the votes are and ah.. ah.. then maybe desist from ah.. explaining your votes. The Gentleman from Cook, Mr. Duff."



B. B. Duff: "Mr. Speaker, ah.. we appreciate your comments very much ah., but I tried to get the recognition of the Chair throughout the debate and throughout the explanation of votes and I would like to make my explanation of vote on this bill. I believe that in Section 9, Page 5, where it has a three judge court, that it eliminates the constitutional mandate for trial by jury, The very judge who is asked to sit in the trial is then asked to sit on the three judge panel. He cannot possibly be unbiased. I believe that this bill will be found, in that Section, to be unconstitutional. I believe that the subsequent bill which is coming will be shown to have a stronger and more probable constitutional import. So, I would like to be recorded as voting Present."

W. Robert Blair: "Alright, ah.. what's the ah.. what's the ah.. Record. Did you want to explain your vote, too. Mrs. Geo-Karis."

A. J. Geo-Karis: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, for the same reasons elucidated by Representative Duff and Representative Ge.. Getty and my own mind, I feel this bill is constitutionally unsound. But.. leaving everything to a three panel jury.. I vote No."

W. Robert Blair: "Mr. Mann."

R. E. Mann: "Well, Mr. Speaker, I hope ah.. that you would not consider this to be ah.. ah.. dilatoreous or.. or taking up the.. the time of the House unnecessarily if I were to respectfully ask for a poll of the Affirmative Votes."

W. Robert Blair: "Not at all. I just simply.. the matter that ah.. when the votes are up there I'm trying to move this



House along as fast as I can. I fully intend, though, that if they want.. anybody that wants to persist in explaining their vote, after I've asked the Roll Call to be taken, I'm going to stand here and recognize everybody that wants to explain their vote. Even though I've had the Roll Call be taken. Now, your.. your ah.. motion's quite in order ah.. at this point in the proceedings there are 102 Ayes and 39 Nays. The Gentleman's asked for a Poll of the Absentees. Correct Mr. Mann. Poll the Absentees. Verify.. verify the Affirm.."

R. E. Mann: "Well, Mr. Speaker, I'm informed ah.. or advised by my seatmates that this would not be a ah.. fruitful course to employ given 102 votes and I'll withdraw the request."

W. Robert Blair: "Alright, ah.. are there any other requests before I announce the Roll Call then. On this question there are 102 Ayes and 39 Nays .. 105 Ayes, 44 Nays, 2 Present. And, this Bill having received a constitutional majority is hereby declared passed." 270

Jack O'Brien: "House Bill 20. A Bill for an Act to require imposition of the mandatory death penalty for the commission of certain crimes. Third Reading of the Bill."

W. Robert Blair: "Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Mr. Speaker, I had entered an agreement with the other side of the aisle to hold this Bill for one additional day for a Committee Amendment to make it even more constitutional. I hope that all the green lights have not been exhausted and we'll be back tomorrow with the Bill."

W. Robert Blair: "Proceed with the Call."



Jack O'Brien: "House Bill 25, Sevckik. A Bill for an Act....."

W. Robert Blair: "Take it out of the record."

Jack O'Brien: "House Bill 51, Pappas."

W. Robert Blair: "Take that out of the record."

Jack O'Brien: "House Bill 58, Craig."

W. Robert Blair: "Craig is ready."

Jack O'Brien: "A Bill to amend the Illinois Vehicle Code.

Third Reading of the Bill."

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

Craig: "Mr. Speaker and Members of the House, what this Bill does is provides that the Secretary of State may provide a drivers license applications include a photograph of the applicant. And they require such photographs on the drivers license. Now this Bill gives the the.... discretion to the Secreaty of State that if we pass the appropriation Bill to justify this expenditure that he may put the photograph on the drives license. I urge your support on this measure."

W. Robert Blair: "Discussion? Does the gentleman care to close? The question is shall House Bill 58 pass. All those in favor will vote 'aye' and the opposed will vote 'no'. Pappas, 'aye'. All right, ah... have all voted who wish? The Clerk will take the record. On this question there are... Gibbs, 'aye'. Cox, 'aye'. Springer, 'aye'. 142 'ayes' and 3 'nays' and this Bill having received the constitutional majority is hereby declared passed."

Jack O'Brien: "House Bill 63, Craig. A Bill for an Act to



amend the Illinois Vehicle Code. Third Reading of the Bill.

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

Craig: "House Bill 63 requires that Tow Truck Operators for hire, obtain a Tow Truck Certificate issued by the Illinois Commerce Commission an easel to have standard set up with rate charges and things of that nature of which there has been much misuse of the Tow Truck Operation in Chicago in particularly with the public and it's been in the Chicago Press. Tow Truck Operator here ah... operating from a gas station and they pratically sell no gas but they go out and charge exorbitant prices for ah... people who have broke down their automobile. Now it does make exceptions for private operators hauling his own vehicle, like if there is a garage man is called and ah... to come get your car, he will be exceptmt or ah.... or people who are auto salesmens and ah... run a Chevy Garage or something of new cars, they can go and get your car and bring it in to work on. They will be exempted and Home Rule Units will be exempted also if they have regulations on tow trucks."

W. Robert Blair: "All right, discussion? The question is shall House Bill 63 pass. All those in favor will vote 'aye' and the opposed will vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there are 108 'ayes' and 18 'nays' and Choate, 'aye'. Geo-Karis, 'aye'. Kempiners, 'aye'. Kempiners, 'no'. Lundy, 'present'. All right, ah...after this ah... on all Roll Calls, those of you who haven't gotten on the Roll Call when it's called,



you'll have to come up to the Clerk and ah... write ah... have the Clerk take your names up here so I won't have to take the time of the House with regard to telling us where you are voting. On this question there are 111 'ayes' and 19 'nays' and this Bill haveing received a constitutional majority is hereby declared passed."

Jack O'Brien: "House Bill 64, North."

W. Robert Blair: "All right, take those North Bills out of the record. The Sponsor has asked to have those not heard today."

Jack O'Brien: "House Bill 90, Brinkmeier. A Bill for an Act to creating an Advisory Commssion on a Compensation of appointing State Officers." Third Reading of the Bill."

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

Brinkmeier: "Mr. Speaker, I'k like leave to have both House Bill 90 and 91 considered together as they are companion Bills."

W. Robert Flair: "All right, is there objection? All right, hearing none then the gentleman will have leave. Read House Bill 91."

Jack O'Brien: "House Bill 91, A Bill for an Act creating the Advisory Committee on the Compensation of the General Assembly Members. Third Reading of the Bill."

Brinkmeier: "Mr. Speaker and Members of the House, what these two Bills would do ah.... number one, would create an Ad- visory Commission to study the compensation for the Members of the General Assembly. Now as you know at the present time ah... we do have such a Commission to study compensa-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

tion for Members of the Legislature but it also includes the three-man commission.... a three Member Commission is mandated to consider compensation for Members of the Executive Department, Judicial, Legislative, as well as local governmental officials and very obviously, from what has happened in recent years, they just don't have the time or just don't take the time to study this proposal. Now, I'm sure that there isn't a single person here who doesn't realize that regardless what type of compensation we're talking about and whether that includes Members of the Executive or Administration Department of the Executive Department, invariably it's the Members of the Legislature that takes the heat. Now this Bill would simply say then that we would take the Members of the General Assembly out of this jurisdiction of this Commission and establish a seven Member Commission who would study this problem and report to the General Assembly on the first week of each Session. This Bill, ah... this very same Bill was passed by the House in the last Session but was stopped over in the ah... tabled in the Senate. The Bill would provide for a seven Member Board composed of two appointed by the Speaker, one from each party. Two from the President Pro Tem of the Senate, one from each party and three appointed by the Governor, no more than two from one political party. They would serve for two years. They would be compensated only for their expenses during their meetings. I would entertain and hopefully answer any questions that you



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

might have in this manner."

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

Lechowicz: "Mr. Speaker, will the Sponsor yield to a question or two?"

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

Lechowicz: "Last year, if my memory serves me correctly, we had a Commission to study this same matter that's created in House Bill 90. I believe that it is still in existence and I was wondering if the Sponsor would yield why this Bill is necessary?"

Brinkmeier: "Well, I thought that I had mentioned that a moment ago. The presence of that only provides for a three Member Commission who studies not only the compensation for the legislature, but Members of the Executive, Judicial, as well as local elected officials and some appointed officials. I submit to you that this is too much for a three Member Commission and I submit to you also that we in the General Assembly are the ones that get the heat any time that there is a salary increase. I just would like to have a ah...bi-partisan commission make an indepth study of what our compensations should be and make a recommendation to us. And again it would be a recommendation as you know ah.... would not have to be accepted, but I would like to have an indepth study made, I think in that way we could protect ourselves and we could restore the public confidence in some justification for the salaries and expenses that we receive down here."



Lechowicz: "Mr. Speaker, may I address myself to the Bill?"

W. Robert Blair: "Yes, proceed."

Lechowicz: "Thank you Mr. Speaker and ladies and gentlemen of the House, we had this Bill in Executive and it came out of ah... the Executive Committee with the recommendation of 12 'aye' and 6 'nays' and I opposed the Bill in Executive for the purpose that ah.... for one, we just had a group of people make an evaluation of the State Officers salaries in conjunction with their own, jsut this past year. This Committee is still in existence. In my personal opinion, I don't believe that there has been any reason why this should be reevaluated once again when the conditions, as far as the initial studies were made, have not changed. Ladies and gentlemen, this matter come up before this House floor just a few months ago and in turn, everyone received a salary increase except outselves and the reason why that we did not receive the salary increase was recommended by the previous or the existing commission, is that the public was dead set against it. We did not receive the editorial support within the media and in turn the public was very upset with the idea of us passing ourselves a pay increase ah... when the Lame Duck Session and in turn greater proposals than the cost of living. I think that this is an item that has been studied. It's in constant review, I personally believe that these series of Bills are not needed. I would ask for your favorable consideration in defeat of these measures."



W. Robert Blair: "Is there further discussion? The gentleman from Bureau, Mr. Berry."

Berry: "Question of the Sponsor, please?"

W. Robert Blair : "Yes, he indicates that he will yield."

Berry: "Bob, does this Bill still contain a provision that ah... after election and before the swearing in day that no change could be made in a salary?"

Brinkmeier: "No, it does not contain that provision. I would not be opposed to it and if such an amendment were offered over in the Senate, for example, if the Bill should pass the House, I certainly would not oppose it, in fact I would encourage it."

Berry: "Thank you."

W. Robert Blair: "All right, does the gentleman care to close?"

Brinkmeier: "Yes, Mr. Speaker and Members of the House, very briefly I would like to reiterate what I said a moment ago. I know that we have a three Member Commission but I think that all of us recognize that they've spent very little time considering ah... the proper justification for a salary increase for us. I would think that a seven Member Commission, I might point out too, that this Commission would not be employed by the state and no way connected with the legislature ah.... they would be a bi-partisan Commission. They would make, I hope, an in-depth study and come up with ah... some recommendation that the general public would except and I have no worries of what this compensation will be. I'm sure that when an



indepth study is made, that the recommendations that are made are ones that we could live with. I urge an 'aye' vote for these two Bills."

W. Robert Blair: "All right, the question is shall these two Bill pass. All those in favor will vote 'aye' and the opposed will vote 'no'. The Clerk will take two Roll Calls. Have all voted wh wish? Palmer 'aye'. The Clerk will take the record. On each of these questions the vote is 62 'ayes' 40 'nos' and each of these Bills ah... having failed to receive a constitutional majority is hereby declared lost."

Jack O'Brien: "House Bill 143, Capparelli. A Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

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

Capparelli: "House Bill 143 is a Bill that requires the Department of Local Government Affairs to hold public hearings before determining the final multiplier. This proposal goes a little further also setting up a process by where the County or any County or any person can appeal their equalization multiplier to an independant State Board of Review. Now one considers the questions and arguments presently being opposed and have been opposed for quite some time concerning the functions of the use or misuse of the multiplier process. It becomes apparent that some means for public input into the process for better information for the public and for the review and control of the process must be developed. Every available report on



on property tax reform, from either state or federal, which has dealt with the question assessment equalization, has suggested that ways must be provided for information to the public concerning the equalization process and allowing for an appeal and a review by independent boards of the equalization and the equalization techniques, which are primary elements in making the equalization process uniform.

I would ask for a favorable vote."

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

Walsh: "Will the gentleman yield for a question?"

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

Walsh: "Where does the State Property Tax Review Board, that is in existence now and has been for a number of years, fit into this picture?"

Capparelli: "The State Review Board that they have now is only for individuals and it does not appeal for any County as such, at the present time."

Walsh: "That has nothing to do with..... it was my understanding that they established multipliers or worked with the multipliers with the Department of Revenue and ah...."

Capparelli: "They established.... as I understand it correctly, one man established the multiplier at the present time. It comes out of one mans head, but you can't appeal it.... any County cannot go in and appeal at the present time but under this proposal any County can come in and appeal if they feel that they have been adjudicate wrongly."



Walsh: "Well, who is that one man that establishes the multiplier?"

Capparelli: "No one knows."

Walsh: "Well, what agency?"

Capparelli: "Ah.... the local Department of State Government."

Walsh: "Local Government?"

Capparelli: "Yes."

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

Tipsword: "Mr. Speaker and ladies and gentlemen, I'd like to take just one moment to speak in favor of this Bill. This is an excellent proposal and it meets many of the problems that all of us have had in the last few years. When the last multiplier was put in effect, many of the counties over the state objected, as they do each time that a multiplier is established. They came to the Department of Local Government and said upon what do you base our multiplier in our county. The Department of Local Government told them and told them correctly; under the existing law. You we have no evidence that we will submit to you and we have no duty to submit to you that evidence upon which we make our determination. It is absolutely essential that we have this kind of a set up or something similar to it, which has to produce evidence upon which it has based a multiplier for the counties throughout this state to assure that each county is fairly considered in the establishment of that multiplier. We've never had this information before. As an individual legislator, at least most of us



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

have not been able to go to that department or that agency, which has there before fixed the multiplier and said how do you establish this. They would not tell you and they could not tell you. I think that we all know, not just of recent vintage, but for years this multiplier has been used by various and successive Chief Executives to be able to juggle the amounts of monies that they would have to provide to the common schools and to other local edities of government under the formula that we have established, which could be varied by the virtue of the multiplier that some one agency fixes in the State of Illinois without having any responsibility. This will afix this responsibility and will let those counties who are dissatisfied with their multiplier, go to this agency, determine what the evidence is that the multiplier has been bases on and will put every county in this state, hopefully upon some parity and equality of information and have a fair and reasonable and just multiplier established as I think was the intent of the Bill establishing a multiplier when it was first created by this legislature. I strongly urge that the Membership of this Body approve this Bill."

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

Walsh: "Will the gentleman yield for a question?"

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

Walsh: "Ah... Ralph, you and Cal Skinner and I worked on a amendment ah... for this ah... Review Board...now is this does this Bill contain the amendment that we worked on,



which would have....."

Tipsword: "Yes, two weeks ago the amendment was put on by Cal Skinner, yes. The Governor appoints the Three Member Board. Only one man from each county and only two from one party."

Walsh: "Well...."

Tipsword: "That was suggestion from C. L. McCormich, really."

Walsh: "So it's not the.... it's not the amendment that we had tentatively agreed on, which would have been the President of the County Board and the Chairman of the Property Tax Appeal Board and one appointee of the Governor?"

Tipsword: "No, that's right."

Walsh: "So you have a Review Board that's appointed by the Governor consisting of three people, is that it?"

Tipsword: "That's right."

Walsh: "Did I see something in here that the Legislative Leaders made some appointments?"

Tipsword: "That was in the first original Bill before we changed it. It's no longer there."

Walsh: "All right, so the Director of the Department of Local Government Affairs sets the multiplier and then ah... we have three appointees of the Governor who are going to act as a Review Board. Is that correct?"

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

Maragos: "Mr. Speaker and Members of the House, I at this time wish to add my voice to supporting this measure. It has been amended to become practical to avoid any pitfalls that



were brought up in Committee and I think that we should give it our full support so that we have taxation by representation as we used to have in the old Boston Tea Party days when..... I think the principal still applies that it doesn't make any better whether the crowd in England taxes without authority or without representation or whether it's the multiplying of the Department of Local Improvement. Therefore I ask for your support on this important measure."

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

Borchers: "Mr. Speaker and fellow Members of the House, I want to carry on just a bit to ah... Representative Tipword's statement with which I fully concur. Last spring I had a Committee of Shelby County people and myself go over to the Local Government Affairs Office. Their multiplier, as I recollect, was 2.1 or something like that, and we could not reason whatsoever from these people why upon what basis this multiplier had been set. My own County of Macon could not get a reason from them. They refused to inform us of any of the details whatsoever. I think that the people have a right to know so since we have ah.... or I have had two experiences in two counties of being turned down, I feel that every county in the state should be able to go and find out why upon what basis that multiplier is set so I urge your support."

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

Shea: "Will the Sponsor yield for a question?"

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



Shea: "Ralph, at the present time, what method of review is there? You can go in and object, but there is no automatic review, is that right?"

Caparelli: "There is no review at the present time."

Shea: "Now as I understand it right now, the Department of Local Government Affairs can affix a multiplier by county in counties like Cook, and I think downstate and in St. Clair, they can set different multipliers for the districts within the county. You haven't changed that at all?"

Caparelli: "No, I haven't."

Shea: "Alright, thank you."

W. Robert Blair: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, I apologize to the House for having handed out another page of statistics, but this page of statistics is directly related to House Bill 143. It shows average assessment that the Department of Local Government Affairs said your county was at. Now you will notice in column 1 that it says the average of single year rated ratios for 66, 67 and 68. Now if you look at the figure there, you will say, well now my county is not assessed that high right now, and you are correct, because the Department of Local Government Affairs is single prices that are, at an average, four years old, which is totally incomprehensible and only partially explained by the degree of incompetence of the Department. much older. You will note in column 2 the equalizer that has been...that has been



given that is, if we could use it in English, the multiplier that has been given. This multiplier multiplies by the average assessed valuation in the county, and its supposed to equal 50%. Now if your, if any of your county's names appear on the first page of this chart, it means you are assessed to high this year because the average assessment in the State of Illinois for 1971 was 45.6%. If you were assessed higher than 45.6%, it means that your county tax payers had the dubious privilege of paying more local taxes and it is absurd, but completely true, they paid local taxes in order to get less State aid to education. Now I'm having a computer run done at the present time to find out what the absolute implications are, but let me just take one county, I've had one computer run made to show the implications if it were equalized to 50%. And let's take DuPage County. DuPage County is the most discriminated against County in the entire State on State Aid to Education. They got 1.86 million dollars less than they should have from State Aid to Education and their local taxpayers were forced to pay 4.4 million dollars more than they should have. A county in my own district, Kane County, got 324,000 dollars less than State Aid to Education, than was their fair share according to the law and their local taxpayers were forced to pay 572,000 dollars more in State Aid to Education, and this is assuming that the Department had followed the law and equalized everyone at 50%. The Department did not follow the law, they had no excuse



for not following the law. Everyone should have been equalized at the same level, it doesn't really matter if its 50% or 45.6% as long as it is equalized, and instead of having them within a very tight range of 1 or 2 percentage points, we have them ranging from 53.23% in DuPage County to 36.01% in Effingham County. And all I've got to say is, I sure wish I lived in Effingham County because I would be paying less local taxes and as a reward for paying less local taxes than was my fair share, I would be getting more State Aid to Education. House Bill 143, I believe, will provide the checks and balances that will make the assessment equalization system work on a county by county basis. It does nothing within a county. All it says is that Cook County and McHenry County and Kane County, DuPage County and every other county in the State shall be assessed at the same level or the County Officials will know the reason why and be able to appeal. For that reason, I urge a 'yes' vote on House Bill 143."

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

Kosinski: "Mr. Speaker, may I respectfully move the previous question?"

W. Robert Blair: "All those in favor say 'aye' and the opposed 'no' and the previous question has been moved. Now the gentleman from Cook, Mr. Capparelli to close."

Capparelli: "Ladies and gentlemen of the House, this Bill is not my Bill, it belongs to the 102 counties, especially



those counties who feel that they have been adjudicated wrongly with their county multiplier. I ask for a favorable vote. Thank you."

W. Robert Blair: "The question is shall House Bill 143 pass. All those in favor will vote 'aye' and the opposed will vote 'no'. The gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Mr. Speaker and Members of the House, I'm voting green in reply to one of the prior speakers who implied that those of us from the 54th District, Effingham County, is to be specific, were getting a free ride. Well, that isn't true, we manage our tax affairs as we see best, but we are not opposed to the proposition that the book should be opened to be examined, and by voting green we wish to underscore the proposition that we have nothing to hide in Effingham County, or any of the other counties in the 54th District."

W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question there are 149 ayes, no nays, and this Bill having received the constitutional majority is hereby declared passed."

Jack O'Brien: "House Bill 161. Cunningham: A Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. The Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Mr. Speaker, and Members of the House, This Bill is merely a brave new approach to a problem of criminology that has been too long neglected. It is wrong to believe



that you can rehabilitate a criminal by lifting him from his family, from his environments, from this home situation, caging him up, and then letting people come at rare interviews...rare intervals, to be inspected under the glare of Klieg lights with no privacy whatever with hundreds of prying eyes watching the process. We seek by this Bill to restore in a major so far as practical, the home basis, we elect the children, the parents, the brother, the sister, the wife, come and visit this young man that we seek to rehabilitate in privacy for a period of six hours, once a month, provided he is a good conduct prisoner. We direct your attention particularly to the fact that this Bill received overwhelming support in Judiciary 2, you passed it last year without any trouble. In the Senate it was lost in a log jam. I am authorized to say that Director Vogel of the Department of Corrections endorses the Bill. Your green light will be appreciated."

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

McMaster: "Will the sponsor yield to a question?"

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

McMaster: "Mr. Cunningham, as I recall, this legislation started out in last session and it included all jails, county jails, city jails, and institutions such as that. Does it presently effect county jails and city jails?"

Cunningham: "No it does not, that was an inadvertent error last year. It was never intended at any time to imply other than to state institutions, there would be three



State institutions, Stateville, Chester, and Pontiac."

McMaster: "Thank you, Representative Cunningham."

W. Robert Blair: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Will the sponsor yield for a question."

W. Robert Blair: "Yeh, he indicates he will."

Leinenweber: "Representative Cunningham, I was on the Committee that heard your Bill and I voted for it in Committee and I plan to vote for it today. I have a question, though, and we discussed...we discussed the various cost factors. You had one, the Department had another. How can we keep the Department from building some gigantic facility for these visitations and use them for a more reasonable approach that a...that you espouse."

Cunningham: "Its the power of the purse string that this legislature has demonstrated so admirably in the past, and will no doubt, continue into the future."

Leinenweber: "Thank you."

W. Robert Blair: "The Gentleman from Randolph, Mr. Springer."

Springer: "Would the sponsor yield for question, Mr. Speaker?"

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

Springer: "Representative Cunningham, is there, what estimate of cost to the State and to the Department of Corrections, if this Bill passes?"

Cunningham: "It has been estimated that the cost will be very nominal, Representative Springer."

Springer: "Any figures at all?"



Cunningham: "No, there are no figures, it was suggested that as few as six or eight trailers would suffice to provide the privacy for visitation for family units."

Springer: "One other question. Will these individuals, at the time, be under any security whatsoever."

Cunningham: "Yes, they'll remain within the confines of the institution, of course."

Springer: "Where are these going to be placed?"

Cunningham: "Well, that is up to the management of the institution. They will be inside the walls is the way I'm answering that question. There is no issue or breach of security involved here. Its quite feasible."

Springer: "I don't know. Mr. Speaker, may I speak to the Bill?"

W. Robert Blair: "Surely."

Springer: "Mr. Speaker, and Ladies and Gentlemen of the House, I think is one of the worse pieces of legislation I've seen in six years that I've been here. I come from the town of Chester, Menard Penitentiary, and the inmates of that penitentiary, I have been in and out, the Commission has been in, the investigation commission has been in, and I cannot see how a Bill of this nature or the Department of Corrections can actually put this Bill into effect. I just think that this is a horrible Bill and I urge its defeat."

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

Martin: "Mr. Speaker, will the sponsor yield for a question?"



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

Martin: "Mr. Cunningham, I'm in 100% favor of your Bill, I want to say that first. I'd like to know, please, if there was any reason why you left out Dwight?"

Cunningham: "Well, there's a question as to whether or not the definition is broad enough to include it. That was raised here by Representative Washburn and he insists that it is in and it probably does include Dwight, and I apologize for the oversight."

Martin: "Thank you very much."

W. Robert Blair: "Have all...is there any further discussion? The Gentleman from Cook, Mr. Maragos."

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

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

Maragos: "Roscoe, what initial steps could be taken before this privilege will be allowed an inmate. Give me all the steps."

Cunningham: "I'm sorry, if I cut you off there. The only qualification is that he must be a good conduct prisoner."

Maragos: "But he has to initiate the request himself. It's not given to him automatically. Is that correct?"

Cunningham: "No he'd have to ask for the right to visit and name the members of the family that were coming, administrativly."

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

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

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



Fleck: "Roscoe, you remember what happened last session? What does this Bill provide for people who are unmarried?"

Cunningham: "Well, we've been unable to find any solution to that that would be acceptable to all facets of society, but I want to say to Representative that the prospect of his ever being need of these services is too remote to cause him to be against the Bill."

Fleck: "Well, they might be too remote for you, but there not too remote for me and a number of other people. Mr. Speaker, I'd like to direct a few remarks to this Bill. Last session, this measure came up and it was a lot of fun to talk and discuss the matter, but there are a lot of serious problems here and Roscoe knows just exactly what they are. He is talking about conjugal visits and the love and affection of having people in the family come by and visit a convict in privacy and seclusion of some trailer in a trailer camp. Well that is just fine and dandy, but he knows exactly what this Bill is directed to. Its directed to the sexual relief of the prisoner, and that is so his wife can come and visit. Now it seems to me, terrible, that you have a prisoner who is unmarried or who doesn't have a spouse who is sitting there reading Playboy magazine for 365 days out of the year while some prisoners, married, happen to have a wife and can be in seclusion for two hours with her. It is a terrible Bill. It has to deal with equal protections of the law, and I



think it denies anyone who is not married the equal protection of the law and the right to have sexual intercourse or any other sexual relationships. And that is exactly what this Bill is talking about. I think it is highly unconstitutional. Its a nice fun Bill to kick around on the floor of the House, but it really doesn't work square for all of the inmates and I oppose this Bill now, and I'll oppose it tomorrow until Roscoe puts an Amendment on it where all people, all inmates have the same rights to be together in a trailer with whomever they all desire, and that's the love and affection of the inmate and for whomever he wants and I don't think it should be limited to a spouse."

W. Robert Blair: "Alright, does the Gentleman care to close?
Mr. Cunningham."

Cunningham: "Mr. Speaker, ifs' been written that a wrecker can wreck in a day or two what it takes a builder a life time to do, and I recognize the force of those who have spoken against the two, but you must compare their expertise in this matter with the authority have we have sited in favor of our Bill. And I respectfully urge that when you make that comparison, you'll recognize the merit is with the Bill. I want to say what I have said before that the emphasizes in this Bill is not on the boudoir. The emphasis is on the family relationship. I was particularly grateful to Representative Catania for spelling it out in



the Bill so there was no misunderstanding about the brothers, sisters, and all the members of the family have a right to come and visit. If you believe in rehabilitation of prisoners, you will recognize that this is not a fun Bill, this is a serious approach to a serious problem, your green light is solicited."

W. Robert Blair: "Alright, the question is shall House Bill 161 pass. All those in favor will vote aye, and the opposed no. The Gentleman from Cook, Mr. Mugalian."

Mugalian: "Very briefly, I'm voting aye on this Bill only because I think it goes in the right direction, but not nearly far enough."

W. Robert Blair: "The Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, since I'm known as a Step-in-the-right-direction, Adeline, here, and since I feel that one of the purposes that we, in the legislature, should have and make our business to have, is rehabilitation, and I realize what Representative Fleck said makes a lot of sense, and let's have another one to cover the other side of it. I would like to be recorded as aye."

W. Robert Blair: "The Lady from Cook, Mrs. Catania."

Catania: "I think this Bill is certainly a step in the right direction. Even though it refers only to the prisoners as he, it applies to both male and female prisoners, I believe. I would think that the single prisoners would be happy to see their parents and their brothers and sisters



and I don't think I'll address myself to the problem of sexual relief, but I do think that this an excellent Bill and I don't think that we should prevent prisoners from having this sort of visitation with members of their family."

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

Duff: "Mr. Speaker, the sponsor of the Bill may not feel that some of the others may have need for this Bill, but apparently he feels, that he may, so I'll have to vote for him."

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

Duester: "Mr. Speaker, and Ladies and Gentleman of the House, I have accompanied the family and close friends of an inmate of a penal institution on these sort of visits and I can sympathize with the objectives of this Bill. Its much needed, its a good Bill, its going to do much to rehabilitate these people, and I speak from several personal experiences with this matter."

W. Robert Blair: "Have all voted who wished? Have all voted who wished? The Gentleman from Macon, Mr. Alsup."

Alsup: "Mr. Speaker, Ladies and Gentlemen of the House. I think Roscoe may have a good idea here. I understand that homosexual problems are tremendous in penitentiaries. And I can understand possibly, while I don't understand homosexuals, how this could happen. And I really think what you are doing is punishing the spouse of the prisoner



as well as the prisoner. The spouse had, is perhaps perfectly innocent, and you are taking away from the spouse a right to have a husband or a wife, and therefore, I feel that the problems that arise is a complete breakup of the family where the prisoner is in prison over a long period of time. They say absence makes the heart grow fonder, but I think probably, a long enforced absence, is a certain breakup of the family relationship to where the prisoner does not have a spouse to come home to. And, therefore, I think the idea is excellent. This is very common in Latin countries. They allow, I think, visitation almost unlimited by the spouse. On the theory that the spouse should not be punished merely because they are married to someone convicted of a felony. So I think there is a lot of merit to this and I don't think they necessarily need trailers, they can put them in solitary confinement probably, and be enjoyable. It wouldn't be so solitary. I can't foresee such tremendous problems, as a matter of fact, I think it is going to solve a lot of problems. And while I might be voting on the losing side, I think that justice is with Roscoe and his idea."

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

Fleck: "Well, Mr. Speaker, Ladies and Gentleman of the House, I'm going to be serious now. You know, I've always felt that rehabilitation is fine, but I've also felt, on the other hand, that when a person is convicted of a crime or a felony, that certain rights are surrendered. Now this is



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

fine step in a directions, but where are we headed. Are we going to afford next year, a bridal suite for a convict? How far are we going to cater to the whims and desires and wants of people who have committed, in some cases, very serious crimes against society? Now its nice to say we are going to rehabilitate, but I, for one, really feel that a person who has committed a felony has surrendered certain rights, and this might be one of them. Also, there is no question in my mind that this Bill is unconstitutional, now in its present form. I'm sure Roscoe is aware of that, and most anyone else in this chamber. Thirdly, I don't think any spouse is going to be punished because the other spouse happens to be in the penitentiary, the way society is going now a days, she certainly will find a release elsewhere, or she'll probably end up getting a divorce. So the basic point here is, how far are you going to coddle a prisoner? Are you going to afford him the luxury of a hotel? Are you going to give him steak dinners next? Are you going to give him the luxury to take a weekend off from a penal institution so he can slowly move into society and get adjusted? I do not think this is the right step in the right direction. I don't think this is a good Bill and I think it is freely unconstitutional and people shouldn't be voting for it."

W. Robert Blair: "Alright, have all voted....the Gentleman from Cook, Mr. Koskinski."

Koskinski: "Mr. Speaker, may I address the Bill for just one



second. I don't think that we have actually denied prisoners certain sexual rights, I think that we just offered some substitutions that aren't wholesome. In consequence, with a penal situation doesn't have a fine rehabilitation scheme, we of the Committee who voted in Judiciary II for this Bill feel that this is a good possible try. While my thinking is rather rigid in usual circumstances, I commend the Sponsor of this Bill, and recommend a 'yes' vote."

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

Ewell: "Mr. Speaker and ladies and gentlemen of the House, I have talked to some authoritative sources in the House and they indicate to me that this Bill has precedent in the ancient practices of the ah... ancient tribes in Illinois and ah... I think that he is making a commendable step forward and I suggest that perhaps we name this provision after that tribe which used to allow the same treatment for its prisoners. So I think that we should just call this the ah.... after that tribe ah... the ²⁸⁵³

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

Hunsicker: "Mr. Speaker and ladies and gentlemen of the House, after listening to the debate, both pro and con, my light up there is red and I think instead of spending money to build institutions to lock these prisoners up, they ought to be locked up at home."

W. Robert Blair: "Have all voted who wish? The gentleman from



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

cook, Mr. Barnes."

Barnes: "Mr. Speaker and Members of the House, it seems to me that ah... the way that some of the conversation has been going on this particular legislation that we are moving back in time. I thought that we had moved beyond the punitive system of penal institutions. I thought that we we're moving toward rehabilitating people who have committed some crime against society, to insure that these people can come back out and live a normal life. It is extremely hard to expect a male or female who is incarcerated for some number of years, to maintain any assemblage of family and ah... family relationship ah... when they have no opportunity for them to spend any time together as a family unit. I think that this Bill simply goes to the heart of that manner and that anyone that would suggest, at this point in time, that the penal ah.... the direction for penal institutions should be punitive, I think that they should simply look at the calendar and realize that we are in 1973 and not 1873."

W. Robert Blair: "Have all voted who wish? The Clerk will take the record. The gentleman from Macon, Mr. Borchers."

Borchers: "I want to explain my vote. I get into the damnedest things and one of the things I....."

W. Robert Blair: "Did you finish? On this question there are 95 'ayes' and 44 'nays' and Ebbesen 'present'. Oh, I'm sorry, Ebbesen, 'aye' and 'present' and this Bill having received the constitutional majority is hereby declared



passed. Mr. Maragos, for what purpose do you rise?"

Maragos: "Mr. Speaker and Members of the House, I would like to rise for purposes of announcement. In the gallery on the Democratic side in the rear is ah... an outstanding citizen of Cook County, is the Democratic Township Committeeman of Thornton Township, of which the 30th District, and the 8th District and the 6th District are situated and more important he is also the Director of Civil Defense of Cook County, the Honorable Patrick O'Block. I'd like to have him rise for a hand please."

W. Robert Blair: "Mr. Clerk."

Jack O'Brien: "House Bill 167, Barry. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

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

Barry: "Mr. Speaker and ladies and gentlemen of the House, this is a change of words.... the word 'ballot' in two places for the word 'votes' in ah... canvas summary in paper ballot areas. It's merely for clarification purposes. We find downstate that the Election Judges forever misinterpret the ah..these two words and I think that the change is important for that purpose and I recommend the passage of the Bill."

W. Robert Blair: "The question is shall House Bill 167 pass. All those in favor will vote 'aye' and the opposed will vote 'no'. Have all voted who wished? The Clerk will take the record. On this question there are 137 'ayes' and no 'nays' and this Bill having received the constitu-



tional majority is hereby declared passed."

Jack O'Brien: "House Bill 177, Londrigan. A Bill for an Act to require prompt payments from the State of Illinois for goods or services. Third Reading of the Bill."

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

Londrigan: "Mr. Speaker and ladies and gentlemen of the House, this is a Bill which will help you make many of your constituents happier. If you are like I am, and many of you have told me so, your constituents have problems with getting prompt payment of their bills for goods and services from the State of Illinois. Many, many have to wait six months and even more than one year to receive payment for their bills for goods and services rendered. This means that they must go out and borrow money from the bank to pay their employees and for their goods. What occurs is that the constituents come to you and say, 'Why haven't I been paid for six months or one year?' Is somebody looking for a handout to get paid? Are they trying to discourage me from bidding? That's certainly what this procedure does. Many of you have told me that people in your area will not even bid on state contracts any longer and I'm talking about small contracts, not large ones. I think that in 90% of the cases, it's poor administration, which have caused so many delays. This is obviously a good Bill for the contractors, less more over, it is a good Bill for the State of Illinois and General Services



supports it. The Comptrollers Office also says they have no objections to it. What it will do is let everyone know that is bidding and also the state, just what their dollar bid should be because your going to know that after 90 days you will receive a 1% penalty. This will allow you to give your exact bid based on the cast to you. Overall it helps both the state to receive more bids and to receive a more accurate bid and it will help the purchasers receive their money on time. The state has assured me that they support it and that they intend in the near future, with their new machinery, to speed the payment of bills and I ask for you support."

Arthur Telcser: "The gentleman from Whiteside, Representative Miller."

Miller: "Will the Sponsor yield for a question?"

Arthur Telcser: "He indicates that he will."

Miller: "Ah... Representative Londrigan, does this also apply to capital improvements, such as buildings at the universities and road programs?"

Londrigan: "It applies to all state contracts."

Miller: "All state contracts. Does this prohibit the usual provision where ah... some funds are retained such as a 5% or 10% of the bid ah... during process of construction work, as we are normally familiar with?"

Londrigan: "No, it does not."

Miller: "It does not prohibit that in the agreement?"

Londrigan: "Yes,..... it does not."



Miller: "It does prohibit it?"

Londrigan: "It does not."

Miller: "It does not prohibit it. All right, thank you."

Arthur Telcser: "Is there further discussion? The gentleman from Cook, Representative William Walsh."

Walsh: "Well, Mr. Speaker and ladies and gentlemen of the House, this is ah... just about the same Bill the Representative Douglas had a week or so ago, dealing with Public Aid recipients and hospitals. I can't see anymore justification for the state being penalized for a delayed payment in this case than I could in Representative Douglas's case. It seems to me that a creditor dealing with the ah... state or a vendor has a very good customer and in the history of the state I know of no one who has been beaten out of their money. Now there are some legitimate reasons for the date of payment going beyond the 60 days, which I'm sure the Bill does not address itself to and it just doesn't seem to be right to charge the state 1% a month, 12% a year for ah... being a little bit late in their payment and this could ah... cost the taxpayers a great deal of money and I suggest that this is a bad Bill."

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

Shea: "Did you seek recognition? Oh, I'm sorry. The gentleman from Cook, Representative Douglas."

Douglas: "Mr. Speaker and Members of the House, ah... in response to Representative Walsh's comment, which he made when my Bill, which is narrow in scope than this one,



came up a week or two ago. It is, in my opinion, eminently sensible to remind the State of Illinois that it is in business in it's relationship with all of those to whom.... with whom it contracts for services. I think that the intent of this Bill is not only important, but it has a very great historical overtone to it. The State of Illinois should in reality, when it signs a contract with anyone or any group of people to whom it owes money, accept the responsibility of paying it's bills on time. One of the notorious aspects of governmental operation through the typical government bureaucracy of any state is the fact that it tends to take it's darn time about paying its bills. I think that Representative Londrigan's Bill is long overdue and I encourage everybody on the floor of this House to recognize that we are doing the citizens of this state and the government of this state a big favor by pushing the state in the direction of encouraging that bills be paid on time. In the final analysis it will lower costs and create a much more healthy environment in the relationship between government and the people of the state of Illinois and I encourage you to vote 'yes' on this important piece of legislation."

Arthur Telcser: "Gentleman from Henderson, Representative Neff."

Neff: "Mr. Speaker and ladies and gentlemen of the House, I think House Bill 177 is long overdue. The State of Illinois has been very lax in making payments, mainly the suppliers to the State of Illinois are the small businessmen and I



have had complaints over the years of being three to five months late. I'll admit that when I've called them down there that they have gone ahead and taken care of them, but I don't think that the small businessman should be harassed like this and we should keep in mind that most of these businessmen are paying interest on this money. They run on borrowed money and I see nothing wrong with this legislation. It gives them 30 days to make this payment or otherwise start paying interest. I had a small contractor the other day ah... a while back that had over \$1,000,000 coming to him and this was a small contractor. He had waited five months for this money. After he contacted me and I called them up; he did have the money within three days, but these people are being hurt. This particular contractor who was almost being put out of business because he wasn't able to pay his bills. Therefore I would urge a 'green' light on this legislation."

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

Huskey: "Mr. Speaker and ladies and gentlemen of the House, I rise in support of this Bill. Being one small businessman who has done business in the past, during a long period of years with the state, knowing that the state ah... at times, at the present date it's doing a beautiful job of paying it's bills, but in the years gone by there has been long long waiting periods for your money. Ah... today private businesses that carry 30 days accounts and nearly



all cases have a 1 1/2% charge on all accounts past due over 30 days, and I think the state ah..... I think that the Bill is very generous in allowing 60 days instead of the 30 days that the private businesses allows and ah... I feel that it is long overdue and it's just falling in line with the ah... more in the line with private business and I am highly in favor of it and I recommend a green light."

Arthur Telcser: "The gentleman from Cook, Representative B.B.Wolfe."

Wolfe: "Will the gentleman yield for a question?"

Arthur Telcser: "He indicates that he will."

Wolfe: "Jim, I'm talking to you Jim, pay attention. Ah.... are you give the state a 1% discount for prompt payment? as is done in industry and business when a customer pays promptly a customer gets a 1% discount, will the state get the same benefit?"

Huskey: "This has nothing to do with the customer payment."

Wolfe: "I beg your pardon?"

Huskey: "This has nothing to do with the customer paying, this is only to do with....."

Wolfe: "No, I'm saying the state ah..... when it pays promptly will it get a 1% discount for the prompt payment? Your gonna give them a 1% a month penalty for not paying promptly, will you give the state the incentive, as businesses have, of getting a 1% discount for prompt payment?"

Huskey: "No, they're not getting any 1%. They should pay



promptly, that's what the contract said."

Arthur Telcser: "The Gentleman from Madison, Representative Walters."

Walters: "Thank you Mr. Speaker. I'd like to ask the sponsor a question if I may, please?"

Arthur Telcser: "He indicates a yield."

Walters: "Representative Londrigan, when I was in the contracting business, there used to be a rule that the State or any owner would withhold 10% until the job was completed, and I wondered if that rule is still in effect. and if it is, how would it effect your particular bill?"

Londrigan: "If it's in the contract, it will have no effect at all. That will be the way it is. This bill provides that you have 30 days to approve or disapprove a bill. If you approve it in 30 days, you have 60 more to pay it before the penalties start. Now, if you have a contract which provides otherwise, of course that will be paramount."

Walters: "Thank you."

Arthur Telcser: "The Gentleman from DuPage, Representative Philip. Did he leave the floor. There he is."

Philip: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise to support House Bill 177 for this reason. Normally what happens is when a person buys or purchases something from the State, there is a bill, and what happens to that bill; it could sit in a Department for two months, three months, we don't know how long. If this bill passes,



there is a 1% fine. What happens is, it puts the pressure on that Department head to scoot that bill through, and I happen to think that is a step in the right direction. I've talked to Comptroller Lindberg about this bill, and he supports it 100%."

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

Georgi: "Yeh, Mr. Speaker, thank you for the opportunity. I think it's time to shed some crocodile tears for the people that take almost 700 million dollars in their public welfare dollars. That is the hospitals, the doctors, the dentists, the pharmaceutical houses, the shelter care centers. 700 million dollars, so let's give them that 1% because they are all running 40 or 60 days for another 700 million dollars. Let's bleed a little bit for the vote builders of Illinois that spend almost a 700 million dollars on cement, concrete, and all the other related goodies for the building industry. And then let's worry about the petroleum companies where a lot of our State people are buying gas, and the Holiday Inns and the Ramada Inns, and the Howard Johnsons, because they are making enough money. And then when you go to purchase all the General Motor automobile, and the Fords and the Chryslers let's send them a 1% bonus because we are a little late with our bookkeeping. Let's bleed a little bit for these big people that are bleeding us to death."

Arthur Telcser: "The Gentleman from Sangamon, Representative



Gibbs."

Gibbs: "Well, Mr. Speaker, I also rise in support of this Bill. I've talked to several contractors. These contractors, when they make their bids on these State contracts, they add a certain percentage. They've been doing this over the past 20 years, and they've done this because they don't think they are going to be paid, they have to borrow money and they are paying interest on their money and therefore, they add this in, so therefore if we pass this type of legislation, it will, in the end, save the State several thousands of dollars. Also, I've heard the objection as to what about contracts which call for holding back 10% or 5%, whatever it is. This would not aggravate your contract rights in any sense of the word, and therefore, would not be a bill and a percentage would not be paid on it. And therefore, I ask for its support."

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

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

Arthur Telcser: "The Gentleman has moved the previous question.

All those in favor signify by saying aye, the opposed no.

The Gentleman's motion prevails, and Representative

Londrigan to close."

Londrigan: "Mr. Speaker, many of you fellow Representatives are for the bill for the same reason I am. You have had reports from your businessmen, small businessmen, that's



who we are primarily concerned about, who have had delays from six months to over one year in receiving payment. Then on the other hand, the administration, General Services, and the Comptroller support the Bill. Both sides, everyone that is connected with this purchase and payment supports this concept. I believe that it has been often said that it is long over due, and I ask for your support."

Arthur Telcser: "The question is, shall House Bill 177 pass. All those signify by voting aye and the opposed by voting no. Have all voted who wished? Take the record. On this question 122 ayes, 14 nays, McGrew aye, and this Bill having received the constitutional majority is hereby declared passed. Ewell aye."

Fred Selcke: "House Bill 180. Ron Hoffman. A Bill for an Act to amend Section 42 of an Act in relation to rate of interest and so forth. Third Reading of the Bill."

Arthur Telcser: "The Gentleman from Cook, Representative R. Hoffman."

Hoffman: "Thank you Mr. Speaker, and Ladies and Gentleman of the House. This is a very simple bill on a theme in relationship that we are all very well aware of in a very credit oriented society. All this bill does is require the lender to compute at the year end the total amount charged to the debtors account during the year and by supply such information to the debtor with 30 days after the end of the year or 30 days after the termination of the contract. This is something that we have found in the federal interpretation



that service charges, rolling charges, these are all interest and are applicable for your federal returns. April 15 the majority of the people will either have filed or will be making the late filing of their income tax declaration and this is something that the average person back home could utilize and add to his interest deduction. It is something that the people can derive an additional benefit and in many cases, will safeguarded the family unit in spending more money than they really can in the area of interest. I would solicit your support."

Arthur Telcser: "Is there any discussion? The question is shall House Bill 180 pass? All those in favor signify by voting 'aye' and the opposed by voting 'no'. Have all voted who wished? Take the record. Brinkmeier, 'aye'. On this question there are 117 'ayes' and 2 'nays' and this Bill having received the constitutional majority is hereby declared passed. Yourell and Marogos, 'aye'."

Fredric B. Selcke: "House Bill 185, Berman. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

Arthur Telcser: "The gentleman from Cook, Mr. Berman."

Berman: "Thank you Mr. Speaker. House Bill 185 ah... is a Bill that would eliminate the requirement of a notary public on the ah... applications and ballots for absentee voting. Ah... the Bill passed out of the Elections Committee with ah... without a dissenting vote. It's been amended in accord with ah.. some technical requirements ah.. requested by the State's Attorney of Cook County. It's been indorsed



by the County Clerk of ah.. Cook County and ah.. I know of no opposition to it. I think that it is a Bill that corrects an injustice in the ah... proceedings of our absentee ballot proceedings and I would seek your affirmative vote."

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

Garmisa: "Question of the Sponsor?"

Arthur Telcser: "He indicates that he will yield."

Garmisa: "Ah... Arthur, would this Bill also take care of the physically disabled voter?"

Berman: "Yes."

Garmisa: "Thank you."

Arthur Telcser: "Is there further discussion? The question is shall House Bill 185 pass. All those in favor will signify by voting 'aye' and the opposed by voting 'no'. Telcser, 'aye'. Have all voted who wish? Take the record. J.J. Wolfe, 'aye'. On this question there are 137 'ayes' and Boyle, 'aye', 1 'nay'.... Phil Collins, 'aye' and this Bill having received the constitutional majority is hereby declared passed."

Fredric B. Selcke: "House Bill 203, Deuster. A Bill for an Act to amend the Illinois Municipal Budget Law. Third Reading of the Bill."

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

Deuster: "Mr. Speaker and ladies and gentleman of the House,



House Bill 203 and 204 are companion Bills relating to the same subject and I ask leave of the House for them to be considered together."

Arthur Telcser: "Are there any objections? Hearing none, will the Clerk please read House Bill 204."

Fredric B. Selcke: "House Bill 204. A Bill for an Act to amend Section 14, an Act relating to Fire Protection Districts. Third Reading of the Bill."

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

Duester: "These two Bills are designed to correct a problem that has plagued Fire Protection Districts and Mosquito Abatement Districts and a few other minor units of government in that they are required to publish notice in a newspaper published within the district. In many of the Fire Protection Districts, as in the one that I preside in, there is no newspaper published in the district, but there is one circulating in the district and so these two Bills provide that notice can be given to the public by publishing in a newspaper which is published in the county and has general circulation within the district."

Arthur Telcser: "Is there any discussion? The question is shall House Bill 203 and 204 pass. All those in favor signify by voting 'aye' and the opposed by voting 'no'. The Clerk will take two Roll Calls. Telcser, 'aye'. Have all voted who wish? Take the record. Take two records. On these questions there are 129 'ayes' and no



'nays' and these Bill having received the constitutional majority are hereby declared passed.' Merlo, 'aye'."

Fredric B. Selcke: "House Bill 212, Collins. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

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

Collins: "Mr. Speaker and ladies and gentlemen of the House, House Bill 212, or some version of it is a much ah.... discussed Bill. It is a Bill that attempts to implement the 1970 Constitution, which mandates us to create a State Board of Elections, which shall have general supervision over the administration of registration and election laws throughout this state. House Bill 212 does create this board, as I say it has been a much discussed Bill, it's been a much amended Bill and now it comes to you in a form that I think makes a good deal of sense. It's a good strong board that will address itself to the problems of the administration of election laws in the State of Illinois. This Bill came out of the Elections Committee by a vote of 14 to 1. I would hope that it will receive the same type of support on the floor of the House and I would urge all Members to join me in voting for House Bill 212."

Arthur Telcser: "Is there any discussion? The question is shall..... I kind of thought that there would be. The gentleman from Cook, Representative Shea."

Shea: "Phil, I thought you were going to hold these series of



ills, since we sat and talked about them?"

Collins: "Well, I did say that last week, but we never got around to discussion so I thought that perhaps....."

Shea: "Well, I talked to you yesterday and said that we would get together this weekend."

Collins: "If..... that's your desire than I would be happy to hold it."

Shea: "Fine, Thank you."

Arthur Telcser: "All right, let's take that Bill and the rest of the..... the whole series out of the record? The sponsor says that he was sure that there were some that you were agreed on already. O'Kay, take the Collins Bills out of the record."

Fred B. Selcke: "House Bill 229, Schlickman. An Act to amend Sections 5 of to and add Section 17 to an Act relating to acquisition and possession of transfer of fire arms and fire ammunition and so forth. Third Reading of the Bill."

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

Schlickman: "Mr. Speaker and Members of the House, House Bill 229 reduces from \$5.00 to \$2.00 the gun owners identification fee. The Bill is founded on the principal that fee should be only for the cost of administration and not a revenue measure for unrelated services and programs. The administrative cost per card is \$1.87, compared to the \$5.00 now being collected. By an amendment to the Act, a few terms ago... or a few Sessions ago, three of the



five dollars being collected went into the Game and Fish Fund administered by the Department of Conservation for purposes unrelated to gunowners identification. This is a law, as you know, that inforcement and nature and administered by the Department of Law Enforcement. Presently in the Game and Fish Fund there is an unexpended balance of approximately \$2,000,000. House Bill 229 is a revenue reform measure which by relating the fee to the cost of administration will remove a basis objection to the gun owners identification law. As a request to the Department of Law Enforcement, the effective date of this Bill is extended to July 1, 1974 because the forms for this year have been printed and distributed ah.... and I solicit your support."

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

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

Arthur Telcser: "He indicates that he will."

Kosinski: "Gene, this makes no other substitutive change.... does

it in the law as it exist or it doesn't extend the law

in any way, it's merely in terms of dollars and cents?"

Schlickman: "The only other change that the Bill makes is

to shorten the title of the Act."

Kosinski: "Thank you Gene, I support it."

Arthur Telcser: "Is there further discussion? The question

is shall.... the gentleman from Cook, Representative

Lechowicz:"

Lechowicz: "Will the Sponsor yield for a question?"



Arthur Telcser: "He indicates that he will."

Lechowicz: "The amount of money that is..... what is the amount of money that is being raised under this Act now?"

Schlickman: "Would you repeat that, please?"

Lechowicz: "Sure. What is the dollar amount in money as far as is being raised presently under this Act?"

Schlickman: "Well, the amount will vary from year to year, depending on the amount of registrations, but during the period 67 through 69 there was a total of \$1,129,217.00 during the year of 1970 there was \$442,568. During 1971 there was \$384,326. During 1972 there was \$426,464 and the estimate for 1973 is \$369,667.00."

Lechowicz: "And the renewal on this is on the five year basis?"

Schlickman: "The renewal is on a five year basis, that's right."

Lechowicz: "So within a short period of time people will be ... since it was initiated in 67... I thought it was initiated in 69, maybe my memory is wrong. When was it? In 67?"

Schlickman: "I believe in 1967."

Lechowicz: "All right, and deducting the cost of administration in the any issuance of the card, the rest of the money is diverted to what fund?"

Schlickman: "Originally, when the Act was created, the fee of \$5.00 went totally into the General Revenue Fund. In 1969 the Act was amended to provide that the first \$2.00 would go into the General Revenue Fund and the other \$3.00 would go into the Game and Fish Fund."



Lechowicz: "Now... how much money has gone into the Game and Fish Fund?"

Schlickman: "In 1970, \$218,300. In 1971, \$295,000. In 1972, 285,200 and the estimate for 1973, \$330,000 and I should mention, as I indicated previously, there is presently an unexpended balance in the Game and Fish Fund of approximately \$2,000,000."

Lechowicz: "Could you tell me why?"

Schlickman: "Why there is an unexpended balance?"

Lechowicz: "Yes."

Schlickman: "I don't know."

Lechowicz: "What is a freeze imposed by the Bureau of the Budget and the Governor?"

Schlickman: "I have no idea."

Lechowicz: "I think that that is the answer. Thank you."

Arthur Telcser: "Gentleman from McCoupin, Representative Boyle."

Boyle: "Thank you Mr. Speaker. I would urge the Members, particularly the downstate Members to take a very close look at this Bill. If it does what the Sponsor has advocated it doing, this Bill will have the effect of virtually gutting the Game and Fish Fund and I submit to you that those of you who have worked with me and Harold Stedelin and Ben Blades in trying to keep the quail program and some of the other programs that are funded out of the Game and Fish Fund, that these programs will go by the board if this legislation is passed. I think that it is a bad Bill. I think that we should take a close look at it and



vote 'no'."

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

Jaffe: "Would the gentleman yield for a question?"

Arthur Telcser: "He indicates that he will."

Jaffe: "Gene, and not only are we going to loose money from the Game and Fish Fund, but we are also going to loose money from the General Revenue Fund, isn't that correct?"

Schlickman: "That is not true."

Jaffe: "Oh, well I remember the Committee Hearing and during the course of the Committee Hearing it was indicated that we were going to loose something like \$100,000 or \$200,000 to the General Revenue Fund. What happened between the Committee Hearing and now that makes you say this?"

Schlickman: "I don't recall that statement ever having been made. A Representative from the Department of Law Enforcement was there who indicated that the cost per permit or per card for a five year period is \$1.87. This program is administered totally by the Department of Law Enforcement and Conservation has nothing to do with it."

Jaffe: "Well,"

Schlickman: "The \$2.00 fee will adequately cover ah... that \$1.87 and the \$2.00 goes into the General Revenue Fund."

Jaffe: "Ya, but Gene, that money that goes into the General Revenue Fund is really going to be used to cover the cost of issuing these licenses, isn't that correct?"

Schlickman: "By a statement by a representative of the Department of Law Enforcement, the total cost for the administra-



of this program is \$1.87 per card for a five year period and by this Bill we would be providing for a fee of \$2.00 having the difference of \$.13 per permit, which would be in excess of the cost of the administration."

Jaffe: "Well, that's exactly correct, except for at the present time.... \$3.00 goes into the General Revenue plus \$2.00 goes into Game and Fish."

Schlickman: "No, it's just the reverse."

Jaffe: "Well, whatever it is. But none the less we're going to really take that General Revenues share and we're just destroying it, isn't that correct?"

Schlickman: "No, because presently out of the \$5.00 fee, \$2.00 goes into the General Revenue Fund and by this Bill we would continue, \$2.00 in the General Renvue Fund. The General Revenue Fund will be unaffected."

Jaffe: "Well, if I may speak to the Bill. I think what we are doing is taking it out of one pocket and putting it into another pocket and we are playing games with this particular ah... fund. I think that if we pass this Bill we'll number one we are going to suffer losses in the General Revenue Fund and number two we are going to suffer losses in the Game and Fish Fund and I would urge a 'no' vote on this Bill."

Arthur Telcser: "The gentleman from Madison, Representative Kennedy."

Kennedy: "Mr. Speaker and Members of the House, I rise to support House Bill 229. It will in effect, do away with



the Gun Registration Act and today, I just co-sponsored with probably 30 or 35 other legislators that will do away with the Gun Registration Act. That bill was first passed in 1967 too, it was a very unpopular bill, particularly downstate. Now if any of that money is being used for other things other than the Gun Registration Act, its being used, I think, and its hypocrisy because I think the Gun Registration Act was supposed...the money that that \$5 was supposed to be for that law and that law alone, and I would say if a referendum was held in my District or in my County, the Gun Registration Act would be overwhelmingly defeated so I urge the members of this General Assembly to support House Bill 228."

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

Maragos: "Mr. Speaker, Members of the House, I arise in favor of this piece of legislation for the opposite reasons of what Mr. Leland Kennedy just named. And that is because of the fact that this Bill takes money that is being used for earmarked funds when it has no area to be put in. In order to make it palatable to the Gun Regis...the gun owners, the registry fee was partially put into the Game and Fish Fund in order to pacify them and say sure your paying this license fee for the use of your gun and for the registration of your gun or whatever firearm might be involved. However, don't feel to bad about it, because we are going to put this money in the game and fish fund



so when you want to go fishing or you want to go hunting, you will have enough supplies to the Department of Conservation, you'll be able to enjoy the benefits of better hunting and better fishing. However, I agree with the sponsor of this bill that if the participants and registrants were involved directly with this particular item and would and went into the game and fish funds without any particular purpose I may go along with it, but I think this, since I am always against all earmarked funds anyhow, this is one way of deleting and decreasing the earmarked fund purposes and saying that this is strictly a revenue measure and that the \$2 cost or \$1.87 or whatever it is should be the fee and nothing else, and therefore I vote for the ...I support the legislation and ask for your approval."

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

Schlickman: "Mr. Speaker, and members of the House, the Gun Owners Identification Law is a law enforcement measure. It was passed by this legislature, as you recall, in 1967, after a good deal of controversy and debate. I voted for the law. I think it was the minimum that we should have. However, there is continuing objection to the law because of the \$5 fee and based on study and based on evidence submitted by the Department of Law Enforcement, which is the administrator of this law, only \$2 is required



to administer the program. I respectfully suggest that the amount of the fee should be no greater than the cost of administration. That it should not be revenue producing for unrelated programs and services. Now with regard to the game and fish fund, I indicated that there is, presently, approximately a \$2,000,000 balance. I would also suggest to you that there are ...is a number of sources for money into the game and fish fund and all of those other sources are from programs administered by the Department of Conservation. This is the one exception, the \$3 from the \$5. Conservation has no responsibility, no burden with respect to the administration of this program. And on that basis, Mr. Speaker and members of the House, the fact that this is revenue reform in nature, and because it is based on the principal that a fee should be no greater than the cost of the administration, I urge your support to this bill which will reduce from \$5 to \$2 the cost of the gun owners identification card."

Arthur Telcser: "The question is shall House Bill 229 pass? All those in favor signify by voting aye, the opposed, no."

The Gentleman from Cook, Representative W. D. Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, this appears to me to be an, indeed, good bill. You know, we require, we have a prohibition against any taxing body except now, I guess home rule communities, to license for revenue. Now that means that any licensing they do, the



cost must be equal to the amount of money it takes to administer that program. I don't think it is unreasonable that we do, as we require other taxing bodies to do, and that's if we are going to license, then charge a fee to cover the cost of that licensing and the enforcement of it and no more. Because to the extent that the fee is more than the amount that it cost to administer the program then it is a tax and this Gun Owners Registration Act was never advertised to be a tax increase. And that is what it is, indeed, it is the amount of \$3 per gun owner or per registration, if we continue the \$5 fee. This corrects an error that was made in the original act and the error was made because the fee was based on an estimate. This is a good bill and it should pass."

Arthur Telcser: "The Gentleman from Whiteside, Representative Miller."

Miller: "Well, Mr. Speaker, and members of the House, I am strongly for repealing the present gun law. I have taken that position over the years, and the people in my District apparently agree with that position. At least, I get applause everytime I make those remarks in my District. Mr. Speaker, I'm concerned, and I'm voting no on this legislation, and the reason I am is, and you may not think I'm logical, but the reason I am is that if this is reduced to \$2, perhaps a repeal, then, will not go through. I'd rather leave it like it is in the strong hope that

we can generate enough votes on this floor to repeal this terrible piece of legislation and restriction upon those people of our State. So I'm voting no, Mr. Speaker."

Arthur Telcser: "Okay, the Gentleman from Randolph, Representative Springer."

Springer: "Mr. Speaker, and Ladies and Gentlemen of the House, I'd like to explain my no vote. I have always opposed the Gun Owner Registration Act. I'm opposed to this bill immediately and tomorrow I will introduce a complete repeal of the Gun Owners Registration Act, and anyone who wants to get on it can come over."

Arthur Telcser: "The Gentleman from Macoupin, Representative Boyle."

Boyle: "Thank you Mr. Speaker. In explaining my no vote, I'm glad to hear that the distinguished Representative Springer will introduce a bill to repeal the Gun Registration Act. And I will be happy to be a co-sponsor of this bill. I have always been opposed to this legislation. I also am opposed to this attempt to cut the game and fish fund in the State of Illinois, and I think that you members particularly, you downstate members that have got a green light up there will have a lot of explaining to do when you get back home to your District. It's popular to vote for a reduction of taxes and I know that this is one of the reasons that some of you are voting green. But when the hunters and the fishermen and the sportsmen in your



District find out what this is going to mean, the loss of their quail program, the loss of the fish program, I think that you are going to be sorry that you voted green. Those of you who are opposed to gun registration such as I am, will have an opportunity to knock this damnable bill out, but let's save the game and fish fund."

Arthur Telcser: "The Gentleman from Champaign, Representative Clabaugh."

Clabaugh: "Mr. Speaker, members of the House, I voted for the Gun Registration Act, and I think I should not vote to repeal it, although I'm sure that it hasn't done everything that we hoped it would do. Now the sponsor of this bill pointed out, clearly enough, I think, that the game and fish fund will in no way be jeopardized because of the loss of some \$200,000 maybe three, when there is already a balance of well over \$2,000,000 in that fund. But I have many people in my District who talk to me about the gun law, they don't like it, they'd like to have it repealed, but the main thing they are interested in and the one unanswerable objection that they make is the fact that they are being taxed over and above the reasons for which we said we passed the original gun law. They object, and I have no answer, except to say, well it couldn't be that way when they point out to me as the sponsor of this bill has pointed out, to all of us here that we are collecting some \$3.13 more for the administration...for the card,



registration card, that it costs to issue that card. So I would say that you would have overcome a great deal of the people who have the more or less finer objections to the gun law if we pass this bill. Furthermore, I think our courts have said over and over and over again that we cannot license for revenue. I can recall many license laws that have been declared unconstitutional on that basis. I think this is a good bill, I think it will take care of many of the objections to the present law if we pass."

Arthur Teicser: "The Gentleman from Henderson, Representative Neff."

Neff: "Mr. Speaker, Ladies and Gentlemen, in explaining my vote, I think this is good legislation, I think it was a mistake at the time when we passed the original registration gun law. I opposed it at that time and several speakers have come up here and are still opposing it and are voting against this bill. I think they should reconsider that because at least we are treating these people fair. We are trying to put back the cost...what it actually cost the State of Illinois. At the time they argued on the \$5 charge, it was said it would cost that much, we have found that it doesn't cost that much, and certainly, I'm going to support or give full support to Representative Springer's repeal, but in the meantime I think at least we should give these people fair treatment and put the



cost exactly where it should be and this legislation does it."

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

Borchers: "Mr. Speaker, and fellow members of the House.

I come, of course, from the downstate area and I see two of my compatriots over there voting no. I want them to particularly listen to why I'm voting yes. Now, we do two things here. One...We do two things here; one, that we are reducing the ...this bill in relation from \$5 to \$2, we are going in a step in throwing away this bill. Another thing we are doing, is that we are taking out the profit, so to speak, that was never intended that the State should make, and all of the hunters and fishermen and all of the outdoor people I know of want it so, so I don't think we have any danger of looking them in the eye and telling them the reasons. Now I listened to the only valid argument a moment ago that we might hurt Representative Skinner's bill....a Representative Springer's bill, of whom I am a co-sponsor, and very proud to be this. I antalized that and I don't think it is going to hurt Representative Springer's bill to outlaw this completely, so we are taking a partial step now, and when that bill comes up, if we will put it across and I sincerely hope and get rid of this distasteful, unloved bill, as far as downstate is concerned. I think we should take this apple



and take a bite out of it, and then eat the whole apple on the next bill Representative Springer's bill. I think we are making a mistake not to remove the profit to the State as it profit to the people, the hunters, the outdoorsmen that this bill presently provides, so I'm going to stay where I am and vote for it."

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

Wolf: "Well, Mr. Speaker, and members of the House. As you probably remember, the Illinois Wildlife Federation supported this Registration bill, that was the only gun bill that they supported. I have a registration card in my hand, I supported the bill. I have registration number 706, which means I was the 706 person to register in this State. I'm voting against it because I think that the extra money that goes into the fish and game fund is necessary both for downstaters and for city dwellers. The fishing stock, salmon and Lake Michigan and other fine projects used with this money, this card is good for five years, it's five dollars, its a very small amount to pay and I'm happy to pay it to protect the fish and game fund."

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

Schlickman: "Mr. Speaker, if I may, I'd like to have leave of the House for postponed consideration."

Arthur Telcser: "Okay, the Gentleman has asked leave to put



House Bill 229 on the order of postponed consideration. I'll dump it here and I'd like to take this moment to recognized our good friend who has come up to visit us today, the Lieutenant Governor of the State of Illinois, the Honorable Neil Hartigan."

Fred Selcke: "House Bill 233. Ron Hoffman. A Bill for an Act to amend the Retail Installment Sales Act. Third Reading of the Bill."

Arthur Telcser: "The Gentleman from Cook, Representative Ron Hoffman."

Hoffman: "Thank you Mr. Speaker, ladies and gentlemen of the House, this bill is a companion bill to House Bill 180 which we just passed out of the House. It does, in fact, amend the Retail Installment Sales Act, it requires the seller or holder must, at year end, compute the total amount of finance charges authorized as under 2.11 of this Act, charge to the buyer during the year, must supply this information to the buyer within 30 days of the end of the year or 30 days at the termination of the contract and I solicit your support."

Arthur Telcer: "Is there any discussion? The question is shall House Bill 233 pass? The Gentleman from Knox, Representative McMaster."

McMaster: "Mr. Hoffman, will you yield for a question?"

Arthur Telcer: "He indicates he will."

McMaster: "Mr. Hoffman, when a rather large store in a city



such as Galesburg does a lot of business on an installment basis, do you have any idea what it will cost them to prepare a list like this at the end of the year to send out to each one of their buyers?"

Hoffman: "It should be no more, probably, than the original provisions imposed upon them under the Truth and Lending Act where they are required to itemize and list the amount charged per month. The only thing we are asking them to do now is to have a rolling or cumulative amount shown on this bill, or supply them as many do in a separate invoice after the first of the year, with this information."

McMaster: "Mr. Hoffman, I would ...Mr. Speaker, I would like to speak against the bill."

Arthur Telcser: "Proceed sir."

McMaster: "I feel that this is going to put an undue increase expense upon our businessmen in the various parts of the State of Illinois and for that reason I oppose the bill."

Arthur Telcser: "The Gentleman from Ogle, Representative Brinkmeier."

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

Arthur Telcser: "He indicates he will."

Brinkmeier: "Ron, does this provide that the statement include the true annual interest rate or just the amount of the finance charges?"

Hoffman: "Would the Representative repeat his question?"

Brinkmeier: "Yes, does this statement, would it include the



amount of the true annual interest rate or just the amount in dollars of the finance charge?"

Hoffman: "Amount in dollars."

Brinkmeier: "Mr. Speaker, if I may very briefly. I'm for this bill, Ron, and I plan to vote for it, but I would wish you would consider the possibility of including in that statement the true annual interest rate. But I do feel it's a good bill and I do urge the members to vote for it."

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

Leinenweber: "Mr. Speaker, members of this House, I rise in support of this bill. Its been argued, I was on the committee that heard the bill, we heard many opponents from the banking community and other firms that deal in the installment basis. Their opposition was that it is going to require a lot of paper work. Well, that may be true, however, they already have a lot of paper work if they are abiding by the installment retail sales act. They have to give information each month on the amount of interest carried separately, carry the amount of payments made, the balance due, the finance balance, all of these. They already have to program all of these, its no problem at all to them at the end of the year to run their computer and punch out the total amount of interest paid during the year. Now if they don't want to do all of this work, then



they don't have to charge 18% interest. They are charging their customers, by law, special exemption from the usuary act. They are charging 18% interest. In doing so, they have to do certain things, one of which is, the least of which should be, to report at the end of the year to the customer, how much money he has actually paid in interest so he can include this on his income tax. This is only fair. There alternative, they don't want to go to all of this trouble, there alternative is, limit themselves to 6%, 7% interest or 8% of the usuary act. If they want to charge 18%, that's a lot of money, they are in the small loan business. They ought to tell you, banks have to tell you at the end of the year you paid in interest, there is no reason why the retail merchants who is making more interest than the banks do on your mortgage, why they oughtn't to have to tell you also. I support this bill, I think it is a fine bill, I think it is a good consumers bill."

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

Hoffman: "Thank you Mr. Speaker, and Ladies and Gentlemen of the House, Yes, this is a consumer bill. It is one of the few that we can honestly say it is doing something for the people back home and I solicit your support."

Arthur Telcser: "The question is shall House Bill 233 pass?"

All those in favor signify by voting aye, the opposed by



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

voting no. The Gentleman from Henry, Representative McGrew."

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

Arthur Telcser: "Proceed sir."

McGrew: "One thing that hasn't been brought out in this discussion and I think is a very important part, it that interest is tax deductible. If we say that this person running the business does not have to let their customer know how much interest they have paid, then he's taking away a person's right to deduct it on his income tax. And I think that is a very important part of this bill. Something that should be thought about before you vote against it. Thank you."

Arthur Telcser: "Have all voted who wished? Take the record. Leon, aye. On this question there are 119 ayes, 17 nays, and this bill having received the constitutional majority is hereby declared passed."

Fred Selcke: "House Bill 244. Rayson. A Bill for an Act to establish a volunteer firemen and completion and service incentive fund and to authorize municipalities and fire protection districts and contribute to the fund. Third reading of the Bill."

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

Rayson: "Mr. Speaker, and members of the House. This bill, when first introduced, they had a little trouble with it some where with some people and it went to sub committee, and the basis of the subcommittee rewrote the bill substantially



and the Amendment was accordingly put on, and sailed out of committee on a 15 to nothing vote and as far as I know, it has no opposition. The bill is this, its for non-home rule municipalities. This bill gives them permission, if they so choose, for voluntary firement or voluntary policement, they can set up service incentive funds. This in a sense means, like life insurance, retirement, or life insurance plans, they can't do that under the pension now. And if they so choose to do this, and I know in my community, Tinley Park, has chosen to do this, and I would like to see this law passed, and if they so do, the law says further that the State Comptroller shall have the authority to manage, reassess, reserve, provide, rules or regulations, approve these accounts, and name some semblance of uniform control of these accounts. So that is the whole purpose of the bill, and it has also been extended now to a...a...a..fire protection districts, so the purpose is to save our voluntary firemen who for years have devoted good service and are getting older and look for some ways in which they can get some remedial retirement benefits. I say it is a good bill, Mr. Speaker, and I urge your favorable vote."

Arthur Telcser: "Is there further discussion? The question is shall House Bill 244 pass? All those in favor signify by voting aye, the opposed by voting no. Have all voted who wished? Skinner present. Take the record. On this



question, 127 ayes, no nays, one answering present. This bill having received the constitutional majority is hereby declared passed. Huskey, aye. Representative Juckett, for what purpose do you rise, sir? Merle Anderson, aye, the last one." Ee

Juckett: "Have you announced the roll call, Mr. Speaker?"

Arthur Telcer: "Yes we have sir."

Juckett: "Mr. Speaker, I arise on a point of personal privilege.

I am hesitant on doing that because I know it does take House time, but last September the elections committee met in a special meeting in regard to a proposal on vote fraud. At that meeting, I introduced a resolution to turn over the matter of entire vote fraud in the State to the Illinois Legislative Investigative Commission. I was not happy with the fact that the Republican segment was trying to pin all vote fraud on the Democrats and as a matter of fact, that day, the day of the meeting, Vermilion County Grand Jury, returned indictments in regard to vote fraud in the March primary. As a result of my resolution being introduced to the committee, there were several stories written, one in the Tribune, with a very sinister picture taken supposedly of the distinguished Minority Leader and myself talking about vote fraud. I wrote a letter at that time to the Chicago Tribune explaining what it is, but in their infinite wisdom, they chose not to print my letter, and now I see on my desk and it is handed out, it sayd the Illinois House of



Representatives to the Republican House Members, from Representative Phillip W. Collins in re House Bills 212 to 220 explaining the reason why we Republican members should vote for that series of bills. On the last sheet of that page shows....

Collins: "Personal privilege."

Juckett: "move fails" to block Cook vote fraud probe. Its written by Mr. Tom Law of the United Press International. According to Mr. Law, he indicated to me that I did tell him that I was speaking to the Minority Leader and our conversation of the Minority Leader and myself dealt only with and nothing else, but the Minority Leader's trip in a motor home, because we both happen to own motor homes. I explained to them that, at no time, had I discussed with the Minority Leader, the resolution, but the reporter seemed to want to draw an inference. As a matter of fact when I talked to Mr. Law this morning, he thought I was telling a lie and he went ahead and told his version of the story. Mr. Speaker, I resent the press taking that kind of liberty. The Tribune, at no time, asked me what I was discussing with the Minority Leader. They tried to imply something that was not so when they were confronted with the facts that the investigative commission had trained investigators, attorneys, subpoena power, etc. they ignored the facts. And then when this is passed around again without any attempt to discern the facts, and then when the reporter said that I lied, when he did not know what he was



talking about, I do resent it and I hope that the record will be set straight, that there was no attempt on my part to preclude any vote fraud probe period. I wanted it State wide because of the fact that the Vermilion County indictment on that particular date, and I do deeply resent, Mr. Speaker, this attempt to try and reason for the passage of a bill on spurious and illegal and wrong material." Thank you Mr. Speaker."

Arthur Telcser: "Representative Phil Collins, for what purpose do your rise, sir?"

Collins: "Well, my name was mentioned Mr. Speaker, so if I may on a point of personal privilege, briefly respond to this Gentleman, I most heartily disagree with him on everything including his reference to the Minority Leader as sinister. I would never pin that type of appilation on any member of this House. However, getting to the meeting in question, we were called into a meeting as directed by the Elections Committee by the Speaker of this House to look into specific charges of vote fraud and irregularity in the County of Cook. At the time of the Vermilion County situation was raised, I expressed a willingness to go anywhere in this State to look into any allegations of vote fraud. I received a letter, at that time, from Representative Craig, who will recall that he wrote me that specifying that there was allegations of vote fraud in Vermilion County and asking me to do something about it. I did respond to his letter in writing asking for specifics and we never got any further



at that point. If, indeed, there was any reason to go further, I'm sure that we still could and the present Chairman of the Elections Committee, I know would be as willing as I to pursue any such investigation. However, as to the specific motion that the Gentleman eludes to, today, I don't know what his conversations with the Minority Leader were on that occasion. However, it was quite obvious to me and I think to anybody in that room that they had mapped out a strategy together to introduce a resolution to discharge the committee that had been directed by the Speaker to undertake this investigation and transfer it to another agency. I ruled, at that time, that the resolution and the motion was out of order because we had been directed by the Speaker of the House to undertake this study, and it was not in our prerogative to transfer our responsibility, so delegated, to another committee unless the entire House would so indicate its agreement and approval and that is what I indicated to the Gentleman at the time, that if he desired to pursue his resolution, it should be presented to the entire House. I don't think that he ever did try to introduce it again to a meeting of this entire body, at least not to my knowledge. But in response, again, to this statement that he was not working with the Minority Leader, I can't say that he was...that's he's not telling the truth, but it certainly was apparent to anybody in that meeting that day, that they were working very closely together to attempt to force this investigation and I'm



sorry that he resents the articles in the newspapers that quoted me, not him, I'm looking at it. It did quote me I said that I was disappointed, I did expect opposition from Democrats, but not Republicans."

Fred Selcke: "House Bill 245. ...

Arthur Telcser: "Representative Juckett, for what purpose do you... Representative Shea, for what purpose do you rise, sir?"

Shea: "Well, I will rise on a point of personal privilege because I resent the comments of the last speaker that the Minority Leader of this House would try to thwart any investigation. He's not here right now, he's off the floor doing some business of this House. I was present at that first meeting of the Commission, and I think the language of trying to thwart was ill chosen by my good friend, and I don't think he meant what he said. Now the Minority members of that Commission or subcommittee cooperated fully. But at the same time, there were requests by the minority party to look into some of the quote "alleged fraud downstate" unquote, but the Chairman of that subcommittee was trying to ride some headlines to an election victory."

Arthur Telcser: "Well, you know we could go on with these points. You know, if the Gentleman persists, I'll certainly recognize him, but... Representative Collins, for what purpose do you rise?"

Collins: "Well, Mr. Speaker, I hate to rise a second time, but



I have been mentioned by two separate individuals. The Assistant Minority Leader suggested that I was riding headlines, all he has to do is go back earlier in the day when he asked me to hold some bills that were the results of the hearings of the subcommittee and came out of our hearings there's a whole series of legislation that I would ask him to look at and join me in sponsoring. This was the result of our investigations. And as to the word "Thwart", I meant every word I said."

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

Shea: "I ask if that legislation was ever presented to the subcommittee that was called, or just introduced without any presentation to the subcommittee."

Arthur Telcser: "House Bill 245."

Fred Selcke: "House Bill 245. Gibbs. An Act to make appropriations against certain claims against the State of Illinois. Third Reading of the Bill."

Arthur Telcser: "Okay, Representative Juckett, for what purpose do you rise?"

Juckett: "Mr. Speaker, for the record, and I don't want any misinterpretations..."

Arthur Telcser: "Representative Choate, do you seek recognition now, sir?"

Choate: "I certainly do, Mr. Speaker."

Arthur Telcser: "Proceed, sir." Do you want Representative



Juckett to finish?" Representative Juckett, proceed sir.

Juckett: "Mr. Speaker, I don't want any misinterpretations.

If the reporters who wrote, and I don't see Mr. Elmer here, because he wrote the story for the Tribune, at no time during that meeting did I discuss anything with the Minority Leader in regard to my resolution. I'm glad to see that the former Chairman of the Committee indicated that he had no proof, but he did go on to make an inference. I did not discuss it with the Minority Leader. I had discussed with the Chairman of the Investigating Commission before and that's why I offered the resolution then, I did not talk with him. I did not discuss with the Minority Leader, there was no collusion at all, there was no agreement at all, etc. and what the papers did write or infer was a bold lie and their attempt to either discredit or discredit the Minority Leader or to enhance the position or either the Chairman of the Speaker in regard to it. Thank you Mr. Speaker."

Arthur Telcser: "The Representative from Union, Representative Choate."

Choate: "Well, Mr. Speaker, I want to set the record pretty darn clear. What Representative Juckett just said is absolutely the truth, and if there is anyone in this room or any member of the media, or anyone else within the confines of this State wants to know what he and I were talking about I'll tell you what we were talking about. We were talking



about a recent trip that he had made in his motor coach. Now if that is attempting to thwart any type of election reform in this State and then I don't know what election reform is all about. And let me tell the Chairman of that Commission, subcommittee, don't you never again stand on the floor of this House or any place else and say that I've attempted to thwart any type of election reform. You know it isn't true. I know it isn't true, and any one else including the media that knows of my activities in this field, knows it isn't true. I could ask you quite candidly where have you been on the bill that I've introduced for so many years to bring about a reregistration of all voters in the State and when I clearly indicated to you and your subcommittee and as well as in this House of Representatives that there was more registered voters in counties downstate than there was actual living voters within the confines of that county. Where were you and your subcommittee when you was requested to look into some of these counties downstate. And you talk about, you've got the audacity to stand on the floor of this House and talking about thwarting election reform. I'm surprised. I'm surprised at cha."

Arthur Telcser: "House Bill 245...maybe? Representative McMaster, for what purpose do you rise sir?"

McMaster: "Mr. Speaker, ladies and gentlemen of the House, it was inferred that the members of that vote fraud subcommittee never saw the legislation that resulted from it. Let me say that we all had the opportunity to participate



in the legislation and I'm sure that all or most of our names are included as CO-Sponsors of the legislation. I was a Member of that Committee and I do not like the input."

Arthur Telcser: "House Bill 245, lot's of luck, Joe."

Fredric B. Selcke: "House Bill 245, Gibbs. An Act to make appropriations against the State of Illinois for certain claims. Third Reading of the Bill."

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

Gibbs: "Mr. Speaker and ladies and gentlemen of the House, how do I get this postponed for about a week? This is a..... House Bill 245 is the appropriation Bill for the Court of Claims, which ah... enumerates certain claims that people have been putting in with the Court. The Court have heard the claims ah... having a hearing and they've approved them and ah.. it was approved in Committee by 100% and I ask for ah... approval at this time."

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

Lechowicz: "Thank you Mr. Speaker. Normally on an appropriation matter we ah.... and the Bill has been amended in Committee, we should include the dollar amount that we are considering and I would ask the Sponsor to include that dollar amount now."

Arthur Telcser: "Would you repeat the question, please?"

Lechowicz: "Yes, Mr. Speaker, the initial appropriation for this ah.. budget was \$607,290.18. I know that this matter



was amended in Committee and what is the amended dollar version now?"

Gibbs: "The amended dollar version now after taking out the Cook County appropriation there is about \$248,000."

Lechowicz: "The amended amount now is, Mr. Gibbs, \$284,056.36. If I may just speak briefly to the Bill, Mr. Speaker."

Arthur Telcser: "Proceed, Sir."

Gibbs: "Did you have a different figure?"

Lechowicz: "That's the amended amount."

Gibbs: "Then why did you ask me if you had it then?"

Lechowicz: "As a normal course of procedure on an appropriation matter, as a courtesy to the Members of the General Assembly we include the dollar amount before them for consideration."

Gibbs: "Then why didn't you just say that?"

Lechowicz: "I did."

Arthur Telcser: "Is there further discussion? Representative Lechowicz."

Lechowicz: "Mr. Speaker and ladies and gentlemen of the House, I just wanted to point out the fact that the original Bill called for \$607,000 and also included six items that were paid previously to last year by legislation and also in a Court of Claims. This was corrected within the Appropriations Committee and in turn it was amended and I would ask for a favorable Roll Call."

Arthur Telcser: "Is there further discussion? Does the gentleman wish to close? The question is shall House Bill 245 pass. All those in favor will vote 'aye' and the opposed



will vote 'no'. Have all voted who wish? Take the record. On this question there are 157 'aye's' and no 'nays' and this Bill having received the constitutional majority is hereby declared passed."

Fredric B. Selcke: "House Bill 247, Cunningham. A Bill for an Act to amend the Local Library Act. Third Reading of the Bill."

Arthur Telcser: "The gentleman from Lawrence, Representative Cunningham."

Cunningham: "Mr. Chairman and ladies and gentlemen of the House, since the great adventures take place in the mind and since the library is the gymnasium for the mind and since the figures show that the teenagers use the library more than any other group, it's seems to me that it just was reasonable that there should be an eligibility of teenagers to serve on a Library Board. The Bill that you have before you seeks to clarify the law in regard to elected members of the Library Boards. It will not effect the law in regard to appointed members. Three fourths of the Members of this House have library districts whose members are appointed rather than elected, so the Bill will not effect you. You can give it a 'green' light in good conscience because you are permitting those that use the library to participate in the management of it if they are skilled enough to get themselves elected as members of the Library Board. There is nothing radical about it. There is no known opposition. It received a nice vote in



the Committee, and we would appreciate your 'green' vote at this time."

Arthur Telcser: "Is there any discussion? The question is shall House Bill 247 pass. All those in favor signify by voting 'aye' and the opposed by voting 'no'. Have all voted who wished? Telcser, 'aye'. Take the record. On this question there are 100 'ayes' and 23 'nays'... Jones, 'aye'. Mann, 'aye'. Philip, 'no'. J.J.Wolfe, 'no'. Pappas, 'no'. Ebbesen, 'no'. Waddell, 'no'. O'kay, if you wish to be recorded as 'no' would you come to the Clerks desk and he will get you on. On this question there are 100 'ayes', wait.... Representative R. Walsh, for what purpose do you rise, Sir?"

Walsh: "Have you announced the Roll Call, Mr. Speaker?"

Arthur Telcser: "I'm doing it now."

Walsh: "Well, you may end up with more 'no's' than you want and get below 89 so I think...."

Arthur Telcser: "We'll take a new Roll Call. But nobody is changing their votes though. The question is shall House Bill 247 pass. All those in favor signify by voting 'aye' and the opposed by voting 'no'. The gentleman from Cook, Representative Williams."

Williams: "Thank you Mr. Speaker. Mr. Speaker and Members of the General Assembly, I was on the Committee when this came up. It did not pass out of Committee with such a favorable vote. This is a bad Bill. Ah... we had ask the gentleman ah... good a five year old serve on the board



and so forth. I checked with the libraries and I don't believe that with the amount of money that a Library Board has to spend that this is a good Bill to allow a child to vote on these appropriations. I think this is a real bad Bill and urge a 'no' vote on it. Thank you."

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

Miller: "Mr. Speaker and Members of the House, to explain my vote, I think that this is a bad Bill too. Could you feature a Library Board having a majority of Members under the age of 18 who wouldn't have the ability to execute a contract to conduct the business of the library? There are many ramifications here that will literally fork a library operation if people were gullible enough to elect people under 18 and I think we are telegraphing to the people of Illinois by cast this type of a Bill, that we don't know what we're doing on the floor of the House of Representatives."

Arthur Telcser: "The gentleman from Cook, Representative R. Hoffman."

Hoffman: "Thank you Mr. Speaker and ladies and gentlemen of the House, I think that all the votes that are showing 'green' on there oughta stop and think about this. This is a taxing body. These are tax funds now that could be and would be disbursed and executed by those at any age. There is no age limit on this. You could have five year olds, six year olds, fifteen year olds. As the previous speaker indicated, these could be in the majority. Now



stop and think. These are tax dollars that are going to be executed by people that aren't even old enough to consummate a contract. Now I would appreciate re-consideration of those 'yes' votes."

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

Katz: "Mr. Speaker and ladies and gentlemen of the House, this selection of young people that would be on such a board would not be done by the young people, it would be done by those people of the community of voting age. This House must assume that the voters in the library district are not capable of making an intelligent decision. There not going to elect seven year olds to the board. They have perfectly developed capacity for understanding what we understand here that this is not childrens play. On the other hand, it is a fact, as the gentleman from Lawrence said, that the ones that use the library are the young people and so if there are some particularly bright interested young people in the community and the people there think that they would be assests on the board, what is wrong with putting them on? It is perfectly likely that the majority of the books that circulate in the library are books that circulate to the young people. This morning we voted against the young people to see their parents in prisons under very personal circumstances and now we are prohibiting them from being able to make a contribution in the selection of books and in making a good library within our local communities. I don't know why we are



distrustful in the intelligence of the people in our communities, they are not going to elect irresponsible young people. They are going to put a majority of seven year olds on the board. Certainly the sprit of home rule which is our constitution and which I hear around here all the time is one of the noble sentiments of mankind, why should that not apply to Library Boards? Why should not people in the communities have the intelligence to select thos members of the board who are intelligent even if they happen to be fifteen year olds or sixteen years olds? That is why I am voting 'green' and that is why I'm supporting the excellent Bill here of the gentleman from Lawrence."

Arthur Telcser: "The gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Mr. Speaker and ladies and gentlemen of the House, I think that if you want to get the young people involved there's always the avenue of the Advisory Committee and ah... which serves a good reservoir for future board members when they become of the age where they can run legitimately for election."

Arthur Telcser: "The gentleman from Lawrence, Representative Cunningham."

Cunningham: "Mr. Speaker, I hope that it isn't against the rules for me to say God Bless Harold Katz and thank the 1st District for sending him down here for bringing a breath of sanity into this misunderstood Bill. If the



public isn't smart enough to select the proper person for every elected office, I did so many of you get elected down here? You have no right to discount the I.Q. of the public in the manner that your doing in beating a Bill that has a great deal of merit. This isn't a personality question. I recognize that some of you have been frightened away, but it becomes a malaise, a mental malaise, for this House to repeatedly pass Bills and then panic and everybody run away from them and vote a 'red' light because somebody said it was bad. I ask you to examine your own conscience, your own heart, your own mind in this case, and you can come up with no other conclusion for your voting 'red'. It's because you don't believe that the public is smart enough to elect the Library Directos. If your people are that way, then you should vote 'red', but the people in my district are smart enough to pick the right people to become Library Board Directos and I invite the 99 that were on there to return to the fold and let's pass this good legislation. It won't tear down the government."

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

Duff: "Mr. Speaker, I hesitate to let the 1st District go unbalanced. I have in mind a seventeen year old young lady who got her first library card when she was six years old. She has been in a library in our community at least once a week for the last eleven years. She is a very intelligent. I frankly think that she'd probably, if she



could get elected, be as good a Library Board Member as there could be in our community. Ah... I don't really see any reason why, if the people want to elect somebody and that person can go to the voters and demonstrate their capacity, that they should be allowed an opportunity to."

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

Tim Simms, 'no'. On this question there are 57 'ayes' and 66 'nays' and the gentleman has requested that this Bill be put on the order of postponed consideration."

Fredric B. Selcke: "House Bill 264, Redmond. An Act to amend Section 1 of an Act appropriating funds to the Department of Transportation for Division of Water Resources and Management of Capital Improvement Projects. Third Reading of the Bill."

W. Robert Blair: "Is Mr. Redmond around? Take it out of the record."

Fredric B. Selcke: "House Bill 265, Philip. A Bill for an Act to amend Section 13 of an Act to provide for the creation of Management of Forrest Preserve Districts. Third Reading of the Bill."

W. Robert Blair: "Gentleman from DuPage, Mr. Philip."

Philip: "Mr. Speaker and ladies and gentlemen of the House, House Bill 265, as amended, allows the Forrest Preserve District to increase their bond of indebtedness from 1 1/2% to 2% of their assessed valuation to purchase land for the purpose of flood control. In DuPage County, we have assessed valuation about \$2.5 billion dollars would allow



us bond of indebtedness up to \$27,000,000. There were two questions yesterday that were unanswered. The first question was; How many Forrest Perserve Districts in the State of Illinois? There are 11 Forrest Perserve Districts in the State of Illinois. The second question was; After the Forrest Perserve District buys this property for flood management, can they resell it? They cannot resell it unless a Bill is introduced here in the General Assembly and we vote on it and pass it, then they could sell it. So to the answer to that in effect, is really no." I'd ask for your favorable consideration."

W. Robert Blair: "All right, is there discussion? The lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, will the Sponsor yield for a question?"

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

Geo-Karis: "Do I understand by House Bill 265, that the assessment is the.... percentage of the assessed property valuation will be increased from 1 1/2% to 2%?"

Philip: "No, unfortunately the digest is incorrect. Ah... they have now, at this point, a 1 1/2% and what we are doing is increasing it 1/2% to make it a total of 2%."

Geo-Karis: "In other words, it would be more of a taxation, than less. Is that right?"

Philip: "Yes, that is correct."

Geo-Karis: "That's all. Thank you."

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



Philip: "Yes, Mr. Speaker and ladies and gentlemen of the House, it's.... the reason for this Bill is that, as you know this past summer we have had tremendous flooding in DuPage County. We've had the heaviest rain that we've had in 80 years. As you know, the President declared it a disaster area. We had Governor Ogilvie, we had Governor Walker in. Everybody examined the area. There was in loss of \$36,000,000. We have in my district alone 140 homes that were under water, that didn't have the use of their sanitary facilities or fresh water and we have been waiting for the state to do something and quite frankly, I don't see them doing anything. The Federal Government said that they want to take another study, which will be a ten year study. By that time the people will have to put their homes on pontoons. The reason we have this flooding, or one of the reasons we have this flooding is because of Highway 83, which of course is like a damn on one side and soft creek on the other. So it has been indorced by the DuPage County Board, the Forrest Perserve, all 11 Forrest Perserve Districts in the State of Illinois and I ask for your favorable consideration."

W. Robert Blair: "The question is shall House Bill 265 pass. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wish? The gentleman from McNery, Mr. Skinner."

Skinner: "Mr. Speaker, I have two objections to this Bill. The first objection that I have is that it is much simpler



121.

to zone land than it is to buy it. My own Conservation District want to go out and buy probably 20% to 30% of McHenry County, and they haven't yet considered that instead of buying they could just zone it. My second objection that I have is that this will cause an increase of taxes in any Forrest Perserve District that wishes to take advantage of it without a referendum and for those two reasons, I'm voting against it."

W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question there are 105 'ayes' and 17 'nays' and this Bill having received the constitutional majority is hereby declared passed. All right, now we are going to go out of order to take two Bills that have to be called today. Ah.... House Bill 373."

Fredric B. Selcke: "House Bill 373. An Act in relation to the revision and restatement in certain parts of laws here in name by combination of amendment, renumbering, or restoration intending no change in the substance of the law. Third Reading of the Bill."

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

Shea: "Mr. Speaker, could we hear 373 and 374 together?"

W. Robert Blair: "All right, is there leave? Hearing none.... read 374, which is also a Bill that expires today."

Fredric B. Selcke: "House Bill 374. An Act to repeal an Act and parts of Acts here in name, and so forth..... Third Reading of the Bill."

Shea: "Mr. Speaker and ladies and gentlemen of the House, these



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Bills from the Legislative Reference Bureau, there are no substantive changes in the law but only compiling and putting together the various Acts so we'll have one Legislative fate from the 77th General Assembly unless the Bill is on the House Calendar as long as possible, I know of no objections to the Bills and I would appreciate a favorable Roll Call."

Speaker Blair: "All right, is there discussion? The question is, shall House Bill 373 and 374, pass. All those in favor will vote 'aye', the opposed 'nay' and the Clerk will take two Roll Calls. Have all voted who wished? The Clerk will take the record. William Walsh."

Walsh: "I wonder if I could ask the Gentleman a question? What did the Amendment do, Jerry, I don't seem to find them."

Speaker Blair: "The Gentleman from Cook, Mr. Shea."

Shea: "They added two other Bills, Mr. Walsh, they added additional Bills that Mr. Bobbitt and the Bureau found that needed to be consolidated. One pertained to the criminal law and I forget the other one, was put on in Committee but I believe, Mr. Palmer, has a copy of it."

Speaker Blair: "Randolph, 'aye'. Palmer... the Gentleman from Cook, Mr. Palmer."

Palmer: "Mr. Speaker, if I can inquire of the Sponsor, is there any reason that these Bills, has much as they advisory only... cannot be put through the Consent Calendar."

Shea: "Mr. Palmer, the reason that I took them off the



Consent Calendar and put them on Second Reading and then left them on Third Reading was to give everybody a thorough chance to study them."

W. Robert Blair: "154 'ayes' and no 'nays' and each of these Bill having received a constitutional majority is hereby declared passed. Senate Bills, Third Reading."

Fredric B. Selcke: "Senate Bill 302. An Act to provide for the ordinary and contingent expenses of the Secretary of the State. Third Reading of the Bill."

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

Craig: "O'kay, take it out of the record. Senate Bill, 2nd."

Fredric B. Selcke: "Senate Bill 398, Fleck. An Act to amend Section 6 of an Act to create a Commission of Survey to study the problems pertaining to mental health in the state and define it's powers and duties. Second Reading of the Bill. No Committee Amendments."

W. Robert Blair: "Any amendments on the floor? Third Reading. Craig is back now. Go back to Third Reading. Senate Bills, Third."

Fredric B. Selcke: "Senate Bill 302, Craig. An Act to provide for the ordinary and contingent expenses of the Secretary of State, Third Reading of the Bill."

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

Craig: "Mr. Speaker, and Members of the House, Senate Bill 302 is a deficiency appropriation Bill in the regards to the social security payment and the Retirement Pension Fund of the Secretary of State's Office and gives them more



than the 2% varied in line items to adjust the appropriations so they can go ahead and carry out their operation till July. It does not make any increase there at all. It just gives them more leeway to transfer of these funds in order to get the work done between now and the first of July. No increase in money or appropriation in that respect, just a deficiency for personal and... social security and pension fund. I'd urge your support on this measure."

W. Robert Blair: "Is there further discussion? The question is shall Senate Bill 302 pass. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wish? Champman, 'aye'. The Clerk will take the record. On this question there are 149 'ayes' and 1 'nay' and this Bill having received the constitutional majority is hereby declared passed. We will read the Senate Bills, First Reading and... we've only got about four Sponsors though. Take a look at those and and... if there is some of these Bills that you all should be picking up, if you give us your names while we're read them the first time. As you know, the rules require that there be House Sponsors identified before the Senate Bills can be read a first time."

Fredric B. Selcke: "Senate Bill 18. An Act to designate certain areas of State Park and Memorial Park Ways, Voting Assess Areas and other Conservation areas and so forth. First Reading of the Bill." Senate Bill 31. An Act to amend Sections 2 and 4 of an Act creating the Illinois



Economic and Fiscal Commission and so forth. First Reading of the Bill. Senate Bill 216. An Act to amend an Act relating to Acholic Liquor. First Reading of the Bill. Senate Bill 271. An Act to amend the Public Junior College Act. First Reading of the Bill. Senate Bill 117. A Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 234. An Act to establish the Illinois State Historical Library to provide for care and maintenance. First Reading of the Bill."

W. Robert Blair: "Consent Calendar. Second Reading."

Fredric B. Selcke: "House Bill 648. A Bill for an Act creating an Act relating to licensing of dogs. Second Reading of the Bill. Senate Bill 81. An Act relating to the Metropolitan Sanitary District in Chicago. Second Reading of the Bill. Senate Bill 227. An Act relating to an easement in Whiteside County. Second Reading of the Bill. No Committee Amendments."

W. Robert Blair: "Third Reading." All right, on the Speaker's Table, H.R. 34, Mr. Merlo has asked to hold. You want to go to the next one then?"

Fredric B. Selcke: "House Resolution 67, Blair et al."

W. Robert Blair: "Ah... the gentleman from Will, Mr. Leinenweber."

Leinenweber: "Mr. Speaker and Members of the House, we're now considering House Resolution 67, which requests the Nature Preserve Commission to study and make recommendations for the acquisition used in preservation of the Sage Valley of



the Spines River in DuPage Township and Will County.

Ah... they have concluded estimated costs and recommendations as the allocation of the cost between local, state, and or federal funds. The Sage Valley has great ecological value and so far as it is a large area containing some very ecological habitat. There are wooded regions, cliffs, springs, cory pools and marshes. Diversity of the region allows plenty of space for animal populations to develop and establish food of a reletive complex nature. The springs are of a cool, pure drinkable water. Ecologically they are very interesting since their zones are of very high aquatic productivity pocessing excellent animal and plant populations in the streams flowing out below the springs. The region should be considered as a primary site for the development of the Education Center in the Will County area. I urge a favorable vote on House Resolution 67."

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

Maragos: "Will the Sponsor of the resolution yield for a question?"

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

Leinenweber: "The Chief Sponsor is on the podium, but I ah.. I will try and....."

Maragos: "The one who is acting as a Sponsor. Who wrote the proliferate and very legatious language that you had to use in order to sell us on the idea of this Bill?"

Leinenweber: "Robert E. Farrell."

W. Robert Blair: "The gentleman from Will, Mr. Sangmeister."



3062

Sangmeister: "Thank you, Mr. Speaker. Mr. Leinenweber has very adequately lined out the purpose of this resolution. This is for our home county of Will. I'm very happy to join with the Speaker of the House on this particular measure and would urge that you all give us a favorable vote."

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

Palmer: "Mr. Speaker and ladies and gentlemen of the House, I'm very glad to have joined in this resolution also. I've walked the Sag Valley and it's everything that Mr. Leinenweber said that it was. It's worth perserving. It's a beautiful area with alot of animal life and plant life and this is what we need, certainly in the urban areas or expanding urban areas of the state." I urge your considerable consideration."

W. Robert Blair: "All right, the question is on the adoption of House Resolution 67. All those in favor say 'aye' and the opposed 'no'. The Ayes' have it and the resolution is adopted. Go ahead, Fred."

Frédric B. Selcke: "House Joint Resolution 2, Telcser."

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

Telcser: "Mr. Speaker and ladies and gentlemen of the House, House Joint Resolution 2 simply requests that the State of Illinois adopt a rehabilatation ah...llth World Congress Symbol of accessibility. I'm sure all of you are familiar with the symbol of white on blue of someone in a wheelchair to indicate that whatever facility that that symbol is



posted on is available for handicapped people and I would now move that the House do adopt House Joint Resolution 2."

W. Robert Blair: "Discussion? The question is on the adoption of House Joint Resolution 2. All those in favor say 'aye' and the opposed 'no'. The 'ayes' have it and the resolution is adopted. Are there further resolutions?"

Fredric B. Selcke: "House Joint Resolution 14, Choate."

W. Robert Blair: "Why don't we go on to the next one. If he wants to call it, we'll come back and get him. Tomorrow? O'kay, we'll get it tomorrow. Take it out."

Fredric B. Selcke: "House Joint Resolution 23, Matijevich."

W. Robert Blair: "Is Mr. Matijevich there? All right, now we need to go back to ah... Mr. Douglas on House Resolution 6. There ah... apparently were amendments that were needed to be adopted to that resolution before we passed it yesterday ah... and I think you better move to reconsider the vote by which it passed ah... so we can put the amendments on them and....."

Douglas: "Thank you Mr. Speaker, for bring that to my attention. It may well be true that we neglected to do that. In the Human Resources Committee there was ah.... there were two Committee Amendments that were adopted by the Committee and ah..Mr. Speaker, I would move that those amendments be adopted by the House before I assume that we re-vote on the Bill ah... on the resolution ah... as amended. Therefore, Mr. Speaker, I move the adoption of



the two Committee Amendments."

W. Robert Blair: "All right, we'll sever the motion. First there is the ah... on the motion to re-consider. All those in favor of the gentleman's motion to re-consider the vote by which House Resolution 6 was adopted yesterday will say 'aye' and the opposed 'no'. The 'ayes' have it and the ah... resolution is now back before the House and ah... the Clerk will read the amendments."

Fredric B. Selcke: "Two Committee Amendments. Committee Amendment #1 to House Resolution 6. Amend House Resolution 6 by starting all the first 'whereas' clauses in lines 2 and 3 and so forth."

Douglas: "I move the adoption of Amendment 1, Mr. Speaker."

W. Robert Blair: "All right, is there discussion on Committee Amendment 1 to House Resolution 6? All right, all those in favor of the adoption of the amendment say 'aye' and the opposed 'no'. The 'ayes' have it and Committee Amendment 1 is adopted."

Fredric B. Selcke: "Committee Amendment 2. Amend House Resolution 6 by deleting all the text and preamble resolution after 'whereas' in the first clause of the preamble and substitution therefore the following in this General Assembly and so forth."

Douglas: "Mr. Speaker, I move the adoption of Committee Amendment 2."

W. Robert Blair: "Discussion? All those in favor of the adoption of Committee Amendment 2 say 'aye' and the opposed 'no'."



and the 'ayes' have it, and the amendment is adopted. Are there further amendments. All right, now we're back on the main question and that is shall House Resolution 6 be adopted? The gentleman from Cook, Mr. William Walsh."

Walsh: "Will the gentleman yield? Could you tell me if you've had any feeling from the Legislative Investigating Commission on whether they want to undertake or feel that it is within their domain to undertake this investigation?"

Douglas: "Mr. Walsh, it was after debate in Committee ah.... and request from the Department of Public Health ah.... One of the amendments, Amendment 1, specifically changes the investigation to the Department of Public Health itself. What we did after lengthy discussion in Committee with representatives of the Department of Public Health was to give them the prerogative in conducting the investigation of The Blood Collection and Distribution System in the State to then report back to the General Assembly by a particular date. Therefore we decided against requesting the Legislative Investigating Commission to do this and the Department of Public Health has agreed and a matter of fact, assuming that the resolution has passed, they've already begun the job, I met with them already this morning."

Walsh: "Thank you."

W. Robert Blair: "Further discussion? All those in favor of the adoption say 'aye' and the opposed 'no' and the 'ayes' have it. House Resolution 6 is adopted. We'll go back and pick up Matijevich's ah... 25."



Fredric B. Selcke: "House Resolution 23, Matijevich."

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

Matijevich: "Mr. Speaker and Members of the House, I was asked to introduce this resolution by my local Chamber of Commerce. It raises the jurisdictional limits on the Small Claims Court from a \$1000 to \$2500. It's strictly advisory. The Supreme Court must adopt it by rule and ah...the local Chamber of Commerce felt that more people could avail themselves of the Small Claims Court ah... if the jurisdictional limit were raised. I move the adoption of House Resolution 23."

W. Robert Blair: "Discussion? The question is on the adoption of H.J.R. 23. All those in favor say 'aye' and the opposed 'no', the 'ayes' have it and the resolution is adopted. General Resolutions."

Fredric B. Selcke: "House Resolution 199, Schneider et al."

W. Robert Blair: "Introductions."

Fredric B. Selcke: "House Bill 1092 ah...Berman et al. Amends the School Code, First Reading of the Bill. House Bill 1093, Totten. Amends the Election Code, First Reading of the Bill. House Bill 1094, Hirschfel. Amends the General Assembly Compensation Act. First Reading of the Bill. House Bill 1095, Palmer. Creates an Act authorizing the Department of Transportation to convey quick claim 'D', Cook County. First Reading of the Bill. House Bill 1096, Palmer. Confers on the Division of Water Resources Management of the Department of Transportation exclusion juris-



diction with respect of land use controls. First Reading of the Bill. House Bill 1097, Clabaugh. Provides for the State to rebate the School Districts. First Reading of the Bill. House Bill 1098, Craige et al. Amends the Vehicle Code. First Reading of the Bill. House Bill 1099, Jaffe et al. Amends the School Code. First Reading of the Bill. House Bill 1100, Deavers. Amends the Counties Act. First Reading of the Bill. House Bill 1101, Neff et al. Amends the Pension Code. First Reading of the Bill. House Bill 1102, Gene Hoffman et al. Appropriates \$33,000 contingent expenses to the School Problems Commission, First Reading of the Bill. House Bill 1102, Mahar. Amends the Revenue Act. First Reading of the Bill. House Bill 1103, Mahar. Amends the Illinois Municipal Code. First Reading of the Bill. House Bill 1104, Pierce et al. Amends the Workmans Compensation Act. First Reading of the Bill. House Bill 1105, Gene Hoffman. Amends the School Code. First Reading of the Bill. House Bill 1106, B.B.Wolfe et al. Amends an Act relating to periodic payments on Real Estate Mortgages. First Reading of the Bill. House Bill 1107, Champman et al. Amends the School Code. First Reading of the Bill. House Bill 1108, Springer et al. Repeals an Act relating to acquisition for the transfer of firearms, firearm ammunition. First Reading of the Bill. House Bill 1109, Tom Miller et al. An Act creating the Little Calument River Flood Control Coordinating Commission. First Reading of the Bill. House Bill 1110, Miller et al.



Appropriates \$5,000 to the Little Calumet River Flood Control Commission. First Reading of the Bill. House Bill 1111, Skinner. Amends the Revenue Act 39. First Reading of the Bill. House Bill 1112, Schneider. Amends the Pharmacy Practice Act. First Reading of the Bill."

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

Rayson: "Thank you Mr. Speaker. It seems like when a Bill was introduced the other day by some form of inadvertence, I became the Chief Sponsor of House Bill 1033. I'm only a lonely Co-Sponsor and the Chief Sponsor is Representative Schneider. I would ask for leave of the House to turn the tails and flip the switches and get your complete approbation on this administrative change. Thank you."

W. Robert Blair: "O'kay. The Journal will reflect on that Bill that the lead Sponsor is Mr. Schneider and Mr. Rayson is somewhere after that. O'kay. Mr. DiPrima."

DiPrima: Mr. Speaker and ladies and gentlemen of the House, as you know, the V.F.W. is honoring the Members of the House and the Senate tonight at a dinner at the Holiday East. Cocktails are at 6:00 and the dinner is at 7:00 or 7:30. I hope you all will be out there. If you can't make it, I'd like to have your name. Other than that, we're counting on you being out there. Thanks ever so much. I'll be at the door."

W. Robert Blair: "Are there further announcements? All right, Death Resolutions."

Fredric B. Selcke: "House Resolution 192, Cunningham. Ah....."



A Memorial to Vearl E. Payne."

W. Robert Blair: "Let's see. The gentleman from Moultry, Mr. Stone."

Stone: "Mr. Speaker, I ask leave of the House to table House Bill 618 and of which I am the principal Sponsor."

W. Robert Blair: "All right. Does the gentleman have leave? Hearing no objections, that Bill will be tabled. Oh..... I'm sorry. On that Death Resolution, Mr. Cunningham, do you want to ah..... House Resolution 192, the Death Resolution, did you want to move it's adoption?"

Cunningham: "Yes, Mr. Speaker, I move it's adoption."

W. Robert Blair: "All right, the Death Resolution. All those in favor say 'aye' and the opposed 'no' and the 'ayes' have it and the resolution is adopted. All right, the gentleman from ah... Cook, Mr. William Walsh."

Walsh: "Mr. Speaker, I move that the House adjourn until tomorrow morning at 9:30 for Prefunct Session, 10:00 for Regular Session. We're meeting a half hour later tomorrow because of the Governor's Prayer Breakfast and we urge everyone to attend."

W. Robert Blair: "Yes, Regular Session at 10:00 A.M. tomorrow. All those in favor of the gentleman's motion say 'aye' and the opposed 'no' and the 'ayes' have it. The House is adjourned."

