

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

FIRST SPECIAL SESSION, TWENTY-SEVENTH LEGISLATIVE DAY

APRIL 30, 1974

5:31 O'CLOCK P. M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

ONE HUNDRED TWENTY-THIRD LEGISLATIVE DAY

APRIL 30, 1974

2:00 O'CLOCK P. M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER,

IN THE CHAIR



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

Speaker Blair: "Our guest chaplain, this morning, this afternoon, is in the person of the Reverend Joseph Kerr, who is serving as assistant pastor at St. Christiansen's Church in Chicago. Father Kerr."

Kerr: "Let us pray. Most gracious God, who serves us such perfect freedom, we humbly pray to You for the people of Illinois and especially for this House of Representatives here assembled that You would be pleased to direct and help in their consultations. O God, you are the fountain of wisdom and peace, we seek your wisdom so that we may insure the safety, honor, and welfare of your people in this State. We seek the peace which comes from that certain knowledge that wisdom results only by opening because in true wisdom we find the power to love both our friends and our enemies. O God let us be open and loving that we might finally have knowledge and truth and the ability to do your will in leading the government of this State. This we pray, Amen."

Speaker Blair: "Roll Call for attendance. Alright now, on the calendar on the order of Constitutional Amendments on Third Reading appears in order HJRC 29, I don't see Mr. Day here. HJRCA 30, Mr. Walsh, and he wants to yield to HJRCA 33, Mrs. Macdonald. Alright, Mrs. Macdonald. For what purpose does the Gentleman from Cook, Mr. Shea rise?"

Shea: "On a point of personal privilege. Mr. Speaker...."

Speaker Blair: "...in connection with this Bill or what?"

Shea: "No sir, about what just happened in this chamber, prior to the time you took the rostrum when Mr. Walsh was....when Mr. Walsh was Chairman of the Committee as a whole, this House by an overwhelming majority, this morning, indicated some preference of certain hearings on certain Bills. There was filed with the Chairman of the Committee...."

Speaker Blair: "...well, this is not the appropriate time for whatever your points are made in that connection...Mrs. Macdonald has the floor and we're going to proceed and there will be ample opportunity with respect to whatever you want to say, but there are HJR's that are on here that if they are to be considered by the Senate, they



need to get over there in pretty fast order and so Mrs. Macdonald has the floor and we'll be glad to hear from you as we move along.

Let's get these things out of the way....proceed Mrs. Macdonald..."

Shea: "...Mr. Speaker..."

Speaker Blair: "...Proceed Mrs. Macdonald...."

Shea: "...Mr. Speaker..."

Speaker Blair: "...shut him off."

Macdonald: "Mr. Speaker, Ladies and Gentlemen of the House, House Joint Resolution 33 creates a Constitutional Amendment which will provide the structural changes of the General Assembly can be made only after every decennial census. Hopefully, this Amendment will bring an orderly transition and logical accomplishment to the difficult and highly important task of restructuring the Illinois General Assembly. There seems to be little doubt that the voters again will be asked for the second time in five years to decide whether they want to reduce the size of the House, whether they want single member districts, or whether they want to retain and abolish cumulative voting. Regardless of your support or opposition to this issue, it is logical to support House Joint Resolution 33. In the event that the people do decide in November to reduce the House and abolish cumulative voting, we will be plunged into a highly emotional atmosphere in these chambers which will make it almost impossible to achieve contact contiguous districts required by the 1970 Constitution. Whether alterations in the structure of the General Assembly occur this year or at any time in the future, the situation created will be the same. By amending the Constitution through House Joint Resolution 33 we will be removing the problem, personalities, and pressures, both now and in the future. This Amendment is particularly logical because it provides that changes will be made after a federal decennial census when the General Assembly will be implementing Constitutional redistricting presentations presently required under Section 3 of Article 4 of the 1970 Constitution. I urge your yes vote for this particular Resolution."

Speaker Blair: "Alright, now if the Clerk will read it a third time in



full so we can fly with those provisions...a...then...a...then we can have any further debate on it so that's desired."

Clerk Selcke: "House Joint Resolution Constitutional Amendment #33.

Resolved by the House of Representatives of the 78th General Assembly, the Senate concurring herein, that there shall be submitted to the electors of the general election next occurring at least six months after the adoption of this Resolution the proposition to amend Section 3 of Article 4 of the Constitution of the State of Illinois by the addition of a new paragraph (b) to read as follows: Article 14, Section 3, Constitutional Initiative for Legislative Articles. Amendments to Article 4, this Constitution may be proposed by a petition signed by a number of elected people and number to at least 8% of the total votes cast for candidates for Governor in preceding gubernatorial elections. Amendments shall be limited to structural procedural subjects contained in Article 4. The petition shall contain the text of the proposed Amendment and the date of the general election at which the proposed Amendment is to be submitted shall have been signed by the petition of the electors of not more than twenty-four months preceding that general election and shall be filed with the Secretary of State at least six months before that general election. The procedure for determining the validity and sufficiency of the petition shall be provided by law. If the petition is valid and sufficient, the proposed Amendment shall be submitted to the electors of that general election and shall become effective if approved by either 3/5's of those voting on the Amendment or a majority of those voting on the election. However, any such Amendment providing for structural change in the General Assembly shall not become effective until the year after the year of the next federal decennial census notwithstanding any provision in any schedule provided...a...for in the petition. Schedule. This Amendment takes effect upon its approval by the electors and is applicable to any Amendments proposed pursuant to Section 3 of Article 14, which is submitted at the same general election as this Amendment



or at any subsequent general election. Third Reading of the Resolution."

Speaker Blair: "Alright, is there any further discussion? The Gentleman from Cook, Mr. Palmer."

Palmer: "If the sponsor will yield for a question and I might state, Mr. Speaker and Members of the House, this is a fairly important Constitutional Amendment proposal. But if the sponsor would yield for a question or two, I would like to pose some questions."

Speaker Blair: "She indicates she will."

Palmer: "Now, Mrs. Macdonald, this amends Article 3, which has to do with the initiative and referendum by the people and influentially, it would have something to do with a proposal to limit the districts, legislative districts in this State, to single-member districts. Am I correct on this?"

Macdonald: "That is correct."

Palmer: "And currently the Illinois General Assembly can propose to the voters for action in the next general election changes to the structure of the legislature and if favorably acted upon by the electorates, becomes a law in the next...a...in the next session. Am I correct on this?...Under Article 2?"

Macdonald: "Yes."

Palmer: "Now in looking at this proposed Amendment, it would appear that if this proposal is submitted to the electors of the State of Illinois, this...a...this coming November and is favorably acted upon, then nothing could be done by this...a...or at least...no...nothing could be done by this assembly until 1981. Am I correct on this?"

Macdonald: "I believe that it says 'effective' that doesn't mean nothing could be done, it means that nothing would be effective."

Palmer: "Well, it...a...as I read it, it would appear that in the...presently in the Constitution, they have to redistrict every decennial census. Am I right on that?"

Macdonald: "That's correct."

Palmer: "So now, they have to do that anyway."

Macdonald: "Under Section 3 of the legislative Article, that is



correct."

Palmer: "Well let me ask you this question and I think it's a...since it is...a...a..proposed Amendment which would thwart the effects of this Amendment, apparently at the initiative Amendment, which is coming down to the legislature, why is it that the people do not have the same rights in getting matters done insofar as their own desires are concerned when the Members of the legislature can under Article 2?"

Macdonald: "I think they do have the right and I think when they have voted that they will have expressed that right and it will be the timing and the efficiency with which we will accomplish that job that will be important."

Palmer: "But my point is that under the Article of the proposed Amendment, under Section 3, the implementation is delayed and in this particular case, as much as seven years. Would I be correct on that?"

Macdonald: "Subject to the will of the people, the people will have to vote upon this Constitutional Amendment the same as they will on any others that appear."

Palmer: "Well that is correct and we're considering and assuming favorable action on that, not only on this, but also on the one..the..the limitation on the legislature that is single-member districts. If that passes, then it should not go into effect until 1981."

Macdonald: "It says one year after and that is provided for under this decennial census, redistricting under the legislative Article so all of the technicalities are provided for under the legislative redistricting at the decennial census."

Palmer: "Well my point is after this...if this Constitutional Amendment #33 is not passed and if we assume that the people of this State of Illinois votes for single-member districts that it would go into effect at the next session of the legislature, that is that the legislature would be called upon at that time to structure the Assembly, that is the House, on the single-member district. Am I correct on that?"



Macdonald: "I'm sorry, I can't hear you very well."

Palmer: "Well, I would..."

Speaker Blair: "Let's have a little order."

Palmer: "...turn around and talk to the fine Lady from Cook, but I think that this is fairly important...a...a...I don't personally see any reason why the people the...a...the people if they do vote favorably on the single-member district, why the implementation of their desires should be put off until 1981 unless it is to secure for each Member of this House a seat or under the present situation, until that time. And I may, Mr. Speaker, speak to the proposal itself..."

Speaker Blair: "...alright now if you'll wait a minute until I get this clock fixed up here..."

Palmer: "I started at zero, Mr. Speaker."

Speaker Blair: "No, you get ten minutes, but you got to have it all hooked up. He was questioning, I think, and now he's gone into debate."

Palmer: "Well I note that a..a..the question then, it appears that this Bill has been sponsored by the leadership on both sides of the aisle and I would like to direct this question then to the Speaker...a..then to the sponsor as to whether or not this House Joint Resolution #33 proports to be the official policy of both the Democratic Party of the State of Illinois and...or the Republican Party of the State of Illinois, and if you can't answer it maybe..."

Macdonald: "I would like to attempt to answer it, I think that anyone can sponsor or cosponsor any kind of a Resolution or Bill in this House that desires to do so. I do not pretend to speak for either side of the House, I was grateful for the sponsorship or cosponsorship of the leadership of both sides of the House, and I am hoping for the votes of the Members on both sides of the aisle."

Palmer: "Well, I'm quite certain that you are doing a good job on it, but the thing that I'm concerned about and inasmuch as it appears that this is the end run around the proposal by initiative for a single-member district, whether or not it amounts to a matter of



policy by the Democratic Party of the State of Illinois or the Republican Party of the State of Illinois, then it's against the single-member district? If you know."

Macdonald: "I do not know, sir, I merely say that I have had cosponsors from both sides of the aisle and I have not taken and do not intend to take at this time any particular stand either for or against the issue of cumulative voting, single-member districts, or otherwise. I believe that the people spoke rather clearly in 1970. I just say that in the interest of better jobs, shall we say, than was done the first time after this new Constitution was passed, in the interest of contiguous contact districts, I think that the emotion would be removed by this Resolution and that is my intent and my only intent, it is not to establish policy for either the Democratic or the Republican side of the aisle."

Palmer: "Well I'm certain, Mrs. Macdonald, that that may be your thoughts on the matter, but I'm trying to bear it out here inasmuch as we do have the possibility of having a single-member district as to whether or not this Bill, this...a...House Joint Resolution #33 proports to establish a part of policy for either of the political parties of the State of Illinois and if you are not able to answer that, maybe I would like to ask maybe a cosponsor on the Democratic side and the Republican side as to whether or not it does represent the policy of the party."

Macdonald: "Representative Palmer, may I answer before one of them would answer to say that we're talking about 1981 and I think it would be difficult to assess what the policy of either party would be at that particular time."

Palmer: "Well that may be true but the Bill has a number of names on it which indicate that is supported by the leadership on both sides of the aisle. Normally, in these kinds of situations, it appears that this is a policy, a political policy Resolution. That's commonly what it denotes. My question then is this. Is it in fact a policy of the Republican Party of this State and of the Democratic Party of this State that they want this kind of



thing and attempt to defeat an Amendment which is supposed to be proposed to the votes of this State on the single-member district?"

Macdonald: "Only being able to answer for myself, I would suggest that either of the leadership upon either side of the aisle would be able to respond to you."

Palmer: "Would you yield your time to, say, Representative Telcser, who's also a signatory of this as to whether or not this does represent a Republican Party policy..."

Speaker Blair: "One moment please, for what purpose does the Gentleman from Cook, Mr. Epton, arise?"

Epton: "Mr. Speaker, I'm a little confused, I thought that the Gentleman was speaking to the question, now he is asking further questions of different individuals in the Party who obviously cannot speak for it, I would prefer that he confine his remarks to the point at issue. I would be pleased to hear his opinion rather than Mr. Telcser's and Mr. Shea's or yours."

Speaker Blair: "Alright, the Gentleman will confine himself to the subject that's before the House."

Palmer: "Well, I thought that I was on the posture of asking questions, now if I'm not on that posture right now, then I'll go ahead and speak to the..."

Speaker Blair: "...you're still operating on your ten minutes and I thought that the Gentleman's request was that you weren't confining yourself to the subject and if not then we would ask that you do that."

Palmer: "Well I was, Mr. Speaker, I thought that the question I asked was quite relevant."

Speaker Blair: "That's fine, then proceed."

Palmer: "Then may I inquire of Mr. Telcser as to whether or not this Bill, this Resolution, this..."

Speaker Blair: "This is a pretty important major that is being discussed here and because of the inadequacy of the sound system, I would suggest to the Members that they might to be as quiet as possible so they can hear the debate that's going on. This effects



reapportionment, 1980, and....it effects the situation regarding cumulative voting and single-member district and this is on Third Reading in the House so I think you'd want to listen to this."

Palmer: "Let me phrase my question this way to Mr. Telcser. It would appear that this Constitutional Amendment #33, if as proposed, and is passed by this House and approved by the voters would be an end run, so to speak, a...insofar as the proposed Constitutional Amendment which would establish single-member districts, would you interpret that this way, Mr. Telcser?"

Telcser: "Representative Palmer, certainly I would not interpret it in the manner in which you've just described. The purpose of the Amendment clearly is to provide that in the event of changes in the legislative Article that's done by initiative, consideration ought to be taken care of with respect to an orderly transition. Now whether or not the initiative question appears on the ballot and whether or not the voters of the State of Illinois approve or reject it, really is of no consequence and I think that the Amendment which Representative Macdonald offers today ought to be looked upon on its own merit and not in relation to other initiative propositions which may or may not appear in the ballot. The Amendment is a sound one and would protect the people of the State so that they could have, if the legislative Article is changed in the future, an orderly change. Now with respect to your prior inquiry about the political party, I do not know of a vote or an instance by which either the two political parties, State-wide or locally, have taken a position with respect to this issue. I think the issue cuts across two or three ways in the political parties, but knowing the House as well as you and I do, Romie, I think we agree that irrespective of how the political parties feel about an issue, every Member of this House will vote his or her conscience to what they feel is the good of their constituency."

Palmer: "Let me say this then, what the statement is, as I understand



it, is that is no formal policy of the Republican Party of this State, this Bill does not support a formal policy."

Telcser: "It is not a formal policy of either party."

Palmer: "Alright, now Mr. Telcser, this Bill proports to amend Section 3, which has to do with a Constitutional Amendment proposed by the people..."

Telcser: "...iniative..."

Palmer: "...that's right, the people, now it does not proport to change Section 2, which means proposals enacted by the General Assembly. Why the difference? Why isn't it equal?"

Telcser: "Well now I think that's obvious, Romie, because propositions put on the ballot with respect to the legislative Article by iniative, because of their very nature would have...would deal with perhaps one subject matter. I think when citizens are interested in what they believe to be a change for the good, they will simply look upon that change by itself and will not have the broad over-view that you and I have, as say, legislators, when proposing such changes that could have a great trauma upon the people of this State. And so I think it is sound that we, as legislators, try and offer that broad perceptive to those who wish to change the legislative Article by iniative."

Palmer: "Well I detect in your statement...I'm about ready to conclude Mr. Speaker."

Speaker Blair: "Alright, you're just about out of time so bring it to a close now."

Palmer: "Just a brief statement that I would detect by Representative Telcser's statement that the individual Members of this legislature has a broader overview and has knowledge superior to these matters than the people that we represent. I always thought that the people of the State of Illinois were our employers, although sometimes they make mistakes, electoral mistakes, generally you are right over the long haul."

Telcser: "Romie..."

Palmer: "...Mr. Speaker, it seems to me that on the legal end of this thing that under Section 2 of this Article, wherein the



Members of the legislature proposing a Constitutional Amendment which is acted upon favorably by the electorates, it goes into effect at the next session, that is the legislature is called upon at that time to implement this thing. Yet, under the proposed Amendment, the legislature is not really called upon to enact those measures responding to the desires of the people until the year after the next decennial session. To me, it seems that it's the denial of the equal protection of the law under the Federal Constitution, I don't know why we have any more knowledge or why we have knowledge superior to the people of your State and furthermore I think it is an affront to every citizen of this State to tell him, yes you vote on this thing, but you'll have to wait to get it implemented. And for that reason and because Memorial Day is going to come up, July 4th, when many people in this Body will be out speaking to the people telling them how great we are as a people, maybe we practice a little bit of hypocrisy here by indulging or voting favorably for this type of a Resolution. I say that the people of this State are our bosses and I don't think that we can cozy anything just to suit ourselves. We, as individual legislators, are indispensible. Not one of us here are indispensible. I'll tell you something right now, the people are indispensible and they'll be back. Thank you very much and I urge your vote against House Joint Resolution Constitutional Amendment #33 for its basic unfairness."

Telcser: "Representative Palmer, while I speak in favor of this issue, I would simply like to clarify the allegation you made with respect to my position. I simply say that we should give the people the benefit of the experience that we have in the General Assembly and as to the possession of superior knowledge, which one has, it's clear to me that the people have a superior knowledge because after all, they've elected you to the House of Representatives and the people in my district have superior knowledge because they've elected Representative Merlo and Douglas, my two colleagues, and so Romie, I can assure you that we are doing everything



possible with this Amendment to insure and protect the rights of the people."

Speaker Blair: "Is there any further discussion? The Lady from Cook care to close?"

Macdonald: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, I would again just like to clarify that House Joint Resolution #33 creates a Constitutional Amendment which will provide that structural changes of the General Assembly can be made only after every decennial census. Now you have heard the arguments pro and con, it is not position to take sides either way, it is my intent with this Resolution and with this Constitutional Amendment to give the people a chance that they in turn will vote on this Constitutional Amendment to approve it so that it is not just what we here decide to do, it will be up to the people and I say that it will give a more orderly opportunity for us to structure in a contact and a contiguous way constructed by other parts of the Constitution. So I urge your yes vote on this important issue. Thank you."

Speaker Blair: "The question is shall the House adopt the HJRCA #33, all those in favor will vote aye and the opposed no, this requires 107 votes for passage. Have all voted who wished? The Clerk will take the record. On this...Phil Collins, aye. Soderstrom, aye. Waddell, aye. Martin, aye. Jones, David Jones, aye. Emil Jones, aye. Ron Hoffman, aye. Campbell, aye. Totten, aye. McGrew, aye. Boyle, aye. Now have we got them all? Harold Washington, aye. Sevcik, aye. Is that everyone? Alright, what's our total now? 100...Thompson, aye. Robert Thompson, aye. On this question there are 140 ayes, 9 nays, no present, 43 not voting, and the House adopts HJRCA #33. Alright now the Gentleman from Cook, Mr. Shea, is recognized to continue the point of personal privilege that he was on when we were trying to address ourselves to get this Resolution over to the Senate. Mr. Shea."

Shea: "Well, Mr. Speaker, prior to the time we came in we were in the Committee as a Whole, and there had been filed with the Committee



Clerk and I would assume that the Committee Chairman was informed of a motion to recess the Committee of the Whole until Tuesday morning of next week at 10:00 am. I think that ah... and I would like perhaps ah.... for the Chairman to explain why he entertained a motion from the floor ah.. prior to the time he entertained a written motion. I think that the Gentleman's conduct as Chairman ah.. unless he can explain it, leaves something to be desired and I'd ask him ah.... particularly since he is the Majority Leader, if would explain that conduct to this Body."

Speaker Blair: "Well, ah... the Gentleman was rising on a question of a personal privilege and ah... now he is entering into an intera-gation of another Member ah... and I frankly don't see ah.... what the point of personal privilege is in connection with the asking of a question."

Shea: "Well, Mr. Speaker, let me just ah...."

Speaker Blair: "We convened the House at 2:00 ah... and we adjourned the House until 2:00 ah.... yesterday. Ah... we can't operate a Committee when the House is in Session. Ah... and I would advise that the Committee of the Whole had risen and ah... that was right at the hour of 2:00. Now ah.. I was not on the floor and it's fine with me if the Gentleman from Cook wants to ah... Mr. William Walsh wants to respond to your question, but ah.. I believe that's up to him though."

Shea: "Well, Mr. Chairman ah.... or Mr. Speaker, what I'm trying to get at is ah.. the parliamentary maneuvering of the Chairman ah.. if he had entertained the motion to recess the Committee of the Whole. That same Committee would still be alive and be available to hear additional Bills on the Regional Transportation Authority. Because of his precipitous action, I think that he is attempting to do something that the majority of this Body ah...this morning ah.... by an overwhelming majority said that they did not want not done. They did not want any Bills to come out of the Committee of the Whole until there was an opportunity to hear all of the Bills that are affecting R.T.A. revenue ah.. connected. Now I think that was



the sense of this Body this morning and I'd like to find out if the Majority Leader would answer the question and why the action was taken instead of recessing the Committee ah.... why did he let the Committee arise?"

Speaker Blair: "If the Gentleman from Cook, Mr. William Walsh ah.. cares to answer ah.. he certainly may. The Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Assistant Majority Leader, if you don't like the way I conduct the Committee ah.. then don't you appoint me the Chairman of the Committee. Happily, ah.. you were not the one who did appoint me, someone else did. I recognized Mr. Totten to make a motion and he made a motion that the Committee rise. I took an oral Roll Call and you'd be surprised ah... the vote actually was in favor of arising. I don't know where you were at the time."

Shea: "I was attempting to get to the House floor."

Walsh: "Ya, from where?"

Shea: "From back in Mr. Choate's Office."

Walsh: "I see. Well, you should have been on the House floor if you objected to it. That's too bad. I did that and I have no qualms about doing it at all. That is prerogative of the Chair to recognize people for that purpose or for any other purpose that the Chair ah.. legitimately determines is correct. And ah... that Committee was held and ah.. it was unfairly ah.... and you make a motion to override the Chair ah.. to appeal the ruling of the Chair ah.. it had nothing whatever to do with the subject you're talking about now and you know it."

Shea: "No, what I'm saying....."

Walsh: "If you'll let me finish...."

Shea: "..... is that you had a written motion filed."

Walsh: "If you'll let me finish. The appeal of the ruling of the Chair had nothing....."

Speaker Blair: "Let the Gentleman finish, please."

Walsh: "Ya, had nothing whatever to do with the question you raise now and you know that. The consensus of the majority of the Members of this House was that the question that was put was appropriate."



The Chair had ruled that it was not. That had nothing to do with considering a number of other Bills at all. So I submit to you that I acted properly in ah.. in ah... in having that Committee rise and ah... I would do it again."

Shea: "Well, Mr. Majority Leader, I wonder why you would not entertain the motion that was written and was put to you. Was there some hurry to get a Bill out to the House floor? Was there some rush to take care of one Bill? Was there some rush that you would not let other Members get an opportunity to have the same privilege that was afforded one person?"

Walsh: "No."

Speaker Blair: "All right, ah... H.J.R.C.A. #29. H.J.R.C.A. #29. Ah... so that the House does ah..... I'm attempting to get ah.. all of these House Resolutions called just as quickly as possible... because we've been advised that the Senate ah... will be here through Thursday and if they would care to address themselves to these Resolutions ah.. they can have them read for the first time today and the second time tomorrow and the third time on Thursday. So I'm trying ah.. as expeditiously as possible ah.. get to these so that the House can consider them. And now the Gentleman from ah... we better have it read first. Read in full ah.. for the third time, H.J.R.C.A. #29."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #29. Resolved, by the House of Representatives of the 78th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the next General Election occurring at least six months after adoption of this Joint Resolution a proposition to amend Section 2 of Article IV of the Constitution to read as follows: Article IV. Section 2. LEGISLATIVE COMPOSITION. (a) One Senator shall be elected from each Legislative District. Immediately following each decennial re-districting, the General Assembly by law shall divide the Legislative Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four years, four years years and two years; Senators from the second group, for terms



of four years, two years and four years; two years and four years; and Senators from the third group, for terms of two years, four years and four years. The Legislative Districts in each group shall be distributed substantially equally over the State. (b) Three Representatives shall be elected from each Legislative District for a term of two years. (c) To be eligible to serve as a Member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to be representing. In the General Election following a redistricting, a candidate for the General Assembly may be elected from any district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection. (d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial Office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next General Election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative Office or in any other Senatorial Office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds. (e) No Member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for the time during which he is in attendance as a Member of the General Assembly. No Member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term. SCHEDULE. This Amendment applies to the nomination and election of Representatives in 1976 and thereafter. Third Reading of the Resolution."

Speaker Blair: "The Gentleman from Peoria, Mr. Day."

Day: "Mr. Speaker..... Mr. Speaker and Ladies and Gentlemen, House



Joint Resolution #29 would amend the Constitution to do away with cumulative voting. It would retain 177 Members in the House; three Members from each district. I'm sure that we are all aware of the fact that a petition is being circulated throughout the state at this time which would reduce the number of Members in the House to 118 and would ah.. do away with cumulative voting and ah.. would require ah... a reapportionment of this state into two single Member Districts for each of the present districts. Cumulative voting, although it may be good in theory, has never been understood by the voters. It is not a popular concept. It has never been a popular concept. It has caused confusion in the voting process..... in the case of straight ticket and of course in the case of the voting machines in Chicago. I suspect that there are many people who have signed the petition that is now being circulated because they were opposed to cumulative voting, but who are not in favor of single Member Districts or reducing the size of this House. And for that reason, this Resolution is limited to one thing only and that is the doing away with cumulative voting. I submit to you ah... that the present size of this House.... the present Membership at 177 is a Representative Body and that it is an optimum size for a Legislative Body of this nature. In Illinois, with 177 Members in this House, we have approximately 62,000 constituents per Member. There are only five states which have a greater number of constituents per Members, then does Illinois. Constituency, per Member, varies throughout the state ah... all the way from California, which has 196,000 constituents per Member to New Hampshire, which only as 1800. If we reduce the size of this House to 118 Members, there will be 94,000 constituents per Members ah.. which will make us the first highest in the number of constituents per Member ah.. of all of the states. The function of a Legislative Body, ah.. such as this, is to represent the people and its success and efficiency depends on the extent to which it clearly reflects the consensus of the people of this state. Obviously, the fewer number of constituents per Member, the more



accurately it will reflect that consensus. I submit to you that this House will be more efficient, will be more representative of the people and will serve them better if we retain three Members at large from each district. (microphone off).... so this is ah.. it give each voter, each citizen, recourse to three different Legislators instead of only one as in the case of single member districts. It would permit minority representation where the Minority Party is strong enough to get 1/3 of the vote. It also has the advantage of appointing another reapportionment by the courts and the charges of garymandering that always seems to be present in the reapportionment process. The present system has been discribed by those who are circulating the statewide petition, as being unworldedly,unproductive and is considered one of the most unproductive Legislative Bodies in the United States. I submit to you that the readings that have been made concerning all Legislative Bodies would indicate that this is not the case and as a matter of fact, we have been ranked as number three throughout the state in efficiency. Those who are circulating this petition also state that by going to 118 Members, we would restore Representative Government. I submit to you that if we reduce the Membership of this House, we will not increase Representative Government, we will decrease it. It will have a tendency ah... along with the single Member Districts... it will have a tendency to provincialize the House. It will set up a concept based on a concept wherein the winner takes all. I think that the Minority is entitled to representation and although by doing away with cumulative voting, we may make it a little more difficult for minority groups, I submit to you, that this proposition is much to be preferred over the citizens petition which is being circulated and I would appreciate you support. We need 107 votes."

Speaker Blair: "I'm going to turn these lights down a little bit.... ah... unless the television people are on. I don't think that they are. It might be a little more restful."

Speaker Telcser: "The Gentleman from Cook, Representative J.J. Wolf."



Wolf: "Mr. Speaker and Members of the House, I am somewhat reluctant to rise in opposition to any Legislation introduced by such distinguished and respected Member as the Gentleman from Peoria, but let me set the record straight on a couple of instances. First of all, in regards to cumulative voting in the City of Chicago, there is absolutely no doubt in the people's minds as to what they are voting for because the horizontal voting machine states very clearly that there are three levers over each name. A one vote, a one and a half or a vote lever. So there is absolutely no question in anyone's mind ah...they have three separate levers that they can pull. They know exactly what they are doing and whom they wish to cast their vote for. Now with regard to the petition signers who may have been induced to sign a petition to reduce the size of the House from 177 to 118 Members ah...in an idea of ah...possibly false economy. If you've ever seen one of those petitions and seen how it was worded, there is no explanation of multi-Member Districts or cumulative voting therein contained. All they do is say, 'Here, would you like to reduce the size of the General Assembly by 1/3? Here's your chance to get rid of 1/3 of those bums in one full swoop and save \$2,000,000 a year.' Now that's how it's being presented without a good explanation of what the system is all about. Now I have to admit that the lower esteem in which public officials are held by the public ah... is to some small degree earned, but most of it by in large, is not deserved. And I think that by in large, most public officials try to do a good job for the constituents they represent. And so I would certainly urge the Members of this House to look very hard. At first I thought that this might be a good proposal. Ah... I probably would even think of supporting it if the people only had one vote to cast, but the fact of the matter is that they still have three votes to cast and it does not provide for the system like Minority representation ah.. in a district in which it worked out very well. And under the cumulative voting system ah.. even in areas where the Majority Party elects too ah... there is a difference. Well, ah... I would urge everyone in this House to vote 'no'."



Speaker Telcser: "The Gentleman from Sangamon, Representative Londrigan."

Londrigan: "Mr. Speaker and Ladies and Gentlemen of the House, I rise too in opposition to this proposal. While it does get rid of cumulative voting, which most of us do not care about; what it also does is get rid of Minority Representation. It gets rid of of Minority Representation. It is a better Bill than the so called Reform Bill, but it is not as good a system as our present system. While, my own personal opinion is ah... our House would be better off with 150 Members ah... and while none of us particular care about cumulative voting, what we all are concerned about is to keep Minority Representation. That's what the fight is all about. So while Representative Day is trying to give us an alternative, and it is a better alternative than the so called Reform Bill; it is not as good a system as we presently have. So therefore, why should put a Constitutional Amendment to the people on a Bill that is not as good as what we have. I therefore would encourage you to vote 'no' to keep our present Minority Representation."

Speaker Telcser: "The Gentleman from Cook, Representative Mahar."

Mahar: "Mr. Speaker and Ladies and Gentlemen of the House, will the Sponsor yield for a question?"

Speaker Telcser: "He indicates that he will."

Mahar: "Is it possible for both this Amendment and the so called Reform Bill ah... could be on the November ballot at the same time?"

Day: "Yes, it is possible for them both to be on the ballot at the same time."

Mahar: "How would the votes be cast? Could you vote for both Bills in November?"

Day: "Could you vote for both?"

Mahar: "Yes, could you vote for both?"

Day: "Yes, I think you could."

Mahar: "What if they both pass?"

Day: "That's a very good question. No one seems to know the answer to it. Certainly I do not."

Mahar: "It's going to be kind of confusing, is it not?"

Day: "Could be."



Speaker Telcser: "The Gentleman from DuPage, Representative Schneider."

Schneider: "Bob, while you're still up ah... will the Sponsor yield to a question, Art?"

Speaker Telcser: "He indicates he will."

Schneider: "Bob, on this ah... the proposal that you're offering ah.. I see no explicit reference to the number of votes that you're entitled to cast. For example, if you'll look at the present Legislative Article under Cumulative Voting ah.. it does define the ah... number of votes that an individual is entitled to cast. I think from our private conversations you indicating to me that there were ah... three votes that the individual could cast, and yet within the Amendment ah... that does not exist. Ah.... possibly, I haven't seen it or misread it, but could you explain to me how we are going to stand ah.... that there would be three votes to cast?"

Day: "Well, this is an Amendment to the Constitution. If it ah... if it is adopted, ah... you would probably have to have some statutory implementation.... for it, but the reason that the present Constitution ah... just spells out the cumulative vote procedure is because it is an unusual type of procedure. The Constitution does not, for example, ah.. spell out the number of votes ah... that each voter has to cast for ah... Circuit Judge. It simply says that four will be elected. And whenever you have that in the Constitution, it means that ah... you will vote for the number of candidates to be elected and that each one will have one vote."

Schneider: "And then the same is true on the reference in the present Article to ah.. the party not ah.. limiting its choices or nominating two. You would think that the statutory decision are within the arrangements that the party would make within its own structure? You'd notice that the present Legislative Article does state that there should be not less than two ah.. I think it is, ah... you think that that should be left in the statute?"

Day: "No, ah.. those provisions in the Legislative Article are not included in this Amendment. Any reference to the number of candidates to be nominated by a party is omitted and ah.... this is part of the Minority Representation ah... cumulative voting ah.. procedure



that we have now. And ah.. so there would be nothing in this Amendment which would in any way control the ah.... number of candidate which a party could nominate."

Schneider: "O'kay, thank you."

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

Geo-Karis: "Will the Sponsor yield for a question?"

Speaker Telcser: "He indicates that he will."

Geo-Karis: "Representative, ah.. are you saying under your Amendment that we would still have 177 people in the General Assembly?"

Day: "That is correct."

Geo-Karis: "Now ah.. under your Amendment, ah.... I didn't quite understand. You said that three votes can be cast, but it can't be cumulative for one person. Is that correct?"

Day: "That's correct."

Geo-Karis: "Now would this not eliminate Minority Representation?"

Day: "No, I don't think it would. I think what you would find is that a strong Minority Party would simply vote for their candidate and would withhold their votes from the Majority Party candidate."

Geo-Karis: "Mr. Speaker, I would like to speak on the Bill, please."

Speaker Telcser: "Proceed."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen, ah..... I find that in spite of our trials and tribulations in this House, the fact that we have ah... 89 for one party and 88 for another is healthy. And I do feel that under cumulative voting we will always be guaranteed Minority Representation. I certainly would not like to think that one side representation ah... which is very possible under this Amendment because that's when you're going to spend a lot more money than you should, but when you can guarantee Minority Representation, you can guarantee the best of each party will have a chance to serve in this House. Therefore, I speak against the Amendment."

Speaker Telcser: "The Gentleman from Lake, Representative Pierce."

Pierce: "Mr. Speaker and Ladies and Gentlemen of the House, the people of Illinois expressed themselves on cumulative voting ah.... a



short four years ago ah... or three and a half years ago when in December, 1970, ah.. the Constitutional Convention gave the a separate choice on the ballot to retain cumulative voting or go to 177 single Member districts. They voted for cumulative voting, including my County of Lake. They were aware of what cumulative was and they supported it. We first had cumulative voting in Illinois because of the 1870 Constitution when it was considered quite innovative Constitution submitted it as a separate question to the voters of Illinois. It wasn't an interval part of the 1870 Constitution. It was a separate question and the voters voted to include it in the 1870 Constitution and again in 1970 when the Con-Con Delegates couldn't quite make up their mind what they wanted to do.... although the Committee recommended retention of cumulative voting... the Legislative Committee. They submitted it to the voters as a separate issue and the voters voted to retain it. Now the Sponsor of the Amendment says ah.... contrasts his Constitutional Amendment to a Constitutional Amendment that's being circulated by a group by petition. That's not all ah.. our alternative. Our alternative is the present law as against this Constitutional Amendment.... that's what we're faced with today. This Constitutional Amendment will eliminate completely Minority Representation. Let's take a look at the University of Illinois Trustees on the ballot. They have three running against three. The voter has three votes. And even where the state has decided by a 51% of the vote in the November election ah... 52% of the vote, always one party or the other elects all three of those University of Illinois Trustees. They're far down on the ballot and we'll be even lower on the ballot as State Reps. So you won't get any Minority Representation. What this Amendment is aimed at is eliminating Republicans in Democratic Districts and Democrats in Republican Districts. What they're saying is ah.. the Senate over there with their single Member Districts and no Minority Representation is a better Legislative Body ah... fair and more deliberate than we are. And we know that to be false. Some say that



a Legislator shouldn't speak for cumulative voting. It's a self interest. I say that if we don't have enough confidence in ourselves and our system and the quality of the Minority Members of this House, than who should speak for us? And if we're ashamed and to gutless to speak for ourselves, than I don't blame the public or the newspapers for not speaking for us. I'm not ashamed to speak for our present system under which I'm elected. And this Constitutional Amendment, despite its good Sponsor, is aimed at eliminating that system and eliminating Minority Representation which would be the result. Let's not be ashamed to stand up and be counted. Let's oppose this Constitutional Amendment and retain our cumulative voting system that has worked so well for this House of Representatives."

Speaker Telcser: "The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker and Members of the House, in my judgement, ah.. the issue of this proposal is not necessarily whether we favor this proposal unbalanced or not. The issue that we're discussing today, in my judgement , is whether or not this House wants to offer the electorates an alternative method of electing Members of this House. Now last week, this House turned down a Constitutional Amendment that I was sponsoring. I have not pride of authorship. The House spoke on that. Frankly, I thought that it was a bit better than the one that we are considering today, but on the other hand, this is the only alternative that's still alive and I feel it would be ah.... a good judgement on the House's part today, to support mu colleague from Peoria in his proposal to give the electorate a choice..... come November if this prevails and if the citizens petitions prevail and they get it on the ballot come November. Now if they are successful in getting sufficient sigatures, that proposal will be on the ballot in November. Now unless you pass this out of the House and allow the Senate to consider this proposal; the electorate will have no alternative whatsoever to select. I think that the time to argue the merits of the two proposals ah... if in fact, both proposals get on the ballot, are during the time ah....



from May 5, on to November... not today necessarily, but during the period of the six months period in which both proposals will be debated in the public form. I solicit your support for this Resolution and I would like to see 107 votes cast in favor of it."

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

Clabaugh: "Mr. Speaker and Members of the House, I want to tell a different reason, an additional reason why I'm going to vote for this Amendment.... this Resolution. And everybody in this House who wants to retain.... I say who wants to retain cumulative voting, should vote for this Amendment... this Resolution and I'll tell you why. I'm quite sure that this Reformer's proposition... ah... Resolution that is being circulated throughout the state with the kind of backing that it has will go on the ballot. Now ah.. the people ah.. are ah... I think... I think that they want to get rid of cumulative voting actually, but I'm afraid that they will throw out the baby with the bathwater. I think it would be a catastrophe if this other proposition carries, but if you put this one on the ballot and the other one on two ah... neither one of them will get enough votes to pass. And we'll retain the present system. So that's the main reason I'm going to support this because I much prefer the present system to the one that's coming from the Reformers. And frankly, I believe, that ah.. since we have not in this House been able ah... in the Legislature, we've not been able to... in ten years, to reapportion ourselves. It's always gone to a Commission. And I have a sneaking feeling that that's what the Reformers want. They want it to go to a Commission because they could do a better job cutting us up than we would do ourselves. So again I say.... now I'm not for the retention of cumulative voting myself, but I much prefer the present system to the one that we would get under the Reformer's Resolution and if we put them both on the ballot, neither one of them will get enough votes to pass."

Speaker Telcser: "The Gentleman from Winnebago, Representative Simms."

Simms: "Mr. Speaker and Ladies and Gentlemen of the House, I rise



in support of this Constitutional Amendment for two reasons. Number one, if the other proposal by the citizens group is placed on the ballot, there will be alternatives for the voters of Illinois to select. They can vote against both proposals and the present system can be retained or number two, that they can choose to eliminate accumulative voting and multi-number districts and select that method that is avocated by the Reform Committee, or three, that they can eliminate accumulative voting and still retain multi-number districts. I think there's an excellent case for the retention of multi-number districts. Twenty-seven states in the United States elect either one House of the other House of both Houses on the method of using multi-number districts. Any state select the Members of the Senate and House by multi-number districts and have a very excellent system of choosing Members of the legislature. Such states as Texas, Pennsylvania, are some of the larger states that have this method. I think the most important thing is is through the political gerrymandering, single-member districts will cause a great deal of problems in redistricting the State of Illinois and I think the people of Illinois should have the opportunity of selecting one of three methods of electing Members to the General Assembly. And by voting for Representative Day's Constitutional Amendment we will be giving the voters three opportunities to express themselves in selecting what the three methods that is the best for electing Members of the General Assembly. I would urge a favorable vote on Constitutional Amendment #29."

Speaker Telcser: "The Gentleman from Cook, Representative Peters."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, I move the previous question."

Speaker Telcer: "The Gentleman has moved the previous question, all in favor signifying by saying aye. Those opposed...the Gentleman from Peoria, Representative Day, to close."

Day: "Thank you Mr. Speaker. I have heard some comments made here this afternoon to the effect that this Resolution would do away



minority representation. Let me say to you that there is no way, no way that anyone can guarantee minority representation. Let me say to you that if we offer this alternative to the voters of this State and if it is adopted, we will do more to preserve minority representation than if the other proposition should become part of the Constitution. We're not talking here this afternoon about what system we would like to have or what system we would prefer to have. All we're talking about is providing the people of this State with an alternative to the proposition that is now being circulated State wide. And I think it's safe to say that we won't know until five o'clock on May 5th whether or not they are going to get enough signers to that petition, but if they do, the people of this State are going to have only one alternative to vote for and that will be to do away with accumulative voting, to do away with multiple member districts, to reapportion this State again, and to reduce the size of this House to 118 votes...a...Members. This is a very serious matter because it deals with the people's body of State government and I think that we have an obligation to offer them an alternative and I think that we would be remiss in our duty if we couldn't offer them this alternative. And I can assure you that if there is no alternative offered, there's a very very real possibility that the other proposition is going to pass because the only people who are really conversant, who really know the...this problem are the Members of this House and you are all going to be engaged in your own campaigns this fall and I think you're going to be reluctant to get involved in a side issue involving another faction, another race, in this State. It just isn't good politics to do it. You would have an opportunity to take part in that debate, however, if you had an alternate proposition that you could talk about when you campaign this fall. And this Resolution will provide you with that alternate and it will provide the people of this State with an alternate so that they don't have to take the whole



package or not. I would appreciate your support."

Speaker Telcser: "The question is shall the House adopt the House Joint Resolution Constitutional Amendment #29 to the Constitutional 3/5's majority, all in favor signify by voting aye, the opposed by voting no. Does anyone wish to explain their vote? Have all voted who wished? Have all voted who wished? Representative Greiman votes no. Have all voted who wished? Take the record. On this question there are 34 ayes, 85 nays, McGrew, no. 86 nays, 2 answering present. Representative Jim Houlihan, no. And the Gentleman's motion...the House does not adopt House Joint Resolution Constitutional Amendment #29. House Joint Resolution Constitutional Amendment #30. Third Reading."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #30. Resolved by the House of Representatives of the 78th General Assembly, the State of Illinois, the Senate concurring herein there shall be submitted to the electors of this State, the general election next occurring at least six months after the adoption of this Resolution the proposition to amend Section 6 of Article 7 of the Constitutional to read as follows: Article 7, Section 6, Powers of Home Rule Units. A. A county which has a chief executive officer elected by the electors of the county and any municipality which has a population of more than 25,000 are home rule units. Other municipalities may elect by referendum to become a home rule unit except as limited by this Section, home rule units may exercise any power and perform any function pertaining to its government affairs including, but not limited to the power to regulate for the protection of public health, safety and morals welfare, license to tax and incur debts. B. A home rule unit by referendum may elect not to be a home rule unit. C. If the home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction. D. A home rule unit does not have the power 1. to incur debts payable for ad valorem property tax received mandating more than forty years from the time it is incurred



or 2. to define and provide for a punishment of a felony. E. A home rule unit shall have only the powers that the General Assembly may provide by law. 1. to punish by imprisonment for more than six months. 2. to license or regulate any occupation or 3. to license for revenue and impose tax upon are measured by income or revenue upon occupation. F. A home rule unit shall have the powers subject to approval by referendum to adopt, alter, or repeal the form of government provided by law except its form of government of Cook County shall be subject to the provisions of Section 3 of this Article. A home rule municipality shall have the power to provide for its offices in the manner selected in terms of office only if approved by referendum or as otherwise authorized by law. A home rule county shall have the power to provide for its officers in the manner of selection in terms of office in the manner set forth in Section 4 of this Article. G. The General Assembly by law approved by the vote of 3/5's of the Members elected in each House may deny or limit the power of tax and then the other power or function of a home rule unit not exercised or performed by the State other than the power or function specified in sub-section 1 of this Section. H. The General Assembly may provide specifically by law the exclusion exercised by the State of any power or function of a home rule unit other than a taxing power or the power of function specified in sub-section 1 of this Section. I. Home rule units may exercise and perform concurrently with the State any powers or function of a home rule unit to the extent the General Assembly by law does not specifically limit the concurrent exercise or physically declare the State's exercise to be exclusive. J. The General Assembly may limit by law the amount of debt which home rule counties may incur and may limit by law approved by 3/5's of the Members elected to each House the amount of debt other than the debt payable for ad valorem property tax receipts which home rule municipalities may incur. K. The General Assembly may limit by law the amount and require



referendum approval of debt to be incurred by home rule municipalities payable from ad valorem property tax receipts only in excess of the following percentages of the assessed value of its taxable property. 1. if the municipality is 500,000 or more, an aggregate of 3%. 2. if its population is more than 25,000 and less than 500,000, an aggregate of 1%. And 3. if the population is 25,000 or less, an aggregate of 1/2%. Indebtedness which is outstanding on the effective date of this Constitution or which is therefore approved by referendum or assumed from other units of local government shall not be included in the foregoing percentage amounts. 1. the General Assembly may not deny or limit the powers of home rule units. 1. to make local improvements by special assessment and to exercise this power jointly with other counties, municipalities, and other classes of unit of local government having enough power on the effective date of this Constitution unless that power subsequently denied by law to any other unit of local government or 2. to levy or impose additional taxes on areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services. M. Power and function of home rule units shall be constituted literally. Schedule: This Amendment of Article 7, Section 6, takes effect the first day of January in the year following its adoption. Third Reading of the Resolution."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh."

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House. We discussed House Joint Resolution Constitutional Amendment #30 in some detail on Second Reading. There has been much confusion about it and I'll make some effort to try to remove that. All this does is to stop the possibility of a multiplicity of licensing and regulation for occupation. Now it does not change the authority that the municipalities, that municipalities, both home rule and non-home rule have right now, namely, to license



for health and welfare and to license businesses. Right now municipalities can license masonry contractors, auctioneers, plumbers, private detectives, moneychangers, bankers, florists, and many others. They also can license businesses such as restaurants, junk dealers, filling stations, and again, many others. What this does is provide that where the State licenses such people as insurance brokers, real estate agencies and indeed, even attorneys that municipalities cannot. So I suggest to you that this is a reasonable Constitutional Amendment. There have been indications of abuse, there have been indications even now that municipalities are licensing beyond what was really intended and they have sort of had the breaks on since House Bill 3636 was signed by the Governor about two years ago. That Bill has been in the courts until just a couple of weeks ago. The courts have sent down a ruling which, as I understand it, is subject to a rehearing and even in that time, in the couple of weeks since the court has ruled, there have been indications that municipalities are working to license various businesses so that it will work a tremendous hardship on the people engaged in those occupations. I suggest to you that if you were in the business, for example, of real estate broker which the Assistant Minority Leader mentioned yesterday, it would certainly be an unreasonable hardship upon you if you worked in Cook County and were required to be licensed thirty or forty separate times. This is a reasonable Constitutional Amendment and I solicit your support for it."

Speaker Telcser: "Is there any discussion? The question is shall the House...the Gentleman from Cook, Representative Shea."

Shea: "I'd say I'd rather yield to my eloquent friend, the Mayor from the other side of the aisle."

Speaker Telcser: "The Gentleman from Cook, Representative Bluthardt."

Bluthardt: "Thank you Mr. Speaker, Members of the House. You know, this reminds me of that old saying that the way to cure a common cold is to cut off the head and it certainly is a cure. But



is not an answer to what we're trying to solve here. I mentioned yesterday in debate that I firmly believe that there ought to be some limitations on some powers of home rules in the area of licensing and regulating the sections in occupation. I don't believe, though, that by adopting a Constitutional Amendment that would prohibit the regulations of all businesses, the licensing of all businesses and occupations is a proper way to go about it. I think the present Constitution is adequate in the way it approaches this matter and it establishes a method by which this General Assembly can remove powers where we firmly believe that those powers of licensing businesses and occupations ought to be removed from local government. We did it with the Bill, last session, 3636. Unfortunately we tried to accomplish too much in one swell swoop, we put in, I think, twenty-seven businesses and occupations and as a result of that, I believe that was the grounds on which the Supreme Court found that that Bill was unconstitutional. It didn't say that we could not remove the power to license and regulate businesses, it said we couldn't do it in the manner in which we attempted. We couldn't lump-sum all those businesses into one statute. We now have pending somewhere in this House, I don't know where, some twenty-seven new Bills, separate Bills dealing separately with each and every business that was dealt with in the old House Bill 3636. Now I am also concerned with the effect that this Constitutional Amendment would have should we be so foolish as to pass it. And that is there is no savings clause, I pointed that out yesterday, there is no savings clause in this proposed Amendment. It is my belief that if it were adopted that all the statutes that presently grant even the non-home rule municipalities power to license certain businesses and occupations would be rendered null and void. As I said again yesterday, that you would have to come back here next session and deal almost exclusively with Bills that specifically deal with a particular business or occupation. This is bad, bad law. This is not reasonable law, it's not a reasonable Amendment to our present Constitution. I



would urge you to vote against the proposal and if I forgot to mention Brian Duff's name, I apologize."

Speaker Telcser: "Is there further discussion? The Gentleman from Cook, Representative Shea."

Shea: "Well Mr. Speaker, Ladies and Gentlemen of the House, I think Mayor Bluthardt, our colleague, did an eloquent job in explaining why this is a very terrible Constitutional Amendment. And I think if we stop and think about it, we've got the responsibility here in the General Assembly under the present Constitution to limit the powers of home rule communities. I think that this House and the Senate demonstrated that certainly there are the votes to do that in a certain number of select businesses and occupations. But to just tie us up so that we could never, never regulate certain businesses or let municipalities such as restaurants, barber shops, etc. I think would be a terrible thing. And I certainly would hope that this Resolution would not pass. Thank you."

Speaker Telcser: "Is there further discussion? Representative Calvo did you seek recognition sir? Representative Calvo."

Calvo: "Mr. Speaker, would the sponsor of this Constitutional Amendment yield to a question?"

Speaker Telcser: "He indicates that he will."

Calvo: "Bill, who is it, Bill Walsh? Bill, I had hoped to vote for this, but my mayors are asking me if this Constitutional Amendment takes away from them the authority they have now to license businesses in their cities which are home rule units. It seems to, and I wondered if that had been amended. I know there was an Amendment, the Amendment I look at didn't seem to make any change in that."

Walsh: "Well, I can only refer you to the Committee meeting with the corporation counselor of the City of Chicago spoke and suggested that as a possibility. However, he said that he didn't, if I can paraphrase a little bit what he said, he wasn't sure how it would come out, he would argue that that would not be the case. And I think it absurd to even suggest



that that's the case because that would argue that the courts would find that the home rule municipalities would have less authority than non-home rule municipalities. What this says is that those home rule and non-home rule municipalities may license or regulate occupations that the General Assembly says they may regulate. And just as in other parts of the Constitution, the...a...where it says that the General Assembly laws that have been enacted by the General Assembly shall apply, I'm certain that would be the situation here."

Calvo: "Okay."

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

Walsh: "Well Mr. Speaker and Ladies and Gentlemen of the House, I think Representative Calvo's question went pretty much to the heart of the objections to this matter which is indeed...and which in the Committee meeting was answered...a...very adequately, I thought, by the corporation counsel of the City of Chicago who took pains to oppose this Bill. The section amended here is the section relating to powers that home rule units will have that are granted to them by the General Assembly. So the Assistant Minority leader when he says we are locking in forever these powers, is mistaken. The General Assembly by a simple majority can, in its wisdom, decide to license whatever they want to or decide to permit municipalities to license whatever they want to just as they already have in the cases that we have mentioned. Plumbers, florists, you name it, there are a lot of them. They will continue to have this authority and this Amendment will have nothing to do with that. It is the dual licensing that we're looking to here and they know it. So I ask you to cast a vote for your constituents in the some fifty-two plus professions and occupations that would be effected by this because we could...we could be faced with a situation where a doctor would have to be licensed in a variety of different towns and villages and would not be able to serve you if he did not meet the qualifications by examination or



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

whatever that city or village determined was proper before he could come to visit you. This is true of so many occupations ...the present system suggests that there can be tremendous hardships, there have been indications of hardships and in just the few weeks in which House Bill 3636 was found to be unconstitutional, there have been these indications and there will be more. So I earnestly solicit your support for House Joint Resolution Constitutional Amendment #30."

Speaker Telcser: "The question is shall House Joint Resolution Constitutional Amendment #30 be adopted, the constitutional 3/5's majority. All in favor signify by voting aye, the opposed by voting no. Have all voted who wished? The Gentleman from Cook, Representative William Walsh."

Walsh: "Mr. Speaker, I feel that this is a very important matter and before you ask the Clerk to take the record, I would request that you poll the absentees."

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

Shea: "Well if you want to take the Roll Call someplace along the line, then I think he can poll the absentees, but until you announce it, I don't know how he's going to do it."

Speaker Telcser: "Is there anyone else who wishes to explain his vote? The Gentleman from Cook, Representative Richard Walsh."

Walsh: "Mr. Speaker, Ladies and Gentlemen of the House, it isn't very often that the Gentleman who sits behind me is right, he happens to be right on this issue. And I would hope that none of the Members who are here this morning would hold his action as presiding officer against him. This is a very significant vote and I would like to remind the Members that if this passes, as I hope it will, and the people of the State of Illinois adopt this as a Constitutional Amendment, the Illinois legislature can grant to municipalities the power to regulate as it sees fit. I think that's really what everyone thought would be the case before the Constitution was adopted in 1970. I think its as it should be, the power should reside in the



State legislature to grant to municipalities the power to regulate and home rule should not be interpreted as broadly ... (tape trouble)"

Speaker Telcser: "Rep... Representative Walsh hasn't finished."

Walsh: "I haven't finished, I was wondering if Representative Shea had control of the microphone. Once again, Mr. Speaker, I see there are twenty-four Members who have not expressed themselves, I think it should be an aye vote and I would urge everyone to vote."

Speaker Telcser: "The Gentleman from DuPage, Representative Hudson."

Hudson: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this proposition. It seems to me that one thing that took place in the Constitutional Convention that maybe was intended or maybe not intended and that was a reversal of sorts of what was we might think of as our federal system and that is where certain powers are delegated or given to the...delegated to the federal government and those not so delegated to the federal government are reserved for the State, the State is an independent and sovereign unit of government to become the residual repository, repository for residual powers, and the State does then delegate in terms powers to other units of government, the municipalities being one. It seems to me that this is what the originators of our federal system had in mind and this was in effect to some degree reversed by the new State Constitution. And I think that we can argue constitutionally that this proposition is sound, that it makes sense, and that the State certainly will respect its obligations to treat the municipalities as they should be treated in regard to powers that they seek to have. Powers to license certain occupations that are reasonable and I believe that the State of Illinois certainly, our legislature is going to treat those requests and those responsibilities as it should. I do believe that we are on the right track in this Amendment and on the wrong track under Article 7 of the Constitution as it now exists."



So I would urge, I realize I'm not going to influence many voters, but I nevertheless would urge some of my colleagues that may not have yet voted, to vote for this proposition."

Speaker Telcser: "The Gentleman from Cook, Representative Collins.

Representative Duff, for what purpose do you rise?"

Duff: "My buttons were voted and I didn't touch it and I would like to have it removed."

Speaker Telcser: "I'm sorry, I didn't hear you, turn Mr. Duff up."

Duff: "My buttons were voted and I have not voted yet and I would like to have it taken off the board please?"

Speaker Telcser: "Well Mr. Clerk, is that possible? Representative Duff says that someone pushed his present button without consulting him. You can flip it to yes or no and if you wish to be recorded as not voting at all, the Clerk will take it off of the Roll Call sheet. Representative Collins will you proceed sir?"

Collins: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, apparently Representative Duff doesn't have all his buttons... be that as it may, Mr. Speaker and Ladies and Gentlemen of the House, I do rise in support of this Constitutional Amendment. As Representative Richard Walsh said, I do think that this does express the intent of the Constitutional Convention that these powers should reside in the State and only those that are extended by the State to the home rule unit would be given to them. Now much has been made of the lock so that throughout House Bill 3636 and the possibility that legislation can be passed would need a quartet. This very well may be and yet it very well may not be. I think that this matter is too important to postpone action on this type of legislation or I should say Amendment. I'm in hope that the court will act in some manner. So I think that it is incumbent upon us at this time to act as expeditiously as possible and make certain that these powers would reside in the State through this Constitutional Amendment. I think of all the possibilities



for multiplicity of licensing of occupations, especially in a county such as Cook, where it is possible that a contractor or a real estate agent or some similar occupation would be compelled to take a license in any number of different communities, or even from the county itself. Mr. Speaker, Ladies and Gentlemen of the House, I hope that we will put eleven more green lights on there, I think that this is a matter of utmost importance and I would like this put to the test and put on the ballot in November and let the electorate have the opportunity to speak on this all important issue."

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

Leinenweber: "Thank you Mr. Speaker, I, likewise, Members of the House and Mr. Speaker, would like to rise in support of this proposed Constitutional Amendment. We have heard every kind of licensing Bill as proposed and I'm shouting in there with them for this legislature that we are over-licensing, we are having an orgy of licensing, we are trying to regulate and control every aspect of human life. I would suggest to you that this is an opportunity in a small way to repel against this over-regulation of our day to day life. As most people know who are involved in examining the licenser of regulations and ordinances and Bills, the purpose of licensing mainly is to prevent competition either without a municipality or to prevent people from entering into a particular occupation because of an alledged numerical number of that particular occupation of those who are in it don't want to see increased. Therefore, I say this is a way that we can return to a competitive environment and get rid of or at least limit to some small extent the orgy of licensing that is presently going on. I certainly would like to see the additional ten votes necessary to put this over the top so the people can vote on it."

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

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I think we should keep in mind that the legislature created the



problems of home rule and therefore, 'I think it is only right' to allow the legislature to continue with giving the powers of home rule or regulating them. I certainly do not like to see a multiplicity of licenses which could easily result by the non passage of this Amendment and I don't know how effective I can be, but I can just speak as a simple soul. I do hope we can get another ten votes and rectify the situation that exists now. I speak in favor of this Amendment."

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

Kempiners: "Thank you Mr. Speaker, I too, would like to explain my yes vote on this matter and the reason that I don't think anybody talked about yet and it's the basic idea of home rule. I can understand the reasons for it, but I think that we ought to look at some of the abuses that have taken place by home rule units and I've got a case in my district right now where some homeowners are fighting a home rule unit that they don't even belong to. They are outside of the boundaries of this home rule unit which wants to use the power of eminent domain outside of the boundaries to construct 138 TV electric lines for their electric department. Now we can use the idea that a home rule unit has this power, but the Constitutional Convention indicated very strongly that it does not. But these individual homeowners are going to have to go to court and spend their money defending their property in large suit which will probably wind up in the Supreme Court. I would definitely hope that twelve more people, at least twelve more, would get up there and vote yes."

Speaker Telcser: "The Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker, it's been said that no man's life or property is safe while the legislature is in session and certainly this is proven to be the case...this is proving to be true, I have never seen a legislature so pell-mell, so self concerned about changing every single thing in the State. We had a Constitutional Convention, the people elected the delegates to it, they debated these issues for weeks and months upon months.



They finally came out with some clear-cut decisions; they decided that certain units needed the home rule for the benefit of the people. And for the people, they passed these home rule Resolutions. Now here we are back in the legislature, the ink hardly having dried on the Constitutional Convention of a couple of years ago and by Resolution, we are seeking to upset all of the things which the people sent their elected representatives to do. In addition to that, it seems that we can't ...we want to take away from them their own personal rights to put a proposition on the ballot in the form that they want to. I think that we are tampering with the will of the people and those of you who do so are going to do it at your own peril. Mr. Speaker, I urge at this point, we allow the people through their Representatives, have the right to make these decisions. They did so in the Constitutional Convention and I think as a deliberative Body, we ought to try to abide by them or at least give them a few years to see how we stand the test. I'm going to vote no and urge every other Member of this Body to vote no on this particular Constitutional issue."

Speaker Telcser: "Have all voted who wished? Take the record.

On this question there are 97 ayes, 62 nays, 4 answering present. The Gentleman from Cook, Representative William Walsh. The Gentleman has asked for a poll of the absentees. Will the Members please be in their seats and the Clerk will poll the absentees."

Clerk Selcke: "Brummet. Capuzi. Carter. Catania. Flinn. Giglio. Hirschfeld. Keller. Kennedy. Klosak. Neff. VonBoeckman. Yourell."

Speaker Telcser: "Representative Greiman, do you wish to be recorded on this Roll Call sir? The Gentleman voted no. Representative Pate Phillip wishes to be recorded as voting aye."

Walsh: "Mr. Clerk, could you tell me what the total is now with the poll of the absentees?"

Clerk Selcke: "The total is 97 ayes, 63 nays."



Walsh: "We didn't get very many, did we, with the poll, Mr. Clerk?"

Clerk Selcke: "No, didn't get a one."

Walsh: "Well, in that case, Mr. Clerk, Mr. Speaker, I respectfully ask the postponed consideration."

Speaker Telcser: "The Gentleman has asked for postponed consideration.

Hearing no objections, this question was put on the order of postponed consideration. Representative Robert Dunne, for what purpose do you rise sir?"

Dunne: "I'd like to ask leave of the House to suspend Rule 37, I believe it is, on the calendar is Senate Joint Resolution #32, which I am handling, I did not realize that tomorrow is the last day and I would like leave of the House to have a two-week extension to May 15th?"

Speaker Telcser: "Okay, are there any objections? Hearing none, the Gentleman's motion to suspend the provisions of Rule 37 with respect to Senate Joint Resolution #32 will be declared passed and we'll use the attendance Roll Call for the affirmative... huh? Are there any objections? I'm sorry, Representative Lechowicz. Oh, I'm sorry, you want an extension? The Gentleman has moved for the suspension of the provision of Rule 37 for the purpose of having a two-week extension with respect to Senate-Joint Resolution #32. Are there any objections? Okay, are there objections to the attendance Roll Call as the affirmative Roll Call? Representative Maragos is objecting. Do you wish to explain the substance of the Resolution, Representative Dunne? Okay, Representative Maragos? No objections? Are there objections to the attendance Roll Call as the affirmative vote? Object, Representative Barnes? No objections? Alright, let's...okay, all in favor of the Gentleman's motion signify byokay, Representative McClain, for what purpose do you rise sir?"

McClain: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, I'd like to also ask for an extension of two weeks, I can't find my file on House Resolution 407."

Speaker Telcser: "Okay, Representative McClain has asked leave of



the House to suspend the provisions of Rule 37 for the purposes of having a two week extension with respect to House Resolution 407. Are there any objections? Hearing non, the provisions of Rule 37 will be extended for both House Resolution 407 and Senate Joint Resolution 32 for a period of two weeks. Representative Roscoe Cunningham, for what purpose do you rise sir?"

Cunningham: "Mr. Speaker, I rise to make a motion to table."

Speaker Telcser: "Do you wish to table some Bills, Representative Cunningham?"

Cunningham: "Yes, I've been importuned by the incomparable Clerk to move to table a certain Resolution I offered last October 30th and you will note that that particular Resolution suggested on the 30th of October that we should have adjourned until the 9th of January, 1974. Now subsequent events have made me proprot of that Resolution mute, but I would respectfully urge each of you that everything that happened after the 30th of October, 1973, may have been the taxpayers interests. If we had adjourned at that time, we wouldn't have had R.T.A. and we wouldn't have had many of the other Bills, but that's passed history, it suggests...it suggests that my comments should be listened to more intentively. At this time, Mr. Speaker, I move that we table HJR #79."

Speaker Telcser: "The Gentleman has moved that the House table HJR #79. Are there any objections? Hearing no objections the Resolution will be tabled. Representative Rayson, for what purpose do you rise sir? By the way, before Lee gets turned on, the House Members who are going to sponsor Senate Bills a...would you please come up to the Clerk's desk and inform him of the Bill you wish to sponsor so we can read them a third time today. Representative Rayson."

Rayson: "Mr. Speaker, I would ask leave of the House to table House Bills 2542 and 2549 of which I'm the principle sponsor. They were badly drafted..."

Speaker Telcser: "The Gentleman has asked leave to table House Bills 2542 and 2549, both of which he is the principle sponsor."



Are there any objections? Hearing none, they'll both be tabled.

Representative Washburn, do you seek recognition?"

Washburn: "Yes, thank you Mr. Speaker, hopefully, we are about to adjourn for the day and the Appropriations Committee will meet immediately after adjournment in Room 212. Now the hour is late and we have a lot of work to do, so I hope that all Members of the Appropriations Committee will meet promptly in 212 upon adjournment. Thank you."

Speaker Telcser: "Okay, Adjournment Resolution first."

Clerk Selcke: "House Joint Resolution #99. W. D. Walsh. Resolved by the House of Representatives, 78th General Assembly, State of Illinois, the Senate concurring herein, that when the House of Representatives adjourns on Tuesday, April 30, 1974, it stand adjourned until Tuesday, May 7, 1974, 12 o'clock noon, Central Daylight Savings Time and when the Senate adjourns on Wednesday, May 1, 1974, it stand adjourned until Monday, May 6, 1974 at 4 o'clock P.M. Central Daylight Savings Time."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh."

Walsh: "Can we hold this briefly, Mr. Speaker?"

Speaker Telcser: "Okay, take it out of the record. Representative Grotberg, for what purpose do you rise sir?"

Grotberg: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, I'd like to move to table a couple of Bills, and get them out of the calendar. Mr. Clerk, House Bill 656 is my Bill and House Bill 2110, my Bill, remove them from the record."

Speaker Telcser: "The Gentleman moves to table House Bill 656 and 2110, hearing no objections, they will both be tabled. Any further... Representative Schraeder, for what purpose do you rise sir?"

Schraeder: "Mr. Speaker, I have a motion on the Speaker's desk to move HJR #77, I understand that's been assigned to the Executive Committee and I'd like leave to withdraw the motion and have that Bill assigned for hearing. It's already been assigned to Exec."

Speaker Telcser: "The Gentleman has asked leave to withdraw his motion,



are there any objections? Hearing none, the motion will be withdrawn. Representative Bradley, for what purpose do you rise sir?"

Bradley: "Point of inquiry, Mr. Speaker."

Speaker Telcser: "State your point sir."

Bradley: "I'm wondering ...a...we seem to be moving on rather rapidly here today, SJR Constitutional Amendment #60 that we have to deal with yet today, I wonder if we could have it read a third time?"

Speaker Telcser: "Did you want that called Representative?"

Bradley: "Yes I do."

Speaker Telcser: "For some reason the Chair thought that you didn't want to call it today, but I will get back to the order of business. Representative Collins, for what purpose do you rise sir?"

Collins: "Mr. Speaker, I thought we were on the order of announcements and I would like the attention of the Executive Committee Members. We are going to meet next Wednesday, a week from tomorrow, at 10:00 o'clock in the morning. Now we have six Bills to consider at that time. It's 10:00 o'clock on Wednesday."

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

Geo-Karis: "I thought had tabled House Joint Resolution 56 yesterday, but if I didn't I so move to table."

Speaker Telcser: "Are there any objections? Hearing none, the House Joint Resolution #56 will be tabled. Are there any further...a.. Representative Soderstrom, for what purpose do you rise sir?"

Soderstrom: "An announcement."

Speaker Telcser: "Proceed sir."

Soderstrom: "Mr. Speaker and Ladies and Gentlemen of the House, many people have asked me about a meeting of the Education Committee, now there was none scheduled for today. Next Tuesday, the 7th, at 2 o'clock in the State Office Building, and somehow or other, it got on the calendar that there was an Education Committee



meeting today, that is not true, no meeting today, meeting next Tuesday for Education Committee Members."

Speaker Telcser: "Representative Washburn, for what purpose do you rise sir?"

Washburn: "For the purpose of a reminder, Mr. Speaker, I announced earlier that the Appropriations Committee would meet immediately after adjournment today on those Bills posted for this week, which is going to happen shortly I hope. However, I think I should remind the sponsors of Bills that are posted for next week that our meeting will be at 9:00 A.M. sharp on Tuesday morning in Room 212. Those are for Bills that are posted for next week, 9:00 A.M. next Tuesday in Room 212."

Speaker Telcser: "Are there any further announcements? Are there quick Agreed Resolutions Mr. Clerk? Alright, let's take the Adjournment Resolution now. Representative Walsh is ready for that."

Clerk Selcke: "House Joint Resolution #99. W. D. Walsh. Resolved by the House of Representatives, 78th General Assembly, the State of Illinois, the Senate concurring herein, that when the House of Representatives adjourns on Wednesday, May 1st, 1974, it stand adjourned until Tuesday, May 7, 1974, at 12:00 o'clock noon, Central Daylight Savings Time, and when the Senate adjourns on Wednesday, May 1st, 1974, it stand adjourned until Monday, May 6, 1974, at 4 o'clock P.M. Central Daylight Savings Time."

Speaker Telcser: "The Gentleman from Cook, Representative Williams Walsh moves for the adoption of the Adjournment Resolution. The Gentleman from Cook, Representative William Walsh."

Walsh: "Yes, the Adjournment Resolution says that when we adjourn tomorrow and the session tomorrow will be perfunctory for the purpose of the Speaker assigning some rules...er...some Bills to a Committee of the Whole which is tentatively set for a week from today, when we adjourn then, then we will convene on Tuesday next, at 12:00 noon."

Speaker Telcser: "The Gentleman has moved for the adoption of the



Adjournment Resolution. All in favor signify by saying aye, the opposed no, and the Resolution is adopted. Agreed

Resolutions. Agreed Resolutions. Senate Bills' First Reading. "

Clerk Selcke: "Senate Bill 1320. An Act making appropriations to the Supreme Court. First Reading of the Bill. Senate Bill 1321. An Act making appropriation to the Supreme Court. First Reading of the Bill."

Speaker Telcser: "Agreed Resolutions."

Clerk Selcke: "House Resolution 856. Davis, et al. House Resolution 857. Beatty, et al. House Resolution 858. Beatty, et al. House Resolution 859. Yourell. House Resolution 860. Yourell. House Resolution 861. Grotberg. House Resolution 862. Barnes. House Resolution 863. Hyde, et al. House Resolution 864. Caldwell, et al."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh."

Clerk Selcke: "Wait a minute, House Resolution 865. Farley, et al. House Resolution 866. Lechowicz, et al."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh."

Walsh: "Mr. Speaker and Ladies and Gentleman of the House, there are just a couple of Agreed Resolutions that have a bit of substance in them. House Resolution 857 by Representative Beatty strongly urges the Department of Transportation to take immediate action to reduce the allowable speed to which traffic may travel over the Cicero Avenue Bridge between 67th and 70th Streets, and House Resolution 858...a...resolves that the Illinois Legislative Investigative Commission is directed to conduct an immediate investigation to determine whether there has been a dereliction of duty by the Officials of the Department of Transportation or any other person, corporation, or agency, with respect to the deterioration and hazardous condition of South Cicero Avenue from South 63rd Street to South 71st Street within the City of Chicago. There is a Resolution by Representative Caldwell that the



Policy Numbers Game Study Commission reporting date be extended to December 31, 1974, and that's sponsored by all of the Members of that Committee. And I believe that's all there is of substance Mr. Speaker. Oh, one more of those, that the deadline of the House Action Committee on Child Care reporting date be extended from May 1, 1974 to May 15, 1974 and Mr. Speaker, I move the adoption of the Agreed Resolutions."

Speaker Telcser: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, I'm not sure I can believe my ears. We are mandating the Legislative Investigation Commission to investigate why a highway has not been repaved or something? I really don't think that ranks with importance of a leak of hydrochloric...a... or whatever it is was leaking in the South Side of Chicago. Isn't the Legislative Investigative Commission supposed to do things that might be of a little more broad scope than that. I'll ask the sponsor to explain it, I don't understand."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh."

Walsh: "I'll refer the Gentleman's question to the principle sponsor, Representative Beatty."

Speaker Telcser: "The Gentleman from Cook, Representative Beatty."

Beatty: "Yes, there is serious question as to the condition and the safety of that bridge over which thousands of people pass daily. We don't feel that we have the matter resolved as to whether it is or is not safe and we think the matter should be gone into prior to any disaster occurring. Now prior to anything happening is the time that you should investigate, not after some catastrophe. And this is the reason why we want it investigated. There have been some preliminary questions as to the fact that it may not be safe, bridges collapse constantly, we do not want this to occur in our district."

Speaker Telcser: "The Gentleman from Lake, Representative Pierce, for what purpose do you rise sir?"

Pierce: "Mr. Speaker, would the sponsor of the Resolution answer one



question."

Speaker Telcser: "Representative Walsh, for what purpose do you rise sir?"

Walsh: "Well Mr. Speaker, we turn out to be debating this Resolution and for that reason I would request that it be taken from the Agreed Resolution list. "

Speaker Telcser: "What's the number, Representative Walsh?"

Walsh: "It's 858."

Speaker Telcser: "Okay, Resolution #858 will be taken...well not Representative Skinner, for what purpose do you rise sir?"

Skinner: "I rise to suggest that if my Majority Leader is withdrawing this because of my objection, I wish he wouldn't do it. I understand that the Representatives who live in that area are trying to set a fire under the Department of Transportation. Now I've tried to set fires under the Department of Transportation too and I fully empathize with what they are trying to do, I just wanted to find out what the Resolution was about."

Walsh: "There's been other discussion on it and your objection is part of it, but..."

Skinner: "...don't do it on my account."

Speaker Telcser: "Are there any further objections with respect to the Agreed Resolutions? The Gentleman has asked that the Agreed Resolutions be adopted. All in favor signify by saying aye, including Representative Beatty's. All in favor signify by saying aye, the opposed no, the Agreed Resolutions are adopted. Further Resolutions."

Clerk Selcke: "House Joint Resolution 98. Porter."

Speaker Telcser: "Speaker's Table. The Gentleman from Cook, Representative Porter."

Porter: "Mr. Speaker, I would like to draw the attention of the Members to House Joint Resolution 98 which was submitted today. You may have read in the Chicago Tribune and other papers about the investigation of auto repair shops in the Chicago area by the Consumer Advocate of Illinois. This Resolution calls for a



Joint Legislative Committee to investigate further into this subject matter of the entire repair services industry and to report back to the General Assembly for suggestions for legislation to correct abuses. I would ask for any Members who want to be cosponsors of the Resolution, simply add their name, I think it's still up at the Clerk's desk and there are already 56 cosponsors. Thank you."

Speaker Telcser: "House Bills' First Reading."

Clerk Selcke: "House Bill 2786. Randolph. Appropriates \$10,500 for the Commission of Uniformity in Legislation. First Reading of the Bill."

Speaker Telcser: "Representative Bradley, for what purpose do you rise sir?"

Bradley: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise on a point of personal privilege for the first time since I've been a Member of this General Assembly."

Speaker Telcser: "State your point sir."

Bradley: "My point, Mr. Speaker, is that I have a Senate Joint Resolution #60 on the calendar, which everyone in this Body knows that if we don't take action on it today, that it will not have an opportunity to appear on the ballot next November. I sat here very patiently this afternoon while HJR Constitutional Amendments were heard and voted on. I'm simply asking to get the same type of treatment that the other Members of this chamber have received that it is very obvious to me that with the Adjournment Resolution being read that we are losing a few Members and being here in the past years, I realize that when it comes time to adjourn, it is difficult to pass anything like I'm proposing with the Senate Joint Resolution. Mr. Speaker, I take it as a personal affront that SJR Constitutional Amendment #60 has not been called by now. Thank you."

Speaker Telcser: "The Gentleman's point is very well taken. The Chair hopes the Members will remain in their seats and on the floor so we may take up the matter of Senate Joint Resolution



#60, the Members will be present to hear the debate with respect to that Resolution and I certainly think that Representative Bradley's point is well taken and I'm sure the Amendments, however, do not mean that personally, Representative Bradley. The Gentleman from Cook, Representative William Walsh."

Walsh: "Well Mr. Speaker, we're all anxious to leave here and we have no intention of delaying that Resolution. I would, however, ask leave to recess for fifteen minutes, five minutes travelling time, for a ten minute conference of the Republican Members in Room 212."

Speaker Telcser: "Okay, the Gentleman has moved that the House stand in recess until the hour of 4:30 for the purposes of a Republican conference. Representative Walsh, did you announce the room number? Room 212, a Republican conference. All in favor of the Gentleman's motion to recess signify by saying aye, the opposed no. The House stands in recess for fifteen minutes. The Republican Members will hurry down to Room-212 so we can get back up very quickly."

Speaker Blair: "Alright, we're ready to take up, but I need the...a.. Mr. Stone, the Gentleman from Moultrie, I don't want to commence without the leadership from your side. I don't want to commence without the leadership...we're ready to commence, but I don't want to commence without the leadership from your side. Oh, there they are, okay. Alright now, on Third Reading appears SJR #60. The Clerk will read it a third time."

Clerk Selcke: "Senate Joint Resolution #60. Resolved by the Senate of the 78th General Assembly, State of Illinois, the House of Representatives concurring herein, that there shall be submitted to the electors of this State at the general election next occurring at least six months after the adoption of this Resolution the proposition to amend Section 5, Article 4 of the



Constitution to read as follows: Article 4, Section 5.

Section A. The General Assembly shall convene each odd numbered year on the second Wednesday of January and each even numbered year on the first Wednesday after the first Monday of April.

In the regular session of an even numbered year, no Bills except revenue and appropriation Bills may be introduced or considered by the General Assembly. The General Assembly shall be a

continuous Body for the term for which Members of the House of Representatives are elected. B. The Governor may convene

the General Assembly or the Senate alone in special sessions by a proclamation stating the purpose of the session and only business encompassed by such purpose together with any impeachment or confirmation of appointments shall be transacted.

Special sessions of the General Assembly may also be convened by joint proclamation of the presiding officers of both

Houses as provided by law. C. Sessions of each House of the General Assembly and meetings of Committees, Joint Committees

and Legislative Commissions shall be open to the public. Sessions and Committee meetings of the House may be closed to the public

if 2/3's of the Members elected to that House determine that the public interest so requires and meetings of Joint Committees

and Legislative Commissions may be closed if 2/3's of the

Members of each House so determine. Third Reading of the Resolution."

Speaker Blair: "The Gentleman from McLean, Mr. Bradley."

Bradley: "Thank you Mr. Speaker and Ladies and Gentlemen of the House,

I apologize, Mr. Speaker, for any remarks that...a...a...I certainly

didn't intend to be insulting in any way at all, but I did want

to have my turn to have the Senate Joint Resolution heard. As

we all know, from the debate we have last week, concerning the

rules of the House, we are well aware of what is in Senate

Joint Resolution #60. And I would like to point out just a

few things and I won't belabor the issue because it is late, but

I believe it was the intent of Con-Con that we have annual sessions

and the even numbered year sessions would be a budgetary session,



that we would limit ourselves to appropriations and revenue matters and that simply has not happened. The Resolution does provide that the Governor can call special sessions to run concurrently with the regular session while we are hear. The leadership of the House can call special sessions to run concurrently while we are in session to address ourselves to whatever matters might become before that seem to be urgent legislation. Now we are know that in this particular year on the even numbered year that there are..that we all stand for reelection, we're limited in the time that we are here, on the odd number years, we are here for the first six months of the years, and this even number year, we're here in my opinion, for really only two months. Because here it is practically the first of May, we haven't even had Committee hearings. We have two months to address ourselves and be knowledgeable on the appropriations themselves that are so urgent and important to the people we represent. In my opinion, from the past experience, I doubt that we will ever be able to have Joint Resolutions with the Senate. Many of us have Bills in Interim Study Committee from last spring that we anticipated that we would have Commission hearings on those Bills, many of us did over the winter, we'd come back with the legislation in the spring and have an opportunity to pass that legislation that was important to us in our district and important to the people of the State. Now when the Senate passes rules some two weeks ago and they were only going to address themselves to appropriation and to revenue as they did two years ago, the Members of the House worked and passed and worked on legislation two years and they sent over to the Senate and it died and they tabled it. So I think that we ought to be working on the same set of rules and I think this will provide that that will happen. Also, I'd like to remind you we are taking this to the people to let them have a voice in what we will be doing in the even numbered years. I also



will point out that many of the editorials and the editorial writers in the State, many of them have editorialized on this issue and are in favor of us limiting ourselves to appropriation and revenue Bills and I think we ought to give the people of the State the opportunity to vote on it. I'm going to simply close my opening remarks by asking for your support. If there are any questions, although I don't think that there would be, but if there are I would like to call you Members attention also, we sent this Bill to the Executive Committee, we had a fair hearing on it, and it came out do pass and I would like very much to have your consideration. Thank you Mr. Speaker."

Speaker Blair: "The Gentleman from Logan, Mr. Lauer."

Lauer: "Mr. Speaker, Ladies and Gentleman of the House, I very rarely disagree with my senior colleague from the 44th District. This is one of those times, Ladies and Gentlemen, where I feel that I must. It seems to me...it seems to me, Mr. Speaker, that..that we would have a situation whereby what we can do by rule is engraved in stone when we put it into the Constitution of the State of Illinois. I very strongly last week supported the concept of limiting the even year sessions to strictly budgetary matters. I know full well that each Member of this House when he goes back to his constituency, would like to be able to fully explain the matters of appropriation, the matters of revenue, that are of burning importance to anything that this State does. It seems to me that we should learn to discipline ourselves to the extent that we can make a decision as to what is truly an emergency matter and what might be political dribble. Further, Mr. Speaker, it seems to me that perhaps if we can't fully and independently discipline ourselves then perhaps we could, in this second year, have a joint set of rules with the Senate. But let's not put this into the Constitution. Constitutions have a way of once they become set, they become completely inflexible and it seems that we should not pass the...necessarily have a special session of the General Assembly or concurrent



or three or four concurrent special sessions we had last fall. To call that last session last fall horrendous is saying much more for it than should be said and it is giving it every benefit of the doubt. It was much worse than horrendous. Let's not get ourselves into the situation of further multiple sessions. I strongly urge a no vote on this Senate Joint Resolution Constitutional Amendment."

Speaker Blair: "Is there anyone else? I don't see any lights blinking.

Mr. Katz, do you want to be heard on this? Okay. The Gentleman from Cook, Mr. Katz."

Katz: "Yes, I do want to rise in opposition to Senate Joint Resolution #60. It seems to me a step backwards. We have demonstrated this session that we are perfectly capable of restricting a session if we desire to do so. The effect of passing this Amendment, incidentally, may be exactly the opposite from what is intended. Because if we pass this Resolution, it then goes to the people of the State of Illinois. They may give us the message, frankly, they may give us a message in which they say they don't even like the way we are restricting it in the present situation. At least as it now is, it is under our control, nobody is questioning it, but there is something like asking one too many questions and it may not be the most appropriate time for the General Assembly to go to the voters. They may very well feel that they expect the legislature to work in continuously and we may get entirely a different kind of response than we anticipated. There is one other serious objection that leads me to believe that some of my distinguished colleagues on this side of the aisle are making a great mistake. The way the Constitution is set up, special session can be called by the Governor or it can be called by the leadership on both sides of the aisle. Now that would mean that the Republican leader of the House and the Republican leader of the Senate could call the matter into a special session. It would mean that a Governor would call the matter, could schedule a matter of importance. But as I understand the situation, the leadership



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

of a large part of the Democratic Party in Illinois, namely, the Democratic Party of Cook County might find themselves in the situation that they're the only ones that cannot schedule a matter to be heard in the General Assembly. And thus, I am rather astounded that on the Senate side and on this side, there seems to be some disposition on the part of the Democratic leadership really to support a plan under which they will find themselves, or could find themselves, absolutely unable to schedule the most pressing kind of matter involving the City of Chicago for example, because neither the Republican leader of the House or the Senate nor the Governor would schedule it. In other words, what it does is to take control in even numbered years out of the legislature and to put it only in the hands of the Governor and the two leaders of the House...the leader of the House and the Senate. I believe that the way we have been doing it has been a better way. We are acting responsibly this time. I would hope that we would turn our back on this step backwards and that we would reject Senate Joint Resolution #60."

Speaker Blair: "Is there any further discussion? Mr. Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this Resolution. I don't think that we should draft into our Constitution the rules of the Senate that we now have to suffer under. You know there may be a time when this General Assembly may have a more enlightened Senate and we might have more enlightened rules in the Senate so that in the off years, at least important business, other than appropriations and revenue might be heard through the Senate. We might not have the same stymie that we have at the present time. I'm very much in agreement with many of the Membership that on the off years, and perhaps even in the even years, we should better govern ourselves as to the number of Bills that actually go through Committee and that only really Bills that are of vital importance to government and to the people should be heard and many of the other Bills that have some meaning of perhaps being weeded out after the measure of their importance, but I think it would be a tragedy



to write into our Constitution a provision such as this Constitutional Amendment proposes to do. You know, I, those of us who have served here during this term and during past terms, know very well that this legislature does work. The Members of this Body, all of you, have spent many hours in Committee, you've spent many hours on the floor of this House, I agree that you spend many hours waiting often for the business of this House to be conducted, but nevertheless you do work and you do spend many hours in your office and many hours in your home office taking care of the business of the people and of the legislative business. I'm sure that we would not want to be known in the news media of this State as the sponsors of an Amendment that might well be called the 'Lazy Legislature Amendment'.

An Amendment in which the legislature has indicated that we do not feel that we should be here to perform the business of the people. It appears to me that we are not here just for the convenience of the legislature, nor here for the convenience of government, but that we are here for the convenience and the well being of the people of the State as a whole and I would suggest that a rejection of this Resolution would be in the best interests of the people and in the long run, would give this General Assembly the best opportunity to regulate itself by rule and to serve the best interests of the people. Thank you very much."

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

Geo-Karis: "Mr. Speaker, would the sponsor yield to a question?"

Speaker Blair: "He indicates he will."

Geo-Karis: "Representative, will the Members of the legislature and the Senate still be getting paid the \$17,500 a year if this Resolution were to pass?"

Bradley: "I'm sure that you would, Representative, and I'm sure that you will be earning that \$17,500 by attending your Commission meetings and the meetings of the General Assembly and visiting with your constituents as we all do in this particular year."

Geo-Karis: "Mr. Speaker, I'd like to speak on the issue if I may please?"



Mr. Speaker, Ladies and Gentlemen of the House, I, at first, favored this Resolution, but then I realized that we will still be not saving the taxpayers any money because we, both in the House and the Senate, will be receiving our \$17,500 a year while we might be off work for awhile. And I don't think we will be serving the purpose of the people of Illinois in wasting their money and doing half of nothing, if not nothing at all. So I do feel that we should regulate ourselves until such time as we bring in the question of salary in the same proposition. Therefore I move...I...I speak against the present Amendment and I ask that we govern ourselves by House Resolution."

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

Lundy: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, briefly, I think there are three reasons which haven't been mentioned yet for opposing this ill-advised attempt to ham-string the legislature. First is, and certainly many people have not noticed this, the Resolution requires, if it's passed, that the House can convene in the odd numbered years the first week in April. It seems to me what that does is to lock us into a March primary. A primary date which many of us feel is terribly objectionable because of the inclemency of the weather, because of the way it breaks up the session and so forth. If we meet, if we are constitutionally mandated to meet the first week in April, obviously we are not going to have an April, May, or June primary, which many of us feel would be much more appropriate than the primary date we have now. Second, it seems to me that we instituted in our rules last year, a very sound package, called the Interim Study Calendar. Under other circumstances, and I was disappointed along with others that the Interim Study Calendar was not made to work this year. Many of the Bills that were referred there and which were worked on very hard by sub-committees of our standing Committees were never given a chance to be considered. I think the Interim Study Calendar could be one of the most valuable tools in this legislature. It could be the way to make the Committee system really work the way it's supposed



to work, but it'll never work as long as we limit odd year sessions to appropriations and revenue. Finally, I think there is an issue involved here which really transcends most of the arguments that have been made so far. I think we, in this legislature, along with legislators all over the country and in the Congress are involved in a struggle between the legislative and executive branches of government. We are trying to put the priority back into the legislative branch where I believe the founders of this country and the drafters of our State Constitution intended it should be. We are trying to take away from the executive branch a lot of powers which either we acceded to it or it has simply taken over because the legislature has not been able or not been willing to act. By limiting ourselves in odd numbered years to simply considering revenue and appropriation we are crippling the legislature in that struggle between legislative and executive branches to see who will be the master of State government. I think we should all remember that the last Constitution of this State lasted for 100 years. I don't believe it is wise for us in 1974 to impose limitations on the legislature that may well last well into the next century and I urge, strongly urge a no vote on this proposal."

Speaker Blair: "The Gentleman from Ogle, Mr. Brinkmeier."

Brinkmeier: "Mr. Speaker, Ladies and Gentlemen of the House, very briefly, I'd like to explain why I stand in opposition to this proposal. First and foremost, I don't buy the concept that limited sessions is going to save the taxpayers in the State of Illinois any money. There's going to be some money saved alright, but it's going to be us legislators. We legislators who will be able to spend more time in the home district may save some money, but not the taxpayers. I'm familiar with the argument that we can be called into special sessions, but I'd just like to remind you of the ridiculous that we developed last fall in our special sessions and I don't think many of



us appreciated that situation. I'm sure the taxpayers in the State of Illinois didn't appreciate it either. I submit to you that the non-appropriation Bills, many of them carry an extremely low price tag compared to the good that could be derived from them. I'd like to mention just briefly some major pieces of legislation that I believe deserve our consideration during this session, but whether or not you support them or not, you will see that they are important. I'm talking about such things as E.R.A., about ethics legislation, no fault insurance, school safety...school bus safety laws that we could pass, collective bargaining for public employees, provisions of creating a state-wide Grand Jury, all of these items carry practically a negligible price tag and yet the good that could be derived from them I think is tremendous and I certainly oppose this proposal."

Speaker Blair: "The Gentleman from Sangamon, Mr. Londrigan."

Londrigan: "Mr. Speaker, we're all aware of the problem, we who have served here for a number of years. The constitutional provision for an off year session was granted with the idea most of us felt that we would devote this to budget and revenue matters. Our first attempt at an annual session was utter chaos, the budget went up 44% in one year, 44%. Not only did we not spend any time with the budget, we introduced all the cat and dog Bills. But what is really the sore point is we introduced every political and emotional Bill back again to rehash abortions, aid to parochial education, E.R.A., every Bill that was defeated was reintroduced, we spent hour upon hour, we spent money, thousands and thousands of dollars in money in rehashing Bills before the same legislature. Did we learn our lesson the second time? We did not. The budget went up, and I don't remember figures on this, but approximately 36%. All the Bills were reintroduced again. Now if we would stop introducing these Bills for the second time before the same legislature, it would certainly be a savings of thousands of dollars. What have we done now? For the third time maybe we have cut into this. But the point is, every second session we will be faced again for two weeks with the rules problem. What are we



going to do? Are we going to budget and revenue only? Or are we going to accept all Bills? This will be up every session from now on. And a new Speaker might treat it in a different manner and if he does, we are going to spend the taxpayers money in rehearing these Bills. Now if we don't want this, the only way we are going to have it and cut it off and make it a permanent rule is to amend the Constitution. It may not be the only way of doing it, but we have three times failed to do it by rules and we cannot do it by rules. The only way we are going to do it is a Constitutional Amendment and what is wrong with letting the people decide this important issue which will, in years to come, amount to thousands and thousands of taxpayers savings. I ask that you give the people a chance to vote on this and vote yes."

Speaker Blair: "The Gentleman from Winnebago, Mr. Simms."

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

Speaker Blair: "All those in favor of the Gentleman's motion say aye, opposed no, the ayes have it, the previous question has been moved. The Gentleman from McLean, Mr. Bradley, to close."

Bradley: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. Many many people who spoke in opposition to this legislation, this proposal, used the word 'we'. And I agree we have no problem, we...when we adopted rules two years ago, we abided by those rules, but we can't do anything when we say 'we'. Because they don't play the same rules by the same game with the same rules that we do. We address ourselves to the problems that our colleagues sitting right here next to me, Representative Brinkmeier, were referring to. We readdress ourselves to E.R.A., to ethics, to collective bargaining, no fault insurance, and we've already addressed ourselves to those things in this particular session, not this year, but last year when we were in session, we were sworn in for two year sessions, we've addressed ourselves to those problems. Do you want to come back and have all the pork barrel Bills put in again and address ourselves and waste our time. I



suggest that every Member of this House doesn't have the opportunity to read the appropriation Bills thoroughly so that they can speak eloquently and knowledgeable on the Bills that we will be addressing ourselves in the next two months. And I think we ought to give ourselves time to become knowledgeable about what's going on with those Bills. There was also mentioned about a primary. We're never going to have a primary in April, May, or June again. There was legislation in here that ought to put a primary into September or late August, we are not going to have one when we have a July meet to meet, when are we going to meet. January, February or March. As you recall, two years ago, we met the first of April for an April and May session. When did we adjourn, the 30th of June, thirty days later than we anticipated. It might be said too, that we might make this a lazy legislature. I don't believe that because when we leave here we do a lot of work at home, at least I have a lot of people calling on me and wanting things done. So I simply think the time has come if the Senate won't abide by the rules by joint rules, they won't adopt joint rules, then I think that the Constitutional Amendment should be taken to the people because you know the people did adopt the Constitution in 1970 and I think they are knowledgeable enough to be able to vote up or down on the Constitutional Amendment. I think we ought to feel the pulse of the constituents and the people of the State of Illinois and let them have a vote. I urge your yes vote and I request it on this legislation. Thank you Mr. Speaker."

Speaker Blair: "Alright, the question is shall the House adopt Senate Joint Resolution #60. All those in favor will vote aye and the opposed no. Have all voted who wished? Have all voted who wished? Now get on there because you know it saves time. Have all voted who wished? The...have all...the Gentleman from McLean, Mr. Bradley."

Bradley: "After you announce the Roll Call, Mr. Speaker, I'd like to be recognized."



Speaker Blair: "Alright, now Greiman no. Have all voted who wished? The Clerk will take the...wait a minute...Mr. Huskey, you're on present. Okay? Alright, okay. Alright. All those in favor... Yourell, aye. Anybody else? The Clerk will take the record. On this question there are 49 ayes, 86 nays, no present and 43 not voting and the Gentleman's motion fails. Alright, I'm sorry, he did ask and so we'll take that back. That's where the vote is now. The Gentleman from McLean, Mr. Bradley."

Bradley: "I'd like to make a motion, Mr. Speaker, I'm not going to poll the absentees, but I would like to ask for postponed consideration on this matter."

Speaker Blair: "Alright, which one do you want?"

Bradley: "Postponed consideration."

Speaker Blair: "Okay. The Gentleman has asked leave to have his motion postponed. Is there objection? Alright, hearing none, then the Gentleman's request to have this matter placed on the order of postponed consideration will be granted. Senate Bills' First Reading."

Clerk Selcke: "Senate Bill 1360. An Act to provide for the ordinary and contingent expense of the Illinois Legislative Investigative Commission. First Reading of the Bill."

Speaker Blair: "We're coming down to adjournment now. Are there announcements? Mr. Palmer, you had an announcement didn't you? Mr. Palmer, you had an announcement?"

Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, the Illinois Bar Association is having its meeting across the way and of course, all lawyers are expected to be there and the non-lawyers, they would like to have them over there too just to show you are are not such bad people after all. Thank you very much."

Speaker Blair: "The Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speaker, I'd like to direct an announcement to the Members of the Higher Education Subcommittee on Womens' Athletics. You have on your desk....a...."

Speaker Blair: "...they can't hear you up here, can you turn him up?"



Beaupre: "Mr. Speaker, I'd like to make an announcement directed to the Members of the Higher Education Subcommittee on Womens' Athletics. You have on your desk a report from the staff personnel who have been with us gathering information at our hearings throughout the State. We will conduct a meeting next Wednesday at 8:00 o'clock, I would ask that all of you, if you get a chance, take a look at the report, we will be looking for some direction and recommendations to the Committee itself and I would ask that you take a look at that report so that we can convene, the Subcommittee on Wednesday morning."

Speaker Blair: "Alright let's see, the Gentleman from Cook, Mr. William Walsh."

Walsh: "Mr. Speaker, the Rules Committee will meet in Room M-5 immediately after the adjournment of the special session, which convenes following this session."

Speaker Blair: "That's right, the Rules Committee...where are we meeting?"

Walsh: "M-5."

Speaker Blair: "The Rules Committee will be meeting immediately after the adjournment of the First Special Session which will convene immediately upon adjournment of this session. We will be meeting in Room M-5 to consider those matters which are properly before the Committee. Death Resolutions."

Clerk Selcke: "House Resolution 855. Timothy Simms, et al. In respect to the memory of Mr. Lyle B. Olson. House Resolution 867. Choate, et al. Whereas the Members of this House have learned with great sorrow of the death of the Honorable William P. Atroski...little order, Mr. Speaker...whereas the Members of this House have learned with great sorrow the death of the Honorable William P. Atroski...."

Speaker Blair: "Alright...one moment please...now would all the Members kindly be in their seats, this is a Death Resolution for a former Member of this House. Alright, proceed Mr. Clerk."

Clerk Selcke: "House Resolution 867. Whereas the Members of this



House have learned with great sorrow of the death of the Honorable William P. Atroski, a former distinguished Member of this House who passed away on Tuesday morning, April 30, 1974, in Chicago; and whereas Mr. Atroski served the Chicago district with distinction for seven terms in the General Assembly, was at the time of his death, a candidate for a third full term on the County Board of Commissioners; and whereas Mr. Atroski was also the only one serving on the Board of Committee in the City of Chicago, a position in which was served with great distinction in the 22nd Ward and whereas Mr. Atroski began his career of public service following his education at the Public Edison High School in Chicago at Chicago Teachers College and where he received a Bachelor of Philosophy Degree and whereas Mr. Atroski was first elected to the House of Representatives in 1950 and served ably until 1964, and whereas on February 4, 1964, Representative Atroski was appointed to fill a vacancy on the Cook County Board of Commissioners and whereas he was elected to a full four year term in 1966 and was reelected in 1970 and was a candidate this year for a third full term; and whereas Mr. Atroski, in addition to his service, in the General Assembly and on the Cook County Board, was also a former Deputy Sheriff in the Juvenile and Criminal Court in Chicago. A former Juvenil and Adult Probation Officer for the Court and a former employee of the Chicago Board of Education and whereas Mr. Atroski was an active member of numerous organizations and whereas in addition to his elected party service, was ward committeemen, Mr. Atroski was very active in Democratic organizations and where as Commissioner Atroski will be sorely missed by a multitude of friends in Cook County and throughout the State of Illinois which he served so diligently and with such great devotion for many years and whereas Mr. Atroski is survived by a cousin, Ms. Lillian Sentra, be it therefore resolved by the House of Representatives, the 78th General Assembly of the State of Illinois, that Members of this House express our deep sadness at the death of the distinguished



former Member of this House and be it further resolved that we express our heartfelt sympathy to the family and friends of one of Cook County's and Illinois' great public servants and be it further resolved that a suitable copy of this Preamble and Resolution be forwarded to his family as a sign of our respect."

Speaker Blair: "The Gentleman from Union, Mr. Choate."

Choate: "Well thank you Mr. Speaker, I'm sure that there are many Members of this House who have had the pleasure of knowing this find person. We were very close friends and I say to all of us gathered in this legislative hall today that the State of Illinois has never seen a finer public servant, a finer Member or a better friend to all of the people of Illinois. I'm going to mourn the passing of William P. Atroski as well as I know many people in this room and many people in the County of Cook are going to. I invite each and every Member of the House of Representatives to be a cosponsor of this Resolution."

Speaker Blair: "Let it be shown that the entire Membership will be shown as cosponsors of this Death Resolution. Alright, the question is on the adoption of both of these Resolutions. All those in favor say aye. Opposed nay, the ayes have it and each of these Resolutions are adopted. The Gentleman from Cook, Mr. William Walsh moves that the House now stand adjourned. All those in favor say aye, opposed no, the ayes have it, the House stands adjourned. Now we have to go into the First Special Session, wait a minute, the Gentleman from Cook, Mr. Shea, moves that the Roll Call of the regular session be the Roll Call of the First Special Session. All those in favor say aye, opposed no, and so the Roll Call will be so shown. Now messages, Mr. Clerk."

Clerk Selcke: "Message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed the following Joint Resolution the adoption of which I am instructed to ask concurrence of the House of Representatives to wit: Senate Joint Resolution #5 resolved



by the Senate of the 78th General Assembly of the State of Illinois of the First Special Session of the House of Representatives concurring herein, that when the two Houses adjourn on Tuesday, April 30, 1974, they stand adjourn until Tuesday, May 14, 1974, at 12 o'clock noon, Central Daylight Savings Time, adopted by the Senate April 30, 1974, Edward E. Fernandes, Secretary."

Speaker Blair: "Discussion with respect to....the Gentleman from Cook, Mr. William Walsh."

Walsh: "This is the adjournment Resolution, Mr. Speaker, and it says that when we adjourn this Special Session today, we will reconvene at noon on May 14. I move the adoption of the Adjournment Resolution."

Speaker Blair: "Any discussion? All those in favor of the adoption of the Resolution say aye, opposed no, the Resolution is adopted. Further Resolutions? Alright, there's a Death Resolution here that I think we can handle on this First...."

Clerk Selcke: "House Resolution #27. Richard Walsh. Respect to the memory of Roy H. Mohr...."

Speaker Blair: "The Gentleman from Cook, Mr. Richard Walsh."

Walsh: "Mr. Speaker, Ladies and Gentlemen of the House, just briefly, the Membership of the House and the Senate combined, I'm sure, was saddened by the recent death of Senator Howard Mohr's father, Roy Mohr. Those of us from the suburbs who knew Roy Mohr, knew him to be a fine gentleman, a fine public official, one whom we knew and loved quite a bit, a great deal, I have a Resolution here in this Special Session which I offer with Representative Bluthardt, Representative Williams, and the Members of the 6th District, my brother, Bill, and Ron Hoffman and Gil McGah. Roy Mohr was a great friend and we'll miss him, he'll be buried tomorrow and I would urge the adoption of this Resolution."

Speaker Blair: "Alright, the question is on the adoption of the Resolution, all those in favor say aye, opposed no, the ayes have it and the Resolution is adopted. Now the Gentleman from Cook, Mr. William Walsh, moves that we adjourn pursuant to the Adjournment Resolution. All those in favor say aye, opposed no,



the ayes have it, and we stand adjourned. The Rules Committee in fifteen minutes in Room M-5. Oh, immediately, the Rules Committee immediately in Room M-5. Appropriation immediately in 212. Appropriation immediately in 212.



TRANSCRIPTION INDEX

DATE: 4-30-74

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	1.
1	2:00	Speaker Blair	House in order	
		Dr. Johnson		
		Kerr	Prayer	
		Speaker Blair	Roll call for attendance	
		Shea	Personal privilege	
2		Speaker Blair	Discussion	
		Shea		
		Macdonald	HJR CA #33	
3		Speaker Blair		
		Clerk Selcke	HJR CA #33	
4		Speaker Blair		
		Palmer	Yield for question?	
		Speaker Blair		
5		Palmer	Question	
		Macdonald		
6		Palmer	Discussion	
		Speaker Blair	Have a little order	
		Palmer	Speaks against the proposal	
		Macdonald		
		Palmer		
		Macdonald		
7		Palmer		
		Macdonald		
8		Palmer		
		Macdonald		
		Palmer	Yield your time?	
		Spekaer Blair		



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

TRANSCRIPTION INDEX

DATE: 4-30-74

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u> 2.
		Epton	Confused, confine remarks
		Speaker Blair	
		Palmer	
		Speaker Blair	Proceed
		Palmer	
9		Speaker Blair	Members please be quite!
		Palmer	Addressing Rep. Telcser
		Telcser	Speaks for amendmnet
10		Palmer	
		Telcser	Discussion
		Palmer	
		Speaker Blair	Out of time, bring to close
11		Palmer	Urge 'no' vote
12		Telcser	Verifying implication of position
		Speaker Blair	Further discussion
		Macdonald	To close
		Speaker Blair	CJR CA #33 passes
		Speaker Blair	Recognizes Shea
13		Shea	Referring to the Com. of the whole
		Speaker Blair	
		Shea	
		Speaker Blair	
14		Shea	
		Speaker Blair	Walsh care to answer?
		Walsh	
		Shea	
15		Walsh	disagreeing about a motion



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

TRANSCRIPTION INDEX

DATE: 4-30-74

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	3.
		Speaker Blair	HJR CA #29	
16		Clerk O'Brien	HJR CA #29, 3rd reading	
		Speaker Blair		
17-18		Day		
		Speaker Blair	Turn the lights down	
		Speaker Telcser		
19		Wolf, J.J.	Against	
20		Speaker Telcser		
		Londrigan	Against	
		Speaker Telcser		
		Mahar	Yield?	
		Speaker Telcser		
		Mahar	Question	
		Day		
		Mahar	Discussion	
21		Speaker Telcser		
		Schneider	Yield?	
		Speaker Telcser		
		Schneider	Question	
		Day		
		Schneider		
22		Day		
		Speaker Telcser		
		Geo-Karis	Yield	
		Speaker Telcser		
		Geo-Karis		



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

TRANSCRIPTION INDEX

DATE: 4-30-74

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Day	4.
		Geo-Karis	
		Geo-Karis	Speaks to Bill
		Speaker Telcser	Proceed
		Geo-Karis	Speaks on the Bill 'against'
		Speaker Telcser	
23-24		Pieree	Against
		Speaker Telcser	
25		Tuerk	Supports
		Speaker Telcser	
		Clabaugh	Supports
		Speaker Telcser	
26		Simms	Supports
		Speaker Telcser	
		Peters	Moves the previous question
		Speaker Telcser	
27		Day	To close
		Speaker Telcser	Fails. HJR CA #30
28		Clerk O'Brien	Reads HJR CA #30
		Speaker Telcser	
30		Walsh, W.	Supports
		Speaker Telcser	
31		Shea	Yield to 'mayor' on other side
		Speaker Telcser	
32		Bluthardt	Opposes
		Speaker Telcser	Discussion
33		Shea	Opposes



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

TRANSCRIPTION INDEX

DATE: 4-30-74

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
			5.
		Speaker Telcser	Discussion
		Calvo	Yield?
		Speaker Telcser	Indicates he'll yield
		Calvo	Question
		Walsh, W.	
34		Speaker Telcser	Further discussion
		Walsh, W.	
35		Speaker Telcser	Question is
		Walsh, W.	Poll the absentees
		Speaker Telcser	
		Shea	Can't poll absentees yet
		Speaker Telcser	
36		Walsh, R.	Supports
		Speaker Telcser	
37		Hudson	Supports
		Speaker Telcser	
		Duff	Take off my vote
		Speaker Telcser	
		Duff	
		Speaker Telcser	
38		Cllins	Supports
		Speaker Telcser	
		Leinenweber	Support
		Speaker Telcser	
39		Geo-Karis	Supports
		Speaker Telcser	
		Kempiners	Supports



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

TRANSCRIPTION INDEX

DATE: 4-30-74

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	6.
		Speaker Telcser		
40		Ewell	Opposes	
		Speaker Telcser	Poll of absentees	
		Clerk Selcke	Poll the absentees	
		Speaker Telcser		
		Walsh	Total	
		Clerk Selcke		
41		Walsh	Postponed consideration	
		Speaker Telcser	Put on postponed	
		Dunne, R.	Ask leave to suspend rules	
		Speaker Telcser	Objections?	
		McClain	Asks for extension for HR 407	
42		Speaker Telcser	Extension granted	
		Cunningham	Motion to table	
		Speaker Telcser		
		Cunningham	Table Resolution	
		Speaker Telcser	Objections? Leave is granted	
		Rayson	Leave to table HB 2542 & 2549	
43		Speaker Telcser		
		Washburn	Announcement for appropriation	
		Speaker Telcser		
		Clerk Selcke	HJR #99	
		Speaker Telcser		
		Walsh, W.	Hold it	
		Speaker Telcser		
		Grotberg	Move to table HB 656, 2110	
		Speaker Telcser		



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

TRANSCRIPTION INDEX

DATE: 4-30-74

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
			7.
		Schraeder	Leave to withdraw HJRA 77
44		Speaker Telcser	Leave granted
		Bradley	Point of inquiry
		Sp-aker Telcser	
		Bradley	
		Speaker Telcser	
		Collins	Announcement
		Speaker Telcser	
		Geo-Karis	Table HJR 56
		Speaker Telcser	
45		Soderstrom	
		Speaker Telcser	
		Washburn	Reminder of meeting
		Speaker Telcser	Further Announcements?
		Clerk Selcke	HJR #99
		Speaker Telcser	
		Walsh	Move the adoption
46		Speaker Telcser	Adoption
		Speaker Telcser	Senate Bills, 1st reading
		Clerk Selcke	SB 1320
		Clerk Selcke	SB 1321
		Speaker Telcser	Agreed Resolutions
		Clerk Selcke	HR 856, 857, 858, 859, 860, 861, 862, 863, 864
		Speaker Telcser	
		Clerk Selcke	HR 864, 866
		Speaker Telcser	
47		Walsh	Move the adoption



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	8.
		Speaker Telcser		
		Skinner	Can't believe ears	
		Speaker Telcser		
		Walsh	Refer to Rep. Beatty	
		Speaker Telcser		
		Beatty		
		Speaker Telcser		
48		Pierce		
		Speaker Telcser		
		Walsh	Taken from agreed list	
		Speaker Telcser		
		Walsh		
		Speaker Telcser		
		Skinner		
		Walsh		
		Skinner	Net on my account	
		Speaker Telcser	Further objections. Resolutions adopted. Further Resolutions?	
		Clerk Selcke	HJR #98 Speaker's table	
		Speaker Telcser		
49		Porter		
		Speaker Telcser	HB, 1st reading	
		Clerk Selcke	HB 2786	
		Speaker Telcser		
		Bradley	Personal privilege	
		Speaker Telcser	State your point	
		Bradley	Concerned with SJR 60	
50		Speaker Telcser	Point well taken	



TRANSCRIPTION INDEX

DATE: 4-30-74

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
			9.
		Walsh	Leave to recess for 15 minutes
		Speaker Telcser	Until 4:30 in room 212
			Stand in recess
		Speaker Blair	SJR #60, 3rd reading
51		Clerk Selcke	SJR #60
		Speaker Balir	
52-53		Bradley	Opening remarks
		Speaker Blair	Any discussion?
54		Lauer	Against
		Speaker Blair	Further discussion?
55		Katz	Against
		Speaker Blair	Further discussion?
56		Tipsword	Against
		Speaker Blair	
		Geo-Karis	Yield?
		Speaker Blair	
		Geo-Karis	
		Bradley	
		Geo-Karis	Speak on the issue against
		Speaker Blair	
58		Lundy	Against
		Speaker Blair	
59		Brinkmeier	Against
		Speaker Blair	
60		Londrigan	Supports
		Speaker Blair	
		Simms	Moves previous question
		Speaker Blair	



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

TRANSCRIPTION INDEX

DATE: 4-30-74

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	10.
61		Bradley	In closing	
		Speaker Blair		
		Bradley	Be recognized after roll call	
62		Speaker Blair		
		Bradley	Motion postponed consideration	
		Speaker Blair	Leave granted 1st reading of Bill	
62		Clerk Selcke	1316, 1st reading	
		Speaker Blair		
		Palmer	Announcement	
		Speaker Blair		
		Beaupre	Announcement	
		Speaker Blair	Can't hear	
63		Beaupre		
		Speaker Blair		
		Walsh	Announcement	
		Speaker Blair	Death Resolutions	
		Clerk Selcke	HR 855, 867	
		Speaker Blair	Be in your seats	
64-65		Clerk Selcke		
		Speaker Blair		
		Choate		
		Speaker Blair	Adopted. Walsh moves to adjourn	
		Speaker Blair	First Special Session	
66		Clerk Selcke	Messages from Senate	
		Speaker Blair		
		Walsh	Move adjournment Resolution	
		Speaker Blair	Further Resolutions?	



TRANSCRIPTION INDEX

DATE: 4-30-74

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	<u>11.</u>
		Clerk Selcke	HR 27 Death Resolution	
		Speaker Blair		
		Walsh	Speaks on HR 27	
67		Speaker Blair	Resolution is adopted	
		Sepaker Blair	Stand adjourned. Announcements	



GENERAL ASSEMBLY
 STATE OF ILLINOIS
 HOUSE OF REPRESENTATIVES

COMMITTEE OF THE WHOLE

April 30, 1974

Debate concerning witness from the League of Women
Voters.



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

Rep. Totten: " Next witness representing the League of Women Voters of Illinois listed as an opponent to House Bill 2640 is Mrs. Mimi Hajack."

Mrs. Mimi Hajack: "Ladies and Gentlemen of the House, I am Mimi Hajack, chairman of the League of Women Voters of Illinois, Metropolitan Coordinating Committee. The League feels that transportation is a public service that should be subsidized, that employment opportunities should not be denied because of lack of access of transportation, and public transportation is the best way to reduce air pollution. We strongly supported the RTA as subdivided in the bill passed by both Houses, are numbered in the six county area in the RTA referendum. Now, the RTA is again up for discussion. But the situation is led to passage of the RTA has not changed. There is still the same need for a subsidy to save the existing transportation facilities in the six county area, and the same need for a coordinated system of transportation for the whole six county area, especially one that can deliver more service to the suburbs. We still need to conserve energy and reduce the growing air pollution in the urban area. The only thing that has changed is that the referendum passed. When the legislation for the referendum was drawn up, it specified that passage required a simple majority of the votes cast, and that majority was yes. The League still strongly supports the transportation agency for the whole reason. Subsidies in individual communities cannot provide a coordinated system, cannot establish priorities, cannot



provide for transportation between many communities. Only a Regional Transportation Authority can do that. The League of Women Voters would consider and support amendments to improve and strengthen the RTA, but we strongly resist efforts to dismember it. We believe that allowing counties to oust out would really destroy the RTA, and leave no alternative for improvement by the legislature. We urge you not to abolish it before it's heard."

Rep. Totten: "Questions of the witness. Representative Skinner."

Rep. Skinner: "Mr. Speaker, and Madame Witness, I think that you must have mis-spoken. You said that to pass RTA, all that you needed was a simple majority of the votes cast, and, of course, RTA did not receive a simple majority of the votes cast."

Mrs. Hajack: "How do you.. I don't understand you."

Rep. Skinner: "It received a simple majority of the votes properly cast. There were 50,000 or about, that were not counted. Had they been counted, had the bill been passed by the majority that you stated just then, it would not have passed. It would've been declared lost."

Mrs. Hajack: "We care about votes properly cast also, and therefore, if it received a simple majority of those properly cast, I would consider that the same thing."

Rep. Skinner: "We're not sure of that yet, and I would suggest that if the League of Women Voters who are interested in fair elections would take a look^{not} at the votes, but just at the canvas of the City of Chicago in a certain ward,



you would find numerous ballots that were overcast, there were numerous ballots that were not recorded on the canvas sheet. Now, I would ask that you join in our efforts to get a recount, but I would also have another suggestion.. another question, and that is 'Which part of this bill do you support'. Now, you've had as long to think about the amendments that have been proposed in this bill, as we have. Certainly, you have your metropolitan organization that is able to make decisions without consulting with the individual leagues and having individual consent file a specific amendment. I'm curious as to what you think one hundred percent of the money raised for the gas tax should be returned to the county of Morgan for transportation within and for the direct benefit of the residents of that county."

Mrs. Hajack: "Ah.. Representative Skinner, in our discussion, we've tried to limit our input to this body to those areas which are most important. The most important provision was the oust out provision. On the other questions you raised, I can only respond with a personal opinion which is not an official opinion of the league of Women Voters. I don't know that that's relevant."

Rep. Skinner: "Well, It seems to me that there were seven major suggestions that were made in this bill, and just to concern yourself with the one, that the newspapers decided to put the biggest headline on, does not do justice to your reputation for indebth consideration of the public issues."



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

4
Mrs. Hajacl: "Perhaps so, but we thought that we could address ourselves.. We could save this body time and address ourselves to that we considered most important."

Rep. Skinner: "As a perspective member of the League of Women Voters, if you'd ever open up your membership and allow me to vote instead of just attend, I would like you to go back to your Metropolitan Study Group and study each of the individual amendments and not only that..."

Rep. Totten: "Just a moment please. For what purpose does the Gentleman from Cook arise, Representative Kosinski?"

Rep. Kosinski: "Ah, Mr. Speaker and Cal, with all deference to your enthusiasm, I have some concern that we're putting the witness on the defense on the matter of her organization. I think that it is good taste, that we permit her to make her testimony. Give her our official impressions of her opinion, and not embarrass the lady, who is a very lovely lady."

Rep. Totten: "I think your point is well taken."

Rep. Skinner: "Representative Totten, I'm sure that she is quite capable of taking care of herself, as has been evident today. Now, I really would sincerely request that you study all the amendments that are... all the parts of this specific bill, and amendments that will be coming up under Representative Katz's sponsorship and the other sponsorship, and not just consider yourself with a concept, because now we're past the concept stage. If this referendum stands as passed, and a recount does not overturn the election, we have a legal mass transit



authority. Now the question is 'How do we make it work?'⁵
and I'm waiting for the league to come in and suggest
which part they consider the weaker part of Senate Bill
27. You know, I think a lot of people are interested in
what those might be."

Mrs. Hajack: "We will indeed consider other amendments. We
will limit it to those we consider most important and
those most related to the position of, but I'll carry
your instructions to our..."

Rep. Skinner: "No, it's just a request, not an instruction.
I can't instruct the League of..."

Mrs. Hajack: "Your request."

Rep. Skinner: "Thank you."

Rep. Totten: "Representative from Lake, Representative Deuster."

Rep. Deuster: "Yes, I'd like to ask the lady, I don't know
whether you're Miss or Mrs.. Do you, I'm very happy
that you've indicated.. that you want to improve RTA,
but you don't want to dismember it. I'd like to ask
you this question. We've had witnesses this morning
I know, from Lake County and other counties, indicating
that if the RTA was perfected and approved, greater
representation were asured, that they would not oust out.
Now suppose we adopted an amendment to give every county
and area freedom of choice for the ability to choose for
themselves whether they wanted to be in or out, and suppose
they all decided to stay in. Would that dismember RTA?"

Mrs. Hajack: "If they all decided to stay in, certainly not."

Rep. Deuster: "So you would qualify your comment on this



to say that if they were to oust out, that would dismember and destroy RTA?"

Mrs. Hajack: "I'm not sure I understood fully your question. You referred to a referendum. Did you mean by popular vote or by county board?"

Rep. Duester: "Well, let me put the question, if you indicated that you are opposed to the oust out provision?"

Mrs. Hajack: "Yes, that is true."

Rep. Duester: "That is as it presently stands by a majority vote of the county board. Is that correct?"

Mrs. Hajack: "Yes."

Rep. Duester: "Do you understand it? Now suppose, you say that would destroy RTA. Suppose we adopted that amendment, the Governor signed it into law, and because we have improved RTA, to such a position none of the counties decided to exercise that option. Would that then destroy RTA?"

Mrs. Hajack: "If in fact they did not, it would not be destroyed. Yes."

Rep. Duester: "I see, so you have qualified your answer. Now, I'd like to ask you this question. Do you have an opinion as to whether you would support or oppose a larger board? that assured each county at least one direct accountable voice on the board."

Mrs. Hajack: "Ah.. We have no opinion on.. no official opinion on that. I could give you a personal opinion on that, if it's relevant."

Rep. Duester: "I recognize that you have not consulted the



entire league. You've not gone through your normal procedure of having discussed it, so what is your personal opinion?"

Mrs. Hajack: "My personal opinion is that it would be much better to have a larger board than to have no RTA."

Rep. Deuster: "Now, is it also your personal opinion that the bonds should be sold competitively and publicly rather than privately by the Board? Would you support that amendment?"

Mrs. Hajack: "Insofar as my personal opinion is relevant, I understand that it can be done more as a courtesy for the citizens of the area in terms of the rate of which the sales can be made and be done by a negotiated sale. I am straying past the area of league opinion on this. This is a more detailed thing."

Rep. Deuster: "I wonder if you might just indicate to us, when so many of us are familiar with the procedures. Ah.. what procedure was followed for preparing your testimony today. Did you have a committee that drafted this, or.."

Mrs. Hajack: "It was the decision of the board for the, ah, to request the Metropolitan Coordinating Committee, that have members of the six counties to discuss the amendment, and discuss them with the Vice-President of the League itself, and this is done."

Rep. Deuster: "Were there any members from Lake County on this Committee?"

Mrs. Hajack: "There are members on the committee, but they were not present at that time."



Rep. Deuster: "They didn't discuss it." 0

Mrs. Hajack: "Yes, that's right, they did not."

Rep. Duester: "Did you prepare the testimony?"

Mrs. Hajack: "I was the assistant of the President and Vice-President of the League of Women Voters of Illinois. Yes."

Rep. Deuster: "Thank you very much."

Rep. Totten: "Gentlemen from Cook, Representative Palmer."

Rep. Palmer: "Mrs. Hajack, ah... You indicated that the League discussed what the League considered important amendments, ah, to Senate Bill 27. Did you, in your deliberations, consider the opposition of the Hatch Act on Senate Bill 27 or any other, any amendment that may be offered this time?"

Mrs. Hajack: "No, we did not discuss that."

Rep. Palmer: "Then you did not feel that it was that important?"

Mrs. Hajack: "I was not aware of those either. We were not aware of such amendments."

Rep. Palmer: "Well, amendments to a number of RTA bills, ah, which were acted upon one way or another, in the past year contained a Hatch Act amendment, and, in each incidence, it was voted down by the House. How would that might be?"

Mrs. Hajack: "Those amendment, at that time, we did not discuss it."

Rep. Palmer: "Do you think that it might be a wise thing to insert an amendment on Senate Bill 27 which would provide that no officer or director or employee shall engage in partisan politics, as such, while a member or officer or employee of the RTA?"



9
Mrs. Hajack: "We have not discussed it. It's certainly in line with our personal position, and, personally, I would support this."

Rep. Palmer: "Would you kindly bring this up to the League of Women Voters at your earliest convenience."

Mrs. Hajack: "I would be glad to."

Rep. Palmer: "...While these bills are pending so we can attempt, if at all to make this bill a little more palatable to the area that it covers by this type of device. Could you do that?"

Mrs. Hajack: "Yes, I have been informed that because of a contribution federal funds in the operation of the RTA, the Hatch Act would, therefore, automatically apply."

Rep. Palmer: "Was that information from Washington? I haven't ah... "

Mrs. Hajack: "No, it wasn't... probably at some degree, it was, but not first hand. No."

Rep. Palmer: "I see, thank you very kindly."

Rep. Totten: "Lady from Lake, Mrs. Geo-Karis."

Rep. Geo-Karis: "Ah, Mrs. Hajack, during the course of the campaign of the RTA bill, I had occasion to talk to many members of the League of Women Voters in my district, who told me they did not favor that RTA bill, Senate 27, but they were under orders by your league, state league, that if they were against the positions that the league took in favor of, they should not voice it. Is that correct? Is that the statement that your league has?"



70

Mrs. Hajack: "It is not designed to be a personal opinion. It applies as their official actions as women voters. Yes, it did apply in that respect, but not to their opinions or personal actions."

Rep. Geo-Karis: "Many of them wanted to come out openly to the various chapters and say 'No, we do not support Senate Bill 27. They told me.... as much as they'd like to do it, they were presented by the League policy. So, we are right about that."

Mrs. Hajack: "You are right to an extent. League policies... when the concensus is arrived at.. when.. when a specific part of legislation is considered by the Board to fall into that concensus. An official league position is one thing and now, the League, in an official action, speaks openly against that position and that application of it."

Rep. Geo-Karis: "Do you consider that Democratic?"

Mrs. Hajack: "Yes, with it.. considering the process by which that position was arrived at in the first place, yes, I do."

Rep. Geo-Karis: "Do you consider a vote a primary election, for a sensitive bill and a very expensive and fire breathing bill as Senate Bill 27, do you consider the vote in the primary election a good type of vote, or would you have preferred to see the vote take place in a general election where more people vote, considering when it's over 50% of the People, 60% of the People do not vote in primaries?"

Mrs. Hajack: "Considering the urgency of the matter, and the fact that it was put at the first available election, I



consider that a reasonable procedure, yes." If given my
druthers, I would prefer it in a general election."

Rep. Geo-Karis: "All right, and are you aware of the fact
that we did not receive that bill until two days before
we voted for it, or started action on it? Don't you
think that a bill of such magnitude should take a little
more time, in as much as it involves much financing, much
control in one appointed body, rather than rushing through
a bill simply because we need a transportation? I mean..
my position is... just a moment S..Sam. It says the
least..."

Rep. Totten: "Just a moment please. Representative from
Cook, Representative Maragos."

Rep. Maragos: "A point of order, Mr. Chairman. I reflect on
the position of Mrs. Geo-Karis, my colleague, and her
emotional committment on transportation matters, but I
think, in all due respect to the witness who is before
us, and none of us who are opposing, or.. proposing the
bill are, I think should not be harrassed... asked about
positions that the legislature took, or positions that
should not be in the knowledge of the woman testifying
on her position. I think there may be a little cross'
examination on , as a fellow lawyer, Adeline, but I think
we should be a little more respectful to our witnesses.
Thank you."

Rep. Totten: "Would the Representative from Lake please confine
her remarks to the bill, rather that the organi..."



12
Rep. Geo-Karis: "Yes, I am confining my remarks to the bill simply because, as our prior representative stated, I'm putting her in a position of answering something she wasn't aware about...."

Rep. Totten: "Just a moment, please...."

Rep. Geo-Karis: "May I please clarify myself.."

Rep. Totten: "Just a moment please. Representative from Kane, Representative Hill, for what purpose do you arise?"

Rep. Hill: "Just a comment on Representative Maragos's remark. I'd like to say this, that this is very interesting to me, only because I have become so interested in the League of Women Voters, in the recent months, on the attitude that they have and the positions that they take, and I think it's very enlightening to me to hear this discussion, and I certainly would appreciate very much, if you would continue it, and certainly, I don't think you're taking advantage of the witness in any way, shape or form."

Rep. Geo-Karis: "Now, may I finish..."

Rep. Totten: "The Chair would request, although I'd like to hear those remarks too, either we confine our remarks to the bill, if you would, please, Representative.."

Rep. Geo-Karis: "My last remarks are based on the fact that I, too, belong to the League of Women Voters. I do not feel it's democratic for any organization to stop a local chapter from expressing its dissent or assent to a bill. I do not feel it does the People of that particular area a service, because they do not all live there. So, consequently, I appologize to Mrs. Hajack of she feels that



the... is picking on her or cross-examining her, but it struck me very odd or very sad to think that the Leagues position or states position, is controlling what was happening...."

Rep. Totten: "Are there any further questions of the witness? If not, we'll proceed with the next witness....."

