

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

FORTY-SIXTH LEGISLATIVE DAY

MAY 1, 1973

10:00 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY  
STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

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

Representative Charles J. Fleck - illness;

Representative Peter C. Granata - illness;



**GENERAL ASSEMBLY**

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

W. Robert Blair: "The House will be in order. The invocation this morning, will be by the Reverend Dale. Kaplan, Pastor of Douglas Methodist Church, Springfield."

Kaplan: "Let us pray. Lord God of Nations and the world. We bless Your name and pause in silence before Your holy ways. And even listen for this while wisdom on high might come by here. And while we listen we yet presume to pray for this assembly of those who by measure vote in familiar press persuasion each day those things that form the tomorrows of our lives. May those of this Assembly that face illness or need in their personal lives be blessed by You today. We give thanks indeed here before the people standing many, who for the sake of common good prefer all slavery to the public polls. To create at whatever cost a better world. Men and women who have not yet bowed to their own advance, who give the life to all the myth that every person has a price. Inspired by memory of persons in the events that mark the past of what we might term a free and noble land, we call this day again for courageous persons who stand before the bargain counter of pervential sectionalism and take whatever risk to promote the public good. May there be, oh God, a continued trend to remind the people that increasing benefits mount increase the mounting risks of tyranny by taxation and yet to keep our minds and spirit open to remind us of the continued need for institutions that will make our vast concern for a



better world come true. And God, who hears us as we pray. We pray for him shot down by vicious criminals in cold blood in our town last week. Vicious criminals, mad men, who hope in deed that common men be deprived of arms that they may ply their trade unfettered by deterrent force in the hands of victims upon whom they ply their trade. May we not be captured by the mess that is said to deprive an honest citizen of arms creates a society without violence. And now, oh God we pray again the words of a prophet of our own and midnight in our little town the morning figure walks and will not rest. Near the old courthouse pacing up and down, we cannot sleep upon his hillside now, yea when the sick world cries, how can he sleep. He cannot rest until the spirit, dawn, shall come. God, who is in the affairs of man in the necessities of democracy may still possess thee, may the spirit, dawn, come. Here, oh world, the Lord thy God is one. Amen."

W. Robert Blair: "Roll call for attendance." The Gentleman from Cook, Mr. William Walsh."

Walsh: "Mr. Speaker, will the journal show that Representative Granata and Flock are absent because of illness."

W. Robert Blair: "The Journal will so indicate. Committee Reports."

Fred Selcke: "Mr. Collins from Executive to which House Bill 649 and 743 were referred, reported same back with recommendation that bills do pass. Mr. Collins from



Executive to which House Bill 744 is referred reported same back with recommendation that bill do pass. Mr. Collins from Executive to which House Bill 744 was referred reported same back with recommendation that bill do pass and be re-referred to Appropriations. Mr. Collins from Executive to which House Bill 760 and 761 were referred reported same back with Amendments thereto with the recommendation the amendments be adopted and the bill as amended do pass. Mr. Collins from Executive to which House Bill 788 was referred, reported same back with Amendments thereto, with the recommendation the the bills be adopted with amendments do pass. Mr. Collins from Executive to which Senate Bill 133 was referred reported same back with recommendation that the bill do pass. Mr. Collins from Executive to which Senate Bill 134 was referred reported same back with recommendation that the bill do pass to be re-referred to Appropriations. Mr. Collins from Executive to which House Bill 530 and 537 were referred reported same back and pursuant to Rule 23(d) the bills were ordered tabled. Mr. Blades from Agriculture and Natural Resources to which House Bills 7, 78, 79, 80 were referred reported same back with recommendation that bills do pass. Mr. Blades from Agriculture and Natural Resources to which House Bills 7, 71, 967 were referred reported same back with recommendation that bills do pass to be re-referred to Appropriations. Mr. Blades from



Agriculture and Natural Resources to which House Bill 860 was referred reported same back with recommendation that bill do not pass. Mr. Pappas from Motor Vehicles to which House Bill 816, 848, and 874 were referred, reported same back with recommendations that bills do pass. Mr. Pappas from Motor Vehicles to which House Bills 700 and 811 were referred reported same back with recommendation that bills do not pass. Mr. Pappas from Motor Vehicles to which House Bill 830 was referred reported same back with Amendments thereto with recommendation that Amendments be adopted and bill as amended do pass. Mr. Pappas from Motor Vehicles to which House Bill 849, and 910 were referred reported same back with Amendments thereto with recommendation that Amendments be adopted and bill as amended do pass. Mr. Pappas from the Committee on Motor Vehicles to which House Bill 850 and House Bill 1077 were referred reported same back with recommendation that bills do pass. Mr. Pappas from Motor Vehicles to which House Bills 597, 606, 607, and 612 were referred, reported same back and pursuant to Rule 23(d) the bills were ordered tabled. No further committee reports."

W. Robert Blair: "Agreed Resolutions."

Fred Selcke: "House Resolution 253, Choate, et al. House Resolution 254, Grotberg. House Resolution 255, Huskey. House Resolution 256, Arnell. House Resolution 254, Londrigan. House Joint Resolution 38, DiPrima. Strike



House Resolution 258. House Resolution 258, Choate, et al.  
W. Robert Blair: "The Gentleman from Cook, Mr. William Walsh."  
Walsh: "Mr. Speaker, these are the agreed resolutions. House  
Resolution 251 congratulates colleague, Bill Laurino, on  
his 32nd birthday. House Resolution 254 commends the  
staff of the East Wing of the fourth floor of the  
Presbyterian. St. Lukes Hospital for confirming our faith  
in the medical services provided by the hospitals of the  
country. House Resolution 255 congratulates the people  
and the officials in the city of Hometown which celebrates  
its 20th anniversary since its incorporation. House  
Resolution 256 by Representative Arnell congratulates  
Father Jack Usinski on the 25th anniversary of his  
ordination. House Resolution 257 congratulates Roy Emory  
Filo on the completion of 20 years of meritorious service  
to the people of the State of Illinois and House Resolution  
258 congratulates our colleague, John Sharp, on his 28th  
birthday, which was yesterday. And Mr. Speaker, I move  
the adoption of the agreed resolutions."

W. Robert Blair: "A...any discussion? The question is on the  
adoption of the agreed resolutions. All those in favor  
say aye, opposed no, the ayes have it and the agreed  
resolutions are hereby adopted. For what purpose does the  
Gentleman from DuPage, Mr. Schnieder, arise."

Schnieder: "Just a parliamentary inquiry. It actually relates  
to House procedure. I had a bill which last week was on



its last day and was recommended out do pass. Now what is the problem in the event it does not get reported out, such as it did not today because of a technical change that had to be made on the Amendment. Is there any problem at all."

W. Robert Blair: "It doesn't die at all. The parliamentarian advises me that as long as the committee took the vote within the time limit that it would comply with the rules."

Schneider: "Alright, because today it was not reported out. But its alright."

W. Robert Blair: "Right, the parliamentarian says its okay. House Bills Second Reading."

Fred Selcke: "House Bill 349, Londrigan. A bill for an act to amend the Illinois Income Tax Act, second reading of the bill. No committee amendments."

W. Robert Blair: "Any from the floor? Third Reading."

Fred Selcke: "House Bill 368, Catania. Is she here?"

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

Fred Selcke: "House Bill 430, Bradley. Is he here? Is Bradley here? Not here."

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

Fred Selcke: "House Bill 448, Hanahan. A bill for an act relating to the right of Teachers and Other Educational Workers to join unions. Second Reading of the Bill. No Committee Amendments."

W. Robert Blair: "Any amendments from the floor?"





Hanahan: "Mr. Speaker, Representative Hirschfeld has asked that the bill be held for an Amendment that he should have had on the Clerk's desk by now, but I guess he doesn't. I don't want to move the bill, but I do want the opportunity you know, the deadline is getting close on this bill and I want the opportunity to move the bill as soon as possible as soon as Hirschfeld has his amendment ready."

Bluthardt: "A...do you have your Amendment ready, John."

Hirschfeld: "Mr. Speaker, the Legislative Reference Bureau promised me that they would have it on my desk this morning, but it is not here yet. I'll run down stairs right now, if you can take it out."

Bluthardt: "Alright, take it out of the record."

Fred Selcke: "House Bill 456, J. J. Wolfe."

Bluthardt: "Out of the record."

Fred Selcke: "House Bill 485, Shea. A bill for an Act making appropriations of local government tax study commission. Second Reading of the Bill."

Bluthardt: "The Gentleman from Cook, Mr. Shea."

Fred Selcke: "One Committee Amendment. Amend House Bill 485 on page 1 line 7 by striking 25,000 and inserting in lieu thereof 5,000."

Shea: "Mr. Speaker, Ladies and Gentlemen, Committee Amendment No. 1 reduces from 25,000 to 5000 the appropriate to the local government tax study commission for the remainder of this fiscal year and I move for its adoption."



Bluthardt: Is there any discussion? The Gentleman moves for the adoption on Amendment No. 1 to House Bill 485. All in favor indicate by saying aye, contrary, the Amendment is adopted. Third Reading.) Are there any Amendments from the floor? Third Reading."

Fred Selcke: "House Bill 490, Palmer. Out of the record. Give me the next one. House Bill 496, Douglas. Out of the record. Give me the next one. House bill 500, Terzich. Out of the record."

Bluthardt: Take it out of the record."

Fred Selcke: "House Bill 505, Philip. Out of the record. House Bill 507, McMaster. Out of the record. J. J. Wolf isn't here."

Bluthardt: The Chair recognizes the Gentleman from Oneidas, Mr. McMasters."

McMasters: "Why is 507 being taken out of the record?"

Bluthardt: "Because you weren't up on your feet fast enough. House Bill 507."

Fred Selcke: "House Bill 509. A bill for an act to add Section 15 to an act providing for assistance, and probation and so forth. Second Reading of the Bill. No committee amendments."

Bluthardt: "Any Amendments from the floor? Third Reading."

Fred Selcke: "House Bill 541, Blades. A bill for an Act to amend the Electric Supplier Act. Second Reading of the Bill. No. committee amendments."

Bluthardt: "Second Reading. Are there any Amendments from the



floor? Third Reading."

**Fred Selcke:** "House Bill 546, Mugalian. A bill for an Act to amend the Inheritance Tax Act. Second Reading of the Bill. One Committee Amendment. Amend House Bill 546, page 1. by deleting line 3 and so forth."

**Bluthardt:** "The Chair recognizes the Gentleman from Cook, Mr. Mugalian."

**Mugalian:** "I move the adoption of Amendment No. 1, a committee amendment which was approved by the committee unanimously. It moderates the bill somewhat, the bill in its original form prohibited the use of a guardian item in inheritance tax proceedings. The amendment moderates it to require a guardian item only when its necessary to protect the interest of the minor."

**Bluthardt:** "The Gentleman has moved for the adoption of the committee amendment NO. 1 to House Bill 546. All in favor indicate by saying aye, contrary, the Amendment is adopted. Any further amendments? Third Reading."

**Fred Selcke:** "House Bill 554, Georgi. A bill for an act making permanent appropriations for a State Lottery Commission. Second Reading of the Bill. No committee amendments."

**Bluthardt:** "Any Amendments from the floor? Third Reading."

**Fred Selcke:** "House Bill 576, Pierce. A bill for an act to amend the Jury Commissioner's Act. Second Reading of the Bill. No committee amendments."

**Bluthardt:** "Any amendments from the floor? Third Reading."



Fred Selcker: "House Bill 586, Clabaugh. An Act making appropriations to the Department of Local Governmental Affairs. Second Reading of the Bill."

Bluthardt: The Chair recognizes the Gentleman from Champaign, Mr. Clabaugh."

Fred Selcker: "Amendment No. 1."

Clabaugh: "I should like to explain this amendment, Mr. Speaker. It is a very simple amendment, but it would take some time to read. This is the bill that was introduced some months ago to reimburse the ordinance of local government for the personal property taxes that they lost last year and would lose this year as the result of the United States Supreme Court decision with which we are all familiar. This Amendment simply clarifies the fact that there were \$10,000,000 for each two years which was, I think, set out in the first bill, the original bill, but was not clarified to the extent that it is here. Now we have held up calling this bill because there were indications that there was going to be a good deal more money needed than the 60 million dollars. But thanks to the decision of the Illinois Supreme Court last week in which it defined what a person is... a natural person, it said, then all authority as agreed that the \$10,000,000 per year is enough, and Mr. Chairman, or Speaker, I move the adoption of this Amendment."

Bluthardt: Just a minute. Mr. Clabaugh, I believe that you



you are explaining Amendment No. 2, so if you'll hold up we'll recognize the Gentleman ....can we have a little order please? We are going to recognize Mr. Skinner with Amendment No. 1, Mr. Clabaugh. You have Amendment No. 1."

**Fred Selcks:** "Amendment No. 1, Skinner. Amend House Bill 586 on page 1 by deleting 9 and so forth."

**Bluthardt:** "The Gentleman from Champaign, Mr. Clabaugh. He's asking for recognition. For what purpose do you wish to be recognized, Mr. Clabaugh?"

**Clabaugh:** "On a point of order. It is my understanding that it has been the practice every since that I have been coming here that the sponsor, chief sponsor of the bill was entitled to Amendment No. 1. Now Mr. Skinner has talked with me and I suggested that he see if there was any conflict between his Amendment and mine. He said he thought there was not, but I think there is. So I think that my Amendment should be No. 1."

**Bluthardt:** "For what purpose does the Gentleman from Cook, Mr. Shea, wish to be recognized?"

**Shea:** "Mr. Speaker, I know how difficult it is this morning, but I wonder if you could get a little order. This is \$60,000,000 that is going to be returned to units of local government and I think it is important to all of us in our districts."

**Bluthardt:** "Alright. May we have some order, please? We'll have



doorkeeper clear out the aisles and let's see if we can't have some decorum here. A...Representative Clabaugh, I think you are absolutely right, however, I think for the purpose of proceeding orderly instead of backing up your amendment can be amended out so that it'll fit in perfectly alright with amendment No. 2. With your permission, we'd like to proceed that way?"

Clabaugh: "Well, I would still like to raise this further point, Mr. Speaker. Mr. Skinner saw my amendment and he thought there was no conflict. I have studied them and I think there is a conflict so if he thinks there is no conflict then he shouldn't object to my amendment being on even if he can put his amendment on, but I do think there is a conflict and I do object on that ground. I don't want to be difficult, but..."

Bluthardt: "Perhaps the Gentleman from McHenry will explain the situation. Mr. Skinner?"

Skinner: "Mr. Speaker I must admit that this bill coming up today comes as somewhat as a surprise. I thought that the sponsor and I had agreed that we are going to get together and work this out. Now, for instance, his staff man, who is also my staff man, I guess on this issue, has the explanatory chart and I do not even have a copy of it in front of me. The significant policy differences between ..."

Bluthardt: "May we have some order, please? The Gentleman from



Champaign, Mr. Stone."

Stone: "Mr. Speaker, I am trying very hard to hear what is going on and I am unable to do so and this is important and I would like to be able to hear."

Bluthardt: "May all of us ought to go back to bed and come back in a couple of hours. May we have some decorum please? Mr. Skinner."

Skinner: "As I said, there are significant policy differences between Mr. Clabaugh's approach to the personal property tax replacement and my approach. And I am really am at a loss as to how to proceed without the chart that is now in the hands of his staff, of our staff man in the appropriations committee. I wonder if it would be possible to take this out of the record for perhaps an hour, so I can track down the chart which I had given to the staff man as a courtesy to Mr. Clabaugh..."

Bluthardt: "Mr. Clabaugh indicates that that is agreeable with him and the Clerk will take this out of the record."

Prod Selcke: "House Bill 589. Schlickman. A bill for an Act to amend the Illinois Income Tax. Second Reading of the Bill. One Committee Amendment. Amend House Bill 589 page 1, line 9 and 10. and so forth."

Bluthardt: "The Chair recognizes Representative Schlickman."

Schlickman: "Thank you Mr. Speaker, members of the House. House Bill 589 as it was originally introduced provides that the Department of REVENUE shall report quarterly



net income tax revenue collected, by county and municipality at the request of the Department of Revenue by Amendment No. 1, we reduced the frequency of reporting from quarterly to annually. I move for the adoption of Committee Amendment No.1 to House bill 589."

Bluthardt: The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Will the sponsor yield?"

Bluthardt: He indicates he will."

Shea: "Gene, you want to breakdown on income tax annually, is that right?"

Schlickman: "The bill as it was originally introduced provided that quarterly, four times a year, the Department of Revenue would report to the General Assembly and the Governor the source of its income tax revenue by counties and municipalities. The Department indicated to me that it had no objection. In fact, it found desirable, reporting the source of income tax by municipality and county. However, itself, that reporting once a year rather than four times a year was better and this amendment is in the response to the Department with this amendment, the Department did not object to the bill. In fact, individuals within the income tax division of the Department of Revenue, because they feel that this kind of information would have been most helpful in the past and would be helpful in the future."

Shea: "Alright. Now I assume, now that it's going to be





annually, instead of upon receipt, its going to be upon the actual returns filed? You know, if you do it quarterly it would be like on receipts withholding receipts and pre payment by corporations. I would assume, now, that if we are going to do it annually, it would be on the actual figures for the calendar year."

Schlickman: "Yes for the calendar year."

Shea: "Thank you."

Schlickman: "Thank you."

Bluthardt: "Is there any further discussion? The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, point of personal privilege."

Bluthardt: "State your point."

Schraeder: "In the balcony, a young man by the name of Norm Westfall and Bradford Grate, whom I would like to present to the House this morning, up in the rear of the auditorium."

Bluthardt: "The question is, shall amendment No. 1 be adopted. All in favor indicate by saying aye, contrary and the amendment is adopted. Any further amendments? Third Reading."

Fred Selcke: "House Bill 603, Flynn. A bill for an act to provide for the scenic ordinary in the Business and Economic Development. Second Reading of the Bill. Apparently there were three committee amendments, however amendment No. 1 must have been tabled in committee."



Committee Amendment No. 1. Amend House Bill 603 on page 1 and so forth."

Bluthardt: The Gentleman from St. Clair, Mr. Flynn."

Flynn: "Thank you Mr. Speaker. Amendment No. 1 fine items the tourism part of this bill and this bill is the appropriations for the Business and Economic Development Department and I move for the adoption of Amendment No. 1."

Bluthardt: The Gentleman moves for the adoption of Amendment No.

1. All in favor indicate by saying aye, contrary, the ayes have it, the amendment is adopted."

Fred Selcke: "Committee Amendment No. 3. Amend House Bill 603 on page 1 by deleting lines 4 through 9 and so forth."

Flynn: Mr. Speaker, and Ladies and Gentlemen of the House, Amendment No. 3 deletes \$20,000 set aside previously for legal fees and the committee with wisdom decided that it be best that the Attorney General stand the responsibility for any representation of this Department and therefore the \$20,000 would not be necessary so I move for the adoption of Amendment No. 3."

Bluthardt: The Gentleman moves for the adoption of Amendment No. 3 to House Bill 603. All in favor of the adoption of Amendment No. 3 indicate by saying aye, contrary, and the ayes have it and the Amendment is adopted. Third Reading."

Fred Selcke: "House Bill 605, Stedlin. A bill for an act to provide for the ordinary expenses of the Department of Mines and Minerals. Second Reading of the Bill.



One Committee Amendment. Amend House Bill 605 on page 1, section 1, line 29 and so forth."

Bluthardt: "The Gentleman from Marion, Mr. Stedlin."

Stedlin: "Mr. Secretary, are you finished the amendment...

are you finished reading the amendments, please?"

Bluthardt: "proceed, please."

Fred Selcke: "Alright, amend House Bill 605 on page 1, section 1, line 29 by deleting \$313, 800 inserting in lieu thereof \$293, 400 on page 1, section 1, line 31 by deleting \$18,800 inserting in lieu thereof \$17,600, page 1, section 1, line 32, by deleting 9500 and inserting in lieu thereof 9100. Page 1, section 1, line 33 by deleting 6000 inserting in lieu 13,200; page 1, section 1, line 34, by deleting 60,00 and inserting in lieu thereof 56,000. And on page 2, section 1, line 8, by deleting 422,100 and inserting in lieu thereof 403,100, and page 2, section 1, line 24, by deleting 1,548,800 and inserting in lieu thereof 1,529,800."

Stedlin: "Mr. Speaker and ladies and gentlemen of the House, I move the adoption of Committee Amendment No. 1."

Bluthardt: "The Gentleman moves for the adoption of Committee Amendment No. 1 to House Bill 605. All in favor indicate by saying aye, contrary, the amendment is adopted. Are there any further amendments? Third Reading."

Fred Selcke: "House Bill 610, Pierce. Is he here? Yeh, Yeh. A...Bill for an act to provide for the ordinary expenses



of the Bureau of the Budget. Second Reading of the Bill. One Committee Amendment. Amend House Bill 610, page 1, by deletion lines 7 thru 22 and inserting in lieu thereof the following and so forth."

Bluthardt: The Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, I'm opposing the Committee Amendment, so maybe a proponent to that amendment should speak first. I'm the sponsor of the bill and will oppose the amendment. I think in fairness, I'm opposing at the request of the Bureau of the Budget, in fairness, if we can find anyone who is in favor of the amendment, maybe they should explain it, it does slash the budget of the Bureau of the Budget's appropriation from \$1,300,000 down to \$1,128,000."

Bluthardt: The Gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker, and Ladies and Gentlemen of the House, this amendment was drawn by the Appropriations Committee in response to the Governor's budget message and the indications about the activity of the Bureau of the Budget which the Governor indicated this Department would take as it did its work under this forthcoming fiscal year. As I recall the amendment, it had a reduction...."

Bluthardt: May we have some order, please? Proceed, Mr. Telcser."

Telcser: "It reduced the total budget by about one hundred and 77 some odd thousands dollars and put in line items since the committee felt that the legislature and the committee system ought to determine the priorities for this and



other agencies. And so, the principle thrust was this, it will have no detrimental operations to the Bureau of the Budget generally, and as I recall the vote in the committee, there were no votes against the amendment, but it passed out by a vote of 27 to nothing."

Bluthardt: The Gentleman from... The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker and Members of the House, McHenry isn't too far from Franklin Park and all that area over there. Mr. Speaker and Members of the House, the amendment that is offered for adoption was the agreed upon amendment by both the Democratic and Republican members of the House Appropriations Committee and the staff, when reviewing the budget of the Director of the Bureau of the Budget, we found a doubling up of some of the positions and some of the funding that is necessary for the Bureau of the Budget to operate on. We eliminated the paper handlers and those who a...the papers shufflers in the Bureau of the Budget in order to keep within the Governor's recommendations of no fat in the budget and the bare-boned budget that he had recommended to the legislature and by eliminating these positions, we have given to the General Assembly, an amendment that will truly reflect the needs of the Bureau of the Budget, not...with any excess of double up jobs or men or women that are just going to be shuffling papers in the Bureau of the Budget. So this Amendment is a good



Amendment, it has been agreed upon by both sides of the aisle, in the Appropriations Committee, it came out of the Appropriations Committee, I believe, unanimous at 28 to nothing, and I suggest that the House adopt this Amendment.

Bluthardt: "The Gentleman from Cook, Mr. Lechowicz"

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment No. 1, which is a Committee Amendment to House Bill 610 amends the bill to reflect the authorization for spending by line items for each budgetary activity. And it also amends the appropriation amount changing the total from \$1,300,000 to \$1,128,600, for a total reduction of \$171,400. The largest item to be reduced is the items of the personal services, that being in the amount of \$130,200, because of what Tom Hanahan had pointed out that there were 10 positions that were included from the funds of general revenue and also funds being received from the federal government. So, in turn we remove the \$130,000 from general revenue and having the duplications removed from the budget and also allowing the ten positions to be refunded strictly by the federal government, we reduce the fund by \$7800, social security by \$4500, contractual services by \$13,000, travel by \$5000, commodities by \$1800, printing, \$2000, operation of auto... automobile equipment \$900, telecommunications, \$2200, electronic data processing, \$4000, for a total reduction of \$171,400. This was a committee amendment



passed the committee 27 to nothing. I'm asking also that the House adopt this Amendment."

Bluthardt: The Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House. This is a very important issue and I hope we'll all listen. I'm the sponsor of House Bill 610 which is the annual appropriation of the Bureau of the Budget. The appropriation that Mr. Hovey put in of \$1,300,000, is 25% under McCarter's proposed budget for the coming fiscal year, it was a 25% reduction. Now, Mr. Hovey and I did sit down and try to work out an agreement with some of the leaders of this committee, apparently, that week there was some dispute with the Governor over the amandatory veto in the week it came up in Appropriations Committee and, in addition, in addition, Mr. Hovey and the Appropriations staff and leaders had not apparently been getting along as well as they could have in the past, although I think that has been cured now. So this Amendment was put on without discussion in committee. Mr. Hovey and I never saw the printed Amendment, although we had an idea we knew it was coming. We were told it was coming but we hadn't seen the printed Amendment until we came into Committee that day, there was no discussion by the proponents, Representative Telcser, who offered the Amendment, and no discussion on it that day. I think it is just a cute way of trying... a cute way of trying to embarrass the Director of the



Budget, who is trying to slash other people's budgets, and I therefore ask that we oppose and I was asked by Mr. Hovey that we oppose the Amendment No. 1. Mr. Speaker, after some consultation, and this is the last week for this bill, can you take this bill out of the record on Second Reading temporarily, the Amendment has been offered after we can discuss this some more, but can we take House Bill 619 temporarily out of the record on Second Reading, realizing we may have to come back to it again."

Bluthardt: Airlight, take it out of the record."

Fred Selcke: "House Bill 617, Matejevich. A bill for an Act to amend the Election Code. No Committee Amendments."

Bluthardt: "For what purpose does the Gentleman fro Tazewell wish to be recognized, Mr. VonBoeckman?"

Von Boeckman: "On a point of special privilege, Mr. Chairman."

Bluthardt: "State your point."

Von Boeckman: "I have a group from my district to the right of me in the balcony over the Republican side of the House, they are from the Rogers School in North Pekin, they are the 6th grade and I want to personally mention two boys in the class who are personal friends, their fathers are personal friends of mine. Mr. Norman McGill and Mr. Rodney Smith. The principle is Mrs. Dearborn."

Bluthardt: "Are there any Amendments from the floor? Third Reading."

Fred Selcke: "House Bill 620, Philip. A bill for an Act to





the Vehicle Code. Second Reading of the Bill. No  
Committee Amendments."

Bluthardt: Any Amendments from the floor? Third Reading."

Fred Selcke: "House Bill 623, Gibbs. A bill for an act to  
amend the Criminal Code. Second Reading of the Bill. No.  
Committee Amendments."

Bluthardt: Any Amendments from the floor? Third Reading."

Fred Selcke: "House Bill 624, Gibbs. A bill for an act to  
protect the rights of persons conscientiously opposed to  
abortion. Second Reading of the Bill. One Committee  
Amendment. Amend House Bill 624 on page 1, by adding  
on line 24 the following, the license of any hospital  
nurse, doctor, or any other medical personnel shall not be  
revoked or suspended because of a refusal to permit,  
recommend, perform, or assist in the performance of an  
abortion. Section 2 of this act takes effect upon its  
becoming law."

Bluthardt: The Gentleman from Sangamon, Mr. Gibbs."

Gibbs: "Mr. Speaker, Ladies and Gentlemen of the House. On  
House Bill 623, 624, and 631, I am preparing Amendments,  
so would you take these out of the record?"

Bluthardt: Take them out of the record. The Gentleman from  
Sangamon, Mr. Gibbs, your House Bill 623 has already been  
advanced to Third Reading. Do you want to bring that back?"

Gibbs: "Yes."

Bluthardt: You want to bring it back? Alright."



Fred Selcke: "Alright, take that out of the record, House Bill 624."

Bluthardt: "The Gentleman from Sangamon, Mr. Gibbs."

Gibbs: "Mr. Speaker, did you say that House Bill 623 has already been advanced to Third Reading?"

Bluthardt: "Yes."

Gibbs: "It's listed on the calendar as Second Reading."

Bluthardt: "I just advanced it to Third."

Gibbs: "Oh you mean just now?"

Bluthardt: "About a minute and a half ago, yes."

Gibbs: "Oh I see."

Bluthardt: "Do you want to bring it back to second and leave it there?"

Gibbs: "I want to bring it back to Second."

Bluthardt: "Alright, with leave of the House, we'll bring House Bill 623 back to Second Reading."

Fred Selcke: "House Bill 628, B. B. Wolfe. A bill for an act relating to the settlement of claims, Second Reading of the Bill. No Committee Amendments."

Bluthardt: "Any Amendments from the Floor?"

Fred Selcke: "Amendment No. 1. B. B. Wolfe. Amendment House Bill 628 on page 1 by deleting lines 12 and 13 inserting in lieu of the following and so forth."

Bluthardt: "The Gentleman from Cook, Mr. Wolfe."

Wolfe: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. This is an Amendment that was requested by several



Members of the committee and on meeting that committment it removes a certain condition in the purpose clause which the committee felt was not necessary at this time and the other aspect of it is that it removes the term "wholly without merit" in lieu thereof inserts the term "faults or fraudulance" it is just a technical amendment and I solicit your support."

Bluthardt: The Gentleman has moved for the adoption of Amendment No. 1 to House Bill 628. Any further discussion? All in favor of the adoption of Amendment No. 1 to 628 indicate by saying aye, contrary, the ayes have it and the Amendment is adopted. Any further Amendments?"

Fred Selcke: "Amendment No. 2. B. B. Wolfe. Amendment HOuse Bill 628 on page 3 by deleting lines 7, 8, and 9 and inserting in lieu thereof the following and so forth."

Bluthardt: The Gentleman from Cook, Mr. Wolfe."

Wolfe: "Mr. Speaker, this is another clarification of the Amendment and it establishes the arbitration procedure with the American Arbitration Association and I solicit your support of this Amendment."

Bluthardt: The Gentleman moves for the adotpion of Amendment No. 2 to House Bill 628. All in favor of the adoption of Amendment No. 2 indicate by saying aye, contrary, the Amendment is adopted."

Fred Selcke: "Amendment No. 3. B. B. Wolfe. Amend House Bill 628 on page 2, line 29 by inserting the words filing



of County boards in the larger counties in the metropolitan area is just an amendment on House Bill 666, which will allow for county boards of review to be expanded when there is a very very large number of complaints. This amendment is designed to do that and I would move for the adoption of Amendment No. 1. A...this is a temporary expansion."

Bluthardt: The Gentleman has moved for the adoption of Amendment No. 1 to House Bill 666. Are there any questions? All in favor of the adoption of Amendment no. 1 indicate by saying aye. contrary, the Amendment is adopted. Are there any further amendments? Third Reading."

Fred Selcher: "House Bill 668. R. L. Dunn. A bill for an act to amend the Vehicle Code. Second Reading of the Bill. No Committee Amendments. Any from the floor?"

Bluthardt: Are there any Amendments from the floor?"

Fred Selcher: "Amendment No. 1, Dunn. Amend House Bill 668 on page 2, line 17, by striking the word "emergency"."

Bluthardt: The Gentleman from Cook, Mr. Dunn."

Dunn: "Amendment No. 1 is just a technical correction. It removes the word "emergency" so that we are truly prohibiting any vehicles except official police cars from using the word "police" on their car, and I move that it be adopted."

Bluthardt: The Gentleman moves that Amendment No. 1 to House Bill 668 be adopted. All in favor of the adoption of Amendment No. 1 indicate by saying aye, contrary, the



Amendment is adopted."

Fred Selcke: "Amendment No. 2. Dunn. Amend House Bill 668 on page 2, line 19 after the word "state", and by inserting the words "in emergency of this state."

Dunn: "This bill is merely a technical correction that permits the police forces of the State University to continue to use the word "Police" on their cars and I move that the Amendment be adopted."

Bluthardt: "The Gentleman moves for the adoption of Amendment No. 2 to House Bill 668. All in favor of the adoption, of Amendment No. 2 indicate by saying aye, contrary, Amendment No. 2 is adopted."

Fred Selcke: "Any further Amendments?"

Bluthardt: "Any further Amendments? Third Reading."

Fred Selcke: "House Bill 669."

Bluthardt: "For what purpose does the Gentleman from Will, Mr. Kempiners, be recognized?"

Kempiners: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Bluthardt: "State your point."

Kempiners: "This morning, Representatives Matejevich, Polk and I had a wonderful opportunity to talk to the Illinois Youth Association for Mental Retardation which is affiliated with the Illinois Association of Mental Retardation and the members of this group are in the back gallery and I wondered if they would stand so that they can be recognized



by the House."

Fred Selcke: "House Bill 669. Kelly. A bill for an act to amend an act relating to State parks. Second Reading of the Bill. No Committee Amendments."

Bluthardt: "Any Amendments from the floor? Third Reading."

Fred Selcke: "House Bill 670. Palmer. A bill for an act in relation to the transfer of the Illinois-Michigan Canal and so forth. Second Reading of the Bill. No Committee Amendments."

Bluthardt: "Any Amendments from the floor? Third Reading."

Fred Selcke: "House Bill a....this one will be out of the record, Fleck's not here. House Bill 704. Neff. A bill for an Act to amend the Vehicle Code. Second Reading of the bill. No committee Amendments."

Bluthardt: "Are there any amendments from the floor? Third Reading."

Fred Selcke: "House Bill 705. Neff. A bill for an act to amend the Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Bluthardt: "Any Amendments from the floor? Third Reading."

Fred Selcke: "Is Madigan here? House....huh? Yeh, okay, thank you....take 706 out of the record."

Bluthardt: "Take it out of the record."

Fred Selcke: "A...710. Leinenweber. A bill for an act to amend the Public Aid Code. Second Reading of the Bill. Give me 710. Have we got any amendments to that? No.



Committed Amendments."

Bluthardt: Any Amendments from the floor?"

Fred Seiker: "Amendment No. 1. Leinenweber. Amend House Bill 710 page 1, by deleting line 1 and inserting in lieu thereof, and so forth."

Bluthardt: The Gentleman from Wills, Mr. Leinenweber."

Leinenweber: "Thank you Mr. Speaker and members of the House. Amendment No. 1 indirectly was suggested by the Department of Public Aid. House Bill 710 seeks to prohibit the Department of Public Aid from authorizing medical assistance under the Public Aid Act for abortions. They pointed out that the two other provisions in the Public Aid Code whereby medical aid to intrugents was available. One of those is medical aid to the intrugents act, the other one is the general assistance act. The Amendment No. 1 seeks to add the prohibition to payments to abortions under each additional act. I move its adoption, Mr. Speaker."

Bluthardt: The Gentleman from Union, Mr. Choate."

Choate: "Mr. Speaker, parliamentary inquiry. Several of us are confused about this Amendment and we want to know, basically, what the Chair's position is as far as this Amendment being germane to the subject matter?"

Bluthardt: Very fine. Will the Clerk hand that Amendment up here please?"

Choate: "I don't think it is very funny."

Bluthardt: I don't know if it is funny, I haven't seen it yet.



The Chair would rule that this is germane. Yes."

Choate: "Under what language in the Amendment would the Chair rule that way?"

Bluthardt: "I would say under Bluthardt's rules of order.

The Gentleman may proceed. Mr. Leinenweber."

Leinenweber: "I move its adoption...Amendment No. 1."

Bluthardt: "The Gentleman from Cook...for what purpose does the Gentleman from Cook wish to be recognized?" Mr. Wolfe."

Wolfe: Well, I imagine it is now open for debate on the Amendment and I'd like to know if the sponsor of the Amendment will yield for a question."

Bluthardt: "The Gentleman indicates he will."

Wolfe: "How does the Amendment change the original bill, if at all?"

Leinenweber: "It doesn't change the original bill. The Amendment No. 1 was suggested, as I told you indirectly, by the Department of Public Aid because they pointed out that there are, in effect, three medical assistance programs. And their suggestion was that the State medical assistance to intrudents, those under general assistance and those under the Department...a...those receiving public aid ought to be uniform. Consequently, Amendment No. 1 picks up the additional two programs to ~~unify~~ the medical aid to the intruder and the general assistance." Then the Wolfe: "Then the thrust of the Amendment, or the bill after this amendment is to apply to those three areas and it





eliminates abortions as a medical assistance. Is that right?"

Lenenweber: "That is correct."

Wolfe: "A...I'd like to talk to the Amendment."

Bluthardt: "Proceed, Mr. Wolfe."

Wolfe: "From the digest and the conditions imposed, the United States Supreme Court indicated in its opinion that an abortion is a medical procedure. And it stands on the same basis as any other medical procedure. This Amendment would place an abortion, except for certain conditions, the Supreme Court did not impose as being a medical procedure eligible for a public aid. And I don't want to relate this amendment to the economics of the situation, but it would seem to me that if it is a medical procedure, then there is certainly a discrimination with reference to an introgent person being eligible under the Public Aid Act and I would oppose the amendment and respectfully ask the House members to oppose the amendment on these grounds. It's unconstitutional, its discriminatory, and it sets up a preference, it sets up a preference in a category because it permits reimbursement in a category in which the United States Supreme Court said you could not or does not permit it in a category in which the Supreme Court said you could not interfere with the medical procedure so we are doing something here in my opinion is going to work an unconstitutionality."



Bluthardt: "The Gentleman from Cook....I mean the Lady from Cook, Mrs. Catania."

Catania: "Thank you Mr. Speaker. I just have what I think is a parliamentary inquiry, or at least an inquiry. On line 22 of the amendment it says "such procedures are necessary to the presentation of the life of the woman" I assume that the sponsor wants to say the preservation of the life of the woman. NOW is this a change which can be handled in the typing of this or is this something which will require having the Amendment drafted."

Bluthardt: "I understand, Mrs. Catania, and that is a printer's error and a correction has been made on the original Amendment already."

Catania: "I see, thank you."

Bluthardt: "Alright. Any further discussion? Does the Gentleman from Will wish to close?"

Leinenweber: "Yes, Mr. Speaker, you indicate..."

Bluthardt: "For what purpose does the Gentleman from DuPage, Mr. Hudson wish to be recognized?"

Hudson: "Mr. Speaker, I wondered if the sponsor of the amendment would answer a question?"

Bluthardt: "The Gentleman indicates he will."

Hudson: "Would you repeat again, for my benefit and possibly the benefit of some other members of the House, here, who have not been able to hear the exact thrust of the amendment. Just briefly state it, what the amendment does."



Leinenweber: "The Amendment picks up two additional categories of State aid in the form of medical assistance. This was pointed out by the Department of Public Aid. They suggest that whatever position the legislature takes, it ought to be uniform in all three categories of assistance for medical aid. There were two additional programs. One is medical assistance to the introgent, and the other one is a general assistance program which is operated through the townships. This bill adds the prohibition for payments of the medical expense for abortions on those two additional programs into the Public Aid Act."

Hudson: "Thank you very much."

Bluthardt: "Does the Gentleman wish to close, Mr. Leinenweber?"

Leinenweber: "Very briefly, one of the previous speakers, indicated the bill was unconstitutional because it does not permit a recognized medical procedure. There are many recognized medical procedures which the State does not pay for for the introgents. Among which are plastic surgery. I would say that this bill merely prescribes the payment of the medical procedure except when it is necessary to preserve the mother's life, consequently, in my opinion, this bill is constitutional, proper, and consistent with the State's previous policy of paying for necessary medical expenses not every medical expense. I move for the adoption of Amendment No. 1."

Bluthardt: "The Gentleman has moved for the adoption of



Amendment No. 1 to House Bill 710. All in favor of the adoption of Amendment no. 1 to House Bill 710 indicate by saying aye, contrary no, the amendment is adopted. Any further amendments? Third reading."

Fred Selcke: "House Bill 717. Day. A bill for an Act to amend the Municipal Code. No Committee Amendments."

Bluthardt: "Any Amendments from the floor?"

Fred Selcke: "Amendment No. 1. Day. Amend House Bill 717 on line 15 by deleting the period and adding the following, except to the extent that is necessary to conform to the plan as approved by the proper authorities."

Bluthardt: "The Gentleman from Peoria, Mr. Day."

Day: "Mr. Speaker, and Ladies and Gentlemen of the House, this is an Amendment that was suggested in committee and agreed to and what it does is to provide that when the plan has been approved the title to the owner who has purchased the property, lot in the subdivision, is subject to any improvements that are required by the plan. I move its adoption."

Bluthardt: "The Gentleman moves for the adoption of Amendment No. 1 to House Bill 717. All in favor of the adoption of the Amendment indicate by saying aye, contrary, the Amendment is adopted."

Fred Selcke: "Amendment No. 2, Day. Amend House Bill 717 as amended on page 1 by deleting the language contained in lines 8 through 15 and so forth."

Bluthardt: "The Gentleman from Peoria, Mr. Day."



Day: "Mr. Speaker, and Ladies and Gentlemen, this Amendment simply tightens up on the penalties against a subdivider who illegally records an improper plat, I would move the adoption of the amendment."

Bluthardt: "The Gentleman moves for the adoption of Amendment No. 2 to Hou-e Bill 717, all in favor of the adoption indicate by saying aye, contrary, the amendment has been adopted." Any further amendments? Third Reading."

Fred Selcke: "House Bill 718. Day. A bill for an act to amend an act relating to plats. Second Peading of the Bill. No Committee Amendments."

Bluthardt: "For what purpose does the Gentleman from-Chester, Mr. Springer, wish to be recognized. The Gentleman from Randolph, Mr. Springer."

Springer: "Mr. Speaker, point of personal privilege."

Bluthardt: "State your point."

Springer: "IN behalf, Mr. Speaker, and Ladies and Gentlemen of the House, on behalf of my colleague, Representative Holloway, and Representative Ralph Dunn, I would like to introduce the students of the Lincoln Junior High School from Carbondale, Illinois. Mr. Larry Jacobert, being the principal. They are in the northwest part of the gallery. Thank you."

Bluthardt: "Are there any amendments from the floor?"

Fred Selcke: "Amendment No. 1. Day. Amendment House Bill 718 on line 14 by deleting the period inserting and adding the following and so forth."



Bluthardt: "The Gentleman from Peoria, Mr. Day."

Day: "Well this amendment does the same thing for the plat act that amendment No. 1 did for the municipal code and House Bill 717. They are companion bills and there is no difference, they are just corresponding amendments to two different sections of the statute."

Bluthardt: "The Gentleman moves for the adoption of Amendment No. 1 to House Bill 718. All in favor of the adoption indicate by saying aye, contrary, the amendment is adopted."

Fred Selcke: "Amendment No. 2. Day. Amend House Bill 718 as amended on page 1 and so forth."

Bluthardt: "Mr. Day."

Day: "This Amendment No. 2 is the corresponding amendment to the Plat Act, the same as amendment No. 2 in House Bill 717. I move for its adoption."

Bluthardt: "The Gentleman moves for the adoption of Amendment No. 2 to House Bill 718. All in favor of the adoption indicate by saying aye, contrary, the amendment No. 2 is adopted. Any further Amendments?" Third Reading."

Fred Selcke: "House Bill 721. Leinenweber. A bill for an act to amend the Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Bluthardt: "Any Amendments from the floor? Third Reading."

Fred Selcke: "House Bill 720.....where's 722? Houe Bill 722. A bill for an act to revise the law in relation to recorders Second Reading of the Bill. One Committee Amendment."



Amend House Bill 722 page 1, line 24, by deleting \$2 and inserting in lieu thereof, \$1, page 1, line 31, and so forth."

Bluthardt: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Thank you Mr. Speaker, and members of the House.

House Bill 722 seeks to change the downstate recorders fee schedule to the same as the Cook County Recorder of Deeds fee schedule. Committee Amendment no. 1 which adopted in committee and voted out unanimously, I will go along with its support. It modifies very briefly the Cook County language for the Recorder's fee schedule in two areas. It changes the charge for recording a page of the document without legal description from \$2 to \$1 and adds some additional language necessary for downstate recorders for describing documents to be recorded under a certain fee schedule. I move for the adoption of Committee Amendment No. 1."

Bluthardt: "The Gentleman moves for the adoption of Committee Amendment No. 1 to House Bill 722. All in favor of the adoption of the Amendment, indicate by saying aye, contrary, the ayes have it and the amendment is adopted. Further Amendments? Third Reading."

Fred Selcher: "House bill 723. Murphy. A bill for an act to amend an act relating to county officials. Second Reading of the Bill. No. committee amendments."

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



Fred Selcke: "House Bill 726 is taken out of the record. House Bill 727. McCormick. A bill for an act directing the study of the Little Saline River, Second Reading of the Bill. No. Committee Amendments."

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

Fred Selcke: "Just a minute, Mr. Kent, let me talk to you about that. House Bill 729. Merlo. An act relating to a security deposit for rent. Second REading of the Bill. One Committee Amendment. Amends House Bill 729 on page 1 line 6 by deleting 25 and inserting in lieu thereof 10 and so forth."

Bluthardt: "The Gentleman from Cook, Mr. Wolfe."

Wolfe: "I believe there is a committee amendment on 29."

Bluthardt: "I recognized you for the purpose of offering it."

Wolfe: "This is a committee amendment and the effect of the amendment is to spell out the nature of the repairs and the replacements and the receipts required therefore, it changes the notice time from 2 weeks to thirty days, which was the recommendation of the Illinois Real Estate Board and the committee adopted this amendment and I would also ....it establishes an effective date of January 1, 1974, and applies to leases executed on or after that day, and I would respectfully ask your support of this amendment."

Bluthardt: "The Gentleman moves for the adoption of Amendment No. 1 to House Bill 729. All in favor of the adoption indicate by saying aye, contrary, the amendment is adopted. Are there further amendments?"





Fred Selcke: "Amendment No. 2. Katz. Amend House Bill 729 on page 1, line 11 by inserting immediately after leasee the following "delivered in person or by mail direct to his last known address."

Bluthardt: "The Gentleman from Cook, Mr. Wolfe."

Wolfe: "Thank you Mr. Speaker. The Katz image has certainly changed from Katz to Wolfe hasn't it? This is a simple amendment, Mr. Speaker, and Ladies and Gentlemen of the House which permits a service of the notice by delivery in person or by mail directed to the last known address of the leasee. And I respectfully ask your support of this amendment."

Bluthardt: "The Gentleman moves for the adoption of Amendment No. 2 to House Bill 729. All in favor of the adoption indicate by saying aye, contrary, the amendment is adopted. Any further Amendments? Third Reading."

Fred Selcke: "House Bill 740. LaFleur. A bill for an act to amend the Counties Airport Act. Second REading of the Bill. One Committee..."

Bluthardt: "For what purpose does the Gentleman from Logan, Mr. Lauer, wish to be recognized?"

Lauer: "Point of personal...point of personal privilege, Mr. Speaker."

Bluthardt: "State your point."

Lauer: "I would like to take this opportunity to introduce to the House and have welcomed by the House members of the



Womens' Committee of the Macon County Farm Bureau in the gallery to my right."

Fred Selcke: "Committee Amendment No. 1. Amends House Bill 740 on page 1 by deleting line 22 through 25 and inserting in lieu thereof the following and so forth."

Bluthardt: "The Gentleman from DuPage, Mr. LaFleur."

LaFleur: "Mr. Chairman, I move for the adoption of this Amendment. It was offered by Bud Kraus. The substance of the Amendment is the same as the original bill, the language is better and stronger and it has been approved and moved out of committee. I move for the adoption."

Bluthardt: "The Gentleman moves for the adoption of Amendment No. 1 to House Bill 740. All in favor of the adoption indicate by saying aye, contrary, amendment No. 1 is adopted. Further amendments? Third Reading."

Fred Selcke: "House Bill 741: Ron Hoffman. A bill for an act to amend the Consumer Fraud Act. Second Reading of the Bill. Two Committee Amendments. Committee Amendment No. 1. Amendment House Bill 741 on page 1, line 1 by deleting to amend Section 1 and page 1, by deleting all of lines 5 through 8 and inserting in lieu thereof the following and so forth."

Bluthardt: "The Gentleman from Cook, Mr. Hoffman."

Hoffman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. There are two committee amendments, the one is to remove a section of the proposal. That is committee



amendment No. 1. Committee Amendment No. 2 is clarifying language, both of these are recommendations of the membership of the committee, and I move for their adoption.

Bluthardt: "The Gentleman moves for the adoption of Committee Amendment No. 1 to House Bill 741. All in favor of the adoption indicate by saying aye, contrary, the amendment is adopted."

Fred Selcke: "Committee Amendment No. 2. Amend House Bill 741 page 2 and so forth."

Bluthardt: "The Gentleman moves for the adoption of Committee Amendment No. 2 to House Bill 741. All in favor of the adoption indicate by saying aye. Contrary, the amendment is adopted. Are there further amendments? Third Reading."

Fred Selcke: "House Bill 780. Brummet. A bill for an act to license to regulate structural pest control businesses certify pest control technicians and so forth. Second Reading of the Bill. No Committee Amendments."

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

Fred Selcke: "790 out of the record. House Bill 794. Douglas. A bill for an act relating to the restriction and limitation of the sale and use of lead bearing products and so forth. Second Reading of the Bill. One Committee Amendment. Amend House Bill 794 on page 3 by deleting lines 12 through 25 and so forth."

Bluthardt: "The Gentleman from Cook, Mr. Douglas."



Douglas: "Mr. Speaker, Committee Amendment No. 1 simply brings this lead poisoning prevention act in line with the federal regulations relating to the labeling on the can of paint and I move for its adoption."

Bluthardt: "The Gentleman moves for the adoption of Committee Amendment No. 1 to House Bill 794. All in favor of the adoption indicate by saying aye, contrary, the ayes have it. Any further Amendments?"

Fred Selcke: "Amendment No. 2. Douglas. Amend House Hill 794 on page 1 by deleting lines 6 through 35 and so forth."

Bluthardt: "The Gentleman from Cook, Mr. Douglas."

Douglas: "Mr. Speaker, amendment No. 2 is similar to amendment No. 1 would bring this act in line with federal regulations. The first part of this amendment would make the generic term paint changed to the word substance, broadening it, and the second part would simply state that the regulations promulgated pursuant to the provisions of the Federal Hazardous Substance Act would be applicable to this State law and I move for the adoption of this Amendment No. 2."

Bluthardt: "The Gentleman moves for the adoption of Amendment No. 2 to House Bill 794. All in favor of the adoption indicate by saying aye, contrary, the ayes have it and the amendment is adopted. Any further amendments? The Gentleman from Champaign, Mr. Clabaugh."

Clabaugh: "Not on this bill, Mr. Speaker, I thought you were going to third reading."



Bluthardt: "Third Reading. That bill is going to Third Reading."

Clabaugh: "I wanted you to go back to 586, now, Mr. Skinner and I have worked that out."

Bluthardt: "Mr. Clabaugh, we just said that 794 was going to Third Reading. We are still on Second Reading."

Clabaugh: "I see, I'm sorry."

Bluthardt: "Now, I think we'll get back to what you are looking for. Starting at the beginning, wherever that is."

Fred Selcke: "House Bill 368. Catania. A bill for an act to amend the Unemployment Compensation Act. Second Reading of the Bill."

Catania: "Mr. Speaker, this bill is taken out of the record last week because there was a request for a fiscal note. I have a fiscal note, but I believe it is on the original bill, not on the amended bill. So I'd like it taken out of the record again until I have the fiscal note on the amended bill."

Bluthardt: "Alright, take it out of the record."

Fred Selcke: "House Bill 430. Bradley. Is he here? Is Mr. Bradley here?"

Bluthardt: "Is Mr. Bradley here? I don't see him on the floor."

Fred Selcke: "House Bill 44....oh okay. Okay, House Bill 456. J. J. Wolfe. Well, Tommy, your amendment hasn't come back yet from the printer. House Bill 456. J. J. Wolfe. A bill for an act to amend the Vehicle Code. Second Reading of the Bill. No Committee Amendments."



Bluthardt: "Alright, the Gentleman from Cook, Mr. Hoffman. Are there any amendments from the floor? Third Reading."

Fred Selcke: "House Bill 490. Palmer. A bill for an act directing the Department of Transportation to study and investigate and plan railroad yards and track relocation removal. Second Reading of the Bill. One Committee Amendment. Amend House Bill 490 on page 1 and so forth."

Bluthardt: "The Gentleman from Cook, Mr. Palmer."

Palmer: "Mr. Speaker, this was an agreed amendment which defines the limit or the limits of what the Department of Transportation is to do in reference to investigation of the rail facilities. It also extends the time of report to January 15, 1975. It is a good amendment and I ask for your approval."

Bluthardt: "Any further discussion? The Gentleman moves for the adoption of Amendment No. 1 to House Bill 490. All in favor of the adoption indicate by saying aye, contrary, the amendment is adopted. We have just adopted Amendment No. 1 to 490. Third Reading."

Fred Selcke: "House Bill 496. Douglas. A bill for an act to amend the Controlled Substance Act. Second Reading of the Bill. One Committee Amendment. Amend House Bill 496 page 1, lines 1 and 6 by deleting 408 and 410 and inserting in lieu thereof 208 and so forth."

Bluthardt: "The Gentleman from Cook, Mr. Douglas."

Douglas: "Mr. Speaker, Committee Amendment No. 1 amends House



Bill 496 to limit the bill only to move under Schedule 2 of the Controlled Substance Act and Sedulene and Methoqualo, both very dangerous drugs which has been agreed to by the Dangerous Drugs Advisory Counsel and the Department of Law Enforcement, I move for this committee amendment, I move for its adoption."

Bluthardt: "The Gentleman moves for the adoption of Amendment No. 1 to House Bill 496. All in favor of the adoption of committee amendment No. 1 to 496 please indicate by saying aye, contrary, the amendment is adopted. Further amendments? Third Reading."

Fred Selcke: "House Bill 500. Terzich. A bill for an Act relating to special assessment. Second Reading of the Bill. No committee amendments."

Bluthardt: "Any amendments from the floor?"

Fred Slecke: "Amendment No. 1. Skinner. Amend House Bill 500 on page 6 by inserting immediately below line 8 the following "for the expense of collecting special assessments from municipalities, counties, and town collectors shall be allowed a collection fee of 25¢ per parcel to be paid into the county or township treasury as the case may be."

Bluthardt: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, I move for the adoption of Amendment No. 1."

Bluthardt: "The Gentleman moves for the adoption of Amendment



No. 1 to House Bill 500. All in favor of the adoption indicate by saying aye, contrary, the amendment is adopted. Are there any further amendments? Third Reading."

Fred Selcker: "House Bill 501. Rayson. A bill for an act to amend the Juvenile Court Act. Second REading of the Bill. No Committee Amendments."

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

Fred Selcker: "House Bill 505. Philip. A bill for an act to amend an act relating to State Police. Second Reading of the Bill. No. Committee Amendments."

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

Fred Selcker: "House Bill 526. J. J. Wolfe. A bill for an act to amend an act relating to marriages. Second Reading of the Bill. No committee amendments."

Bluthardt: "Any amendments from the floor? Third READING."

Fred Selcker: "House Bill 585. Clabaugh. An act making appropriations to Local Government Affairs. Second Reading of the Bill. No Committee Amendments."

Bluthardt: "Any amendments from the floor?"

Fred Selcker: "Amendment No. ...."

Bluthardt: "For what purpose does the Gentleman from Champaign Mr. Clabaugh, wish to be recognized."

Clabaugh: "Mr. Speaker, Mr. Skinner and I went down to the Reference Bureau and talked with the man. My amendment was not drawn in the Reference Bureau, so I want now to withdraw my amendment, whatever it's number is and I hope





we will adopt Mr. Skinner's amendment."

Bluthardt: "Mr. Clabaugh's withdraw's his amendment."

Fred Selcke: "Amendment No. 1. Skinner. Amends House Bill 586 on page 1 by deleting line 9 and inserting in lieu thereof the following and so forth."

Bluthardt: "For what purpose does the Gentleman from Cook Mr. Shea wish to be recognized?"

Shea: "Now Mr. Speaker, this is a replacement bill for local revenue. Now as I understand it we renumber Mr. Clabaugh's amendment No. 1, Mr. Skinner's amendment No. 2. That was the last...."

Bluthardt: "No. No. No. That's not correct."

Shea: "Now we are back on 1 and 2?"

Bluthardt: "We are on 1 and Mr. Clabaugh has withdrawn his Amendment No. 2."

Shea: "Well, could I ask Mr. Clabaugh why he wants to withdraw his amendment?"

Bluthardt: "I thought he just explained that. Mr. Clabaugh, would you like to explain that."

Shea: "Well, I'm sorry, I might have missed it."

Clabaugh: "Frankly, when we talked with Mr. Hull down there, the three of us, I was aware that my amendment was redundant, that it didn't say anything that was not already in the bill."

Shea: "Well, Charley, as I understood your amendment, it took a \$60,000,000 fund, split it up amongst two years and



whatever the county treasurer had to return to the taxpayers that the local government would deposit that amount with the clerk and the county clerk or the county treasurer would then distribute that money the way that it would have been if it hadn't been escrowed. That's true but the situation, it just, I just wasn't thinking straight, my bill in the first place simply put in \$60,000,000 and that would be paid, Representative all in one year, and I slipped the cog, and I thought it would be in two years, and I insisted so that they make it so it would be paid in two years, but actually it isn't what I wanted in the bill. And so if the \$60,000,000 works alright, so there is no point in my amendment."

Shea: "Okay, as I understand it, though, Mr. Clabaugh, the escrows were over a two year period of time. We've got local government who were supposed to get this property tax money that now, under the Supreme Court rule, or under the Supreme Court decision, and the recent decision of our Supreme Court, will be deprive those funds to run local government. Is that correct?"

Clabaugh: "No, I think that the only money in escrow, Jerry, was the tax that were paid last year. You see, the taxes that was going to be collected this year have not been paid in yet so they are not in escrow."

Shea: "I see."

Bluthardt: "Further questions. Alright, the Gentleman moves



the adoption of Amendment No. 1 to House Bill 586 and for what purpose does the Gentleman from Cook, Mr. Shea, wish to be recognized."

Shea: "Well, Maybe I missed it, did Mr. Skinner explain his amendment?"

Bluthardt: "Alright, the Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, the general purpose of this bill, at least of this bill as I believe it should be drawn is to cushion the loss of personal property tax paid by individuals. Now there are two ways to measure the loss of personal property tax by individuals. The easy way. Well, there are two easy ways actually, the way that is in the original bill is to merely take the amount of money that was paid into escrow, however, in many counties, this is not fully measured, the amount of money that was paid in personal property tax by individuals that has been lost as a result of the the a...the a...vote in 1970, and the subsequent Supreme Court interpretation. My amendment will say that you may have...there are two...two items in the formula. The first will be what Representative Clabaugh's original idea which is the amount of money that is going to be rebated. That will be replaced. There is no change whatsoever to that criteria. The second item is that we will measure the loss as the difference between 71 collections and 72 collections. If 71 collections were greater than 72 collections the only possible explanation



that I can see why 72 was less was because of the exemptions for personal property tax. That is what the amendment does."

Bluthardt: "The Gentleman from Cook, Mr. Shea."

Shea: "Well, Mr. Skinner, the difference between the 70 collections on the 69....or the 71 collections on the 70 taxes, and the 72 collections on the 71 taxes, you'll find that quite a bit of the difference is due to the household exemption and loss of the one automobile."

Skinner: "Mr. Speaker, if I might comment on that that comment."

Bluthardt: "Proceed."

Skinner: "I do not believe that is correct, I think you will find that the difference between 70 collections and 71 collections are explained by the household exemption plus 1 car. The difference...."

Shea: "Well, that's what I just what I just said the loss of one automobile and the removal of the household full of furniture from the tax state.."

Skinner: "Alright, the peak year in personal property tax collection in most counties was 1970 prior to the exemption of household goods and cars. If you will look at the...if you will look at the collections from compare 70 collections to 71 and in most counties, they went down. If you will then compare 71 collections to 72 collections in approximately 80% of the counties, they also went down. So you are only talking about the difference between 71



and 72."

Shea: "Alright, now why did those go down?"

Skinner: "I presume that because the personal property tax collections are from individual decreased."

Shea: "You...you run into another problem, those two years there were appropriation bills to the Department of Local Governmental Affairs in the amount of some \$14,000,000 for two years to reimburse those districts other than districts reimbursed out of the general revenue income tax fund. Now what I'm getting at is that I don't want to appropriate again for something that we've already made up for. Do you follow what I mean?"

Skinner: "Ifollow what you mean, I'm aware of the rebates that were made following the 1970 collection. I am not aware of the rebates made following the 1971 collections, although they may well have taken place."

Shea: "Under your amendment, and now I think, I might ask you to hold it and check with the Department of Local Government before you put it on, because I'm fearful that what we are in effect going to do, instead of just covering the losses, we are really unjustly enrich some districts by giving them their money twice. Or if the county gets money in excess of what they've got actually in escrow, there were some direct payments made to school districts and to non-revenue receiving districts and we might be giving it to them twice."



Skinner: "Mr. Speaker, I would be perfectly happy to do that. I would like to point out however, that in my area, when the new assessor took office and did make a reassessment following the a....well in 1970 for 1971 our personal property collections did not go down, they went up, because for the first time, businesses were assessed the same percentages of fair market value as were individuals, so I'm not as familiar with."

Skinner: "Well, Hal, I don't have the answer, I just want you to take that one thing into account."

Skinner: "I'll be happy to."

Bluthardt: "You want to take it out of the record then."

Skinner: "I would be happy to if Representative Clabaugh would agree."

Bluthardt: "For what purpose does the Gentleman from Kane, Mr. Grotberg, wish to be recognized?"

Grotberg: "I wish to ask a question of the sponsor of this amendment."

Bluthardt: "Alright, state your question."

Grotberg: "Mr. Skinner, do I understand the difference the technical difference between yours and Mr. Clabaugh's amendment which has not been aired yet, and that is that his reimbursed the money directly to the county, I believe the language of your amendment reimburses the district, the taxing unit."

Skinner: "It certainly was not my intent. "



Grotberg: "Am I correct?"

Skinner: "It was not my intent to bypass the county treasurer, if that is your question."

Grotberg: "Yeh, but am I correct on that language."

Bluthardt: "Let's have a little order please? Proceed Mr. Grotberg."

Grotberg: "I don't have a copy of it with me, I'm just bringing it to your attention if you are going to take it out of the record."

Skinner: "Thank you."

Bluthardt: "If you are going to take it out of the record why don't we just proceed with the next bill then." Take the bill out of the record."

Fred Selcke: House Bill 430. Bradley. A bill for an act to amend the election code. Second reading of the bill. There were two committee amendments. Committee amendment No. 1 was tabled in committee, Committee amendment No. 2. Amend House Bill 430 on page 2 by deleting lines 7 through 12 and so forth."

Bluthardt: "The Gentleman from McLean, Mr. Bradley."

Bradley: "Mr. Speaker, and Ladies and Gentlemen of the House, Amendment No. 2 puts the bill in the proper form that we wanted it in. If there are any questions about it, I will be glad to answer. I move for the adoption of committee amendment No. 2 to House bill 430."

Bluthardt: "Committee amendment No. 1 was tabled in committee,



is that it? Alright, the Gentleman moves for the adoption of Amendment No. 2 to House Bill 430, and for what purpose does the Gentleman from Cook, Mr. Walsh, wish to be recognized."

Walsh: "I wonder if the Gentleman would mind explaining the Amendment?"

Bradley: "It addresses itself to the problem of the California style ballot and the amendment says that when there are three or more parties or an independent that the California style ballot must be used. When there are just the Republican and the Democratic party, that the ballot, that the names will be listed opposite, the candidates will be listed opposite one another on the ballot as we generally know them on a paper ballot. This bill is really amending the bill that Bob Day passed last year. It has Bob's approval and it still, we still have the California style where we have three or more candidates appearing of which I am in favor of, but it still brings us back to where we have the two candidates, one from each party, they will appear opposite one another and this deals only with the electronic voting devices. It is the only place it applies. It does not apply in other areas in paper balloting, only where the electronic voting devices are being used in those counties."

Walsh: "And this addresses itself to primary elections only?"

Bradley: "Pardon, Bill."

Walsh: "Primary elections are we concerning ourselves with?"





Bradley: "This concerns itself with Primary Elections and General Elections."

Walsh: "Well, perhaps you could tell us what a California type ballot is?"

Bradley: "The California style ballot lists the candidates in order, depending upon what the office is. Let me.... if there is a Republican Presidential Candidate, it will be Richard Nixon ah... whoever the Democratic Candidate might be it would be listed next. Below it would be the Socialist Party Candidate with the arrow pointing directly to the place where the person will push the I.B.M. Card to record their vote. That is the California style ballot and what happens in the ah... Senatorial Race or the House of Representative Races, as it pertains to us, is that we come one right after another, 1,2,3,4,5,6, ah... where there are three or more candidates, I'm in favor of the California style ballot. It eliminates this juggling around with these arrows pointing all over the place, but when we only have the two parties, then I'm in favor of going back to our old system where I am listed in one area and the Republican in another; opposite one another. I hope that explains the California style ah.... it eliminates the confusion where you have three or more party candidates."

Walsh: "Is it possible to vote a straight ticket on that ballot?"

Bradley: "Yes, Sir."

Walsh: "Thank you."



Bluthardt: "Is there any further discussion? The gentleman from Christian, Mr. Tipword."

Tipword: "I wonder if the gentleman ah.... Mr. Bradley, ah... would yield for a question?"

Bluthardt: "He indicates that he will."

Tipword: "Jerry, isn't it actually true that upon these electronic ballots that you can list four parties rather conveniently by use of the arrows without much confusion?"

Bradley: "Do you mean the.... other than the California style?"

Tipword: "Yes."

Bradley: "Yes, I believe that they can be, yes. But there seems to be some concern for some people who are having problems with the voting devices anyway, that this would clear it up. In my opinion it didn't, but I can live with it."

Tipword: "The motion that your providing for this Bill here would provide that only if the two major parties appear on the ballot ah.... would they be able to be listed as we have traditionally listed them by separating the parties out on the ballot. Is that correct?"

Bradley: "That's correct."

Tipword: "And if there is one independent person filed, either as a true independent or as a ah.... contrived independent, your going to have to list on the ballot again, in the California style, putting the minority party somewhere in the middle or at the end."

Bradley: "That right. You'd have to list them in the ah....



as a California style where we have the two political parities that we know of and a independent we will then return to the... and continue to have the Claifornia style ballot."

Tipsword: "Because the independent would be considered as a separate party and would ah....allow going back into the California style ballot, is that correct?"

Bradley: "Yes, Sir."

Tipsword: "And is it not true, therefore that... that with the two parties and an independent, the Minority Representative in that district who has worked very hard in their Primary Campaign and won the right under our present existing law to be listed first on their party ballot, will probably show up.... that guy that has worked the hardest in that Minority Party, if there is an independent also, would probably be listed third or fifth on the ballot."

Bradley: "Yes, where you have a candidate who has been a successful and has served in this House is an incumbent, could possibly be the only incumbent running for the House of Representatives ah.... his name could possibly be listed third ah.... it presently would be listed say third under the California style in the way the law presently is. If we have an independent he is going to be listed fourth, fifth, sixth, depending upon how many independent candidates we have."

Tipsword: "Well, isn't it true therefore, then that this amend-



ment provides that whenever there is a third party listed on the ballot that you're really denying on these electronic ballots the rights that accrue to those who have won their parties Primary under our existing law for voting machines and paper ballots? Your denying that same opportunity that the elected law gives to them."

Bradley: "Well, we're ah... unfortunately we denied that right last Session of the General Assembly. I'm just trying through this amendment to that law ah.... make it possible for us to live with it a little bit better than we're living with it presently. It's not a perfect amendment to the Bill ah... to the law that we presently have, but I believe that it's the best that we can do at the present time."

Tipsword: "But your Bill, as proposed without this amendment, would provide that they be listed in the traditional style. Isn't that correct?"

Bradley: "Provided that they be listed in the traditional style where we have only the ah... two parties ah... competing for that particular office. As we traditionally know the listing of those parties on the ballot."

Tipsword: "Thank you."

Bluthardt: "The gentleman from Lake, Mr. Pierce."

Pierce: "Ah... Representative, ah... I know that you worked on this Bill and you feel strongly about it and I at one time I indicated that I was sympathetic to you. I spent alot of time on electronic voting having introduced



the first Bill in 1965 to legalize it in Illinois and I've come to this conclusion; the California ballot was much clearer, the one we used last November, then the ah... columns with the arrows flying all over and you really agreed with me by putting this amendment on, which provides only where there is three or more parties where the California ballot is used, where there is two parties we'll go back to the old system. Originally, under House Bill 430, as I understand it, you want to go back to the old system of ah... column voting, but now as agreed by Amendment #2 to use it only.... to use it only where ah... there are two or less parties. So your amendment itself is probably better ah... than your Bill. Here is a problem I see. Where you have three parties or four parties for National or State Offices, we usually do, and only two parties for the General Assembly and County Offices; the voters are voting one way, California style for the Stateside Offices and then they come down to the County and Legislative Offices and they are voting a column type ballot. So they are voting two types of ballot in one electronic book, which is somewhat confusing. The ballot position is not as important as we think. Take my district, Representative W.J. Murphy, not the greatest vote getter in the world, and he'll admit this, was third on the ballot and yet he ran first in my district. He even ran ahead of me, and I was first on the ballot. I ran second in the district. So the fact that



that Representative Murphy was listed third on the ballot didn't hurt him. He still ran first in the district. The other district in Lake County, the 31st District, I understand that Adeline Geo-Karis was listed fourth on the ballot by our good Democratic County Clerk and yet she ran first in November and that Ron Griesheimer was listed third on the ballot by our good Democratic Clerk and yet he ran second in the November Election. So I think that the people will find whether you are first, second, third or fourth on the ballot. They found Representative Murphy in third position. He ran first. They found Representative Geo-Karis in fourth position in the other district. She ran first. So I think that maybe we worry a little bit too much about our ballot position in November. In the Primary on the mechanical voting machines, I think that there is a real problem and I'm sure that Representative Hyde can testify to that. There is a real problem on mechanical voting machines in the Primary on ballot position because of the rules..... because of the way the rules are set up, but on electronic voting ah.... there is no problem if your first, second, third, or fourth. It's easy to find you there ah..... we showed that last November. So I'm not really in favor of your Bill. Your amendment, I suppose, improves it but it does confuse the voter because they are voting a California style ballot for National and State Office and the old style column ballot for County and Legislative Office all on the same day in



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in the same votimatic book and I don't think that it is too good of an idea."

Bluthardt: "The gentleman from Kane, Mr. Grotberg."

Grotberg: "Yes, Mr. Speaker, we are addressing the Committee Amendment, right?"

Bluthardt: "That is correct."

Grotberg: "Ah...something came out of the Committee 13 to nothing and had no trouble getting out of Second Reading so ah.... I would ask as a Member of this House when it comes to Third could you prepare an exhibit.... a visual.... on the difference that your talking about, Representative? It could be very helpful to those of us who ah... have never been exposed to the multible kinds of ballots. I would appreciate it, ah... on Third Reading."

Bradley: "You'll have it on your desk ah.. prior to us voting on Third Reading. I'll be very happy to do that."

Grotberg: "Thank you very much."

Bluthardt: "The gentleman has moved for the adoption of Committee Amendment #2 to House Bill 430. All in favor of the adoption of Committee Amendment #2 indicate by saying 'aye', contrary 'no', the amendment is adopted. Further Amendment? Third Reading."

Jack O'Brien: "House Bill 448, Hanahan. A Bill for an Act relating to the right of teachers and other educational workers to join unions. Second Reading of the Bill. No Committee Amendments."

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



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Jack O'Brien: "Amendment #1, Hirschfeld. Amends House Bill 448 on page 1, line 2 by inserting between union and the period the following: ....."

Bluthardt: "The gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Well thank you Mr. Speaker and ladies and gentlemen of the House. First of all I would like to thank Representative Hanahan for being so patient in giving me the time to prepare this amendment, get it printed and on the floor and I do appreciate that. I believe that Representative Hanahan has got a very fine concept when he talks about permitting teachers to organize because I do think it's coming and I think that we have to recognize that fact, but if we're going to permit the teachers to organize in this state I think we must delete one item that they now have and that is the concept of tenure. So what this amendment does is it will permit,.... if Representative Hanahan Bill passes and I intend to support the Bill on Third Reading if I can get this amendment on the Bill, we will abolish tenure for all teachers in our Public Education Institutions in the State of Illinois. However, the teachers will still have the right under Representative Hanahan's Bill to negotiate for tenure and I feel that that is the best way it should be. They should not have the right to negotiate, the right to strike, and the right to organize and still have tenure unless they have negotiated for it. If there has been one problem in the State of Illinois in Public Education in the recent





years, it's been problems that have been caused by tenure. This ah...amendment will go a long way in eliminating that problem and still give the teachers the right to negotiate for tenure and if they deserve it and it can be negotiated in a contract just like any other provision dealing with wages, hours, or working conditions they can get it back. I would appreciate a favorable Roll Call on this amendment."

Bluthardt: "The gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker and Members of the House, House Bill 448, I don't believe, is the correct Bill that this amendment should be offered to. The idea of doing away with teachers tenure in lieu of collective bargaining is a fine idea, but House Bill 448 is striking a permissive Bill to allow the teachers and those in the Education System to join in unions or other associations of employees for the purposes of bargaining collectively with their employers on salaries and other economic benefits, hours, working conditions, and matter mutually agreed upon. The trouble with this Bill is it's a permissive Bill that does not really outline and direct what collective bargaining is in the public sector. Had House Bill #3 passed into law, I would join with Representative Hirschfeld in doing away with teacher tenure as we now know it, but to amend a Bill that would just allow teachers and other educational workers to join unions with no real guidelines would be like throwing the baby out with the water. With all the ills



in teacher tenure, and I agree that that are some great  
ills in this, we need a true collective bargaining law  
with statutory guidelines providing the impasse of reso-  
lution ah... the various organizational rights, ah...  
the division of lines under organizations and all of  
the other types ah...what we would consider good collective  
bargaining law, not the controversial parts but what every-  
one would agree to as part of the Labor Relations Act  
that needs to be enacted that if this type of Bill passed  
into law I would join in doing away with tenure because  
then it would be a collectively bargainable issue, but as  
things are now, even if House Bill 448 passes into law  
I doubt if the implication of House Bill 448 would be  
to encourage or to set up good strict guidelines that are  
necessary to have a good collective bargaining agreement.  
Therefore, tenure must be allowed to continue until that  
time that we become sophisticated enough in the areas of  
Public Employee Collective Bargaining that we could adopt  
a doing away ah... a law ah..or an amendment or a law  
that would repeal the tenure law. I would urge a 'no'  
vote on this amendment ah.... Amendment #1 to House Bill  
448."

Bluthardt: "Further debate? The gentleman from Logan, Mr.  
Lauer."

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

Bluthardt: "He indicates that he will."

Lauer: "Representative Hanahan, ah... does House Bill 448 per-



mit strikes by teachers? Does it ah... retain the forbiddance that is ah... presently ah....."

Hanahan: "House Bill 448 allows a binding arbitration agreement. It's really not truly a collective bargaining law. It's a allowance of what's going on now and the school boards are meeting with the teacher organizations whether it be I.E.A. or local organization and ah.... unions and ah... all this Bill does is to allow that into statute by saying that that's all right. That's all House Bill 448 does."

Lauer: "Then it does not change the present law which ah... forbids strikes by public employees?"

Hanahan: "Well...now.... that's an interpretation that I would ask you where in the law books does it say public employees have no right to strike. There is no such statute and I suggest that if you read the four books of the Illinois revised statute, contrary to public opinion, there is no law against public employees striking. There is a Supreme Court decision in the area of the School Code though that prohibits the Redding Decision that would prohibit the strike by public employees in the Education Institutions of Secondary and Elementary Schools so that would be the law by court dictum, but not by statute. This Bill would only allow it."

Lauer: "Well, then in actuality this would be a dooropener, ah... Bill ah... to ah... contracts that would be enforceable by strike."

Hanahan: "Well, ah....no, I don't agree with that because we



also have the Harrington Decision that allows collective bargaining by the School Boards with their respective school employees representatives. With the Harrington Decision it has made it very clear that employees of schools have certain rights, but once again we are talking about court decision not statutes. This statute that would be endorsed by House Bill 448 would just allow this. It would do nothing more than what the courts have ruled on already."

Lauer: "When we put something though into the law books, then this supersedes the courts decision, does it not?"

Hanahan: "Well, right now the teachers have this right right now whether it's on the statute books or just a court decision in the Harrington decision. I just suggest that all we're doing is saying that public policy in other parts of the state ah.... not only in Chicago, that this court decision is implemented by the General Assembly by saying ah.... you cannot discharge a teacher if he wants to be actively engaged in a local association or a union. That's all this Bill does. It just allows it. It does go one step further and, allows a ah.... binding arbitration pursuant to the Uniform Arbitration Act, which is about what most people say is needed in the field of collective bargaining. I don't concur that in all areas of collective bargaining in public sector that it would be workable, but possibly in this field of education it would be workable."

Lauer: "Now Mr. Speaker, I would like to speak to the amendment, if I may?"



Bluthardt: "Proceed."

Lauer: "I think this is a good and necessary amendment. In fact during the period of the last year in talking with quite a number of teachers, I did discover that if there is a compulsory arbitration, a....facet that is put in they would be....that a....most teachers would be willing to give up the tenure provision. I think that Representative Hirschfeld has a very good point when he points out that if we have one, we don't need both, if at either or ....it's an either or situation and not a both situation when you come to these collective bargaining agreements by the public employees. Thank you Mr. Speaker

Bluthardt: "Any further comments from the floor? The Chair recognizes Representative Hirschfeld, to close."

Hirschfeld: "Thank you Mr. Speaker and very briefly, in reply to the distinguished Gentleman from McHenry, let me say this. Its an old maxim of Illinois law that the last bill that is passed controls, as far as the law in Illinois is concerned, and if this bill is enacted as I truly hope it will be, it will be the last passed bill. And while it doesn't go as far as House Bill No. 3, it is a step in that direction and I would call it a door opener. I frankly favor Representative Hanahan's bill. I think we are coming to the day where we are going to have to have public negotiations. I've spoken with firemen and policemen who favor the public negotiation bill although they



personally want the right to strike. I have spoken to numerous teachers and I believe that the truly dedicated teachers, the teachers that are really interested in advancing not only their own interests, but the interest of the children, would be willing to negotiate for tenure. They do not think they should have the right to strike whether that is permissive or mandatory, the right to mandatory arbitration, which I frankly favor, along with Representative Hanahan, and still have the right to tenure. It doesn't make sense to say that you can go out on a strike or mandatory arbitration, set up guide lines to advance your own interests if you lose those, lose your position, say I'm sorry I can't be discharged, I have tenure. Now I think we need this amendment, I think this is a good labor bill, I have no opposition to good labor bills, but I believe it would be a much better labor bill if it had this amendment which would eliminate tenure and I frankly, would favor a...ask for a favorable roll call, and Mr. Speaker, I'd like a roll call vote on this if I might."

Bluthardt: "Alright, the Gentleman has moved for the adoption of Amendment No. 1 to House Bill 448, and he's asked for a roll call vote supported by five other people, so we have the necessary requests. On this question, shall Amendment No. 1 to House Bill 448 be adopted? All in favor will vote aye, those opposed will vote no. Have



all voted who wished? The Gentleman from Lake, Mr. Duester."

Duester: "A...Mr. Speaker, Ladies and Gentlemen of the House, I'd like to encourage you to support this Amendment. I have the privilege of being married to a retired school teacher, I think most school teachers are independent, professionally minded people, who don't think they ought to be locked in a job just because of some tenure. Actually most members of this General Assembly have more tenure with a two-year term than most people out in the business world. I think it would be a good thing, it would improve the quality of our education. It would provide incentives for teachers to be outstanding in the classroom and for the boys and girls of Illinois, I don't think we could do anything better than to get rid of tenure, and this amendment would do that."

Bluthardt: "The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Mr. Speaker and Members of the House, I don't necessarily agree with the sponsor of the amendment. that this is necessarily a good bill, nor do I agree with the sponsor of the bill that it is a great bill. But I do think the amendment is sound and deserves the support of the House. I think if we're in a position to pass a bill such as this, I think that what the sponsor of the amendment has said that teachers should be able...that this should be a bargainable issue and I want to urge



your support of the Amendment."

Bluthardt: "Have all voted who wished? The Gentleman from Ogle, Mr. Brinkmeier."

Brinkmeier: "Mr. Speaker and Members of the House, very briefly in explaining my vote. If and when a P.N. bill is enacted into law, or when House Bill 32 is possibly enacted into law, then possibly we could seriously consider abolishing tenure, but until that point I would seriously urge you to vote no on this amendment."

Bluthardt: "The Gentleman from Logan, Mr. Lauer."

Lauer: "Mr. Speaker, in explaining my vote. As I understand this amendment, this is also a permissive amendment to a permissive bill, because the...as I read this amendment, the only teachers for whom tenure is abolished are those who are then covered by a collective bargaining agreement in force. So that a...this does, as I suggested in speaking to the amendment, make an either-or situation, not both. Recognize that the tenure is given up only when the teachers are covered by collective bargaining so that does mean a contract in force between the employing school board and a teachers organization representing the teachers. I would strongly suggest a yes vote on the amendment."

Bluthardt: "Have all voted who wished? The Clerk will take the record. On this question there are 56 yeas, 77 nays and the amendment fails to be adopted. Any further amendments? Are there no further amendments? Third





reading. Third reading. We are going to go back...with leave of the House, we are going to go back to Second Reading for the purpose of considering House Bill 580. I understand they've got it worked out. So with that the Chair....a ....House Bill 580, Second Reading, it's been read, and we now recognize Representative Skinner and Amendment No. 1."

Skinner: "A...Mr. Speaker, have I moved the adoption of this amendment yet?"

Bluthardt: "Nope."

Skinner: "I would move for the adoption of Amendment No. 1 and I think that I can answer the question that was asked before."

Bluthardt: "Well, hearing no questions...."

Skinner: "Well, I would be happy to answer any questions at this time."

Bluthardt: "The sponsor has moved for the adoption of Amendment No. 1 to House Bill 586, on the question, all in favor of adoption of Amendment No. 1 indicate by saying aye, contrary, the Amendment No. 1 is adopted. Third Reading. There are a number of bills that time will expire, so we plan to call those first in numerical order. Alright Jack.

Jack O'Brien: "House Bill 212, Collins. A bill for an Act to amend section of the Election Code. Third Reading of the Bill."

Bluthardt: "The Gentleman from Cook, Mr. Collins."



Collins: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, AS we all know, the 1970 Constitution mandated the creation of a State Board of Elections. A...this Board to have general supervision over the administration of registration and election laws throughout the State of Illinois. That is what House Bill 212 does. House Bill 212 does create a State Board of Elections. The Board would be composed of five members. A...two from each party, and one independent member making the tie breaking vote on the Board. The powers of the Board, I am sure, most of the Membership are familiar with. I would attempt to answer any questions they may have but the powers are clearly enumerated within the Bill. This does create a strong State Board of Elections, one that will have the power to administer the election laws of the State of Illinois, and I would earnestly solicit the support of the entire membership of the House for House Bill 212."

Bluthardt: "The Gentleman from Cook, Mr. Kozubowski."

Kozubowski: "Excuse me, will the sponsor yield for a question."

Bluthardt: "He indicates he will."

Kozubowski: "Representative Collins, can you please explain to me and to the Members of this House, how the membership of your proposed State Board of Elections would be selected?"

Collins: "A...yes. Each legislative leader in both Houses would submit two nominees. A....from these a...eight

names, the Governor would appoint four members to the Board. In other words, the Speaker would submit two names, the Minority Leader, the President of the Senate and the Minority Leader in the Senate. This would make up the four partisan members. Then each legislative member...or legislative leader, would submit four additional names of independent individuals from which the governor would select one who would be the tie breaking vote on the Board."

Kozubowski: "Could you please explain to me the primary requisite for the so-called independent member of this Board?"

Collins: "Well, we've made...we've made every effort to define an independent in many ways. The best way that we have been able to come up with is one who has not participated in the primary election of either party in the past four years."

Kozubowski: "And if I'm understanding your bill correctly, what you would be doing is suggesting that the so-called independent member, be an individual who has not participated in the election for the past two primary elections, is that correct?"

Collins: "Who has not voted in the primary, that is correct."

Kozubowski: "Well, who has not participated, that is the same thing, isn't it?"

Collins: "A..not...not entirely."



Kozubowski: "Well, how can you possibly justify the fact that you're suggesting that a...that a member of this proposed Board, a member who is going to be dealing with matters concerning elections, be an individual who has not himself or herself participated in the election process?"

Collins: "The Constitution gave us a problem when the Constitution stated that neither parties may have a majority of members of the Board. It was felt by many people, myself included, that an even numbered Board would lead to stalemates on any issues of any substance, so the need for a tie-breaking vote there, I think, was obvious to many of us. We've attempted to define an independent to the best of our ability. The nominee would still have to be one who is generally knowledgeable in election matters. However, if we did not preclude this participation in primary voting, obviously we would have to come up with someone who is partisan and would be faced with the constitutional question. The definition may not be perfect, but I have not seen a better one suggested to me, and I have been listening for a long long time. I don't think that the fact that a person has not voted in the primary necessarily means that he is not knowledgeable or even active in the process of State government. I think that it is quite feasible to come up with an individual who makes a great contribution to this Board, whether he has participated



in primary elections or not."

Kozubowski: "Well, let me just ask one further question. This independent member, this individual who has not himself or herself participated in the primary will be answering and dealing directly with the problems concerning primary elections, is that correct?"

Collins: "A..the Board will be dealing with election laws through the State, all election laws."

Kozubowski: "May I ask one more question, please?"

Bluthardt: "Proceed."

Kozubowski: "In fact, Mr. Collins, Representative Collins, isn't it true that the fact the government, the Governor, is going to appoint this fifth member of the Board, isn't it true that he himself is really a political person?"

Collins: "Are you speaking of the current Governor?"

Kozubowski: "No, I'm talking about the Governor per se."  
Representative Collins, I'm sure your aware of what I mean."

Collins: "I'm, I'm sorry, would you rephrase the question?"

Kozubowski: "What I'm saying is, is that this fifth member of the Board really is a political person because he is going to be appointed by a Governor who is run under a political label, either Democate or Republican, so in effect, what you are saying is, that this person is not an independent, he's not truly independent, he's



going to be a political appointment."

Collins: "Well, I think, number one, you are overlooking one point. It's not....the person appointed is not going to be a person of the Governor's choice. He's going to appoint from a panel of names submitted to him by leaders of both parties. They have to satisfy the requirements of the independents of the nominee regardless of who they are, you are going to have four nominees....a.... nominated by four individuals of the usual varying political philosophies. So the Governor is not going to be free to make a political appointment, he's is going to appoint one of four names, and I think if I follow your questioning to its logical conclusion, are you suggesting to me, that independents be banned from the State Board of Elections."

Kozubowski: "I didn't say that at all."

Collins: "Well, that inference I was drawing from your line of questioning."

Kozubowski: "May I just ask one further question. The Governor has the power to appoint the membership to this State Election Board, does he also have the power to remove the individual?"

Bluthardt: "The Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker, I would like a ruling from the Chair on the question of whether or not the Constitution clearly states whether this is going to pre-empt home



rule elections commissions, and how many votes it will be necessary to have for this bill to have to pass into law in the House of Representatives?'

Bluthardt: 'The subject matter of the elections is a matter that is under the control of the State and it applies to the entire State of Illinois, it is not pre-empted under home rule section of the Constitution, and I would rule that it requires 89 votes.'

Hanahan: "Well, Mr. Speaker, not to get redudent, but in my hands, I have the recording, the record of proceedings of the verbatim transcripts of the Sixth Illinois Constitutional Convention and dated on August 5, 1970, when this question was put to the Constitutional Convention, those delegates that are now presently serving in the legislature should remember the date. A Mr. Winum said that this is a mechanical thing and the mechanics should be legislative. Certainly there are mechanical aspects and there is provision in this Section for the General Assembly to implement, but I would note that as to their comment regarding that this is a dimin.. dimin..diminution of home rule, election process, the overall rights of the people in the electoral process is not a matter of home rule. It is matter in the final analysis of the State and federal concern and the laws and the courts have long since indicated that that is the case. Now I suggest, Mr. Speaker, that when we go further



in the same day's transcript of the Sixth Illinois Constitutional Convention, that Mr. Winin says, I look at this bill as it is presently written, the Section 4, and I say to myself, how can I square this against home rule, how can I square this against what I detect to be the feelings in this State, that the people want to be able to do things for themselves at the local level and I have listened to these same types of arguments out of the same mouths that are now talking the other direction. There is no question that this is a move a way from local government into Springfield, and probably one, if not the most important areas of our government. Now I go further to Mrs. Keegan, a State Senator serving presently in the State Senate who is the sponsor of the exemption for the election from the home rule provision of the Constitutional Convention, and Mrs. Keegan says, and I quote..."as I understand the present function of the State Electoral Board, it is largely that of certification, I would not see any change in the function of the State Electoral Board, I think there was full and ample discussion at First Reading to the roll of the Electoral Board and I think that you can find that the delegates came in the record so I don't see any point in discussing that. Now in terms of the function of local election authorities, I think that in the original presentation, there was outlined a need





for a general advisory and supervisory functioning bodies and that is what we envisioned in the establishment of this Board. We did not, we did not aim, I am certain, to take away powers of local election authorities, but we do intend to have a general supervisory board which will serve in the capacities which are now being served informally in exofficio by State organizations". And with this in mind, Mr. Speaker, I suggest that this is a pre-emption of the local home rule, that the constitutional convention did debate the issue, that the very sponsor of the bill...that the provision in the Constitution, Mrs. Keegan, suggests that this is preempting home rule in home election authorities and the constitutional convention adopted it with that in mind, and in further, the people of Illinois adopted the Constitution adopted it with that in mind, and in further the people of Illinois adopted the Constitution with this in mind, her verbatim statement of whether or not this pre-empts home rule and whether or not this Section of the Constitution, would, in fact, be in conflict with the other Sections that allow home rule. And with this in mind, I suggest, Mr. Speaker, your ruling should be changed and interpreted in a different manner that would cover a 107 votes instead of 89."

Bluthardt: "To the Gentleman from Mc Henry, it seems to me the Con-Con delegates get just as confused as we do at times, and to pick out some of the words out of the



speech made in committee on that question, I don't think is a fair presentation of the real intent of the Constitution as it was finally adopted. It seems to me that the Constitution mandates that the Board of Elections be created by this General Assembly, and it also provides that election laws shall be uniform, it seems to me that that preempts the question of the elections by the State and takes it out of home rule and I am again going to rule that this does not effect the home rule powers as such, and that it will take 89 votes for adoption. The Gentleman from Cook, Mr. Shea."

Shea: "Well, Mr. Speaker, on page 51 or 52 of the bill, it lays out, it prescribes certain mandatory powers for counties over a million population. There is only one county in the State over a million population, that is the County of Cook. The a...County of Cook is a home rule unit of which you are very familiar. Any time that you make mandatory powers or take away from them certain powers, are you not preempting them?"

Bluthardt: "WELL, well, again, I think that I have ruled the question of the elections is not of home rule power and therefore you are not taking the power away from the home rule unit."

Shea: "Well, well, its, its, you prescribe certain powers for counties under a million people, and then you prescribe certain duties and you also specifically make



different counties over and under a million people, and when you specifically require home rule counties to do certain acts, aren't you then preempting them from acting in a differnt manner? And I specifically note in the bill you tell a home rule county when they have to split precincts. Now if you left it to be discretionary, you would not be preempting them, but by prescribing when they must split precincts, you are imposing limitations on them that are clearly taking away from them they have under the Constitution."

Bluthardt: "Well, I am again going to say that the Chair has ruled that the subject matter of elections is not a home rule subject matter and that it is a matter that is properly within the scope of State...."

Shea: "We are not talking about elections here. We are talking about duties of a county board. And you are prescribing by the legislation that they can only do certain things at certain times. You are taking away from them the right to do that at other times."

Bluthardt: "I think the Chair has ruled repeatedly, not only today, but in the past, that the subject matter is a matter properly within the consideration of the State and may be exercised by the State and is not taking away home rule powers and that therefore the bill will require but 89 votes."

Shea: "Well, now, Mr. Speaker, when you have, I have an



opportunity, I would like to ask the sponsor of this legislation some questions, but I know there are other people before me."

Bluthardt: "We'll come back to you. The Gentleman from Cook, Mr. Ewell."

Ewell: "He still has one question, I think."

Bluthardt: "Do you still have the floor, Mr. Kozubowski?"

Kozubowski: "Yes I do."

Bluthardt: "Alright, Mr. Kozubowski."

Kozubowski: "Thank you Mr. Speaker. Representative Collins, I'm sorry I didn't hear your answer in regard to the power of the Governor to appoint and remove, as well."

Collins: "There is not, there is no new language in the bill as to removal of any nominee, or I should say any member of the Board. I believe the case law establishes where a Governor may remove an executive appointments for cause and for various reasons."

Kozubowski: Well, Section 10 of the new State Constitution of Article V reads "the Governor may remove for incompetence, neglect of duty, or malfeasance in office, any officer who may be appointed by the Governor."

Collins: "Well, I...I...assume that would apply."

Kozubowski: "So then the Governor would have the right to remove any member of this State Election Board, is that correct?"

Collins: "I'm not certain, I would be inclined to agree with



you, but I couldn't say for certain."

Bluthardt: "The Gentleman from Cook, Mr. Ewell."

Ewell: "Would Mr. Collins respond to a question?"

Bluthardt: "Does the Gentleman yield for a question?. He indicates he will."

Ewell: "A...in reference to this particular bill, aren't we trying to debate the Constitutional standard that no party shall actually control? I know that the argument has been advanced that you must have a tie-breaker, but in this bill, aren't you effectually giving control of this particular Board to party of the Governor?"

Collins: "That is not the intent of the bill."

Ewell: "But is that the result of it?"

Collins: "I don't think so."

Ewell: "Now, the a.-.next matter that we are concerned with is the fact that the Election Code, we know, is a very lengthy document. Now many of us on the Democratic side of the aisle have made a very lengthy study of this, and we have introduced House Bill 1900, which is a commission bill, incidently, which would take care of the entire Election Code. Now what we are thinking about is, wouldn't you consider that it would be better to wait until perhaps both bills to get out upon the floor, and we could debate the cause of both and the differences before we proceed pell-mell, and piecemeal with some form of elections laws which may or may not conform to



code or the general policy?"

Collins: "No, I wouldn't agree with you. You say that the Election Code is a commission bill. I happen to be a member of that commission, and I'm not in accord with a number of provision of the proposed code. The State Board article being a part of it. The acting speaker is a former member of that commission and I know that he has problems with the code, I wouldn't want to speak for Mr. McMaster or Philip, but I know that they have questioned the code, so there is bound disagreements whether it be an entire code or a single bill. I think that this is a overriding issue of such importance, that we are long overdue in considering the State Board of Elections. I think that it is high time that this Board be enacted into law, and I hope that House Bill 212 will be the law of this State before too long."

Ewell: "Mr. Collins, again, I ask you to consider that this House is an evenly divided body, more or less, and so is the Senate, but some how or another, as men of good will we are always able to work out our problems, and I assume that the same thing would be true of the Election Board, because of men of good will can always get together and settle the problem. I don't believe, I think when we introduce this tie-breaker, as you have advocated, what you really have is an election czar. An election czar who will determine and in all cases



which way the election law ought to go. Now we can get what is known as an egghead, who might want to produce his own election law, and as a result, you would be binding the entire State without consideration of the political party. And in light of the recent events of things that have happened, I believe that the political parties would best be left in control of the election process. Woudn't you agree?"

Collins: "I think there is a place for participation in the election process for all citizens, whether they be members of the two major parties or other parties or independents. No, I would not agree that any larger group should have the control over the destinies of the entire population at all. There is room for everybody to participate."

Ewell: "Alright, one final question. Mr. Collins, a..you know that the Election Commissions as we have introduced the bill. Are you going to give the same favorable consideration to that bill in seein that it gets out to the floor and seein that it is properly debated as you are expecting for your particular bill today? Or is it going to be like the a...sales tax, one up and no out."

Collins: "Well, I would hope that any issue as important as the proposed new code would get every consideration and again, I point to the imminent acting speaker, who is the chairman of the committee that I assume will be



hearing that bill and I know, that in his fairness, he will give it every consideration as every member of that committee will. I am sure that it will be adequately debated and considered and it will rise or fall on its merits as I am sure House Bill 212 will."

Ewell: "Surely, thank you."

Bluthardt: "The Gentleman from Cook, Mr. Rayson."

Rayson: "Mr. Speaker, would the Gentleman yield to a question?"

Will you regale us with your wisdom, Mr. Collins, on the powers and duties of the Board under this bill and how they differ, from any, from our prior State Electoral Board?"

Collins: "The powers are enumerated in the bill, if you will give me just one moment, the Boards are...the Board's power are enumerated in Section 1A-8, a....you want to go through...."

Rayson: "Well. I'm just wondering to what extent are they are improving or strengthening as to what the powers are under the existing State Electoral Board."

Collins: "In House Bill 212 there is amplification of the powers on page 7, where 212 would suggest that the Board be empowered to review or inspect procedures and records of such. The other bill merely uses the word review and I think this is clarification. On page 7, House bill 212 lists an 11th and 12th powers which were not in the other bill, and I think probably the





most important differentiation in this area, is that Senate Bill 77, the even numbered board bill, has a section that says that no action of the board could become effective unless at least two of the members voting on the opposition be members of opposite parties. Again, I think we've locked ourselves into a potential deadlock in adopting this type of power in the board, and of course, House Bill 212 has no such reference."

Rayson: "A...to speak briefly on the bill, I feel that it should be supportive. I suggest that there are strengthening powers of the State Board of Elections, and there has been a lot of talk about form, about who's to be on the Board and whether we need 3/5's vote or other kinds of technicalities and not enough discussion on substance, and I'm trying to suggest that the State board will have more power, will be more effective, will over-see elections in an accredited manner, and I suggest that the five-man board is more workable, surely, than a four-man board, and I don't want to get hung up in a poor way in which the fifth man is decided, but I'm willing to suggest that it is a better alternative than a four man suggestion, which is rather horrendous in these days of corrupt political climate, so I suggest that this would be a worthy bill to support."

Bluthardt: "Alright, the Gentleman from Cook to close, Mr. Collins?"



Bluthardt: "Oh, I'm sorry, go back to Mr. Shea."

Shea: "Will the sponsor yield for question? Will you yield Phil?"

Collins: "I thought I indicated I would."

Shea: "A...Phil, the fifth member of this board is appointed by the Governor and then Article ...the Constitution, Article 5, Section 10, says that the Governor may remove, in one of the things is for incompetence. So if the Governor says that this member in his action has been incompetent and removes him, as I understand the present case law, that is not a just issue and there is no review, is that correct?"

Collins: "Well, Representative Kozubowski touched upon that and I'm unable to say whether it is correct or not. I think that at first glance I'd have to be inclined to agree."

Shea: "Well then the Governor, if this man didn't do exactly what the Governor wanted, all he'd have to do is remove him for being incompetent, and put somebody else on, is that correct?"

Collins: "Oh, I'd hardly think so. I think the standards of the establishment case law would prevent a...."

Shea: "There is...there is no case law review. That's is what I am saying, that if he removes him for incompetence ....."

Collins: "Well, there is case law concerning the removal



gubanatorial appointees."

Shea: "I know, but if he says he is incompetent to do the job, all he does is remove him and there is no judicible review. I think that is one of the faults, now going on to another point where it says to supervise general elections. A...let's say the local board determines that there shall be three of the one party and two of another party in the precincts. What if this board says a, no, there will be two of one party and three of the other party, and that shall be State side. It is then mandatory on the local board to do it that way?"

Collins: "Well, no, your procedures are already set out in the statute."

Shea: "I know, but it says to supervise the elections and it seems that the power that you are giving this Board is to change that statutory authority."

Collins: "No, it doesn't give any authority to change the statutory authority. As a matter of fact in the initial draft of the bill, there was one line which suggest that maybe the board would have the power to change statutes and we amended that portion out."

Shea: "Well, I still see on page 7, Section 11, where it says "Supervise" It looks like it gives the Board the authority to go in and do this."

Collins: "Well, that is not only constitutional language, but I don't see how you in any way could define supervise to mean change."



Shea: "Alright now what if in DuPage County, the DuPage County Clerk decides that in the first ballot, the first roll on the ballot, or on the machines that they are now gonna have on the next election, they decide to run the Republican candidates and in the second column the Democratic candidates. It seems that this Board could now say that the State wide will run the Democratic candidates in the first column and will run the Republican candidates in the second column, and under the board...Lill, I believe they've got that authority. What do you think that the local authority in DuPage County would say to that?"

Collins: "I'd have to ask Pate Philip, he's on the phone. No, I don't hink that this Board is given any authority to change any statutes or any statutory authority that is in present law..."

Shea: "But that's contrary to your statement in Committee, Mr. Collins."

Collins: "You'll remember that we did have a provision in the initial bill which did give the bill wider powers even to the point where the interpretation of the board might have been that the board could change statutes, and this was brought up, I remember very vividly, that Representative Ewell brought it up and we did take that out on amendment."

Shea: "But right now, you know, you get around, you say the



order in which we'll list candidates by saying it's statutory. Now which party is going to be first on the ballot or second ballot is not statutory, that is left to the discretion of the local election officials. You are now taking that power away from those officials and putting it in the State Board, and I ask you in a County such as DuPage, where the County Clerk traditionally lists the Republican candidates first, if this Board, if says to them, you list the Democratic candidates first in DuPage County, is that mandatory? And I can't find anything in this bill to prohibit the Board from doing that."

Collins: "At the same time, I don't see anything that gives them the power to do so and of course..."

Shea: "Again, it says supervised election and have general supervisory power over local election boards."

Collins: "That is constitutional language, I can't do anything about that. As a matter of fact, that language will also be in the Senate bill, which establishes the even numbered board."

Shea: "You remember what Representative Hanahan said from the debates of the Constitution, that the power that this Board was supposed to have the the members of the Constitutional Convention wanted for it, were powers similar to the Election Board we have. What you are attempting to do here, is to put all the power in the



Board in Springfield and take it away from the local election officials."

Collins: "No, no, it doesn't do that at all. We are not trying to take all power away from local authorities, we are we are establishing, I think, a final authority as the Constitution mandates. I think Representative Hanahan referred some debate in the Constitutional Convention. I don't think we should infer from that that the Convention adopted the argument that he proposed. Regardless, the supervision language is constitutional language. We have tried to follow the Constitution in drafting this bill, in the portion that you are. a... a...a...referring to in this point, the language is the same as in Senate Bill, what is it, 77?"

Shea: "Well, Mr. Speaker, I'd like to speak to the bill. I think Mr. Collins' is trying to do a job here, I don't think he understands quite all the things he's done. I think that if this bill passes, we'll find out that all the election authority of the State of Illinois is vested in Board in Springfield and when our local election officials go to do their job, people like Page Philips are going to find out in DuPage County they are going to tell them in which column to list the candidates, and how many judges to run in what party in each precinct. I think this is terrible legislation, I think it should be defeated."



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

Walsh: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, on the contrary, I think this absolutely imperative legislation. And for those of us who live in Cook County and our Republicans, we know that we have always been listed on the right side of the ballot, it hasn't made a heck of a lot of difference to us. I agree with the sponsor that I don't think the State Board does have the authority to list in whatever column they want to. I think that is obvious choice of the local authorities. It seems that the big hand up on this bill is the a... the a four or five man board. There doesn't seem to be any question in my mind that if a four man board and selected on a somewhat political basis as it is, by legislative leaders, then there are apt to be deadlocks and we must do everything that we can to prevent deadlocks. Now I can't imagine what can be fairer than to recognize what has been a growing truth of life in this State and through this Country, the fact of the independent voter. Now in the last primary, there were just 30% of the people who selected, or who elected to vote in the primary. There are just 30% of the people then who are Republican or Democrat or affiliated with any political party. 70% of the people are independent. And I think that we, as party members, ought to recognize that. And it is certainly reasonable to select one of



these 70% to serve a tie-breaker, and there is no reason at all to suspect that he would become a czar since his selection is based in the same way that the other members of the board are based and it is necessary to have him and a five man board just must be. So I solicit your support for this bill."

Bluthardt: "The Gentleman from Cook, Mr. Katz."

Katz: "Mr. Speaker, and Ladies and Gentleman of the House,"

I do not see this bill as a partisan bill. The question of the composition of the Board is obviously going to be determined by a majority vote and that vote as to who constitutes a majority, that too, will depend upon the legislative leader's nomination, and who is the Governor at that particular time. I have practiced law for a good many years, and I have never seen any court or administrative body that could exist with an even number. I have never seen any board of any kind that any body thought would do anything that had an even number. Now the Constitution has imposed a requirement that no party can have a majority and that is the reason why they have set up in this bill this proposal for selecting as the so-called tie breaker, someone who is nominated but who has not voted in the primary. That grows out of the Constitution, that is not anything we have any choice on, we will either have to decide whether we are going to sit and have a Board that does nothing





in which event, we would have a 2-2 board, or whether we are going to have a board which has the power to act. Now there is a great protection for the people of the State whether you live in DuPage, or Winnebago, or Cook. There is a specific Constitutional provision regarding uniformity on elections. For that reason it does seem to me that even though I do understand that one can be a little weary, a little concerned, about a new system under which the so-called independent is appointed to a State Board with a Constitutional protection of uniformity with the other a....a...public attention that will be focused on this, it seems to me that this is a step forward that we need to take. I believe that it should no longer be so, that the two political parties in the State have the power to block each other and to have a kind of gentlemen's agreement with reference to you leave us alone in Cook and we will leave you alone in DuPage. I think that the guarantee of fair and free elections throughout the State of Illinois is long overdue. I believe that House Bill 212 is a step towards providing those fair and free elections. I do not believe that there is a partisan element. I believe that it touched both ways, that in the long run, both political parties will continue to prosper and do well but under a system in which we do have some State assurance that wherever the citizen of Illinois lives,



that he will be entitled to a free and fair election, and that is the reason why I am going to vote for House Bill 212."

Bluthardt: "Is there further discussion? Representative Collins to close."

Collins: "Mr. Speaker, Ladies and Gentlemen of the House, very briefly, I think Representative Katz hit the nail right on the head. The object of this bill and the bills to follow it are to insure fair and free elections."

Bluthardt: "For what purpose does the Gentleman from Cook, Mr. Leon, wish to be recognized?"

Leon: "I would like to speak on the bill, please."

Bluthardt: "Alright, I'm sorry I didn't see you standing and you are recognized for that purpose."

Leon: "Thank you very much Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to the bill for various reasons. During the Constitutional Convention the committee on elections was so upset that they could not arrive at the creation of a State Board. This bill, or this Constitutional mandate, which will provide for a State Board of Elections, was the subject of much and long debate and very serious disagreement. The members of the Constitutional Convention were very adamant in providing and in their discussion that the Governor should not appoint members of this Board. He thought it should be left up to this General Assembly



and I feel strongly that way. I also feel very strongly that if this Board is created, we will have to provide for a State-wide reelection because all election and registration laws shall be uniform. The downstate counties that have been pleading lack of money so that they could not provide for a general re-registration in 1936 and 1956, will have to be mandated by this Board, if it is created, to have a general re-registration, State-wide, and I presume it will be before the next elections. Now the downstate counties are crying that they have no money to provide for this service, remember that the vote that you may cast today in favor of this bill, will provide a necessity for them to have a general re-registration. I also believe that this bill does preempt home rule county from their rights under the Constitution and I do believe that your ruling that 89 votes is necessary to pass this bill is erroneous and therefore I shall be compelled to vote against it.

Thank you."

Bluthardt: "Any further discussion? Alright, the Gentleman from Cook, Mr. Collins, to close."

Collins: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 212 is long over due and our newspapers editorially have told us that we have long been remiss in enacting a State Board of Elections. I think it important that we pass this bill. As I started to say



Representative Katz referred to fair and equal elections for everyone in the State of Illinois. That's what these bills are all about. I think that the enactment of this State Board is going to insure a fair and free election for everyone throughout the State whether you live in Chicago or Cairo. It is going to create a board which will have some authority. The Constitutionally mandated authority to have this provision over the election while it does not disturb the administrations at the local level as has been suggested on the floor today. The local authorities, obviously will continue to administer their elections, there will be the State Board to insure that everyone's vote is counted and counted properly. Mr. Speaker, Ladies and Gentlemen, as I said this Bill is long overdue, I earnestly solicit your support of House Bill 212."

Bluthardt: "The question is shall House Bill 212 pass? All those in favor will vote aye, those opposed will vote nay. The Gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, at the proper time I would ask for a verification of the vote."

Bluthardt: "Alright. The Gentleman from Cook, Mr. Collins."

Collins: "Prior to the verification, I request a poll of the absentees."

Bluthardt: "The Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, I have serious questions about this



bill being the best way of setting up a State Board of Elections, but to be frank with you I have been unable to come up with a better method. Our experience on the Reapportionment Commission that I served on in 1963 which was created by the Illinois Constitution, and has five Republican and five Democrats, proved to me that you never get a majority to vote for anything when you have political questions and an evenly divided board without an odd number to break a tie. Now every Commission we have, whether it be the Illinois Commerce Commission, whether it be the Pollution Control Board or whether it will be our federal commissions, the C.A.B the Federal Trade Commission and so on, all have an odd number because that is the way you get a majority, so does our Supreme Court of Illinois, of course. And our Appellate Courts all have an odd number of members. The Appellate Courts panels are three and the Supreme Court, of course, is seven. Illinois Commerce Commission is an odd amount, because that is the only way you come to a decision. Unfortunately, the drafters of the Illinois Constitution put in this peculiar provision that no party could have a majority of members of the Board. It is almost an impossible and ridiculous provision which is required to a peculiar kind of tie breaker that we have been wrestling with over the last three years and we are suppose to be implementing the Constitution.



Mr. Collins solution isn't anything I am particularly happy with. We are putting a political unit on there rather than to bother and vote in the primaries for the last couple of general elections. I don't know what else he could have done. The fact of the Governor making the appointment doesn't a...doesn't a...a--.particularly a...disturb me, I think executive officials should be appointed by the executive. Let's face it, the State Electoral Board is not a legislative power, it is an executive board and because this bill is the best way that I can see now of implementing our Constitution because we are mandated by the Constitution to establish this Board and we have failed to implement this mandate over the past two years. I am going to vote aye for this bill."

Bluthardt: "The Gentleman from Cook, Mr. Washington."

Washington: "Mr. Speaker, for reasons expressed very clearly by Representative Ewell about an hour ago, I wish to be recorded as voting present."

Bluthardt: "Record Mr. Washington as president....present."

Have all voted who wished? Take the roll. Maragos present. By a polling of the absentees and a verification has been requested. The Chair recognizes Representative Ewell."

Ewell: "Mr. Speaker, in light of the vote, I would like to withdraw the request for verification."



Bluthardt: "Mr. Ewell withdraws his request for verification Mr. Collins withdraws his request for a poll of the absentees and on this vote the vote is 121 ayes, 27 nays, 2 present. And this bill having received the Constitutional majority is hereby declared adopted..passed, passed."

Fred Selcke: "House Bill 213, A bill for an Act to amend the Election Code. Third Reading of the Bill."

Bluthardt: "The Gentleman from Cook, Mr. Collins."

Collins: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 213 is the bill that would provide for registration record cards to be opened to public inspection. I think it is a good bill, as amended, originally it would have allowed for the copying of these records and of course, the questions were raised that these records then would be used by every agency seeking to build a mailing list or collection agencies, etc., so it has been amended out. However, I think it important that these records are open to public inspection that we are able to look and show that people who are shown on the registration list, the poll the is in the precinct are actually in the registration records and are properly registered. I think this is a bill that we can all agree on and I would solicit the support of the House."

Bluthardt: "The Gentleman from Cook, Mr. Shea."

Shea: "Now, Phil, the new election code, says that 20 days



prior to and after an election, that these records will not be available because they are being used in the precincts, etc. and they are getting them back. How do you provide that when the binders are out, what is your...."

Collins: "The bill states that the records would not be subject to this inspection for the 28 days prior to the election."

Shea: "You got...where's...you got...where's that in there Phil? I couldn't find it."

Collins: "On page 3 line, 25."

Shea: "Alright, that's immediately before, right?"

Collins: "Yeh."

Shea: "Alright, what about that 28 day period after the election? When the binders are being brought back and they are under seal in case there is any question?"

Collins: "The bill does not provide for that period. Obviously, they couldn't be inspected if they weren't physically in evidence."

Shea: "Yeh, but you're saying I've got the right to inspect but you haven't taken care of that provision. I think this could be a bill in many respects, if you would take care of that and one other thing. And right now it is an open end inspection, you could go in and look at anybody, you know just go in and look at all of them. I think the election commissions's bill, which says





supply the name of the people you want to look at and under supervision, they can be looked at."

Collins: "The Election Code bill doesn't say anything about inspection of the cards."

Shea: "Yes, it does, Phil."

Collins: "No, no, I have it before me."

Shea: "Well, Mr. Bernadini hasn't looked at the new one this year, it provides for inspection on two things. It closest it off for the 28-day period before and after when the registration process is closed, and No. 2, it provides that if you want to go down to the County Clerk's office and get the specific names you want to look at, you can look at those cards, under supervision of somebody from the Clerk's office. Or the Election Commission's office, but as I read your bills, you could walk in and say I want to look at all the registration and in all the precincts in blank township."

Collins: "Well, No. 1, I suggest that you look...of course, the proposed code is not law, it is...at a...at a this time, but if you look at the new code, in Sections 4-65.1, I believe, you are referring to and it says no information contained on a registration card shall be revealed by the person in charge thereof or copied by a person except the name and address of the registrant and his political party affiliation. So the new election code does not take care of this problem of inability to



inspect these records, and I think it important that this bill be enacted."

Shea: "Phil, what was the Section, we're just looking at it."

Collins: "4-65.1."

Shea: "465-1"

Collins: "Right."

Bluthardt: "For what purpose does the Gentleman from Macon wish to be recognized, Representative Alsup."

Alsup: "May I ask the sponsor a question?"

Bluthardt: "I don't know, is the Gentleman from Cook finished? Do you want to come back to you, Jerry? Alright, you may ask the question."

Alsup: "Well, in many of the counties downstate, the County Clerk furnishes a list of all the registered voters to both the Democrat and Republican precinct committee. In other words, the workers in the elections. Of course, this is just outlines whether they have voted democratic or republican in the previous primary, or just exactly who their voters are, and their names and addresses. Now would this be prohibited under your bill?"

Collins: "No, not at all. Such a list would continue to be published, I would assume, these are very important and necessary election materials, and I am sure that they would be continued to be published."

Alsup: "Well, I'm talking about, he could...the precinct



committeement or the County organization can go down and pick up the voters registration for each precinct, pass then out before the election for campaign purposes."

Collins: "Ah...no...no....we're not talking about copying anything, we are talking about inspection."

Alsup: "About a special election."

Collins: "No, I said inspections. We are a...we are not talking about copying these records, we are talking about the ability of persons to inspect the records. As far as making copies that provision was taken out of this bill."

Alsup: "Oh, I'm sorry, I didn't catch that I was reading my digest, and it said that it could be published or copied."

Collins: "That's right, but so many objections were raised to that portion and I had to agree with many of them so we did take out the provision for copying the records by an Amendment."

Alsup: "Well, thank you."

Bluthardt: "The Gentleman from Cook, Mr. Juckett."

Juckett: "Thank you Mr. Speaker, will the sponsor yield for a question?"

Bluthardt: "He indicates he will."

Juckett: "From the questioning, I understand that the...there can be no inspection of these registration records for a period 28 days prior to the election. Is that correct?"



Collins: "Yes, that's right."

Juckett: "Now, what would happen if you suspected that a binder cards were being removed from the binder? Now let me sight you an example. When Cook County in 1968, went to the automative or IBM machines, I was concerned that there might be some, not deliberate deletions, but just deletions because of the change-over. We checked the binder from my particular precinct after the registration day, and out of the 800 or so registered voters, there were some 275 binder cards that were not in the binder. NOW if we could not go into that binder and could not check then that mistake could not have been corrected and some 275 people wouldn't have been able to vote in that election. Now I'm saying that the mistake was deliberate or it was accidental. It just occurred. Now if we couldn't go into the binder during that 28-day period, we couldn't determine whether there were deletions of the registered voters. How would we handle that situation?"

Collins: "Well, Bob, I don't believe that there is anything in the present law that would give you the right to go in there at this time, or for that matter, at any time, as the law if currently written. Of course, the a... you always have the right to bring an action in court, plus the fact that the bill does provide for an inspection on election day. So it's not closing it off at 28 days entirely, there's still election day, where



suspected problems can be considered by the watchers or challengers for candidates and parties."

Juckett: "Well, I realize we didn't have the right, but the County Clerk did extend that courtesy to us and we did, you know, he assisted us and we assisted him, and a....

I don't see the purpose of closing it off for the 28 days.

Collins: "Well, no, we are not prohibiting them from doing that, it still extends you that courtesy that he did.

The purpose of the 28 days was to insure that there wasn't any interference with the orderly performance of the duties of the County Clerk or the Board of Election Commissioners. The 28 days prior to an election there is a good deal of preparatory work, as we all know, and we did not want to hamper the duties of these officials. It is not...it is not an absolute prohibition that he couldn't extend you that same courtesy that we did extend before, it's merely an attempt to enact some meaningful legislation, and at the same time not incur any hardships on the election officials."

Juckett: "Well, now if you suspected something was going wrong for some reason or another, under the wording of your bill, could the county clerk refuse to have anyone inspected and say, even under a Court Order, because if we don't have a right by statute to look at the record, I don't see how even a court could allow us to look at those records."



Collins: "Oh, surely, I think he could prevent you from doing it on your own initiative in this time period, and I believe he could not, but I don't see how he could resist a court order ordering him to open those records to you."

Bluthardt: "Any further debate? The Gentleman from Cook, Mr. Shea." The Chair recognizes Representative Collins to speak. close."

Collins: "Yes, Mr. Chair...a...Mr. Speaker...a...I think that this bill has been completely debated. I think everyone's understands the crux of the bill and everyone's mind is made up and I would earnestly request your support for House Bill 213."

Bluthardt: "The question is shall House Bill 213 pass? Those in favor will vote aye, those opposed will vote nay. Have all voted who wished? A...Cox aye. Alright, the Gentleman from Cook, Mr. Leon, to explain his vote."

Leon: "Mr. Speaker, and Ladies and Gentlemen of the House, in explaining my vote I am very happy to cast a green light for this bill, and the reason, of course is, that by the passage of 212, we would then provide for mandatory re-registration before the next general election and I hope the downstate legislators will be able to explain that to their local board. Thank you."

Bluthardt: "Alright, have all voted who wished? Take the roll. Alright on this vote, there are 149 ayes, no nays



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and no voting present and House Bill 213 having received the necessary Constitutional majority is hereby declared passed."

Jack O'Brien: "House Bill 214. Collins. A bill for an Act to amend the Election Code. Third Reading of the Bill."

Bluthardt: "The Gentleman from Cook, Mr. Collins."

Collins: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 214 is a bill that would provide for the election judges in precincts and their training courses, this bill would provide that one judge of each party should take the training course for judges. The present law now requires that one judge per precinct have taken the prescribed courses. This would be an attempt to insure better trained judges. We all know for the need of better trained judges throughout the State and this, I think, is the first step in providing that at least one judge in each party shall have taken the training course and will be better trained in the administration of the election laws. I solicit the support of the House for House Bill 214."

Bluthardt: "The Gentleman from Cook, Mr. Wolfe."

Wolfe: "Thank you Mr. Speaker. Will the Gentleman yield for questions? Does it provide, Phil, for the extra compensation given to a trained judge?"

Collins: "Yes, it does. It increases the pay for the trained judge to \$35 a day."



Wolfe: "Thank you."

Bluthardt: "The Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Yes, Mr. Speaker, will the sponsor yield to a question?"

Bluthardt: "He indicates he will."

Lechowicz: "Representative Collins, is this bill providing a pay increase for the judges?"

Collins: "Yes, I just answered in the affirmative."

Lechowicz: "I'm sorry. What is the total cost in Cook County, for example, in pay raises for judges?"

Collins: "I don't have a figure on that. However, of course, that would depend on how many of the judges actually avail themselves of the additional training."

Lechowicz: "How many precincts are in Cook County?"

Collins: "Roughly, 5000."

Lechowicz: "And there are 10,000 in the State?"

Collins: "Yes."

Lechowicz: "And a...so this is an additional \$10 per precinct?"

Collins: "No, \$5."

Lechowicz: "We are talking about two people, right?"

Collins: "\$5 a judge."

Lechowicz: "So that would be another additional \$25?"

Collins: "No, I don't think so. Many of the judges are already drawing additional compensation for being trained. So we wouldn't be raising everybody immediately."

Lechowicz: "Is there subsequent legislation following providing





the necessary possible increase in taxes to provide for the salary increase?"

Collins: "Not to my knowledge."

Lechowicz: "Now, are you in favor of the tax freeze, or is that part of this package or what?"

Collins: "No, I think the two are unrelated."

Lechowicz: "There not. But this is just an increase in judges fees, is that correct?"

Collins: "Yes."

Lechowicz: "Thank you."

Bluthardt: "The Gentleman from Cook, Mr. Mugalian."

Mugalian: "Thank you, will the sponsor yield to a question?"

Collins: "Yeh."

Mugalian: "There are some precincts, several precincts, many precincts in the State in which it is sometimes difficult to obtain election judges until just the day before the election, and there is a possibility that in some precincts will not get a judge from each party to take the course. What consequences of the failure to obtain those judges and against whom are sanctions imposed, if any?"

Collins: "The bill provides that if a judge fails to take the course, then they would be subject to dismissal by the election authorities."

Mugalian: "Subject to what, sir?"

Collins: "A...subject to dismissal. The bill as originally



written, said the failure to take the course would result in the prime evidence of neglective duty which would, I'm told, subject these people to criminal sanction, this was thought to harsh, obviously, so we amended the bill and now it would just subject that judge to dismissal by the election authority if he fails to take the course."

Mugalian: "Thank you."

Bluthardt: "The Gentleman from Cook, Mr. Yourell."

Yourell: "Thank you Mr. Speaker. Would the sponsor yield to a question? Phil, is there anything in this bill that provides that the judges of election and you've mentioned on several occasions here today, that these bills and the series of bills provide for a better conduct of the election in our precinct. Is there anything in this bill or any of these bills that would say that provide that as nearly as practical you should use the same judges in all elections instead of appointing new judges 24 hours prior to an election date?"

Collins: "No, that is not stated in the bill, but I think it is implicit in a bill that attempts to move the question of better trained judges. But what we are trying to do is train judges for the purpose of having the same well trained board, obviously, in those precincts election after election."

Yourell: "Well, what I'm getting at Phil, is the bill I had



in Elections Committee that you know was defeated and all it did was provide for the selection of these judges to be the same judges election after election instead of having the village clerk or the city clerk appoint new judges of a certain political party depending on what constituted a majority of that board and what the village or city clerk happened to be as far as the political persuasion was concerned. In my Village of Oaklawn, the night before election, for example, there were 30 new judges appointed. All of one political party and they had never served as election judges before. We have their names and they were appointed in the regular elections of judges, some of which had served as long as 18 years were not asked to allow to serve. Now my concern as it was in that bill in Elections Committee was to determine whether there is anything in these bills to provide for the usage of the same judges of election as nearly as practical from election to election.'

Collins: "Well, I agree with you to an extent that it is important not only to have the same trained judges but also to have the judges representing the parties which they purport to represent. And in a few minutes we'll be getting to House Bill 216, which will prevent election authorities from arbitrarily appointing judges from supplemental lists. I think important, as you state,



that the election of judges in every precinct represent the parties which they are supposed to represent."

Yourell: "One final question. Why did you vote against my bill?"

Collins: "I don't think your bill answers the question as well as House Bill 216."

Yourell: "Thank you."

Bluthardt: "The Gentleman from DuPage, Mr. Redmond."

Redmond: "Mr. Speaker, and Ladies and Gentlemen of the House, I think the fallacy in this bill is that supposes that you have no difficulty in getting election judges. Now I can say that as far as DuPage County is concerned, the first go around, we had one-third vacancies in both the Republican and Democratic side of the House, and at the time that we had the Constitutional Convention the election there, we had five or six precincts where there was neither Republican nor Democratic judges that reported for the election. I think all of this business about sending judges to schools is a lot of nonsense. We can't get the judges the way it is now, we've got a little better system. I see that this doesn't do anything as far as I am concerned in getting you better qualified judges. All it does is that it increases the expense to the county and I think that as far as our County is concerned we can't afford it. I don't think that it does anything at all and I would suggest that



this bill should not pass and incidentally, I did support the previous two bills."

Bluthardt: "For what purpose does the Gentleman from Cook wish to be recognized, Mr. Yourell?"

Yourell: "A point of information, Mr. Speaker. I think these bills are very very important bills and they are going to have a effect on those individuals voting for them and against them. And because of the importance of these bills, I think the members ought to have guts enough and courage enough to be here and not have somebody else voting for them. Now, I'm watching that board and there are some members that are not here and are voting for these bills. And if this is continued I am going to have to ask for a verification of every roll call."

Bluthardt: "Any futher questions? The Gentleman from Cook, to close, Mr. Collins."

Collins: "Mr. Speaker, I would ask the support of the House for this Bill. I'm aware of the problem in getting judges in precincts. I've lived in portions and parts of Chicago where it is awfully hard to get judges. We are not making it any harder to get judges and we are certainly not making it any easier. The crux of this bill is to try to insure that more judges are well-trained. We know, we all have seen so many judges who are attempting to run the polling place on election day



and really don't know what they are doing. We do need trained judges. I think this bill is a giant step in that direction and I would ask the support of the House for House Bill 214."

Bluthardt: "The question is shall House Bill 214 pass? All thos in favor will vote yes, those opposed will vote no and the clerk will take the roll. Skinner aye. The Gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Thank you Mr. Speaker, and Ladies and Gentlemen of the House, just briefly in explaining my vote, due to the fact that we had a great number of student precincts for the first time in our district last time, I'm going to support this particular bill, because we had numerous instances where students had changed their address, walked into the polling place with new election judges and when they were asked their addresses, said that is no longer our addresses, we've changed it, and the election judges, not realizing they should have disqualified the people involved said just erase the address and wrote in the new address. That would not have happened, I believe, if Representative Collins' bill went into law at that time, we wouldn't have had these people trained, I think it is a good bill and I am going to cast an aye vote."

Bluthardt: "The Gentleman from Kane, Mr. Boudell."

Boudell: "Mr. Speaker, I'd like to be recorded as present."



The Gentleman from from....a...Mr. Roscoe Cunningham."

Cunningham: "Lawrence is the County, Mr. Speaker. Mr. Speaker and members of the House, I'm constrained to explain my negative vote less any mistakenly conclude that I am in favor of crooked elections. Nothing could be farther from the truth. However, I find a great many of my constituents who have a genuine concern about the cost of government including about the cost of holding elections, and I must listen to their opinion. This is an unwarranted addition to the cost of government to the cost of elections. It is the responsibility of each of us to encourage the proper people in our precincts to serve as election judges whether that service be for free or for the largest number that can be imagined. It is not realistic to believe that you can increase the quality or willingness to serve by just paying them more money. Let's save the money and remind the citizenry of their duties to stand up and assist and cause a free election. That is why I'm voting no."

Bluthardt: "Have all voted who wished? The Clerk will take the roll. On this vote there are 118 ayes, 7 nays 2 present and this bill having received the Constitutional majority ...Bradley, no. This bill having received the Constitutional majority, House Bill 214, is hereby declared passed."

Fred Selcke: "House Bill 215, Collins. A bill for an act to



amend the Election Code. Third Reading of the bill."

Collins: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 215 would add a new penalty section to the Election Code. A...I think that all of us who are somewhat familiar with the present code know how inadequate the penalty section is and really how contradictory it can be. The new proposed new code has a penalty section which has some real teeth in it. It is well written, has been a part of the Election Laws Commission Act in proposing the new Code. House Bill 215 is identical to that Section. A...I think it is an excellent bill, it is a strong thrust bill with teeth in it and I think that we can all concur in the adoption and in support of House Bill 215 and I would earnestly solicit your support of every member of the House."

Bluthardt: "The Gentleman from Cook, Mr. Shea."

Shea: "Well, Phil, I certainly support the penalties because these are identical to the penalties in the new Code. The only problem I have with the bill is that we haven't get the specific elections laws presently on the books that we are attempting to apply these penalties to, that we have under the new code. Now, you know, both Cusper and Lunding, who were the draftsmen of the Election Commission Code, have said this. Would you explain this. You know, I don't want to see anybody get hurt, because they don't understand rather than having





specifics."

Collins: "Well, I think I'd have to ask you for a specific in return. The bill, I think, is quite specific, it mentions vote buying, it mentions promise for votes, mentions selling of votes. These are quite specific, I believe, and I..."

Shea: "Yeh, Phil, you've got some things that are failing to do or doing something required and there are specific, you know, within the election code. because we have two or three sections up and down the State and I'm saying do you think that these penalties applied to the old code will do the job you want to do?"

Collins: "Ah, yes, there is similar language in the old code in the penalty section where it says failure to comply to do something. This is not new language."

Shea: "Well, I wanted to point this out to you, Phil."

Collins: "It is much clearer now, I think, but it is in the old book."

Bluthardt: "Any further questions? The Gentleman from Cook to close, Mr. Collins."

Collins: "Well, Mr. Speaker, as I said, I think if there is any bill that we can agree on today, it is this bill. As I said I have no pride of authorship, it is from the proposed code, I think it is a well drafted bill, it has real teeth into the enforcement of election laws, I think this is very important if we are to have strong election



well then we must have strong penalties for breaking those laws and this bill does just that and I would again solicit the support of the House."

Bluthardt: "The question is shall House Bill 215 pass?

All those in favor will vote aye, those opposed, nay. Have all voted who wished? The Clerk will take the roll. On this vote there are 145 ayes, no nays, and no one voting present. And House Bill 215 having received the necessary Constitutional majority is hereby declared passed."

Fred Selcke: "House Bill 216. A bill for an Act to amend the Election Code. Third Reading of the Bill."

Collins: Mr. Speaker and Ladies and Gentlemen of the House, House Bill 216 is one that I eluded to in answer to questions by Representative Yourell in the appointment of judges. At least the judges will truly be representatives of their respective parties. This would provide that selection or appointment of judges from a supplemental list may not be made more than 15 days prior to the date of registration or 30 days prior to the day of election as the bill was originally drawn. Now on the suggestion of the new County Clerk of Cook County, those days were changed and 30 days prior to election was changed to 28 and again at his recommendation, the 15 days was changed to 21. I believe as the bill in its present form when it came out of committee



was an agreed bill and I do feel, or I did feel that we have agreement on this bill and I would hope that the House would see fit to support House Bill 216."

Bluthardt: "Any questions from the floor? Do you wish to close? The question, ...the Gentleman from McLean, Mr. Bradley."

Bradley: "I wonder if the Gentleman would yield to one question?"

Collins: "He indicates he'll yield for one question."

Bradley: "Phil, is this piece of legislation or any of the legislation where we are addressing ourselves to here this afternoon in your series going to address itself to the problem of on the morning of the election when we do not have enough judges or one of the judges doesn't show up, and somebody has to be sworn in to take the place or to make five judges in that particular precinct and he has not been certified as a judge in that particular precinct. Have any of these bills addressed itself to that problem so that we can handle because I feel that in the hearings that you conducted last fall, this was of the utmost importance, it proved to be a real problem in my estimation as to having the five judges when somebody didn't show up. And I'm wondering if this bill is going to help that situation is it going to prevent somebody from being sworn in the morning of election to serve as a judge because he



hasn't been certified by the election commission to serve as a judge and therefore, maybe we would be preventing them from having a walk in become a judge in that particular election."

Collins: "No, this bill, nor any of the other bills deals with that specific problem. Unfortunately, you are not going to be able to prevent people from falling sick or even just failing to show up. I wish there were something we could do. These bills do attempt to provide for better trained judges, hopefully, that both parties are attempting to enlist judges who can be counted upon to represent the parties on election day. The present law allows the swear in judge and there is nothing we are doing by these bills would change that situation. I wish there were an easy answer to the so-called swear in judge, because as you so correctly, pointed out, this is where a very large problem can arise. I don't have a ready answer to it, I wish that I did. This would be the big step in cleaning up a lot of the abuses in the election machinery."

Bradley: "Well, we share the same concern but you answered my question well, but I just wanted you to picture that we weren't going to operate a precinct which is poor judged."

Collins: "No."

Bradley: "What we have done here prevents a judge from being



sworn in that morning and operate and be a judge in that election."

Collins: "No, no., there is no change in that area."

Bluthardt: "The question is shall House Bill 216 ....the Gentleman from Cook, Mr. Berman."

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

Bluthardt: "He indicates he will."

Berman: "Representative Collins, as I understand it now, once the initial list is exhausted, judges can be picked from a supplemental list, is that correct under the existing law?"

Collins: "Yes."

Berman: "And what this bill does is to limit the time period in which you can start to select from this supplemental list, is that correct?"

Collins: "That's right."

Berman: "Aren't we defeating the purpose that we just passed the previous bill of encouraging training of judges by limiting the time period from which we can choose from the supplemental list. Aren't we defeating the purpose of adequately trained judges by putting in the time limits?"

Collins: "No, I don't think so. I think that really, we are quite consistent with that purpose. We are trying to get permanent judges who are well trained in the precinct, we are trying to prevent arbitrary appointment



of judges from the supplemental list. I think what we are looking for is permanence I think is the answer to Representative Yourell."

Berman: "Well, from it, one of there, whether there is 15 days 30 days, or no time limit, it doesn't apply. We are talking about where there must be replacement, and I'm I'm...I don't see how you can train a replacement if you are going to have these kind of time limits."

Collins: No, I think that we again, what we are doing, we are allowing the election authority to make appointments from the supplemental list when it is obvious that it is necessary to staff that board on election day, and I think we have written reasonable time periods for the appointment of those judges. Certainly 30 days and 21 days provides adequate time and I believe that I did foresee some agreement from potential witnesses against the bill in committee. but this is quite consistent, we are looking for permanent trained judges, but I think at the same time, we are saying that within an adequate time period, if you must, you can appoint from the supplemental list."

Berman: "When were the training periods previously given? Were they within 30 days? I thought they were previous to that. "

Collins: "The election authority establishes their training periods and I'm...at this time, I am unable to answer that."



Berman: "I think we are defeating the purpose of these training periods by the urging of this bill, I think we are defeating what we have already passed, Phil."

Bluthardt: "Any further discussion? Does the Gentleman wish to close? The question is shall House Bill 216 pass? Those in favor will vote aye, those against will vote no, and the clerk will take the roll. Have all voted who wished? Take the roll. On this bill there are 121 ayes, 1 nay, 1 voting present, and House Bill 216 having received the Constitutional majority is hereby declared passed."

Fred Selcke: "House Bill 217. A bill for an act to amend the Election Code. Third Reading of the Bill."

Bluthardt: "For what purpose does the Gentleman from Macon County, Mr. Borchers?"

Borchers: "On a point of personal privilege."

Bluthardt: "State your point."

Borchers: "Also, the point of personal privilege of all the people in my district. I want to congratulate the members of the House of Representatives Barry, Blades, Lechowicz, Pierce, Randolph, Rose, Skinner, Tipsword and Washburn. All of you have seen the very numerous communications we get in relation to commissions and everything else for the high priced covers. These Gentleman have used a little common sense. It is ordinary paper, saving I don't know how much money. And as a tax payer myself, I appreciate



that they use this type of a cover instead of spending hundreds of dollars for nothing except looks."

Bluthardt: "Alright, the Gentleman from Cook, Mr. Collins."

Collins: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 217 is a simple bill which would provide that a County Chairman submitting lists of election judges to the Election Authority would receive written acknowledgement in receipt of those lists. Now we all do recall last year that there was quite a lot of controversy over a list. Now we all do recall last year that there was quite a bit of controversy over lists that were submitted or alledged to be submitted by the Republican County Chairman which subsequently were lost. If the receipt were in evidence, obviously there never would have been room for controversy. As I say it is a simple bill, but a meaningful bill and would prevent any such debate or controversy in the future. And I would earnestly solicit the support of the House."

Bluthardt: "Any further questions? Gentlemen it is awfully loud in here and I would appreciate it if you would calm down a little bit, quiet down, I had kind of a rough night, take it easy, will you please? The question is shall House Bill 217 ...the Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "One question, if I may, Mr. Speaker?" Is there any penalty if the County Chairman does not submit the





list to the various elections boards?"

Collins: "No, there is no penalty in the bill."

Lechowicz: "I was wondering why that was omitted?"

Collins: "Well, it was not omitted, it may be overlooked.

I don't think that the issue is serious enough that we would want to be putting a penalty in, maybe it is but I would think that the simple statutory mandate would be sufficient to induce any election authority to comply. What did you say Representative Shea?"

Bluthardt: "Mr. Lechowicz has the floor."

Lechowicz: "Thanks Mr. Speaker, I think that this is a good bill, but I think we should also incorporate the fact that County Chairman be mandated to supply us if we are asking for a signed receipt, if this item has been received, I think we should also make it mandatory that it be submitted to the various elections boards. I see no opposition to this bill."

Bluthardt: "Alright, the question is shall House Bill 217 pass, those in favor will vote aye, those opposed will vote nay, the clerk will take the roll. Have all voted who wished? Kempiners aye. Getty aye. Take the roll. On this bill the vote is 158 ayes, no nays, no one voting present. Skinner aye. And this bill having received the Constitutional majority is hereby declared passed."

Fred Sélcke: "House Bill 218. A bill for an Act to amend the Election Code. Third REading of the Bill."



Bluthardt: "The Gentleman from Cook, Mr. Collins."

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

House Bill 218 deals with the removal of judges of election. It merely states that if an election authority is to remove a judge, that the a...the election...that the cause be specified in writing before the removal of this judge and that this shall be made a matter of public record. I think it important that if judges are to be removed for any reason they certainly should be apprised of the reason for their removal at the time of their removal. Its...a..a good bill and I solicit your support."

Bluthardt: "Are there further questions? The question is shall House Bill 217 pass, those in favor will vote... a 218...shall House Bill 218 pass, all those in favor will vote aye, those opposed will vote nay. The clerk will take the roll. Have all voted who wished? Take the record. On this bill there are 150 ayes, 1 nay, and House Bill 218 having received the constitutional majority is hereby declared passed."

Fred Selcke: "House Bill 219. A bill for an act to amend the Election Code. Third Reading of the bill."

Bluthardt: "The Gentleman from Cook, Mr. Collins."

Collins: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 219 deals with a...money deposited, security cost in election contest. The bill would provide that any money that is deposited as security for cost



by a petitioner would be returned to that petitioner if his case were successful, and conversely, the respondent to the case, if any money would have to be deposited by him as security on cost before the case, if his election were upheld obviously the money would be returned to him. This bill, I am sure that is everyone is aware, was occasioned two years in the Cook County election for Sheriff when the unsuccessful candidate in seeking the recount could not afford the type of money that was being requested to secure the recount. I think this insures that in a case where a candidate feels that he has been deprived of his election that if he's willing to take his chances in the recount, he does have to put large sums of money up, it will be returned to him only if he is successful. Obviously, the fact that if he is not successful, the money would be forfeited would defeat any capercious suits of this type. I think that this is good and needed legislation and again I would ask for a favorable vote of the House." "The Gentleman

Bluthardt: "The Gentleman from Cook, Mr. Palmer."

Palmer: "If the sponsor will yield for a question Mr. Speaker?" Phil, does this apply to discovery proceedings also?"

Collins: "Ah...not specifically, no."

Palmer: "How much money has to be put up per precinct?"

Collins: "Ah...I...I don't believe that is specified. I..I.. don't think there is statutory specification of the amount



of money that has to be put....."

Palmer: "Who set the ah... amount?"

Collins: "I ah.... think that the Election Commissioners submit an estimate through the court and I think that the court establishes those costs."

Palmer: "The discretion is in the court then to set the amount, is that it?"

Collins: "Yes, that's my understanding."

Bluthardt: "The gentleman from Cook, Mr. Shea."

Shea: "Well, Phil, what is the normal cost per precinct to recount in an election?"

Collins: "I don't know if there is a normal cost ah.... I can't answer that."

Shea: "Well, let's say in a State Wide Election, what... what would be the cost per precinct would you estimate it at?"

Collins: "I think that I would be unable to estimate a State Wide Race. The ah.... the cost I think would have to vary from one point of the state to the other ah... whether machines or paper are used ah...I really would be at a loss. I think that in the case that I ah.... eluded to in my opening remarks, ah... the race of the Sheriff, I think that they were talking of an amount of about a quarter of a million dollars."

Shea: "All right, then ah....."

Collins: "That was a deposit. I don't believe that that was the actual cost as estimated. I think that that was the deposit that was required."



Shea: "All right, now is the candidate was successful and his deposit was returned to him, ah... who would have to pick up the cost?"

Collins: "I ah... I would .... the local Election Authority would be responsible for the cost."

Shea: "What would that do to the tax rate in some of our counties throughout the state?"

Collins: "I don't think that it would do a thing to the tax rate. I don't think you'd have that many contests ah... that you would be ah...concerned with."

Shea: "Well, what your trying to do with this Bill is to turn around a Supreme Court decision in that case that you talked about where they said that the candidates for public offices ah... after the ah... after the count has been taken, after the varification has been taken, if they want to proceed and still say that the ah... the Election Judges and all of the machinery was wrong ah... that you don't ..... they don't have to pay for it, is that right?"

Collins: "Ah... no, I'm not saying that at all. As a matter of fact ah... the Bill is quite clear that if they lose it they are going to pay for it."

Shea: "That what?"

Collins: "That is they lose they are going to pay. Ah... the candidate is only going to have money returned to him if he is successful. If he loses then his mony is forfeited."

Shea: "Would you explain in this last one where is says that



any money deposited is security for cost by a petitioner in opposition to a petition of an election, must be returned to said petitioner if the judgement of the court is to confirm the election or disclare an elective person whose election is contested."

Collins: "Well, I think that it is obvious that there are two sides to the question and that takes care of the other side. If ah... one side ah... if one side is ah...able to recover his money if his suit is successful, obviously if the other side has to post any deposit and he is successful ah... his money would be returned to him. Ah...it's ah... I think that it's a either or proposition."

Shea: "Well, as I read this; ah... if somebody wants to contest my election, ah.. it would seem to me that the person contesting it has to put up a deposit and I'm required to put up a deposit and if ah... when we get all through I might end up, after the judges have already said that I've been elected, ah... if somebody requires me to put up a deposit ah... I may end up ah... like in the recent recount that we had in the House here. One Member ah... we never require deposits when we have election and you know ah.... we don't require these costs. The Supreme Court says that when the County is paying for it that we require it, but it seems under this Bill, even the candidate declared elected is gonna be required to be putting up deposits. Is that the way I read this?"



Collins: "No, not at all. It doesn't say that you will be required to do anything, but it says that any money that he may have to put up will be returned to him if his ah... if his side of the suit is successful."

Shea: "But after he has been declared the winner and say somebody decides that he must put up a deposit ah.... they could keep that deposit?"

Collins: "I don't ah.... I didn't understand that last statement."

Snea: "Well, under what instance would a candidate declared a winner in a election be required to put up a deposit?"

Collins: "Well, for instance, in ah... Section 23-20 ah.... if a petitioner would specify ah... what precincts ah.. he would want counted. Now the response to that ah... to that petition might ah... specify that he wants other ah.. precincts ah.. counted so you may have a point where he has petitioning that other precincts be counted and he....."

Shea: "That's only in a discovery recount, isn't it?"

Collins: "If he.... if he.... ah... no."

Shea: "Well, in a recount, such as you're talking about ah... they recount every and each and every precinct. You're going into the discovery recount. What you're doing is attempting.....when a candidate... a non-successful candidate....."

Collins: "No, no, I'm not talking about discovery."

Shea: "Well, when.... after a man has been declared a winner



the non-successful candidate, if he's within 5% of the vote, is allowed to open up up to 20% of the precincts for the purposes of discovery. At that point the respondent to that petitioner can ask the same 20% to be opened up to see how it works out. When you go into a full recount of each and every precinct..... well, you're going in and ask for judicial review of an election. It's mandatory that each and every precinct be counted."

Collins: "No,..... no it's not. Section 23-23."

Shea: "You mean that right now, if I want to contest an election that is that close, all I've gotta do in a recount is only recount one or two precincts?"

Collins: "Ya, well.... we're talking about contests other than statewide ah... in Section 23-23. I think you're talking about State Representative..... or General Assembly and statewide contests."

Shea: "Well, I don't ah... follow how a winner in a election is going to be required to deposit something."

Collins: "Well, whether he is or not, I think the important thing that if he is required to post this money, that it will be returned to him upon disposition of the suit in he favor. That's the jest of the Bill."

Shea: "Phil, I see some of the jest of it. I know that you're trying to overturn a Supreme Court Decision."

Collins: "No, know you don't mean that and you know I don't mean that."

Shea: "I absolutely mean it, Phil. You got that big grin on





your face and you know that you mean it."

Collins: "I'm not grinning."

Shea: "What I'm saying here....."

Collins: "Now I am."

Shea: "What I'm saying is.... are you going a step further and now requiring candidates that have been declared winners to post part of the cost of ah... of this election, and I'll give you an example."

Collins: "No, ah... the answer is no."

Shea: "Well, ah... but it looks like that's what you're doing with the Bill."

Collins: "I don't see where."

Shea: "Well, I know Phil, that you don't see where, but when you start bring in this additional language I think that's where you've gotten."

Collins: "There's certainly no requirement there, ah... I... I ah... no, I can't except you argument."

Bluthardt: "Perhaps you can explain it in your closing statement, Mr. Collins. Are there other questions? If not Mr. Collins is recognized to close."

Collins: "Ah... Mr. Speaker and ladies and gentlemen of the House, I think that the ah... Bill has been explained ah... it simply states that any money deposited by either party to a recount on a election contest ah.... is returned to that individual if his petition is upheld. If his suit is successful. I think that ah... recent history shows



the need for this type of legislation to protect candidates to insure that one who is truly elected ah... be certified and if he feels he's been wronged ah... given him the opportunity to redress this for this wrong. Well, if his suit is not successful, then he stands to forfeit the money he may post. I think that it is a fair Bill. It insures that the candidate who is actually elected be treated fairly. It does not discriminate against someone simply because they cannot afford to put ah... large amounts of money forward. I think it is needed legislation and again I would ask for a favorable vote of this House."

Bluthardt: "The question is shall House Bill 219 pass. All those in favor will indicate by voting 'aye' and the opposed 'nay'. The gentleman from Cook, Mr. Shea."

Shea: "I want to explain my 'no' vote. I think that ah... this Bill is going way beyond what Representative Collins wants to overturn in the Supreme Court Suit and I think he's going to force successful for public office to post bond in certain recount decision and I don't think that that is what he meant to do."

Bluthardt: "For what purpose does the gentleman from Cook, Mr. Collins wish to be recognized?"

Collins: "Ah.... point of order or point of personal previlage I don't know which, Mr. Speaker ah...."

Bluthardt: "Proceed, Sir."

Collins: "The gentleman persists on putting words in my mouth about overturning the Supreme Court. I have no intention



of doing so ah... I don't believe that the Bill does , but regardless ah... I answered his question in the negative regarding the Supreme Court and I think that he ah... he should desist in contributing words or motives to me of which I am not guilty."

Bluthardt: "Have all voted who wish? Maragos, present. Take the Roll. On this question there are 124 'ayes' and 15 'nays' and 2 'present and House Bill 219 having received the constitutional majority is hereby declared passed."

Fredric B. Selcke: "House Bill 220. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

Bluthardt: "The gentleman from Cook, Mr. Collins."

Collins: "Mr. Speaker and ladies and gentlemen of the House, House Bill 220 amends the Election Code to provide ah... that voters who are ah... unable to read the English language would receive voting instructions outside the voting booth, rather than inside the booth or the machine. It would provide that they may receive instructions outside the booth on the model machine and I would move for the support of the House for House Bill 220."

Bluthardt: "The gentleman from Cook, Mr. McGah."

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

Bluthardt: "He indicates that he will."

McGah: "Representative Collins, ah.. don't you think that this is very likely to violate the secrecy of a ballot?"

Collins: "I don't see how. The present law would allow for instruction inside the voting booth and actually assistance



in marking the ballot. Actually there the two judges have watched the voter mark his ballot. Here all we are providing for is that instruction of voting be given outside the voting booth. I think that it moves in the opposite direction that you suggest. You must remember that this is only English language difficulty."

McGah: "Suppose for example, the voter wanted to vote for Collins for State Representative and outside the polling booth he ah.... he ah... he talked to the Judges and he says, 'I want to vote for Collins, where will I mark my ballot if I vote for Collins?' I'm thinking of other people in the polling place hearing this."

Collins: "I think that if he was going to come in and say something like that, he'd do it under the present law. I mean ah... we're not changing that. He asks for instructions and if he asks how to vote for McGah ah... he can be shown on the model machine and that's what we're trying to ah....do with this Bill ah... that he would be shown on the model machine outside the booth rather than on the ah... main machine inside."

McGah: "May I speak to the Bill, Mr. Speaker?"

Bluthardt: "Proceed."

McGah: "Mr. Speaker and ladies and gentlemen of the House, I think that this is a very dangerous move. It's definitely in the wrong direction because the way it is now ah... the voter that needs assistance goes into the polling booth with the judges, a judge of each party, and he tells the



judges how he wants to vote, and they help him vote the way that he wants to. The protection is the fact that there's judges of each party going into the polling booth with him. This other thing, ah... anything can happen outside the polling booth that makes the matter public ah... to anybody else who happens to be in there waiting to vote. I think that it is a very very bad precedent, a step in the wrong direction and it should be defeated. Thank you."

Bluthardt: "The gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, I have no questions, I just want to speak directly on the Bill. I think that this is a very bad Bill and it represents a very bad departure because what you're doing is trying invalidate the intent of the voter. Now under the present law, the voter simply asks for assistance and you're talking about people who cant speak and write the English language. They simply ask for an instruction and you get a judge of both political parties to enter with them and help them effectuate their intent. Now they do this because they are actually voting on the machine. However, what this Bill would do would be to say that you've got to get outside of this particular area and you've got to stand now on what are known as the demonstration boards. The demonstration boards do not have all of the candidates names listed as such. You must stand outside and attempt to have a person who has the language barrier transfer from one little demonstration device to a complex machine when they get inside. It is impossible for this person to



effectuate actually everything that they want. They only have a limited amount of time. They can't come back out of the booth and ask how do I now vote for another party? I should like to point out if your talking about fairness, there is not demonstrator yet that shows you how to vote if you want to vote on the Socialist line or for someone else. I'm saying that you're making a extremely complex operation out of a simple task of voting. All the voter does, once he's certified that he does not read or write the English language, all you're simply saying to him is, 'I want to effectually cast my ballot for those people of my choice.' What you're doing by this Bill is saying we're going to give you the double shuffle, a quick shuffle, we're going to you outside on a little device that does not represent the machine inside. We're going to show you on this device and it's up to you to remember to carry everything in your head and to go back in that particular ballot booth and vote. This is an error, it's a tragedy, and it's a effort to emasculate the vote of non-English speaking people and I think that everybody with good conscience and good will ought to arise against this type of Bill because it has been a fundamental principal that we are for increasing the voting and not decreasing it. This is a very bad Bill."

Bluthardt: "Gentleman from McLean, Mr. Bradley."

Bradley: "Mr. Speaker and ladies and gentlemen of the House, I'd like to address myself to the Bill and just echo the



sentiments of the previous Speaker and call to the attention to all ah... everybody on the floor of the House, that this one Bill out of the package of none others should be defeated because it makes it very difficult for a person to go in and vote after his been given some help on the outside of the polling booth and I don't see anything wrong with the way that the present law is that allows a judge from each party to go into the booth and advice the person ah.... and help him vote. This would hinder the voting process more than helping it and I don't want to labor the point, but I hope that we defeat this particular Bill soundly."

Bluthardt: "The gentleman from Sinclair, Mr. Krause."

Krause: "Thank you Mr. Speaker. Well, Mr. Speaker and Members of the House, I agree that this Bill should be defeated. I don't think that it could have been put any better than Representative Ewell put it. When you try do demonstrate to a voter on a sample voting machine, there is no way that all of the candidates names are put on this sample machine. Not only that, none of the names are put on that sample machine. That's merely a machine to show you how to open and close the curtain, how to push down a lever that would register a vote. There's no way that you could instruct or help a voter on a sample voting machine. What this Bill does is deny the right of an individual who cannot read or write the English language the right to vote. That's exactly what it does and I think that this Bill should be soundly defeated."



Bluthardt: "The gentleman from Cook, Mr. Maragos."

Maragos: "Ah... I would like at this time if the Sponsor would yield for a question?"

Bluthardt: "He indicates that he will."

Maragos: "All right. Representative Collins, do you know how Emil Philipo at 9106 Greenwood Avenue votes?"

Collins: "Who?"

Maragos: "Emil Philipo, 9106 South Greenwood Avenue in our district.... the 30th District?"

Collins: "I think he's a reletive of Representative Giglio and he votes Democrat, I think."

Maragos: "Ah... do you know how Irene Maragos ar 2616 East 91st Street votes?"

Collins: "No, I ah... can only assume and make an assumption."

Maragos: "All right. I would like to inform the Members of the House and the Speaker that Mr. Philipo happens to be the grandfather of ah... our Representative Giglio and Irene Maragos happens to be my mother and neither of them are English speaking or English writing citizens and they both have been voting for over 50 years and they have only been able to do this by the fact that they can get assistance when they go into the booth. I think that this Bill is motivated by the fact that Emil Philipo is the only one who gives a bullet vote to Giglio and Irene Maragos is the only one who gives a bullet vote to Sam Maragos and therefore I think that this Bill should be defeated on that count alone."





Bluthardt: "The gentleman from Will, Mr. Sangmeister."

Sangmeister: "Phil, it's been eluded too by other Speakers on the floor and I want to hear it from the Sponsor of the Bill himself, would you yield for a question?"

Collins: "Sure."

Sangmeister: "Is it true that after the voter has been given the presentation outside the booth on the mockup machine, that if he does later on need further instruction inside the voting booth, that under your Bill this will be prohibited?"

Collins: "Yes, he'd have to come out of the booth, ah... he wouldn't be able to take anyone in with him."

Sangmeister: "That does make it a bad Bill, thank you."

Bluthardt: "The gentleman from Cook, Mr. Lundy."

Lundy: "Mr. Speaker and ladies and gentlemen of the House, there's been some comment on this floor that what this Bill does is to put non English citizens at their parrell to remember every name on the ballot in it's position when they go into the polling place. Now, I would like to ask the Sponsor several questions. It's not unusual ..... Mr. Speaker, could we have some order, please? It's not unusual for election authorities to print specimen ballots which show.... in both paper ballots and machine ballot precincts ah.... now would the Sponsor tell me whether it is his understanding of this Bill that it would prohibit a judge furnishing to a voter a copy of a specimen ballot ah... for that voter to take into the polling booth



with him to use while he is casting his vote?"

Collins: "No, there is nothing in the Bill that would prohibit that."

Lundy: "Now, is there anything in the Bill that would prohibit a non English speaking voter from taking into the polling booth with him a sample ballot provided by a Precinct Captain or a political party or a family relative or anybody else?"

Collins: "No, not at all. He's allowed to take these specimen ballots into the ah...into the ah... polling booth under present law and this changes nothing."

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

Bluthardt: "You may."

Lundy: "I would like to speak strongly in favor of this Bill. I think that answers of the Sponsor have just destroyed any arguments that ah... this Bill places non English speaking voters at a impossible disadvantage from which they cannot recover. Yes, it does require then to take a sample ballot or a specimen ballot or a set of recommendations, perhaps written in their own language into the polling place with them. The only thing that this Bill really prohibits is that Precinct Captain or a Election Judge going into that polling booth with the voter and pulling the levers for them and that happens every day that there is an election in my district. It happens in districts all over this state, I'm sure and it's a bad business and I think that we ought to prohibit it."



Bluthardt: "The gentleman from Macoupin, Mr. Boyle."

Boyle: "Thank you Mr. Speaker. By the time we got around to me ah... most of the well put objections have already been raised to this Bill. I oppose this Bill in addition to the very fine reasons given because of the fact that I'm afraid that you're going to embarrass these people ah... by having them outside the booth by having the judges around you're going to make them stick out like sore thumbs and you're going to embarrass them and I'm afraid that you're going to discourage voting. Some of these people are afraid to go to the polls the way it is and if you provide for them to be tutored outside in front of the public and in front of the other voters, I think that it's even going to be harder to get them to go to the polls. I think you're going to discourage voting of these people and I would hope that we would beat this Bill."

Bluthardt: "The gentleman from DuPage, Mr. Hudson."

Hudson: "Mr. Speaker, and ladies and gentlemen of the House, I've been listening with interest to the debate on this particular Bill. It's seem to me that the efficacy of the Bill is demonstrated it's ah...so clearly evident that I am indeed surprised at the amount of argument about it. If... if in my mind ah... it appears that the voters seeking instruction was being denied of that privilege or placed at a disadvantage in that ah... regard, I would be opposed to the Bill, but I think the Sponsor has clearly indicated that none of the voter privileges of receiving



information that he truly needs will be denied him. He will be given all of the instruction. He is permitted the sample ballot to take into the booth with him and I think what we are doing here is doing what we can to provide against the possibility of ah... collusion or of the ah... wrong doing inside of the booth. I also that that we are keeping the light.... in other words we are giving the instruction in the broad daylight outside of the shadows of the curtains of the voting booth and I think that this is indeed proper. Another thing that we are doing with this Bill I think, is perserving the sanctity of the secret ballot and if we are to air at all, let us air in the sanctity of the secret ballot, assuming information to the voters seeking it. Let us air in that rather than take the chance of compounding the possibility of collusion or fraud or dishonesty, which an result from somebody being with the voter in the voting booth. I think it's a good Bill, it's a needed Bill and I certainly would add my ah... urging to vote for the Bill."

Bluthardt: "The gentleman from Cook, Mr. Berman."

Berman: "Thank you. Mr. Speaker, I stand in opposition to this Bill. I think that what the previous Speaker referred to and the gentleman from the 11th District who spoke right before him, ah... are forgetting about is that right now a non-English speaking person can go into that booth and the secrecy of his ballot in maintained because it's only between him and two judges. When you require them to be



instructed outside of that voting booth, you're abolishing the secrecy of that ballot because it's going to out in front of dozens of other people who do not have the privilege or the sanctity of those judges. In a fact, what you are going to do here is to embarrass and to humiliate thousands and thousands of Spanish speaking and foreign speaking people, people who we have tried to address ourselves to both as a form of ah... Spanish instructions, both in the form as encouraging them to exercise their right to vote. I can tell you from my own personal experiences, ah... many times that little old Jewish ladies that came in to vote that were able to vote because they we're given secret instructions and assistance in that voting booth by the ElectionJudges. They were not humiliated in front of all of the other people who were standing there waiting to vote. I want those people to continue to vote so I'm going to vote 'no' on this Bill."

Bluthardt: "The gentleman from Cook, Mr. Kosinski."

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

Bluthardt: "The gentleman has moved the previous question.

All those in favor of the previous question indicate by voting 'aye' and those against 'no'. The 'ayes' have it and the Chair recognizes Mr. Collins to close."

Collins: "Thank you Mr. Speaker and ladies and gentlemen of the House, ah... I think that we've listened to alot of arguments against the Bill and I'm reminded of a phrase



of an old friend of ours, Representative when he talked about sawdust and smoke. A lot of smokescreen has been thrown up on this Bill, but the point remains that if there is any area where the voting rights of the individuals may be violated, it's in this area of assistance voting and I think it important that instruction ah... be given outside the polling booth and not inside the booth ah.... and not hide behind the present law, which says that one judge of each party would be in there with the individual. As you Mr. Speaker, and I ah... went through Sub-Committee Hearing last year in Chicago ah... at which time we heard continuing testimony as how all of the judges of election were on the same side in the polling places that we ah.... took testimony on and we all know that there have been a number of indictments and a number of convictions ah... in these cases where election judges have violated their authority. I think that this is an area where if we are going to insure fair and honest elections throughout the State of Illinois, this is a big step in that direction. If people are to get assistance ah.. in instruction in how to cast their ballot, let's have it outside the polling booth and not inside that booth where anything can go on. So I think that this is very very important legislation and I would earnestly urge every Member of the House to support this very important piece of legislation."

Bluthardt: "The question is shall House Bill 220 pass. All those in favor will vote 'aye' and those opposed will vote



'no'. The ~~gentleman~~ man from Cook, Mr. J.J. Wolf."

Wolf: "Well, Mr. Speaker and Members of the House, ah... I'm sorry to say ~~that~~ this is the only Bill of this package that I cannot support. I've talked to the Sponsor before ah... and I ~~have~~ great reservations and I don't see anything wrong ~~with~~ people getting instruction at the voting booth as long ~~as~~ there is one judge of each party present and so long ~~as~~ it is done before they enter the polling booth and ~~the~~ curtain is closed for them to vote and I have to vote 'no'."

Bluthardt: "The ~~gentleman~~ man from ah... Macon County, Mr. Borchers."

Borchers: "Mr. Speaker and fellow Members of the House, there's another reason that's never been touched upon that should be used for ~~considering~~ this particular Bill and I use for explaining my vote. Now all of us here, most of us here in one way or another are descendants from other people who speak other languages. The very fact that Representative Berman has mentioned about his, I believe his grandmother, is fine, but by having people who cannot speak the English language well, particular the Spanish speaking, to be made....to be forced in fact, to publicly be explained to them how and what the voting process is will help them physiologically to ah... get themselves out of that position and encourage them to speak the language of the country that they now belong. It's very obvious that if we continue to contribute funds for ah... Bills like we have in the past we're only contributing to the separation of the peoples of



country. Most of us here in the backround, in the past, have spoken other languages. This one common language is what binds us together. This Bill will help promote the binding together of the American traditions, American democracy, and American way of life of the American language, because we have our own language. It's no longer English. so I'm in favor of this Bill and I think we should use this as one of the tools for our country."

Bluthardt: "The gentleman from Cook, Mr. R. Dunn."

Dunn: "Mr. Speaker and ladies and gentlemen of the House, we have been voting on Election Bills now for ah... several hours and this is the first Bill that appears like it's going to have a difficulty passing and in my opinion, it is the one that should pass more than any other. On the county that I live in where one party has, in certain areas of the county, such total control, in effect, the judges of elections are controlled by one party and I know of many many instances where when the two judges supposedly the two judges are one from each party go behind that booth into the booth with that voter, they're voting for him. This is going on constantly. This is an important Bill. and it certainly deserves the support of anyone who is truly truly interested in honest elections."

Bluthardt: "The gentleman from Cook, Mr. William Walsh."

Walsh: "Well, Mr. Speaker and ladies and gentlemen of the House, this Bill really gets right to the meat of the election reform. There isn't anyone here that doesn't know that in





many precincts it is impossible to get a judge of the opposite party. In Chicago, for example, you... in many precincts and many wards you can't get a true Republican Judge. You can get judges who a nominally Republican, they're called Republican, but they're not Republican and we all know it. Now one of these and a Democratic Judge goes into the polling booth with the ah... person who can't speak the English language and they vote. Now this, Mr. Speaker, this is at the root of this Bill. This is really the heart of election reform. If we're going to let two people who are really of the same political party go into a polling booth with someone who doesn't understand the English language, then there is not question of how that person is going to vote if they are inclined to be corrupt at all. We know that there are some corrupt practices going on in elections in part of this state. There is nothing in the world wrong with this Bill and it ought to pass."

Bluthardt: "The gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, and ladies and gentlemen of the House, again we're hearing from some fork tongues. I suggest that we say to the foreign voter, 'You may not have any help in the polls, however we as legislators when we attend all of our little meetings, we can't remember the instructions passed out by the leadership. We have to take in our little crib notes to help us. I suggest again that we are being two faced and insincere. Again all you're attempt-



ing to do is disfranchise a portion of foreign born voters, nobody else. I think that this is unreasonable. You're being arbitrary about it and if you really believe it that way, leave your own instruction sheet home and quit coming to meetings ah... these Committee Meetings with a little crib sheet. Remember what you're told."

Bluthardt: "Have all voted who wish? The gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you Mr. Speaker. At the appropriate time, I'd like to ask for a varification."

Bluthardt: "The gentleman from Cook, Mr. Collins."

Collins: "Well, Mr. Speaker, in explaining my vote, I just would like to emphasize that I think that this is very important legislation. This is drying up a source of potential abuse. It's been suggested that we are doing something that shouldn't be done. Well, I would like to point out to the Membership that the present law already specifies that this is the law where ah... in precincts where electronic voting devices are used. No instruction can be given after the voter enters the booth. We are not doing something that is inconsistent with the code. As a matter of fact, we're bring areas with paper ballots and voting machines ah... into consistency with ah... the provisions in electronic voting precincts. I think that it is good legislation and I am happy to see that the Bill apparently has enough green lights up there, but in an effort to insure that it may get a couple more, I would like



to ask for a poll of the absentees."

Bluthardt: "The gentleman from Macoupin, Mr. Boyle."

Boyle: "I beg to disagree with the Sponsor of this Bill. I think that it is a terrible Bill and I'd like to ask him how he'd like to stand out there in front of that voting booth if he couldn't read or write in front of his neighbors and friends and have somebody out there explaining to him how to vote in front of these people. I think that we are going to have a very difficult time getting these people to polls. I think that it is unfortunate that we have illiterate people in this state, but I think this is a terrible Bill to have them out there and have them broadcast the fact that they are illiterate to their friends and their neighbors and you're never going to get these people to the polls. Especially in these counties where you go into voting machines for the first time, like Macoupin County. We're going to have a hard enough time trying to teach them how to vote on the machines and if you pass this Bill, we're going to have to have them advertise to their friends and neighbors that they can't read and write. We're going to have a hard time getting them there anyhow. It's a terrible Bill and it should be defeated."

Bluthardt: "The gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, may I explain my vote? My vote is predicated on the assumption that in our democracy we intend to get qualified and informed citizen in our United



States to participate in this democracy. This Bill excludes a certain portion of those people in terms of their egos, their inabilities, and so forth. On that basis, I do not wish to exclude a portion of our voters, I must vote against this bad Bill."

Bluthardt: "The gentleman from Cook, Mr. Berman."

Berman: "In explaining my vote, Mr. Speaker, I'd merely point out that we just passed some Bills, one of which increases the criminal penalties for violation of the voting of the Election Code. Before I'm willing to disfranchise the non-English people, I want to see that put into force first, before I take away the right to vote of the non-English speaking. That's why I'm voting 'no'."

Bluthardt: "The gentleman from Cook, Mr. Lemke."

Lemke: "Being from an area that represents most of the people that come over here and become citizens who are dedicated and who fight for this country and spill their blood, but still cannot speak or write or read the English language, I think that this is a disaster. I'm pleading to those people of Frothic descent and other nationalities on the other side of the aisle, remember when your forefathers came over here and they could not read or write English? These are the people that we're voting for now. They are going to be..... your descendants are going to look back on you to the discriminate against the foreign speaking people. The people who work with their bodies and their hands. It'll put this country on the map, people who fought



in this country and died and spilled their blood for us, who are not citizens, but became citizens after the wars. Remember these people? This is what your doing, you are discriminating. Your discriminating against the Frothic and all the other ethnic groups. This is not good. There are certain people in this House that come from ancestries who have discriminated against these people and we through the years have fought against this discrimination and we don't want discrimination now and this is what your doing. Your subjecting these foreign speaking people to embarrassment in front of their people who..... and this is wrong. You cannot explain to a voting room full of 50 people that you cannot read or write in English. These people won't come out to vote and if this is what you want to do than let's go back to before the Revolutionary War. That's what you want, go back to it and appoint a King, that's what you want."

Bluthardt: "Will the gentleman wind up his remarks? Your time has expired."

Lemke: "That's all."

Bluthardt: "The gentleman from Cook, Mr. Merlo."

Merlo: "Mr. Speaker and Members of the House, I happen to be Ward Committeeman of the Ward that does have a great number of Latin speaking people that are decent honest people, that do have a problem in communication. If there is ever a Bill that is going to discourage these people from exercizing their rights as citizens, it's this Bill



here. You and I know that the present system confines the communication between three people; the two judges and the individual that is in the booth. Now your coming in with a peice of legislation that will only permit them to communicate outside of the booth. This could mean that there will be people, ah... and it could be five people, ten people, or twenty people that will hear the questions involving a person who wants to split his ballot. Now is you think that these people are going to be coming back election after election and be subjected to the same embarrassment, well.... I tell you they are not. I honestly feel that morally we should not support a Bill of this type that will discourage these people from coming in and voting at election time and I say you should change your vote from green to red."

Bluthardt: "The gentleman from Cook, Mr. Thompson."

Thompson: "Mr. Speaker, in explaining my 'no' vote, first I want to say that in my third term here that this is the worst Bill I've ever seen come before the House. Some of the previous Speakers have expressed some of my ideas. In my district I have the Latin speaking people. I have Indians, and I have some black people who are not educated up to the point and not sofisticated enough to know how to vote to no fault of their own and these people are going to be discriminated against and won't be able to vote. I get so sick and tired of these white hat warriors that want



to make everything so perfect and they are being exposed more and more everyday. This is the worst Bill that I've seen in this House in my time here and it should be defeated. Thank you."

Bluthardt: "Have all voted who wish? Take the Roll. On this Bill there are 97 'ayes' and 70 'nays' and this Bill having received the constitutional majority is hereby declared passed. For what purpose does the gentleman from Cook, Mr. Huskey wish to be recognized?"

Huskey: "Mr. Speaker, I had a constituent with some very very important business that I had to attend for a while this morning and I would like to vote 'aye'.... it won't change the vote one way or the other, ah... it won't change the results, I mean, on 212, 213, 214, 215, and 216."

Bluthardt: "Does the gentleman have leave? The gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Mr. Speaker, I ask for a varification at the appropriate time and I'd like to reconsider that and I'd like to ah... again ask for a varification, Mr. Speaker."

Bluthardt: "I think that the vote has already been announced."

Lechowicz: "Mr. Speaker, I asked for that instead of explaining my 'no' vote on that Bill, I asked that at the appropriate time I request for a varification on that Bill."

Bluthardt: "All right, we'll go back to it, but the gentleman has asked to have leave to be voted 'aye' on the Bills that he inumerated, does he have leave? Now we have a request for a poll of the absentees. The Clerk will proceed



to poll the absentees."

Fredric B. Selcke: "Carter, Fleck, Granata, Hart, Kelly, Mahar, McGrew, Schisler, Stedelin, Telcser, Tipsword."

Bluthardt: "The Clerk will proceed with the varification of the Roll."

Fredric B. Selcke: "Anderson, Arnell, Blades, Bluthardt,"

Bluthardt: "For what purpose does the gentleman from Cook, wish to be recognized, Mr. Lechowicz?"

Lechowicz: "Mr. Speaker, I was hoping that when a Members name are called they'd raise their hand because these books ah... the way that they are piled, ah... it's pretty hard to see them."

Bluthardt: "All right, I'll raise my hand."

Fredric B. Selcke: "Borchers, Campbell,"

Bluthardt: "For which purpose does the gentleman from Cook, Mr. Berman wish to be recognized?"

Berman: "Would you ask that the Members of the House please be in their seats so we can varify this properly?"

Bluthardt: "I'll ask that. Will the Members of the House please be in your seats so that you can be varified?"

Fredric B. Selcke: "Catania, Chapman, Clabaugh, Collins, Cox, Cunningham, Day, Deavers, Deuster, Douglas, Duff, Ralph Dunn, R.L. Dunne, Dyer, Ebbesen, Epton, Friedland, Geo-Karis, Gibbs, Griesheimer, Grotberg, Harpstrite, Hirschfeld, Gene Hoffman, Ron Hoffman, R. Holloway, J. Houlihan, Hudson, Hunsicker, Huskey, Hyde, Jaffe, Dave Jones, Juckett, Katz, Keller, Kempiners, Kent, Klosak,





Kriegsman, Kucharski, LaFleur, Lauer, Leinenweber, Lundy, Macdonald, Mann, Martin, McAuliffe, McAvoy, McCormick, McCourt, McMaster, Kenny Miller, Tom Miller, Molloy, Mugalian, Murphy, Neff, North, Palmer, Pappas, Phillip, Pierce, Piotrowicz, Polk, Porter, Randolph, Rayson, Rigney, Rose, Ryan, Schlickman, Schneider, Schoeverlein, Sevcik, Timothy Simms, Skinner, Soderstrom, Springer, Stiehl, Totten, Tuerk, Waddell, All, R. Walsh, W. Walsh, Walters, Washburn, Mr. Speaker."

Bluthardt: "Are there any questions on the Roll? Mr. Lechowicz."

Lechowicz: "Mr. Speaker, what's the ah... total now?"

Bluthardt: "There was 96 'ayes' and 70 'nays'."

Lechowicz: "Thanks. Representative Neff."

Bluthardt: "He's ah... just walking up the center aisle."

Lechowicz: Representative Arnell."

Bluthardt: "Is Representative Arnell here? He's in the back of the room."

Lechowicz: "Representative Blades."

Bluthardt: "Representative Blades? He is in his seat."

Lechowicz: "Representative Chapman."

Bluthardt: "Representative Chapman is in his seat."

Lechowicz: "Ah... Roscoe Cunningham."

Bluthardt: "Roscoe Cunningham ah.... Representative Cunningham is in his seat."

Lechowicz: "Representative Duff."

Bluthardt: "Duff is here."



Lechowicz: "Representative Gibbs."  
Bluthardt: "Representative Gibbs is to the rear of the room."  
Lechowicz: "Representative Telcser."  
Bluthardt: "Ah... he is not voting."  
Lechowicz: "Representative Hoffman." Ah.... Gene."  
Bluthardt: "Representative Gene Hoffman is in his seat."  
Lechowicz: "Ron Hoffman."  
Bluthardt: "I ah... I take that back. Ron Hoffman is in his seat. Is Gene Hoffman here? We'll take Gene Hoffman off."  
Lechowicz: "Representative Jaffe."  
Bluthardt: "Representative Jaffe is in his seat."  
Lechowicz: "Representative Keller."  
Bluthardt: "Representative Keller is to the rear of the room."  
Lechowicz: "Representative Kucharski."  
Bluthardt: "Representative Kucharski is in his seat."  
Lechowicz: "Representative Rose."  
Bluthardt: "Representative Rose is in his seat."  
Lechowicz: "Representative Sevcik."  
Bluthardt: "Representative Sevcik is in his seat."  
Lechowicz: "Representative Rayson."  
Bluthardt: "Representative Rayson ah.... must have taken a walk because I saw him waving both hands when he was being varified. Rayson, take him off."  
Lechowicz: "Representative Pierce."  
Bluthardt: "Representative Pierce is in his seat."  
Lechowicz: "Katz."  
Bluthardt: "Representative Katz is in his seat."



Lechowicz: "Representative Mann."

Bluthardt: "Representative Mann is in his seat."

Lechowicz: "Representative Martin."

Bluthardt: "Representative Martin is in her seat."

Lechowicz: "Representative Jim Houlihan."

Bluthardt: "Representative Jim Houlihan is on the side over there." Here come Mr. Rayson again so the Clerk will put him back on the Roll."

Lechowicz: "Thank you, Mr. Speaker."

Bluthardt: "Mr. Arnell, for which purpose do you wish to be recognized?"

Arnell: "How am I recorded?"

Bluthardt: "You are recorded as voting 'aye'."

Arnell: "Thank you."

Bluthardt: "On this ah... Bill there are 95 'ayes' and 70 'nays' and this Bill having received the constitutional majority is hereby declared passed. For what purpose does the lady from Cook, Mrs. Martin wish to be recognized?"

Martin: "Thank you very much Mr. Speaker. Ah... Mr. Sharp isn't here right now but I was hoping that since yesterday was his birthday that Mr. Tipsword might be kind enough to lead in a Happy Birthday song for John Sharp."

Bluthardt: "Does Representative Tipsword feel like voting ah... or singing the Happy Birthday song to John Sharp who is absent."

Tipsword: "If everyone else will, but I don't see Representative Sharp on the floor."



Bluthardt: "He's not here, I thought you would sing to him anyway. Go ahead and sing to him. We'll copy it and send him a copy of the recording."

Martin: "Mr. Speaker, will you please put that on postponed consideration?"

Bluthardt: "For what purpose does the Representative from Peoria wish to be recognized? Representative Day."

Day: "Mr. Speaker and ladies and gentlemen of the House, I ask leave to return House Bills 717 and 718 to the order of Second Reading. They were advanced to the order of Third Reading this morning and it appears that Amendment #2 in both Bill is inconsistent with Amendment #1 and I would like to return them to Second Reading so that we can ah... prepare ah... and ah... adopt a corrective amendment."

Bluthardt: "Ah... House Bill 220 and 221?"

Day: House Bill 717 and 718."

Bluthardt: "Does the gentleman have leave to bring House Bill 717 and 718 back to the order of Second Reading for ah... amendment purposes? Hearing no objections ah... leave has been granted. The gentleman from Lawrence, Mr. Roscoe Cunningham."

Cunningham: "Mr. Speaker, I would like to inquire, what rule do we rely on for these premature threats of varification that we witness with increasing frequency during the course of a Roll Call? Now my point is this; that the request for varification logically should come after the Roll Call is in. The only possible purpose for it is for



intimidation. It is demeaning to this House that any Member be subjected to that particular threat unless there is a rule that justifies it, it should be forbidden. I would welcome the Speaker's citation to any rule that permits such a premature assertion of the right of the particular claimant."

Bluthardt: "I know of no rule that permits it; not do I know of any rule that prohibits it."

Cunningham: "Good conduct would seem to forbid it, Mr. Speaker. None of us should labor under that particular threat and we hope that you would agree."

Bluthardt: "The gentleman from Cook, Mr. Randolph."

Randolph: "Mr. Speaker, before we adjourn I would like to announce that the Revenue Committee will meet in D1, fifteen minutes following adjournment."

Bluthardt: "Any further announcements? The Election Committee will meet a half hour after adjournment in Room M5. The gentleman from Cook, Mr. William Walsh."

Walsh: "Mr. Speaker, the Speaker has asked me to announce that ah... according to present plans we will adjourn on Thursday and we will return here next Monday, after adjourning on Thursday, at 2:00 Monday afternoon, so that you can plan accordingly."

Bluthardt: "General Resolutions."

Fredric B. Selcke: "House Joint Resolution 36, DiPrima et al. House Joint Resolution 38, DiPrima et al. House Joint



Resolution 39, DiPrima et al. House Joint Resolution 40,  
Skinner."

Bluthardt: "The gentleman from Cook, Mr. Walsh."

Walsh: "Ah.... Couch Deavers has asked me to announce also,  
Mr. Speaker, that the softball practice for the ah...  
House team will be tomorrow at 6:00 instead of 7:00 at  
Lincoln Park. Now Mr. Speaker, I move that the House....."

Bluthardt: "For what purpose does the gentleman from Cook,  
Mr. McAvoy wish to be recognized?"

McAvoy: "For the purpose of announcement. The Banks & Savings  
and Loan Committee will meet immediately after adjournment  
on the floor of the House."

Bluthardt: All right, introduction of Bills."

Fredric B. Selcke: "House Bill 1918, Telcser. A Bill for an  
Act making an Appropriation Department for the Local  
Governmental Affairs, First Reading of the Bill."

Bluthardt: "The Chair recognizes William Walsh."

Walsh: "Mr. Speaker, I move that the House adjourn until  
9:30 tomorrow morning for perfunct resession, 10:00 for  
regular session."

Bluthardt: "The motion is to adjourn. All in favor indicate  
by saying 'aye', contrary by saying 'no'. The House is  
now adjourned."

