

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

FIFTY-FOURTH LEGISLATIVE DAY

MAY 14, 1973

12:00 O'CLOCK NOON

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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

Representative Bernard E. Epton - no reason given;
Representative Peter C. Granata - illness;
Representative Gene L. Hoffman - no reason given;
Representative Herbert Huskey - no reason given;
Representative Henry J. Klosak - illness;
Representative Romie J. Palmer - no reason given;
Representative James Philip - no reason given;
Representative William R. Redmond - no reason given;
Representative Eugene F. Schlickman - no reason given;



1.

Speaker Blair: "The House will be in Session. The invocation will be by Dr. Johnson."

Dr. Johnson: "We pray. In the words of the sonnet, O Lord God, grant us the blessedness of that man who walks not in the council of the wicked or stands in the way of sinners or assist in the way of sinners or sits in the seat of scoffers but whose delight is in the law of the Lord. Grant that we may meditate upon Your words so that we may be like trees planted by the streams of the water which yield their fruit in due season. You O Lord know the way of the rightness, bless therefore the work of our hands in this Assembly today that all of our doings and words may be found pleasing in Your sight to end of Your will be accomplished in our midst and that the ultimate glory of Your name be obtained by what we do. We pray this in the name of our Savior. Amen."

Speaker Blair: "Roll Call for attendance. Messages from the Senate."

Clerk Selcke: "A message from the Senate...."

Speaker Blair: "Wait... just a moment. For what purpose does the Gentleman from Cook, Mr. Sevick, rise?"

Sevick: "Mr. Speaker, will you have the Journal show that Representative Klosak, is absent due to illness."

Speaker Blair: "The Journal will so indicate. Committee Reports."



Clerk Selcke: "Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill of the following title and passage of which I am instructed to ask concurrence of the House of Representatives to which Senate Bill 408, passed by the Senate May, 8, 1973. Edward E. Fernandes, Secretary."

Speaker Blair: "Committee Reports."

Clerk Selcke: "Mr. Tuerk from the Committee on Industrial Affairs, to which House Bill 1055 was referred, reported the same back with Amendments thereto, with the recommendation that the Amendments be adopted and the Bill is amended do pass. Mr. Tuerk from the Committee on Industrial Affairs, to which House Bills 1104 and 1631 were referred, reported the same back with the recommendation that the Bills do pass. Mr. Rose from the Committee on Judiciary I, to which House Bills 797, 1172, 1206, 1207 and 1258 were referred, reported the same back with Amendments thereto, with the recommendation that the Amendments be adopted and the Bills as amended do pass. Mr. Rose from the Committee on Judiciary I, to which House Bill 1018 was referred, reported the same back with the recommendation that the Bill do not pass. Mr. Rose from the Committee on Judiciary I, to which House Bills 1029, 1272, 1538, 1549 and 1659 were referred, reported the same back with the recommendation that the Bills do pass. Mr. Rose from the Committee on Judiciary



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2.

I, to which House Bill 1062 was referred, reported the same back with the recommendation that the Bill do pass. Mr. Rose from the Committee on Judiciary I, to which House Bill 1297 was referred, reported the same back with Amendments thereto, with the recommendation that the Amendments be adopted and the Bill as amended do not pass. Mr. Duff from the Committee on Judiciary II, to which House Bills 745 and 786 were referred, reported the same back with the recommendation that the Bill do not pass. Mr. Duff from the Committee on Judiciary II, to which House Bill 772, 842, 877 and 941 were referred, reported the same back with the recommendation that the Bills do pass. Mr. Duff from the Committee on Judiciary II, to which House Bill 773 was referred, reported the same back with the recommendation that the Bill do pass and rereferred to appropriations. Mr. Duff from the Committee on Judiciary II, to which House Bills 776, 843 and 982 were referred, reported the same back with Amendments thereto, with the recommendation that the Amendments be adopted and the Bills as amended do pass. Mr. Duff from the Committee on Judiciary II, to which House Bill 779 was referred, reported the same back with the recommendation... with Amendments thereto, with the recommendation that the Amendments be adopted and the Bills as amended do not pass. Mr. Duff from the Committee on Judiciary II, to which



House Bill 865 was referred, reported the same back with Amendments thereto, with the recommendation that the Amendments be adopted and the Bill as amended do pass. Mr. Duff from the Committee on Judiciary II, to which 1086, 1087, 1088 and 1089 were referred, reported the same back with the recommendation that the Bills do pass. Mr. McMaster from County and Townships to which House Bill 515, 516 were referred, recommend the Bills be assigned to Intern Study Commission... Committee Calendar pursuant to Rule 23. Mr. Dyer from Higher Education to which House Bills 795 and 796 were referred, recommended the Bills be assigned to Intern Study Calendar. Mr. Capuzi from Human Resources to which House Bill 1292 is referred, recommends the Bill be assigned to Intern Study Calendar. Mr. Wall from Registration and Regulation to which House Bill 752 were referred, recommended the Bill be assigned to Intern Study Calendar. Mr. Randolph from Revenue to which House Bill 922 is referred, recommends the Bill be assigned to Intern Study Calendar."

Speaker Blair: "Agreed Resolutions."

Clerk Selcke: "House Resolution 294, DiPrima, et al. House Resolution 295, Emil Jones. House Resolution 296, Pappas. House Resolution 297, Fary, et al. House Resolution 298, Polk, et al."

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



Walsh: "Mr. Speaker and Members of the House. These are Agreed Resolutions and they are as follows: House Resolution 294, commends Mr. Rocco Cirone for his distinguished service to the people of Chicago, on his retirement and House Resolution 295, commends Mrs. Anna Robinson, Director of the Edgar J. Robinson Foundation which furnished the buildings for the community projects which Mrs. Robinsons directs and she completes fifty years of dedicated service in the public schools in Illinois. House Resolution 296, salutes the Rock Island Republican Women's Club for fifty years of valuable service. House Resolution 297, recognizes May 14-20 as Tropical Fish Week in Illinois. House Resolution 298, commends Professor Dolores Bultinck on her appointment as Consul of Belgium and Mr. Speaker, I move the adoption of the Agreed Resolutions."

Speaker Blair: "Discussion? The question is on the adoption of the Agreed Resolutions. All those in favor say 'aye'... once more... 'no', all right the 'ayes' have it and the Agreed Resolutions are adopted. All right now, while we are proceeding today, if you would take a look at Senate Bill, First Reading and indicate to the Clerk as we're moving along... if you are going to be the House Sponsor of those Bills, so that we may at some point have them read and get them off the Calendar and into the Committee on assignment of Bills."



We'll go to House Bills, Third Reading now... and we'll take those... well, now wait a minute, we need a motion... Mr. Walsh, with respect to... if you will recall on Thursday, when we adjourned we said that the appropriate motions would be made today to extend the time on those Bills that would have expired... on that date and I'll give you those Bills now and those will be in the Gentleman's motion so that they may be heard through today. All right, do you have the numbers?"

Walsh: "I don't have the numbers, Mr. Speaker..."

Speaker Blair: "Why don't I... I think that I can...."

Walsh: "Well, here comes the numbers."

Speaker Blair: "Oh, great. All right...."

Walsh: "The numbers are as follows: and first of all, Mr. Speaker, I move that Rule 37, be suspended to allow the following Bills to be called at anytime through the Session on May 15, 1973. And, that would include today also... today or tomorrow and they are as follows: House Bill 396, 397, 398, 399, 449, 579, 580, 627, 628, 767, 783 and that the following Bills be called at anytime through May 16, 1973, with expiration date of May 11th."

Speaker Blair: "Just a moment; the Gentleman from Union, Mr. Choate."

Choate: "Well, I would like for the Gentleman to back to his original reading of the numbers of Bills involved and



start with 449 and go a little slower, I might be able to keep abreast of it."

Walsh: "I was hoping that you won't listening, Clyde, but I will be glad to do that;"

Choate: "I was listening."

Speaker Blair: "Wait a minute, we started with 396, right?"

Walsh: "Right."

Speaker Blair: "Okay, then 397, 398, 399, 425..."

Walsh: "I don't have 425."

Speaker Blair: "Well, 425 should be on there."

Walsh: "Okay."

Speaker Blair: "It expires on May 11th."

Walsh: "Okay..."

Speaker Blair: "So you better..."

Walsh: "Well, we've got another... we're extending from the list that I have, we're extending that an additional day, so that will go through May 16th."

Speaker Blair: "Well, wait just a moment..."

Walsh: "All right now, Mr. Speaker, if I may restate the motion I move to suspend the provisions of Rule 37, that the rule dealing with the 30 days on the Calendar and extend the deadline dates to... through the Session of May 15th, that's tomorrow for the following House Bills. 396, 397, 398, 399, 449, 579, 580, 627, 628, 767, 783 and now to a lower number... these are a little out of order... 425, 436, 444, 464, 549, 623, 678, 732,



756, 827 and 828 and for the following Senate Bills, Senate Bill 140, 141 and 398. And one more, Mr. Speaker, one more House Bill and that is House Bill 805 and now, Mr. Speaker, I would appreciate 107 votes in order that we can suspend this rule."

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

Choate: "Mr. Speaker, if I understand the motion correctly, it's only asking for one more day on these Bills that would have expired last week when we did have to adjourn because of untimely death of our colleague, Ben Blades, last week-end... we just went out and you're asking for them to be kept alive through tomorrow."

Speaker Blair: "Through tomorrow, correct. Okay?"

Choate: "I approve of the motion."

Speaker Blair: "All right, then this requires 107 affirmative votes. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question there are 130 'aye' and no 'nays' and the Gentlemen's motion prevails. Now, we'll go back to House Bills.... All right, House Bills, Third Reading. Start with 396. What purpose does the Gentleman from McHenry, Mr. Skinner, arise?"

Skinner: "A point of personal privilege, Mr. Speaker. Are we going to get our Digest before we start on this process? I saw stacks of them sitting down in the Reference Bureau and perhaps we could get the Pages to bring them



up."

Speaker Blair: "All right, Bill... just as quickly as they can get them here, they will be on the desk. We run into this problem whenever we're covering early on Mondays... it's the printing problem of getting the job done over the week-end. I would suggest that if you can hold on to your Digest from the previous weeks going into this last two or three week period here, especially... you could utilize that until we actually get them on the desk. All right. 396."

Clerk Selcke: "House Bill 396, Hart. An Act to revise the law in relation township organization. Third Reading of the Bill."

Speaker Blair: "The Gentleman from Franklin, Representative Hart."

Hart: "Mr. Speaker, I would like to have leave of the House to have 396, 397, 398 and 399 considered together as they are companion Bills."

Speaker Blair: "Are there any objection? Hearing none, will the Clerk please read those."

Clerk Selcke: "House Bill 397, a Bill for an Act to amend the Election Code. Third Reading of the Bill. House Bill 398, an Act to provide.... to amend Section 23 an Act to revise law in relation to counties. Third Reading of the Bill. House Bill 399, an Act to add Section 2.1 to an Act relating to composition of election



to county boards in certain counties. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Franklin, Representative Hart."

Hart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. These four Bills implement the 1970 Constitution and provide that after a referendum to abolish township form of government, the counties can remain the same size and make-up of the county board. In other words, they wouldn't have to go to a three man board, they could remain the same size of board and they could be elected from the same district. The Amendment that was put on at the request of Mr. Cox, who represents the Township Association and these Bills passed County and Township Committee without a desending vote. I would appreciate the support of the House."

Speaker Telcser: "Is there any discussion? The question is, shall these Bills pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. The Clerk will take the floor Roll Call. The Gentleman from Franklin, Representative Hart."

Hart: "I'll try to re-explain these Bills, I must of.... due to the confussion and maybe not heard. These Bills came out of Counties and Townships without a desending vote, all they do is, permit a county... if there is a referendum to abolish Township form of government,



they could retain the same size county board that they now have and the same makeup of the county boards that they now have, rather than to go to a three man Commission form of government. Under the present system of government, if a county would decide to you know, by referendum to abolish township form of government, then they have no alternative but to go to the three man Commission. We have several Commission counties in my district and the judgment of most people I believe, that three is not enough it puts too much power in the hands of too few and you get much arbitrary government by this means. So, this doesn't do anything with the requirement that there has to be a referendum in the county before the government would change but I think it does take away from one of the impediment in going away from counties... township government in that, it would be many persons who now members of the county board who would lose their positions if the referendum was adopted. So, this would encourage... this would encourage those who are in favor of abolishing township form of government to keep the same makeup and structure of the county boards as we have now... rather than go down to three man board which I believe is too small to operate efficiently to county government. I would appreciate some interest in these Bills, I think they are implementing 1970, constitution, we need some



legislation in this field and I would like some help."

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

Walsh: "Would the Gentleman yield for a question?"

Hart: "Well, I guess so."

Walsh: "Does your Bill apply to Cook County as well as to the other counties?"

Hart: "Yes."

Walsh: "We have a kind of peculiar situation in Cook County and if I may address myself to the Bill. We don't have township government within the City of Chicago and we find ourselves apparently with this Bill, we would have the people of the City of Chicago abolishing a government that they don't have and that wouldn't seem to be equitable to me and I wonder if maybe there isn't something that could be done about this."

Hart: "Well, of course nothing would be done except by referendum and these Bills just provide an alternate method of changing the form of government in the county. It doesn't have anything to do particularly with that situation nor with any other particular county. The present method is just to go to Commission form, these Bills would permit an alternate method which I think is an improvement."

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

Geo-Karis: "A point of information, I wonder if I can ask



the Sponsor...."

Speaker Telcser: "Well, we'll bend a bit sure."

Geo-Karis: "Mr. Hart, my understanding from the explanation you have given, the explanation I have in the Digest, this Bill does not abolish township government and would you please tell me without your Bill, township government could be abolished by referendum anyway couldn't? Could you answer those questions for me please."

Hart: "Yes, that's it. The present statute provides for county wide referendum so... abandoning of township form of government. In either event, whether the present statute are under these Bills, it would have to be a county wide referendum. Under the present system, if the referendum was adopted in the county then you would go to a three man county board which is a county board of Commissioners, these Bills would provide... they do retain the referendum, they would provide that instead of going to the three man county board, he would retain the same size of county board that we now have and the members of the new county board would be elected from the same... in the same way such as some counties are elected county wide, some by districts and multi-member districts so, it would be no change in that procedure... the only change that would be made by the adoption of these Bill would be



the size and madkup of the county board."

Geo-Karis: "Thank you."

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

no? The Gentleman from Knox, Representative McMaster."

McMaster: "Thank you, Mr. Speaker. I'm glad you relocated me back in Knox County."

Speaker Telcser: "Well, I was trying to get you up in Cook."

McMaster: "It is kind of tough farming up in Cook County, you know."

Speaker Telcser: "Oh, we've got a lot of farms there."

McMaster: "Mr. Speaker and Ladies and Gentlemen of the House.

I rise in support of these Bills, we did pass them out of Counties and Township Committee without any opposition and I think the thrust of them have been explained by Mr. Hart in that they change only the size of the county board that would result if there was that action to do away with all townships within a county, it is not a piece meal dissolution, the means for doing away with all township and going to the Commission form of government exist within the Constitution and certainly I agree with the feeling that the three man board Commissioners is putting the load of county government of perhaps too few number of people in many cases and perhaps in the future we might need permission permitting... making it permissible to increase other Commission counties that now exist



from a three man board to perhaps a larger and I see nothing wrong with this legislation and recommend your support of it."

Speaker Telcser: "The Gentleman from Randolph, Representative Springer."

Springer: "Mr. Speaker, would the Sponsor yield?"

Speaker Telcser: "I thing he would, although we are on explainion of votes."

Springer: "Representative Hart, the seventeen Commission counties now, is that right?"

Hart: "Yes, that is correct."

Springer: "It has no effect upon those seventeen counties at this time?"

Hart: "No, that is correct... there would be no change in the structure of the seventeen counties which has already abolished county township form of government. This just provides another method of makeup of county board in the event that that would happen after a county wide referendum."

Springer: "Thank you."

Speaker Telcser: "The Gentleman from Stephenson, Representative Rigney."

Rigney: "I think perhaps some of those in the suburban area of Cook County are concerned that somthing here can be done county wide to abolish their township government. I call your attention to our new Constitution that



particular provision which says that all townships in the county may be dissolved when approved by referendum in the total area in which township officers are elected. So, in those areas where you do not elect township officers, you will not be voting on that issue, so I see no danger in here in this Bill that is being presented, I don't think it's possible for those in the City of Chicago to vote out their township government for you. I think that it is a good Bill, I think we do want to preserve our county boards in the form that they are at the present time and for that reason I'm going to be voting green."

Speaker Telcser: "Have all voted who wished? Take the record. On this question there are 69 'ayes', 21 'nays' and these Bills having failed to receive a Constitutional Majority are hereby declared losted. House Bill 425."

Clerk Selcke: "House Bill 425, a Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Jaffe: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 425 would amend the School Code by reducing the age requirement for membership on school boards and offices and trustee of school to eighteen years of age. Presently eighteen year olds now serve on



local school boards in at least forty-two states and I think that it is interesting to note that practically every county, township or municipal official were especially elected official can be elected at age eighteen now. This Bill passed out of Committee 13 to 3, I know of no opposition to it and I would urge an affirmative vote."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 425 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Choate, 'aye'. Stedelin, 'aye'. The Gentleman from Cook, Representative Jaffe, to explain his vote."

Jaffe: "Mr. Speaker and Ladies and Gentlemen of the House. As I indicated beforehand, this Bill passed out of Committee 13 to 3, it seems sort of strange and at the present time, in order to Mayor of the City of Chicago... you could be Mayor of the City of Chicago at eighteen and in order to be a school board member you would have to be thirty, so theoretically you could have the Mayor of the City of Chicago who is eighteen years old appoint the thirty year old school board members. This just doesn't make sense, this shouldn't be the law and as I said beforehand, this passed out of the Committee 13 to 3 and I know of no opposition to it and I would urge an affirmative



vote."

Speaker Telcser: "The Gentleman from Cook, Representative Davis to explain his vote."

Davis: "Mr. Speaker, a point of inquiry."

Speaker Telcser: "State your point, Sir."

Davis: "We cannot find our Legislative synopsis here... it puts us in a disadvantage, did they give them all away?"

Speaker Telcser: "No, that question was answered earlier Representative, it appears there is a problem with the printers on Monday, when we come in... they are on their way down and they will be distributed as soon as possible. Or perhaps you have a Digest from last week you could refer to."

Davis: "I wish they would at least leave old ones until they do give us new ones because it puts us in a decided disadvantage."

Speaker Telcser: "Your point is well taken, Sir."

Davis: "Yes, thank you."

Speaker Telcser: "The Gentleman from Cook, Representative Robert Thompson."

Thompson: "Well, Mr. Speaker, I do rise to support this Bill. I think Representative Jaffe has made a very excellant point... when the Chief Executive officer of the City of Chicago can be eighteen years old, it seems totally rediculous that the board members that



he appoints must be of an age... older than eighteen years old. In this country we have recognized in virtually every area, that the age of majority is age eighteen and I think it is very important that we recognize our younger people in this area and give them the opportunity to serve on our school board and I would wish all of the members would give this very important Bill that little extra effort that it needs.... so please we urge the passage of this Bill."

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

Mann: "Well, Mr. Speaker and Members of the House. I think this is an excellent Bill, I think it is a good Bill because it would give us an opportunity to in affect have a trail with regards too the effectiveness and the ability of eighteen year olds to participate in government. I'm not demeaning the importance of library boards, school boards but what I'm saying is, that this would be a good place for us to lean how dedicated, how committed and how effective eighteen year olds could be in serving on library boards. They utilize our libraries, they're citizens interested in content of our libraries and I think this is one area where we could effectively say, All right to our young people, if you want to get involved, you want to participate we're going to give you an opportunity



to participate. If this experiment in permitting and encouraging young members to get involved in government... does not work, we can substantially take the necessary action but what are we doing here today, we're merely holding out an invitation to the young people of this state to get involved in the works of their libraries and their neighbors and their communities. Why not give them that opportunity, Ladies and Gentlemen, why not give them that chance to participate in government and I urge an 'aye' vote from everyone. We're not giving anything away, Ladies and Gentleman, we're just saying to our young people, here is a chance, get involved in state government... let's see what happens, what do we have to lose. I urge your support on this Bill."

Speaker Telcser: "The Gentleman from Kane, Representative Schoeberlein."

Schoeberlein: "Mr. Speaker, a point of personal privilege."

Speaker Telcser: "State your point, Sir."

Schoeberlein: "Let's not fool the Sponsor there are that many votes on the floor because I have now counted twenty, in two minutes that are voting green there and are not on this floor. Now, let's not take up the time of this House with verification of Roll Calls all day again, let's vote honestly and get it over with but, don't fool the Sponsor that he's got 80 some



votes there because... look around here and see who is missing on this floor."

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

Simms: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I'm casting my vote in support of this legislation today. I think that we have seen the trend today where we're giving increased responsibility to our young people in the service of government and private employment and I think that with no qualifications for executive offices that it is only fair that they be given the opportunity to serve in positions of responsibility on library boards and for this reason, I give an affirmative vote and I would urge that we have some more green lights."

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

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of this Legislature, I rise to explain my vote as follows: Just about two months ago we allowed eighteen year old people to sit on juries in the House, we passed a Bill of that affect. We can have Mayors at the age of eighteen in any city or village in Illinois, certainly it is in that provision... if we cannot allow them to sit on school boards and be members of board of trustees. I cast my vote in favor of this Bill, I think it's only right."



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

Berman: "Thank you. Mr. Speaker, only from a point of information... I would point out that one of the previous speakers... speaking in support of this Bill talks about library boards because some of you don't have your Digest out, I would point out that this Bill pertains to school boards only, not the library board and it does affect statewide... all of the school boards throughout the state. Thank you.:"

Speaker Telcser: "Have all voted who wished? The Gentleman from Lawrence, Representative Cunningham."

Cunningham: "Mr. Speaker and Members of the House. Answering the last speaker on this question, this is a good Bill even though it eliminates library board. Those of you who are voting red, you need to recognize that time marches on and eighteen year olds have a right to vote and they check how you vote on these matters and they are intitled to your green light. We should all vote green."

Speaker Telcser: "Have all voted who wished? Take the record. On this question there are 92 'ayes', 31 'nays' and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 436."

Clerk Selcke: "House Bill 436, a Bill for an Act to add Section 4A-108 to Illinois Governmental Ethics Act."



Third Reading of the Bill."

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

North: "Mr. Speaker and Ladies and Gentleman of the House. House Bill 436, amends the Illinois Governmental Ethics Act, requires local government units and school districts to report to the county clerk, the name and address of each person required to file a statement of economic interests in relation to that unit or district. It also requires the county clerk to inform the State's Attorney of those people who have not filed. It requires the State's Attorney to mail notices of failure to file, to those persons in local government units or school districts and it also says that they should be required to file within 30 days, otherwise, the job becomes vacant. Mr. Speaker, in the past year and a half since we have put the Ethics Act on the book, there have been quite a procedural problem in getting these disclosures filed with the proper people at the proper time and this is an effort to clarify this... there has been no objection to the Bill and it passed out of the Committee 12 to 0."

Speaker Telcser: "The Gentleman from Cook, Representative B.B. Wolfe."

Wolfe: "Mr. Speaker and Ladies and Gentlemen of the House. I rise to support House Bill 436, as it does provide



a much needed due process of law procedure for the determination of the eligibility of an office holder or candidate who fails to file and there seems to be some conflict of opinion at this time as to the Constitutional requirements as well as the statutory provisions and this Bill would help clarify that conditions so, I would suggest that we all support House Bill 436."

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

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

Speaker Telcser: "He indicates that he will."

McGah: "Pat, what would be the effective date for this law?"

North: "Effective date I believe would be upon the signature of the Governor."

McGah: "How about people that have not filed as of April 30th? Would this extend the..."

North: "No, this would have no affect upon those people that have missed the April 1, 1973, filing date. This is an effort to get an established procedure on the books so we will not have problems that we've had in the past."

McGah: "In other words, the notification would come prior to the next filing date."

North: "Yes, that's correct, on the next anniversary of filing."



McGah: "Thank you."

Speaker Telcser: "Is there any further discussion? The question is, shall House Bill 436 pass. All in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question there are 118 'ayes' no 'nays', this Bill having received the Constitutional Majority is hereby declared passed. House Bill 444. Is Representative Fennessey here?"

Clerk Selcke: "House Bill 444, a Bill for an Act to amend Section 2 of Article VI in an Act relating to alcoholic liquors. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from LaSalle, Representative Fennessey."

Fennessey: "Mr. Speaker and Members of the House, House Bill 444, allows people holding liquor licenses to be elected to public office. As the present laws now stand, anyone holding liquor licenses are prohibited from holding elected office especially at the local level. What this Bill does it still retains the provision that cannot be a conflict of interest, the fact that anyone on the Liquor Control Commission cannot hold elective public office. So they would not be in fact, the police themselves. The reason I got this Bill... introduced this Bill was explained to you last week in an editorial that I passed around from



the Chicago Tribune, explaining that a very capable man was elected to the county board in our area and after he had taken his seat, it was brought up that he had an interest in liquor licenses and he was forced to resign his office. This created a great uproar in the community because the people who had elected him said that they were satisfied and felt that their wishes were being overridden. So, for that reason I introduced this Bill, House Bill 444, which will allow people holding a liquor licenses to be elected to public office. I ask your favorable support."

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

Skinner: "Mr. Fennessey, may I ask you a question please?"

Speaker Telcser: "He indicates that he will yeild."

Skinner: "Could you tell me if this changes the prohibition against liquor licenses contributing to political campaigns?"

Fennessey: "No, it does not."

Skinner: "They will be able to hold office but not contribute to political campaigns."

Fennessey: "This doesn't go into that area at all."

Speaker Telcser: "Is there further discussion? The question is, shall... the Gentleman from Will, Representative Sangmeister."

Sangmeister: "Would the Sponsor yeild to a question?"



Speaker Telcser: "He indicates that he will."

Sangmeister: "As I understand the law now, the Mayor of the Village President is automatically the Liquor Commissioner, is that correct? So, under your Bill if the Mayor is elected and he does hold a liquor licenses, what happens is he still the Liquor Commissioner for the village?"

Fennessey: "If he doesn't hold the licenses...."

Sangmeister: "If he does hold the licenses."

Fennessey: "If he holds the licenses in the city, he cannot be elected Mayor to start with. This doesn't change that possition."

Sangmeister: "All right."

Fennessey: "But he holds a license outside the rural area or something, he can't be elected Mayor."

Sangmeister: "That's what I wanted to get clear."

Speaker Telcser: "Is there further discussion? The question is, shall House Bill 444... I'm sorry, the Gentleman from Sangamon, Representative Gibbs."

Gibbs: "Mr. Speaker, would the Sponsor yeild to a question?"

Speaker Telcser: "He indicates that he will."

Gibbs: "Representative Fennessey, in the language that you use in the Bill here, it says that no official shall be interested directly or indirectly and I noticed that's the same language that you used... that we have now in Corrupt Practices Act... when you say that no official shall be interested, directly or indirectly,



what does that mean?"

Fennessey: "Well, I think it has been interrupted in the past that no one could even work in a liquor store or or in a tavern, tend bar or anything like... in any way be associated with liquor establishments."

Gibbs: "Well, there is recently an Attorney General's opinion now concerning bank officials and you can't have... the county board members cannot have any interest, direct or indirect in any bank in which the board of supervisors deposit the funds and they went on to interrupt that to mean that, no brother or sister or direct descendant could have any interest.... would this apply to this statute as well, would it apply to all relatives?"

Fennessey: "Not... no, I don't think that it would. It would be just to the individual concerned."

Gibbs: "And, where did this language come from, interested directly or indirectly... or do you know?"

Fennessey: "I really don't know, that was in statute that is certainly on the books now, I think it was passed back in 1934."

Gibbs: "Do you know whether there as been any interruption by the courts of that language?"

Fennessey: "I Can't honestly say whether there has been or not."

Gibbs: "The reason that I ask is because there is... I think it is very vague and it could almost catch anyone and



I would be interested in finding out if you know and I will check it out further to see if this has been interrupted because I think under the Attorney Generals opinion, they have applied it to almost everyone down the line. So, any Legislator for instance, that had a brother or sister or brother-in-law, with any stock in a bank, that had a contract with the state voids doesn't make it voidable that it voids that contract and I don't think that language is clear enough."

Speaker Telcser: "Is there further discussion? If not would the Gentleman wish to close the debate."

Fennessey: "I think that the present law is very archaic I think it really discriminates against people holding liquor license and I just think this is good legislation I think that it is something that is needed and I hope to receive 89 votes."

Speaker Telcser: "The question is, shall House Bill 444 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. Neff, 'aye'. On this question there are 124 'ayes', 4 'nays' and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 449."

Clerk Selcke: "House Bill 449, an Act to amend Section 14-151 of the Illinois Pension Code. Third Reading of the Bill."



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

Hanahan: "Mr. Speaker and Members of the House. House Bill 449 amends the Pension Code and reduces the age requirement for alternative service retirement allowance for state policemen from fifty-five to fifty years of age and allows for the service retirement for firefighters at the same age, at age 50 reduces it from age 55. There is a general agreement that when the Bill does go to the Senate that they will increase the amount of years of service from 20 to 23, this Bill did come out of the Committee on Veterans' Affairs, Personnel and Pension 13 to 2 and it is recommended by the Fraternal of Police for passage."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 449 pass? All in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. Telcser, 'aye'. McMaster, 'aye'. Geo-Karis, 'aye'. Wall, 'aye'. Barry, 'aye'. Giglio, 'aye'. Farley, 'aye'. This question there are 119 'ayes', 2 'nays' and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 464. I'm sorry, Gibbs, 'aye' on the last Roll Call."

Clerk Selcke: "House Bill 464, a Bill for an Act to amend the Public Junior College Act. Third Reading of the



Bill."

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

Stone: "Mr. Speaker, Ladies and Gentlemen. This Bill amends the Junior College Act by removing the provision for a backdoor referendum in relation to the annexation of non district territory. In the last Session of the Legislature we passed Senate Bill 1188 and it was sent to the Governor and this Bill provided that by August 1, 1974, all areas in the State of Illinois must be in a Junior College district. The Governor by an Amendatory Veto provided that a certain percentage of the voters of the district could by petition ask for a backdoor referendum. And, the House and the Senate in order to get some Bill agreed to the Amendment now in my judgment this is a good Bill, it does what the Board of Higher Education set out to do several years ago and that was to provide that all of the area in the State of Illinois be in a Public Junior College district. Now, 90% of the people of the State of Illinois are presently in a Junior College district only 70% of the territory however, is in a Junior College district so that these areas that are presently not in a Junior College district are in effect getting free education at the expense of the 90% of the people that are in a Junior College district. This is very



similar to the non high school district that we had up until about 25 to 30 years ago, when those people who were lucky enough to be in a non high school district could get by with paying approximately one half of their fair share of the cost of operating the high school. We took care of that situation, I think we should take care of this one also by passing this Bill. It is a good Bill and it deserves your support."

Speaker Telcser: "The Gentleman from Adams, Representative McClain."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, if I can take a few minutes of your time I would like to explain if I may, what this Bill actually does. It sets up a mandatory junior college district throughout the State of Illinois. Now, what we have here is a philosophical difference in the process of education throughout the State of Illinois, proponents will tend to indicate that this is like secondary education and it is not. We believe that we do not need a mandatory junior college district throughout the State of Illinois. It is not needed, if I can explain... one thing as all of us will know it that it raises taxes, I have been in contact with Junior College Boards and at the minimum it raises taxes sum two to three times. In my county, Adams County, it will mandatorally raise real estate taxes 18½ times.



I believe that a few of the rest of us... My name is McClain.... I believe the people have the right to extract themselves from a district, if I can explain the way it is right now. We have a district situation where people must belong to junior college district by July 1, 1974. If they do not belong by then the junior college board may place them in a district then the people have 30 days to initiate a referendum paid by the county to vote on whether they want their county to be part of a junior college board. The county pays for this referendum, now Governor Ogilvie, being the far sighted man that he was, used the manatory veto on this manatory junior college Bill that passed out of the House and Senate. It gave the people the right to choose whether they wanted to belong to a junior colleg district. I really can't stress hard enough to the Members on the House floor that they would please give the people the right and let them continue to have the right to choose rather they would like to belong to a junior college district. I ask your support here, please vote 'no' on this Bill. Thank you."

Speaker Telcser: "The Gentleman from Logan, Representative Lauer."

Lauer: "Mr. Speaker, Ladies and Gentlemen of the House. I rise because this is without doubt... the worse Bill,



introduced in this Session of the Legislature. Now, it buying for tide of place in this respect because this is the absolute voice of the Gentleman in Springfield saying, we know best... no one on a local level can know what is good for their area. They can't know what is good for their own district, in essence what we are saying is... we will allow the junior colleges that presently exist to perpetrate an absolute rape on the territories around them. Ladies and Gentlemen of the House, this is antidemocracy at its worse but the distinguish Gentleman from Adams County said, is absolutely true. It would without doubt raise taxes, in my own county the cost of sending all of the students in Logan County that wish to go to a public junior college on a tuition basis and you could probably assume that this would be a cost basis that the junior colleges would charge... that this total cost last year with fifteen thousand dollars... the tax rate at the lowest applicable rate of the three junior college districts around us, would be at one hundred eighty-five thousand dollars. This is a discrepancy of a hundred and senventy thousand dollars to the people of only one county and mind you, that in my particular district which would probably be forced to create a district of its own, we have four degree granting insitutions right now, we have Illinois State University,

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Illinois Westley University, two distinguished four year schools, we have Lincoln College, a junior college also a distinguished private school, we have Lincoln Christian College which is a theological seminar and right over the borders of this purported junior college district to be, if Mr. Stone's Bill goes through, would be Eureka College and Millikin University within a fifty mile radius we have six degree granting institutions. Now, I ask you, Mr. Speaker and Ladies and Gentlemen of the house... how could we in any sort of wisdom expect to perpetrate such a hoax on the people of this district, on the people that are in these other colleges to create yet another college. This absolutely goes beyond all realm of reason, the distinguish Gentleman from Moultrie undoubtedly has his reasons but to me, Ladies and Gentlemen, none of the reasons which he purports to put forth are in anyway compelling as the right of people to decide for themselves. Mr. Ogilvie, did exercise great wisdom in allowing people to retain at least some control of their own destiny. I join with Mr. McClain, in regressing that you vote 'no' on this extremely bad Bill."

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

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



I disagree with the previous speaker when he says, the Gentleman from Logan, the previous speaker when he said, this Bill was the worse Bill of the Session. I don't think the Gentleman from Moultrie, Mr. Stone, is capable of drafting the worse Bill of the Session or even one of the dozen worse Bills of the Session but let me say this, he came pretty close for him. This Bill is indeed inappropriate at this time, it's not only in southern Illinois and downstate Illinois, where the people are opposing this Bill but in my own district, in the Stephenson district at Prairie View, Health Day in Lincolnshire, the school board has contacted me in opposition to this Bill and the same I believe is true of the Highland Park Deerfield the Glenbrook New Trier and Evanston districts that are not in a junior college district. Now, Governor Ogilvie, used the mandatory veto in a proper way in my belief when he veto the original Bill of Representative Walsh. He said that the Bill was alright but the people of a district should have a back door referendum so in case if they don't like what that state junior board does to them, in case they don't agree with the district that they are placed in against their will, they can petition and referendum out of that district and that's all the amendatory veto does and that's what the Gentleman from Moultrie Bill attempts



to destroy here today, that last chance of the voters in the district to opt out of the junior college district that involontary placed and to go into the junior college district where they want to go or to remain outside. Now, there is no free ride here as was stated by the Sponsor, there is no free ride, the high school district in which the student is located must pay a portion of the tuition for that student when he goes to a junior college district in another part of the state where there isn't a junior college district where he lives. That's not a free ride, the student pays part of the tution but the high school district must pay a portion of that tution to the junior college district if the high school district is not in the junior college district and there is also the right to extend the tax of two mills on the voters without referendum, to help pay that tution. In my area I have always favored the creation of a junior college district but the voters themselves, have three times turned it down, once they refused to go into a college in Lake County and twice they refused to create a so called, North Shore Junior Collège district that was voted down by the people. Now, it is allright to tell the people, you should to tell the people that you should join a junior college, I suppose, it's not even too bad for the state board



to tell them where they should go, but the people should have the right of referendum... back door referendum to tell the state junior college board, you're wrong, we don't want to be part of that district and therefore, this Bill is not the worse Bill of the Session are even in the dirty dozen or worse twenty Bill of this Session, it comes as I said, surprisingly close to a Bill Sponsored by the Gentleman from Moultrie and I ask that you reject this Bill and save the back door referendum that Governor Ogilvie placed on the Junior College Act by his amendatory veto, two years ago."

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

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House. In all due respect to the Sponsor, who I think is a very brilliant man, I'm afraid I have to disagree with his philosophy in this Bill for the following reasons. One, this Bill would remove the provision of permitting a referendum before annexation of non district property... territory rather, two. the Legislature should permit the people in each college district to decide from themselves whether they want a junior college for their territory. No student is deprived of attending a junior college for the fact that he does not live in a junior college district, he can still attend the closes college and



have his tuition paid by the board of education of the district from which he comes. The argument is made that all taxpayers of the state should support the junior college system, not just those who elected to have one in their district, all taxpayers do participate since the system is funded by the Legislature by a flat grant for a credit hour of sixteen dollars and fifty cents, totaling sixty-two million and a half dollars approximately and ten times more than that allocated for example, to the non public system for... I don't want to belabor the point but, one more point I would like to suggest is this, there is a possibility upon the same similar services for existing public senior and junior colleges and colleges and universities in the private sector that can be offered contractual services and therefore, I speak against the Bill."

Speaker Telcser: "The Gentleman from Livingston, Representative Hunsicker."

Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House.

I arise in opposition to this Bill, I disagree with the statement that was made earlier regarding free education, no education is free. It cost money as we all know, when we passed this law way back about seven or eight years ago, it was voluntary, now we want to make it mandatory... we want to shove it down the public throats and force compliance. You know



something... this is just one more step in destroying public confidences in government. Start out with a promise and then change rules in the middle of the game and for that reason, I'm going to vote 'no'."

Speaker Telcser: "The Gentleman from Hendreson, Representative Neff."

Neff: "Mr. Speaker and Ladies and Gentlemen of the House. I have the greatest respect for the Sponsor of this Bill, Paul Stone, I think maybe this is one Bill that isn't quite as good as most of these Bills that he does try to pass. But, I think that the Governor was very wise when he put his amendatory veto on this Bill two years ago and let the people have a backdoor referendum. Again now, this Legislature just takes away more rights from the people and I think that's one thing that we're doing here, that we should stop and think about it... taking away the right of the people to have something to say about the junior college districts. Also, that when many of our areas we have private colleges running today that are doing a good job taking care of these students in the immediate area. This... by passing this legislation, it will mean that probably most all of these colleges, if not all of them, the junior college that are privately supported will be closed up and the people and the students lose by this, therefore, I strongly am



opposed to this legislation and I do hope that it will be defeated."

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

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House. Never has so much been said about so little. There are 89% of the states population approximately that are now served in junior college districts, we've heard from the other 15%, I think that each and every one of them have spoken but I would like to address my remarks to those of you... to those of you who are among the 85% and are representing constituents among the 85%. It makes about as much sense to permit an area to opt out of a junior college district as it does for them to opt out of an elementary school district or a high school district. The Junior College Act in 1964, when it was passed in 1965, certainly contemplated that every place in the state would be within a junior college district and that the boys and girls in every section of the state would have available to them vocational education and all of the other things that junior colleges offer. The argument that the private schools will suffer if there are more junior college districts, just simply doesn't hold water. The private schools in the Chicago area, the Chicago area except for a little spot in Evanston



in the North Shore, is not served by a junior college district but every place else is and really up there it isn't terribly important because everybody up there is within driving range, or a short commuting distance to a junior college and so they can go if they want too. I think it is a bad mistake to permit the situation to go on even on the North Shore because the high school district up there must levy the cost of the junior college service and the people in those areas have no say whatever about how the junior colleges run. Now, I think it is important too, to keep in mind, Mr. Speaker, that this Bill... this provision passed this House and passed the Senate last Session without very much difficulty at all, there was some discussion but I think everybody managed to see that it was the proper thing to do, to pass it and mandate that every place in the state be in a junior college district, if they're not in a junior college district then they are going to be sending more kids to the state colleges and universities and there is going to be no property tax levied upon them, we who are in junior college districts have to pay a property tax for junior college services and we also have to pay for the state colleges. I don't think there is anybody in Quincy who goes to a public junior college because they are just too doggone far away but they



do go to McComb and you and I divy the cost of paying for them, they pay nothing for our kids that are going to junior colleges and we're paying part of the cost through a property tax.) This is an untirely reasonable Bill, Mr. Speaker, the Bill should pass and in justice I ask you to vote 'yes'."

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

Wolf: "Well, Mr. Speaker, in order to conserve on electricity I would move the previous question."

Speaker Telcser: "The Gentleman has.... do you wish a Roll Call? The Gentleman has moved the previous question all in favor signify by saying 'aye', the opposed 'no' do you wish a Roll Call? The previous question has been moved, the Gentleman from Moutrie, Representative Stone to close."

Stone: "Mr. Speaker and Ladies and Gentleman, I quiet agree with Representative Washh, when he says that 85% of the population of the State of Illinois is presently in a junior college district.. In fact it is nearer 90% of the population that is presently in the junior college district, I agree with him that apparently the other 15% have been here and spoken against this Bill today. Now, there has been a lot of misunderstanding about what this Bill will actually do and what it will not do. If you will notice most



of the people that have spoken against this Bill who live in districts in which there is a state university and they feel that since they live in a district like this and they have a university that all of the taxpayers of the State of Illinois contribute to the operation of that they don't need a junior college district. I believe that they are mistaken in this also, because they junior colleges as conceived by the board of higher education and this Legislature when it passed the Junior College Bill from two years ago, had in mind that the private and the public universities and the colleges in this state are missing out on one large area of education for the people of the State of Illinois and that was in the vocational and technical areas of education, there are very very few universities or colleges that have any technical or vocational training at all. The junior colleges provide this void, in other words a boy or a girl that wants to go out and learn a trade so that they can earn a better living had no place to go. The junior colleges are filling this void, it's now a question as to who is going to pay for it, as conceived the junior colleges were paid for... partly by the State of Illinois and partly by local taxation. It is on the same theory that the high schools and the grade schools of this state have been operating for



many many years now, as I mention earlier when no one was listening, many years ago there were non high school territory and as all of you know, people that lived in the non high school district were getting by without paying their fair share of the taxes, that is exactly what is happening here. Approximately 85% to 90% of the people that are presently in junior college districts are paying for approximately 30% of the area of the State of Illinois that is not presently in a junior college district. Now, there have been some misconception and they're apparently still are, as to who pays the bill. You know, the Supreme Court of the State of Illinois and the United State Supreme Court have held that residency can be established in thirty to fifty days, depending on where you are now if young people who presently live in a non high school territory, can move over... or none junior college territory can move just a few miles and say after thirty days, their living in that territory then they don't have to pay taxes and the people who are paying the taxes to support that junior college are forced to educate the young people actually live in another district. There has also been the point raise that the high school district that are not in junior college territory are required to pay the tuition of any person from their high school district that wants.



to go to any other junior college, that is present at the moment but in two more years that will not be the case. The law presently provides that the high school district must pay the tuition in... to any student who wants to go to a junior college but what is going to happen when the law expires and the high school districts are just not going to have the money to do this. Ladies and Gentlemen if you represent people from 85... representing 85 to 90% of the population of the State of Illinois, you should be for this Bill. If you represent approximately 70% of the.. 30% of the territory of the State of Illinois that would get by without paying its fair share of the junior college bill then you should vote against this Bill, I believe it is a good Bill and it deserves your support."

Speaker Telser: "The question is, shall House Bill 464 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. And, the Gentleman from McLean; Representative Bradley, to explain his vote."

Bradley: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was trying to get the attention of the Speaker, to ask the Sponsor of this proposal a question because I think that we need a fiscal note on this Bill if there was ever one that should be



asked for because it hasn't been brought out here today yet in all the discussion that this is going to cost every taxpayer in the State of Illinois a great deal of money. I call to the attention of the Members of this House, that we're now paying sixteen dollars and fifty cents from the State of Illinois from the Treasury for every hour taken in a junior college area. It totaled sixty-two million, four hundred and fifty-eight thousand and some odd dollars last year that appropriation did and I've said, I think the answer is important that everybody is not paying their fair share. But let me say this, it won't be too brief but I would like to cover the bases... I have never heard from any misleading inaccurate statements by the Majority Leader of this House than we've heard here this afternoon. He said that if this Bill passed with no trouble, we beat that Bill last year in the Higher Education Committee we beat it on the floor of the House when he tried to discharge Committee, we beat the Senate Bill over here, he finally brought it back off of postponed consideration... now, if that's passing a piece of Legislation with no trouble, I don't know what trouble is. But let's get to the background, to a little bit, what you're saying is the Junior College Act when it came about said that every place in this state will be in a junior college district and that's



a misleading statement, the only people who are in the junior college district today are the ones that voted to get into a junior college district. You don't have to be in one unless... if you are in one you voted and the people in your district voted to get into a junior college district. Now, we are representing the areas that don't have a junior college district have no querrrel or qualm at all with the people who want to have a junior college district, that's fine with us and we will pay to contribute to that junior college district to the tune of sixteen dollars and fifteen cents for every hour that is taken in that junior college district but let us... in our district that we decide to vote 'no' and it should have been brought up that every district that is not in a junior college distirct or every area that is not in one, has voted at least one time 'no', to going to a junior college district. And, let's look too at the enrollment in the junior college area right now, I think it is very sufficient that the fall enrollment in one of our junior college, the Illinois Central Junior enrollment was nine thousand, one hundred and thirteen head count with four thousand and six hundred and sixty-nine full time enrollment. Their spring enrollment is eight thousand and five hundred thirty-two head count with four thousand and one hundred and seventy-

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one full time enrollment, a drop of a number of students so I'm suggesting to you that we simply don't have the need for the junior college district that we had a few years ago. Let me also say it was brought up about the elementary schools and we're not paying our share well the Constitution says, that we shall provide a good free elementary.... a good free education a free public education, if we needed... if we were allow to have and provide a free public education in the higher education sector, we wouldn't be charging tuition now to our state universities and talking about freeloading, I don't the sponsor of this Bill has one university in his county and he... we could make the same silly argument and say that he's freeloading from us and he would be if you consider when he sends his students to Illinois State University, we have a water problem in Normal, he's freeloading off our natural resources but that's a poor argument, so we won't make it, we have in our district, in DePlain County, one of the kinds that we represent.... we have four hundred students, two hundred freshmen and two hundred sophomores going to a junior college and their going to junior college is that it provides a services that they couldn't get any place else and even if we had a junior college, we couldn't duplicate all of the curriculum that is going on through all of the state



the curriculum that is offered in all of the junior colleges in this state such as airplane mechanics, general hygiene and those costly curriculum... we couldn't provide all those so we would still be sending students to other junior colleges and we would still be paying for that, I think this is probably one of the worse piece of legislation that has been... that has been said before and I echo his sentiments I think I will remind you that just about two years ago this time, the same kind of legislation was proposed on the counties and some men went down and threw the tea overboard of some ships and we had a revolution and I think if we keep going along with this kind of legislation, taxation without representation by the people and some input and no respect for their decision we'll have another tax revolt as it has been talked about anyway. Thank you very much for the time of the House, it's a bad Bill and I hope that it is defeated and I know if we defeat it today, the Majority Leader will find some way in this Session to bring it back as he did so many times on those other Bills. Thank you. I vote 'no'."

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

Clabaugh: "Mr. Speaker, Members of the House. I think this is about as bad a Bill that has come up before this



Session, that is it is bad for that 15% of the people that are riding on somebody else's coat tail. The... some of the people who spoke before against this Bill stand convicted by their own statements. One statement was that this would cost his district a hundred and eighty-five thousand dollars if it passed and now they are getting by, by fifteen thousand. The reason that they are getting by for fifteen thousand is because somebody else had the foresight and the forethought to establish a junior college so they could send their kids there and ride out on the other taxpayers to the extent of a hundred and seventy thousand dollars. Number two, a point that I want to make, this is nothing new... it took from eighteen hundred, twenty-five to eighteen hundred and seventy and then they took a Constitutional Convention to even make common schools mandatory in the State of Illinois. It took another thirty or forty years after we established high schools on a voluntary basis before we finally got rid of the worse mess that the common schools ever had and that was the mess created by other people riding on other people's pocketbooks when we got rid finally along in the eighteen or the nineteen sixties of non-hide territory and so, Mr. Speaker, I just want to say that for the people who represent the areas that have junior colleges, this is a good Bill for



those people who don't come from those areas, it's a bad Bill maybe for their taxpayers but it's a good Bill for the young people in their area who want the kind of training that the junior colleges are giving but they aren't getting in most of the four year... degree of granting institutions. Let's do this thing now because you're going to do it in a few more years anyhow, where don't... we oughten to have non junior college territory and have the mess that we had when we had non hide territory scattered all over the state. This is a good Bill, it's a forward looking Bill and it's one that we ought to support."

Speaker Telcser: "The Gentleman from Kankakee, Representative Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House. Much to the credit of this General Assembly and the government of the State of Illinois. Several years ago this Body addressed itself to providing what at that time was a broad new concept in higher education, establishing junior colleges throughout the State of Illinois. This concept address itself to providing an education for each and every child in every nook and cranny of this state, to give them an opportunity to live at home and seek an education to aid themselves in bring about education in the fields of their endeavor. It seems to me that the amendatory veto that the Governor



put on the Bill was a step backwards and it's time that we address ourselves to removing that step backwards. Unfortunately when we're talking about junior colleges there is a tendency because of the name... because of the terminology, to think that all we're dealing with baccalaureate programs, that of course is not the case as pointed out by Representative Stone. One of the major areas of concentration of our junior colleges as vocational and technical training. This is of the most expensive type of training to provide for the young people of this state. Our private colleges and institutions do not address themselves to that, we have vocational schools in nearly every high school district and yet these are vocational schools on the secondary level of education. Very little outside of the junior college program is done in the area of vocational and technical training and it seems to me that since we are dealing with what is a state concept what is a state problem, we are dealing with the idea of providing an opportunity for every young person in this state to seek that sort of education, that it behooves us as Members of the General Assembly to do everything possible to see that every young person in this state has such opportunity. This is a good Bill, it deserves your support and I ask for a green light."



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

Day: "Mr. Speaker and Ladies and Gentlemen of the House.

The junior college program has become the policy of this state, 90% of the territory of this state is now in a junior college district. Over one half of the total enrollment in public universities is now in junior colleges. It's been a tremendous success due to the fact that the people in 90% of the state has supported as has this Legislature. Now to say that if your outside of a district but you pay tuition for those children or those students who go to a junior college district, is like saying I don't want to pay my share of the taxes for supporting a fire department but if I have a fire then I will pay for the cost of putting that fire out. We have to have a broad underline basis for supporting any kind of a governmental program and that must be supported by those who use it all of the time and those who use it some of the time and of course by those who will probably never use that particular service. The law as it now stands has a tendency, I think, to encourage areas to detach from junior college districts. It would be financial advantage of some people in some areas to detach or to withdraw from a district. We don't want to encourage this, the law as it now stands also encourages students



to move with relatives to establish new residences simply so that they can qualify as a resident of an area which is supporting a junior college district. I don't think we want to encourage that, this has been a great program... it is still a great program, it needs the support of everyone in the state and I urge you to vote green."

Speaker Telcser: "The Lady from Cook, Representative Chapman."

Chapman: "Mr. Speaker, Members of the House. We have a new Constitution which calls for the states responsibility to help in developing all persons to their potential as far as education is concerned. The only institution that truly speaks to this, is the community college system. Even though most of the people in our state live within a junior college district there are still large areas where the opportunities of a community college offers for adults and continuing education for vocational and technical education are not offered and are not available. Even should one travel to the University of Illinois or to Western and get their education at the expense of the whole state, these are still opportunities that citizens who cannot travel lack, in the same way that once the state was not enveloped into a high school system and not all individuals were offered a high school diploma in their own homes. This now extends this concept through



the first two years in junior college, if we really want to help people get jobs, keep jobs, train for new jobs when the jobs they have become obsolete. I believe it is important to vote 'yes' on House Bill 464.

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

Borchers: "Mr. Speaker and fellow Members of the House and for a couple my compatriots over there who may of not been contacted. The last.... yesterday within an hour period, I was contacted by the President of Millikin University, Mr.... President Miller to vote against this Bill. Within a very short time I was contacted by Mr. Allen, the President of the junior college board to vote for this Bill. We seem to have a peculiar situation in county and it's possible there are some of my friends over there were not contacted as I was, so I'm going to vote 'present', I don't know what else to do."

Speaker Telcser: "Record the Gentleman as voting 'present'. The Gentleman from Adams, Representative McClain to explain his vote."

McClain: "Mr. Speaker, I would just like to mention two things, if you vote for this Bill... what you're saying throughout the state is that you'r for an increase of real estate taxes at a mimimun two to three times and in my community you're mandating in Adams County



real estate taxes, eighteen and a half times increase and secondly, Mr. Speaker, I would urge a fast gavel."

Speaker Telcser: "The Gentleman from Cook, Representative Duff." Did you wish to explain your vote, Representative Duff?"

Duff: "No, Mr. Speaker, I did not wish to be recognized, I'm sorry."

Speaker Telcser: "Okay, anyone further... the Gentleman from Cook, Representative Richard Walsh to explain his vote."

Walsh: "Mr. Speaker, Ladies and Gentlemen of the House. When this Bill was heard in the Higher Education Committee, it seem like most of the opposition came from administrators of private junior colleges. Now, these are junior colleges which do not offer vocational education and training. I think to the credit of our junior college system in the State of Illinois and it is a model throughout the country, that our junior colleges do offer the much needed vocational training which are high school graduates need at this time. Those areas which are served by private junior colleges, do not offer this training in education. As a matter of fact we have a Bill before the Higher Education Committee which offers for sale a private junior college in admission if you will, that they are not able to serve their constientency. Now, one of the Gentlemen who



opposes this Bill indicated the passage would be too expound taxation without representation, just the opposite it true because at the present time people who are not in junior college districts are taxed because their high school districts are taxed but they are not represented in the discussion making of junior college policy. It seems to me furthermore, that equity would require a vote in favor of this Bill because those people in junior college districts are being levied a property tax to send their students to junior colleges while most of the opposition to this Bill is from people who are sending their students to four year colleges and universities which of course are being financed by the entire State of Illinois, by virtue of the income tax and sales tax. Now, one thing that concerns me and apparently most of the opposition from this Bill has generated from communications from the Federation of Independent Colleges and Universities. I'm surprised that they would oppose this Bill, I think they are being a little short sided, I think they are trying to salvage possibly some private junior colleges which cannot be salvaged if they insist on being two year little arts institutions. I would hope that you would ignore those communications and just consider the equity of the situation, why should some pay for benefits conferred on others. Only as a point,



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Mr. Speaker, the cost.... passage of this Bill does not mandate the construction of new buildings as a matter of fact, probably what would happen if buildings would be necessary, they could be leased from existing private institutions as is now done in many districts or those people would be in a district, be intitled to vote on junior college members of a board and be able to vote on policy questions which is now denied them, I vote 'aye' and would urge the Membership to do likewise."

Speaker Telcser: "The Gentleman from Moultrie, Representative Stone to explain his vote."

Stone: "Mr. Speaker, Ladies and Gentlemen there are many many misconceptions about this Bill, if you can believe that people who have spoken on it really think what they have said is true. Now, one Gentleman said, if we pass this Bill, it will cost every taxpayer in the State of Illinois money, now that is not a correct statement. I'm sure the Gentleman believed it to be so, but it is not so. Because students who want to go to a junior college district presently, can go to a junior college district and the State of Illinois pays the exact same amount now that they would be paying if this Bill passes. So, it will not cost every taxpayer in the State of Illinois. If you're concerned about taxes however, and you represent 90% of the



taxpayers of the State of Illinois, then you should vote for this Bill. Because the people who live in 30% of the territory of the State of Illinois are getting a free ride to a certain extent from the 90% of the taxpayers that you do represent, if you're concerned about higher taxes and you want to even the taxes between all of the taxpayers of the State of Illinois you would definitely be for this Bill. Now, it has also been stated that the high school districts are presently paying for the cost of tuition to go to the junior college district in which... where there are no junior college district in the high school territory. This is true... but in 1974, a high school district can no longer levy a tax and I don't know how on earth that you're going to pay tuition to junior colleges from the present money that a high school district is receiving. If they are unable to levy the taxes they will be unable to keep their districts going. The law does mandate that they send their graduates to junior colleges and that they pay the tuition but there is not going to be the money to pay it without taking services away from the rest of the high schools. I believe that this is a good Bill that deserves to pass and I would appreciate your 'yes' vote."

Speaker Telcser: "The Gentleman from Sanagmon, Representative



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Londrigan."

Londrigan: "Mr. Speaker and Ladies and Gentlemen of the House. The issue, the overriding issue here is, are we going to keep face with the people. We sold this junior college program on the voluntary basis that the people in each district would vote whether or not they want it. They have voted... there is no inequities here, everybody is paying for their schooling, if the district voted for the district they're getting just what they wanted. If the adjoining voted that they didn't want it, so be it, now that the program has been successful and 90% have voted themselves in, the educators... and that's who funds this, the educator wants to make it mandatory. After we told the people that it's voluntary, it's up to you, you make the decision and they said 'no', are we going back now and reverse their vote... say in spite of your vote in spite of what you told... we told you, we are going to force you to do what you voted against. I think not, there is no good reason to pass this... this has been defeated time after time after time, in the last four years and just barely slipped through last time. I say, keep faith with the people and vote 'no'."

Speaker Telcser: "The Gentleman from Cook, Representative Jones. Nope. Okay, the Gentleman from McHenry, Representative Skinner."



Skinner: "Mr. Speaker, I hope people were listening to Mr. Stone, when he said that after 1974, all tuition reimbursements are going to have to come out of the public school, the public high school, the unit school district general operating fund, their education fund: This means that the high school and unit school districts will have less money to for high school education and it will have to be diverted to pay for junior high school education. I think this is extremely sufficient and I think that if you look at the board the fifty-three votes that are against this, are not sufficient to expend the now privilege non referendum tax rate to pay for the tuition to other junior college districts and it seems to me that next year there are going to be some people coming in here asking for a tax rate increase, or a tax rate continuance without a referendum and I have a feeling that they are going to be some Members of this General Assembly who are not going to look too favorably on that request."

Speaker Telcser: "Have all voted who wished? Take the record. I'm sorry, the Gentleman from Macon, Representative Alsup to explain his vote. He's had his hand up for awhile."

Alsup: "Record me as being 'present', please."

Speaker Telcser: "Record the Gentleman as voting 'present' and take the record. On this question there are 84 'ayes',



51 'nays' and this Bill having... Representative Hirschfeld, for what purpose do you rise, Sir?"

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

Speaker Telcser: "How is Representative Hirschfeld, recorded?"

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

Hirschfeld: "Vote me 'aye', please."

Speaker Telcser: "Record him as voting 'aye'. On this question there are 85 'ayes'.// Representative Stone, for what purpose do you rise, Sir?"

Stone: "Mr. Speaker, this is an important Bill to all of the people of the State of Illinois and I wonder if we could poll the absentees please?"

Speaker Telcser: "Okay, the Gentleman has requested a poll of the absentees, will the Members please be in their seat and will the Clerk please read the absentees."

Clerk Selcke: "Bluthards, Brandt, Calvo, Campbell, Capparelli, Choate, Craig, Cunningham, Epton, Ewell, Garnisa, Giglio, Granata, Gene Hoffman, Huskey, Katz, Keller, Klosak, Kosinski, Krause, Kriegsman, Kucharski, Maragos, McAuliffe, McCormick, McGrew, McPartlin, Molloy, Palmer, Philip, Rayson, Redmond, Rose, Schlickman, Schoeberlein, Telcser, Tuerk, Yourell."

Speaker Telcser: "Tuerk, 'aye'. Representative Stone, for what purpose do you rise, Sir?"

Stone: "Mr. Speaker and Ladies and Gentlemen. I am informed that there are many people here who are for this Bill,



I wonder if we could postpone consideration until tomorrow."

Speaker Telcser: "You have that right, Sir. The Gentleman has asked postponed consideration... House Bill 464 we put on order of postponed consideration. House Bill 549."

Clerk Selcke: "House Bill 549, an Act to amend Section 1, 2, 3, and 6, of an Act concerning disclosure of the sources of information obtained by certain persons in news media. Third Reading of the Bill."

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

Porter: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 549, is a Press Shield Bill. Now, I can't say this is the only Press Shield Bill that this House has considered that protects a confidential informant who told me that Parnell Heineke, was scalping tickets for last Wednesday press dinner, but I can say that it is the only newsmen shield Bill which attempts to come to grips with the issue of balancing protection of reporters news sources with the interest of individual justice. The Bill gives an absolute shield for news sources and news information from discovery by any grand jury and governmental agency Commission, Committee of either House and in all court cases with one partial exception, in respect to the absolute shield the Bill



identical or viturally so, with Representative Berman's Bill which passed this House previously. But in attempting to serve the interest of obtaining fair trails and justice in the courtroom, House Bill 549 makes an exception for criminal felony trails where the privilege is made qualifies. There where the testimony of a newsman is sought and the privilege is claimed, the court must have due regard to the nature and serious of the crime charged and the relevancy of the source and must find separately that the disclosure of the information sought is essential to the protection of the interest of justice and that all other available sources of information has been exhausted before the testimony can be heard. Now, the Bill makes a further exception even in this area. Where the defendant is a public employee or an official, charged with bribery, solicitation of a bribe or other official misconducts the privilege is again absolute, as all of you know, the U.S. Supreme Court in the Caldwell case, held the reporters do not have a constitutional right under the first Amendment to refuse testimony or disclose a news source before a grand jury. I think they should have this protection and they should have the same protection before any other simular type of governmental inquiries. But, I am troubled in respect to proceeding where an individual is charged



with a specific crime, here we must assure every person so charged, with all of the protection set forth in the constitution. One of these protections under the 6th Amendment, to the U.S. Constitution and under Section VIII, of the first Article of the Illinois Constitution is the right of a person charged with a crime to have compulsory process for obtaining witnesses in his favor."

Speaker Telcser: "Representative Jones, for what purpose do you rise, Sir?"

Jones: "Mr. Speaker and Ladies and Gentlemen of the House. I rise on a point of personal privilege, to recognize the student from the Whipler Elementary school of the district with Representative Daniel Houlihan, Robert Dunne and myself. The students from the Whipler Elementary School."

Speaker Telcser: "Now, we're in the middle of debate now, Ladies and Gentlemen. I think it is improper to interrupt... a Member when he is presenting his Bill. Reporter would you please proceed, Sir."

Porter: "That's perfectly all right as long as he votes for the Bill."

Speaker Telcser: "Now, he has too."

Porter: "This Bill, House Bill 549 would grant to reporters immunities which the U.S. Supreme Court recently held, are not constitutional protected under the first



Amendment. While preserving the persons accused of crime rights which are specifically protected under the 6th Amendment, the Bill has the support of the Illinois Defender Project, the State's Attorney of Cook County and the Association of Defence Lawyers.

I think it also deserves your favorable consideration and I ask for your support and your vote."

Speaker Telcser: "Is there any discussion? The Gentleman from Cook, Representative Hyde."

Hyde: "Will the Gentleman yield to a question?"

Speaker Telcser: "He indicates that he will."

Hyde: "Mr. Porter, does this Bill protect all information and all sources are is it confined to confidential information and confidential sources?"

Porter: "Representative Hyde, the Bill is exactly in the same form as Representative Berman's Bill in respect of the absolute nature of the shield, so it would protect not only the sources but also the news information in the same way that his Bill does."

Hyde: "And, if there were a grand jury inquire involving the natural interest, a matter of national security but no specific crime had yet been charged and there has been no indictments issued but they... the grand jury was hearing testimony leading to that, a newsman could not be required to come in and testify even if the information was not confidential. Is that



correct?"

Porter: "That is correct, the newsman could be required to come in to testify but he could claim his privilege, he could not be made a part of the law enforcement processes of the state, his independence would be maintained in that case, that's correct."

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

Mann: "Would the Gentleman yield for a question?"

Speaker Telcser: "He indicates that he will."

Mann: "How does your Bill, Representative Porter, differ from the Berman Bill?"

Porter: "The Bill differs in that it accepts from the absolute shield cases where a defendant is charged with a felony and under the 6th Amendment would have the right of compulsory process to obtain witnesses in his favor. It goes on further though to say that in cases where public officials or employees are charged with crimes relating to the nature to their work, that the shield again would be absolute in that area. Those were the exceptions."

Speaker Telcser: "Proceed, Representative Mann."

Mann: "Well, Mr. Speaker and Members of the House. I certainly admire the Gentleman's intention with regard Bill and intend to support it although I find that the Berman Bill is more comprehensive and I would



hope would eventually prevail. But, if there was ever a time in the history of this country when an absolute privilege should obtain with regard to newsmen and news sources, it's today. If we have ever been protected against the kind of bugging and invasion of privacy which we've witnessed not only in Washington but across country, it's now that we must stand up and recognize the... while the press may not always be accurate, our best protection... our best way of safeguarding our democracy is to protect the press and give them the shield they need in order to expose what's happening in this county and I do not speak in a partisan vain when I speak about Watergate because I think there is a general feeling that we're all shocked by it. But I just say to you, that without a free press and unfettered press, the whole sorry spectacle would have never come to light and I would encourage you to support this Bill."

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

Giorgi: "Mr. Speaker, I have one question of the Sponsor."

Speaker Telcser: "He indicate he will yield."

Giorgi: "In the case of the Watergate situation where the two reporters for the Washington Post were given an award for exemplary reporting in event they might need their testimony to further quench the Watergate



would your Bill protect them?"

Porter: "I'm not sure if their testimony were needed for what purpose?"

Mann: "To prosecute the perpetrators of the Watergate incident."

Porter: "Those that were engaged in activities as public officials, if any were, would... there shield would be absolute. If those... others were charged with felonies and the testimony were required, it could be had under the qualified shield."

Mann: "In other words the two reporters who were singled out for awards wouldn't have to testify against the public officials surrounding the Nixon Administration, is that what you're saying?"

Porter: "If they... well, I think if I have the information correct. I think that the persons involved in the main cannot be charged crimes of official misconduct although I'm not certain. But, they are charged with crimes that are other than official misconduct, the shield would only be qualified."

Mann: "But what you are in effect saying, those reporters that uncovered the Watergate caper would not have to testify against the people indicted, is that what you're saying?"

Porter: "No, I'm saying that if they were charged with felony that were other than felonies relating to the conduct of an official in office, that they would have



to testify if the information they have was relevant necessary, couldn't be obtained from any other source, however, there testimony before grand jury would have an absolute shield protecting it.... only in a trail would it differ."

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

Porter: "Ladies and Gentlemen of the House, there are a number of privileges in our law, the public policy behind the reporters privilege is to encourage all the individuals to come forward with information that they have and divulge it to the news media to insure a free flow of information to the public on the correction assumption that the greater information that the public has will unlikely will be that the government and others will be responsible to the public will and a better informed public will lead to better informed decisions concerning the direction of our society. This policy is not the same as one protecting an individual for his own sake, our entire system of criminal justice is predicated upon the presumption that we will prejudice society in favor of the individual and not the individual in favor of society and our Bill of Rights contains a number of provisions which give us just that protection... those sorts of protection for individuals. We could have



foregone these protections and gone the direction of other systems of jurisprudence in favor of protecting society against individuals and yet these rights set forth in the Constitution, particularly for compulsory process for obtaining witnesses in the behalf of a confused defendant, form the very basis and fabric of our form of government and what makes it along with press freedom and religious freedom, freedom of speech and assembly superior to all others. We care about individual justice and we will do everything possible, even things that might prejudice the possible good of all to achieve it. This Bill attempts to recognize the founders genius in that approach, I think that each one of us has an obligation in seeking to achieve individual justice, we must come forward with what we know when necessary to help achieve it. I think this is far more important in the long run than anything else we seek to do and I ask your favorable vote on this Bill."

Speaker Telcser: "The question is, shall House Bill 549 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Brinkmeier, 'aye'. The Gentleman from Cook, Representative Duff."

Duff: "Please record me 'present'."

Speaker Telcser: "Record Representative Duff, as voting 'present'. The Gentleman from Christian, Representative



Tipsword."

Tipsword: "Mr. Speaker, would you please record me as voting 'present'."

Speaker Telcser: "Record the Gentleman as voting 'present'.
The Gentleman from Peoria, Representative Schraeder."

Schraeder: "Mr. Speaker and Members of the House. I have mixed emotions about this type of legislation because as far back as October, of last year and during the campaign, I solicited the wishes and the thoughts from the news media that concerned our Legislative district and even in their own mind, the new media are not satisfied that this is necessary. There are cases when they would absolutely prohibit them from being immuned. So, I have mixed feelings but in view of the editorials that have been written by the news media, expressing their views and by the fact I'm not quiet sure the immunity is quiet proper, I will vote 'no' and hope that this will be defeated."

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

Murphy: "Mr. Speaker and Ladies and Gentlemen of the House. It makes no difference what happens to this Bill really because they have all ready pass the shield Bill out of here. I want to say this, I am for freedom of the press but I'm also for responsibility that they should have, I want you to think when you are voting up there,



that you may be putting a noose around your own neck because, when you have not the right to confront the man that accuses you of something, you've lost a great privilege and this absolute shield on public officials is doing just that, I think this is a very bad Bill and it certainly should be defeated and if you don't defeat it, some of you may live to rule the day that you didn't defeat it."

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

Mugalian: "I'm voting for this Bill because I'm not sure that an absolute shield law is best for the citizens of this state. We have already passed an absolute shield law, this gives the Senate and the Governor an opportunity to sign into law a shield law that does not go all the way, I think Representative Porter should be commended for offering a shield law that takes care of the basis political problems. The concern about a free press and giving the press an opportunity to investigate and to report but I am concerned as Representative Porter, is and as this Bill is about a person that is charged with a felony, let us assume that we have a client, if we were a lawyer who is charged with murder or with another felony and a newspaper reporter is someone who may have knowledge that will acquit your client, this law gives



an exception in this area and permits one to have a constitutional right protected in defence against a felony charge. I think those that are generally concerned about... you are opposed to a shield law and are opposed to an absolute shield law, should vote for this Bill because it covers both areas. I vote 'yes'."

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

Hyde: "Mr. Speaker, Ladies and Gentlemen of the House. I do not support shield legislation, I think that the present law is adequate which provides that the immunity is... exist except if the reporter has the information that otherwise not obtainable and a specific public interest will adversely affected unless the information is divulged, however, this Bill is far superior to the Berman Bill which we did pass out of here with well over a hundred votes, at least this Bill doesn't try to appeal the 6th Amendment as Representative Berman's did which made no allowances for the 6th Amendment right to have witnesses testify for your defence. Now, the thing that is wrong with this Bill and all of the Shield Bills is, that in civil suits where a serious person injury is involved and there is no other way to prove the case except by a newsman who has a photograph or some film, you can't produce



it, there raised on a plane even higher than a criminal defendant who pleads the fifth amendment and who can be granted amunity and then forced to testify. We have created a super citizen when we name in the newsmen and when you try to define who is a newsman, you get into incalculable difficulties however, this Bill far exceeds in merit the Berman Bill which is already in the Senate because at least you do have the right to call a newsman in to testify for your defence if your charged with a crime. So, because of that and not because I support this type of legislation, I think the existing law is excellant, I'm going to vote 'aye' and I hope you give the Senate the chance to consider the Porter Bill which as I say, at least recognizes there is a 6th amendment to our constitution."

Speaker Telcser: "The Gentleman from Lawrence, Representative Cunningham."

Cunningham: "Mr. Speaker and Members of the House. I'm indeed glad to vote 'aye' on this Bill, it's scholarly superiority to the other shield Bill and it has been ably pointed out by prior speakers, I'm persuaded as I say, the press is a necessary evil, the good that they do far far exceeds the harm all thoughtat times it's a little irritating and while we're waiting for other floor to vote 'aye' on this as surely they must if they follow their conscious, I would like to present the



Mayor and Mrs. Jones, Mr. Mayor and Mrs. Walter Jones of Fairfield, in the left read balcony. Mr. Mayor, would you and your lovely wife standup please. The Mayor is for the Bill too, we need four more votes for the cause."

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

Hirschfeld: "Well, Mr. Speaker and Ladies and Gentlemen of the House. You know what they say in the circuit, never follow an animal back and therefore, I always hate to follow Representative Cunningham. How be it... well after three years I think I'm entitled to that. However, I find myself really seriously very seldom in disagreement with the distinguish Gentleman from Cook, Mr. Hyde and the distinguish Gentleman from Lawrence, Mr. Cunningham but I don't necessary agree that this Bill is a better Bill than Representative Berman's Bill or Representative LaFleur's Bill or my own Bill that passed out of this House. However, after three years down here, I've developed some serious doubts about the way the House of Lords operates on the other side of the rotunda and it seems to me that just to protect ourselves, we had better pass this Bill out and get it over to the Senate because I have a suspicion that half a loaf is better than none and I think the media would probably agree with that and so, I see



we have 89 votes and I will sit down."

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

Berman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think a word of clarification is necessary here, I think that the previous speakers from Lawrence and from Cook, missed the point on what these shield Bills are all about. And that is this, we're not talking about providing any shields or privileges to the press that would work towards hurting anyone what we're really talking about is preserving the sources and information that the press is the conduit for and when you have a qualified shield Bill, you are not providing the absolute nature of secrecy that I believe news sources ought to have, if that source does not... is not assured, that his name can be held in confident regardless of what happens after it is disclosed, then I'm concerned that those sources are going to dry up. Now, Representative Hyde and I have debated this a number of times and I think this, there may be a question involving the Constitutionality in relation to 6th Amendment but I think that unbalanced and all of the privileges... I'm sorry, all of the first Amendment freedoms... ones that have to be interrupted unbalanced, I favor the absolute approach because otherwise, I'm concerned that we will not



be guaranteed the continuous flow of important news sources that makes our free press the viable and important function in our society. However, that does not demand the approach here which I think is an improvement over the Bill that exists on the law on the books today. So, I'm going to vote 'aye' on this but that does not mean to diminish what I consider the best approach and that is the one of absolute shield."

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

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

There is a question in my mind whether either of the Shield Bills is going to be able to stand the interpretation of the Constitutional Amendment that is provided by right of conciliation to anyone in any offense however, I have supported every shield Bill before, I do feel that Representative Porter's Bill is even a better Bill than some of the others and I do feel the press and other communication media might become every more responsive, more careful to guard their own and police their own and therefore, I feel this Bill should be given a chance to go to the Senate as well and I cast my vote 'aye'."

Speaker Telcser: "The Gentleman from Kane, Representative Waddell."

Waddell: "Mr. Speaker and Ladies and Gentlemen of the House. I rise to a point of personal privilege."



Speaker Telcser: "State your point, Sir."

Waddell: "We have in the gallery in the front, a far most Representative of this august body, former Representative A.B. McConnell and his lovely wife, from Greenwood. Give them a hand please."

Speaker Telcser: "Have all voted who wished? The Gentleman from Cook, Representative Davis, wish to explain his vote."

Davis: "Yeah, Mr. Speaker and Ladies and Gentlemen of the House. I thought the Bill had passed and it didn't need any explanation but I see from the indicated that we're a few votes short. I believe the Bill ought to pass. I hold in my hand, I keep it in the desk here Carl Sandburg's story of Abraham Lincoln in the war years and this...."

Speaker Telcser: "You got a lot of votes there now, Corneal, you want to keep going?"

Davis: "Oh, well if it's got enough votes..."

Speaker Telcser: "Have all voted who wished? Take the record. Take the record. While the Clerk is taking the record someone brought up a gold cufflink to the Speaker's podium in the event a Member has lost it, it's kinda... oh, this was left in Representative Choate's reception room up by his offices. Representative Borchers, for what purpose do you rise, Sir?"

Borchers: "A point of personal privilege."



Speaker Telcser: "State your point, Sir."

Borchers: "Representative Cunningham, my seatmate has asked me for God knows what reason, to issue a challenge to Representative Hirschfeld and at the request of Representative Hirschfeld, get a second to consult with me in relation to a duel with boxing gloves at fifty paces."

Speaker Telcser: "On this question there are 107 'ayes', 21 'nays' and this Bill having received the Constitution Majority is hereby declared passed. House Bill 579. Is Representative Rayson on the floor? Let's take it out of the record. Representative Bob Dunne, for what purpose do you rise, Sir?"

Dunne: "A point of personal privilege, Mr. Speaker."

Speaker Telcser: "State your point, Sir."

Dunne: "Perhaps many in the House are going to feel it presumptuous for a freshman to suggest what I am about to suggest. But if so, be it. A little while ago when Representative Porter was making a very important presentation of his Bill, he was interrupted so someone could introduce people in the gallery. Those people happen to be from my district, a little earlier I was particularly asked to introduce them and I told the person that asked me, that I resent the interruption of important debate on legislation for the introduction of people from the gallery. And, I just can't believe



that the citizens of Illinois sitting in this gallery feel that they would rather be introduced than have important legislation be debated without interruption and I would like to suggest to this House that perhaps we could cease this for the rest of the Session. Thank you."

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

Matijevich: "Mr. Speaker, I commend that first term for saying that, I think when we discuss our January rules that I thought that ought to be one of our rule changes and I think that the proposed rule change in the next Resolution will mandate that there be no further interruptions such as that and no introductions except I believe by the Speaker, Majority Leader and the Minority Leader and if that's so, I sure commend that rule change."

Speaker Telcser: "Representative Jones, for what purpose do you rise, Sir?"

Jones: "Mr. Speaker and Ladies and Gentlemen of the House. I too, am a freshman Member of this House and from the day that I sworn in, people have been introduced in the gallery. I know there was a very important Bill being discussed... all Bills introduced in this House are important for each Legislator is concerned but I wonder if my colleague who represent the same



district that I represent would have introduced these children had not they had been from another section of the district and I resent that sort of action on the House floor and I will introduce them again."

Speaker Telcser: "Now, relative to that custom that we've had in the House, I think the Rules Committee has adopted a Resolution to deal with that matter. We're going to put on the Members desk, so that situations do not evolve. Now, Representative Dunne, for what purpose do you rise, Sir?"

Dunne: "Mr. Speaker, a point of personal privilege."

Speaker Telcser: "State your point."

Dunne: "I would like to point out to my fellow Representative from the 28th District that I had about a hundred Girl Scouts from Mt. Greenwood if he wants to call it my part of the district here last week and I was under extreme pressure to introduce them and I refused to because there is a principle that I adhere too and there are more coming down in another subject in my part of the district, if he wants to call it that, tomorrow and I don't intend to introduce them and I resent the inference that he made."

Speaker Telcser: "Okay, that Resolution is on the Members desk and it will be adopted shortly, I'm certain. Now, Representative Rayson is not on the floor so we'll have to go to House Bill 623."



Clerk O'Brien: "House Bill 623, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

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

Gibbs: "Mr. Speaker and Ladies and Gentleman of the House. Last week we debated the Amendments to this Bill, we also debated the Constitutional Amendment and we went into several details of the Bill. What it does is, this is more or less a abortion control Bill, a Bill of rights for the unborn in Illinois. As a result of the decision January 22, 1973, in the case of Roe vs. Wade and Dole vs. Bondon, we have in Illinois the law now to defect that there is no law concerning controls of abortion. We don't like the decision in certain areas, some people do like it but the majority I believe do not, we believe that there should be some controls until we can get a change. Now, this Bill what it does specifically is, it states in the second trimester, in the second three months... only an abortion could be preformed, it's in the medical judgment of the women position, it is medically necessary for the mother's health and #2, it says if the fetus is viable, if the fetus is viable a court order is required after a hearing, this is in third trimester and the appointment of a guardian ad litem. The court must find that beyond a reasonable doubt,



the court must find, that this abortion is necessary to preserve the life and the health of the pregnant woman. Now, we've read several news articles and heard on television what's going on in the state without these controls, we absolutely have to have some type of control, there is a group up in Chicago now that wants permission it has asked for permission to experiment on live... on live fetuses. We must keep away from the emotionalism I believe, that is connected the abortion control but I think we are all aware of the necessary laws that we must have on the books to control it. Therefore, based on the pasted discussion of the these Bills and the Amendments, I ask for a favorable Roll Call on House Bill 623."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 623 pass? All those... I'm sorry, the Gentleman from Cook, Representative Mugalian."

Mugalian: "Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose this Bill in its present form, it is not my purpose to reargue Role against Wade or Dole against Bodon, the United States Supreme Court has spoken on the extent to which abortion may be regulated. Any legislation enacted by the Illinois General Assembly must comply with the law of the land as now plainly announced. No matter how many of us may abhor the Supreme Court abortion descision, we are



duty bound to comply with those decisions until... unless those opinions may be modified or until or unless our Federal Constitution has been amended. If this Bill is pasted into law in its present form, it will and must be stricthen by the court. To pass a law that we know will not be sustained by the court is not a good practice, it brings uncertainty into a very important area of human decision, including medical and hospital practices. If we do this intentionally we shall be charged with hypocrisy. It is not that this Bill is only slightly or technically unconstitutional it is so permeated with major defects no sever ability clause could save it and time only permits a few examples. The Supreme Court clearly stated and no legal commentators disagreed that during the first two trimester the only valid areas of state regulations are related to the life and health of the wother. In the thiid trimester there is added, and not I should say substituted but added, the health of the viable fetus. Now one of the things this Bill does is talk and require the consent of the husband or the consent of the parents of the unmarried minor or a guardian. These are not relevánt considerations, they are not permitted by the U.S. Supreme Court decision. This Bill also is the sponsor, has suggested requires the finding of medical necessity during the first trimester.



This is an impremissible extention of the courts opinion, the slightest awareness of the courts opinion makes evident that during the first trimester the abortion decision and implementation is left to the medical judgment of the woman physician. Further in the second trimester this Bill required that the doctor preforming the operation be a specialist in obstetrics and gynecology who is certified by the American Board of Obstetrics and Gynecology. The performance of an abortion under this Bill in the second trimester by a license general medical practitioner would constitute the time of abortion, if I read this Bill correctly. There is also requirement for resuscitation equipment if an abortion is preformed in the second trimester, failure under this Bill to have such equipment would also constitute the crime of abortion. There are other major flaws in this Bill, Ladies and Gentlemen the decision in Role and Dole are written in English, the perimeter of state regulation are clearly set forth, those who object to the seven to two decision have every right to object, they may properly seek an Amendment to the U.S. Constitution. In no event are they or members of their families required to have an abortion and if they do seek one they may obtain any additional medical facilities or expertise they can afford and command, but as law



makers we have a duty to enact legislation that is permissible under our Federal and State Constitution. We are also expected to conduct ourselves with a reasonable degree of intellectual honesty and without petulance. We ought to avoid even the impression that we seek to impose our personal, moral or political principles upon the people of the State of Illinois when we know... that to do so, would constitute a clear volition of our oath of office. We are not, under the present state of the law, allowed to prohibit abortion nor are we allowed to make regulations on pole sanctions which are clearly contrary U.S. Constitution. With the highest motivations this legislature has on occasion enacted laws which has raised false expectations which have been stricthen down as volition of the Constitution, at times this has been done because the law has been unfair... but Ladies and Gentlemen, in the case at hand, a lengthly unambiguous explanation of the proper areas of state legislation relative to abortions has been authoritatively set forth, over fifty pages of the U.S. Supreme Court reports, pains takingly describes what we may and may not do. House Bill 623, I suggest is clearly an excessive unpermissible, illegal and hense forth Bill. We have no choice other than to vote 'no'. Thank you."

Speaker Telcser: "The Gentleman from Sangamon, Representative



Londrigan."

Londrigan: "Mr. Speaker and Ladies and Gentlemen of the House. As one of the Co-sponsors, I rise to support this Bill. As long as a year ago and before, I and a vast majority of Representatives could never... never support a Bill of this nature. We who have been against abortions on demand, against abortions without good and sufficient reason could never support a Bill of this nature but since the Supreme Court of the United States has legislated in this area and rendered us powerless, we have no recourse today except to do what we can with a bad decision. They did give us the right to regulate abortions and that is what we are trying to do with this Bill here today. So, all of us, such as myself, who are against the abortions on demand or against the abortions without good and sufficient reason, must today support this Bill. As I said in the House Committee, it is a sad... sad state of affairs in the State of Illinois when we must vote for a Bill such as this."

Speaker Telcser: "The Gentleman from Cook, Representative Harold Washington."

Washington: "Mr. Speaker and Members of the House. It is very unfortunate that we didn't have more order when Representative Mugalian, was speaking because I think in his brief and I have to call it one of the finest



briefs I've heard against this Bill, I think he delineated quite clearly that this Bill without a doubt is unconstitutional. Unfortunately, Representative Mugalian, I think it was an exercise of futility because I have a feeling, this Bill will pass and so I'm going to be very brief and only add one thing. I think the Bill is written as a clear, fallible volitation of the right privacy particularly as it refers to first trimester and the requirement for keeping records. I appeal to the response of this Bill to delet that section, I for one could have lived with it if he had done so, he didn't chose to do so. It is clear to me, unconstitutional I think it is the wrong response to a very measured and reason of opinion of the Supreme Court of the United State and I might add, incidently one of the very few that I agree that they have come out with, in the past year or so, I see no reason as I said the other day, to continue to beat a bad horse, the Bill is unconstitutional whether you like it or not and I'm going to vote 'no'."

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

Borchers: "Mr. Speaker, I would like permission to ask the Sponsor a question or two."

Speaker Telcser: "He indicats that he will yield."

Borchers: "I wasn't quite sure of just how... what you meant in relation to experimentation and if this Bill has



anything to do... has any paragraph or section that has control and covers the matter of experimentation of a viable fetus."

Gibbs: "Mr. Speaker and Representative Borchers, under sub Section (f) of the Bill, it seeks that experimentation "live birth" as defined in Section 1 of the Vital Records Act, it is specifically prohibited and would constitute the crime of abortion if you do experiment on a live fetus."

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

Lemke: "Mr. Speaker and Members of the House. It is time to look at this Body and wonder what we are, are we tri-system of government or are we in a system where the Supreme Court dictates to the Legislator to tell them what to do. In this recent Supreme Court decision regarding the abortion, it didn't go as far as to regulate and that's what we're attempting to do. Now, if I'm going to constantly hear people say that the Supreme Court has Legislator and the Supreme Court can tell us as Legislators, what to do... who is doing the Legislation, the Supreme Court, are they the dictators and the other two systems of our society, the Executor and the Legislature cannot enact and this is what we're doing, we're enacting a law to regulate and I don't care what anybody says, we do not have to listen to the



Supremè Court to pass laws to regulate abortion. Thank you."

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

Duff: "Will the Sponsor answer a question?"

Speaker Telcser: "He indicates that he will."

Duff: "Representative Gibbs, in Section (f), the limitation on experimentation... does that... how wide sweeping is that, would that prevent normal research such as taking a heart beat... examining the status of vitality perhaps, considering the analysis of the brainwave, taking a blood sample and so forth, would that be considered experimentation or do you have a definition that would... I wish you could clarify that."

Gibbs: "Well, the definition is clearly defined under the Vital Records Act and in the past prior to the decision by the Supreme Court, there was experimentation of course with the dead fetus and is certainly absolutely necessary for medical progress in order to determine if there is some cures that we can have for specific diseases. This would not restrict that experimentation that has gone on in the past. This only says, that if there is a live fetus that the doctors certified to that there cannot be any experimentation on this live fetus, certainly not on one that is not live."

Duff: "Would you consider a definition which, if a fetus



were born at a stage where it could obviously not survive... that it could be considered to be a state not compatible with life or not compatible with survival and... could you distinguish between what I might call positive research and negative experimentation."

Gibbs: "Well, if I understand your question, you're saying can they.... they're not experimenting they are actually determining the cause for the problem that the live fetus has and that certainly would not be classified as a experimentation and that would be within the desecration of the physician."

Duff: "Thank you."

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

Gibbs: "Well, very briefly Ladies and Gentlemen of the House and Mr. Speaker. I've heard these arguments and every time you have a Bill that you don't like, it's not your way of thinking you say it's clearly unconstitutional. Well, you can look at this Bill and you can compare it to the two decisions that I pointed out. I don't like the idea that the Supreme Court of the United States or any court, is legislative but, that's what they did here. We don't like it but that's what been accomplished, we're trying to change it. We know what's going on in the different hospitals, especially in Chicago now, we know what's going on and we're trying



to correct it. Until we can change it in Washington, D.C. through a Constitutional Amendment, we have to put some controls on. Now, these these fetus that are eight months, nine months old, they can be aborded and it is no crime and it is being done right now and no one is protecting these people... these small embryos that will become children and if we don't protect them, then whose going to protect them. That's why we have to have this law today until we can get the changes make in Washington. Thank you."

Speaker Telcser: "The question is, shall House Bill 623 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Cook, Representative William Walsh."

Walsh: "Mr. Speaker, I would like to be recorded as voting 'present'."

Speaker Telcser: "Record the Gentleman as voting 'present'. Record Representative R. Walsh as voting 'present' also. Representative Catania, wishes to be recorded as voting 'present'. Representative Martin, wishes to be recorded as voting 'present'. The Gentleman from Lake, Representative Pierce."

Pierce: "Mr. Speaker, in explaining my vote. I think it is perfectly proper for this House through Legislation, to implement or even to restrict the decision of the U.S. Supreme Court in the abortion case. I don't know



what our expertise is on regulating medical practice and all its details anymore than we should instruct the doctor how to conduct any type of surgical proceeding. But certainly in an area as important as this the U.S. Supreme Court did leave... did leave many doubts as to just what was and what was not proper under its decision. I especially agree with the Sponsor in the final trimester which he pointed out in his closing address that this Legislature does have the right to regulate abortion in the third trimester of the pregnancy. I have always favored limiting abortion reform to the first twelve weeks of pregnancy and I think that would have been a perfectly proper Bill for us to have passed. The Supreme Court has gone further than that and that bothers me as well; I don't like to see a fetus in the eighth or ninth month aborted, I don't... unless the life of the mother is threaten, I don't think that is correct. I do feel however, that this Bill goes much further than that, that this Bill is really aimed at much more than regulating the final trimester but really is tends to circumvent the Supreme Court decision and to prohibit abortions in Illinois. I think it is perfectly proper for Members of this House to feel that they want to prohibit abortion and those that want to prohibit abortions, to support this Bill. I have always felt... I have always felt abortion



especially in the first trimester should be a matter of the conscious and religion of the mother, the advise of the doctor and the process of the hospital and the physician and that should be left to the conscious of the mother and her physician. Because certainly some religions would allow it, other religions would condemn it, let every person... let every person live with their own conscious especially in the first trimester if not they will go to New York anyway, we know that. So, because of this Bill I feel is aimed at more than regulating abortion in the third trimester and even more than the regulation we can put on in the second trimester because I feel the Bill... I think the Sponsor will admit this, Representative Londrigan really said it in his speech, because the Bill is really an attempt to completely defeat the Supreme Court decision and to prohibit abortion in the state even in the first trimester. I will vote 'no'."

Speaker Telcser: "Have all voted who wished? Dyer, 'present'. Take the record. Schisler, 'present'. LaFleur, 'present'. On this question there are 112 'ayes', 15 'nays', 8 answering 'present' and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 628."

Clerk O'Brien: "House Bill 628, B.B. Wolfe. A Bill for an Act to assist persons to make voluntary settlement of



claims arising from occurrences which cause injuries to the body or property of any person. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative B.B. Wolfe."

Wolfe: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Digest is absolutely correct in its evaluation of House Bill 628, to just briefly implement the Digest I'll read from Section 2, of the Bill which sets forth the Legislative purpose of the Bill. The Legislature recognizes the increasing complex relationship of our society which give lives to the number and extent of personal injury and property damage claims which adversely affect all persons within the jurisdiction of the State of Illinois and overburdens our court system and judicial process. These are claims take up a substantial part of the courts time, the voluntary settlement procedure here is provided, will help reduce court litigation and alleviate the undo hardship of persons affected thereby, to the process of negotiation and arbitration and I would respectfully ask a 'yes' vote on this Bill."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 628 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? The Gentleman from Cook, Re-



representative B.B. Wolfe to explain his vote."

Wolfe: "Just briefly, would you just turn the board, Mr. Speaker, so we can sit down and be quiet."

Speaker Telcser: "Let it stay up awhile, Bernie."

Wolfe: "Briefly I'm going to just say, in the last Session the House passed this out with 142 to 2, and I would again ask the support of the House on this Bill. This is voluntary settlement... a claims Bill that passed out of Committee."

Speaker Telcser: "Telcser, 'aye'. Have all voted who wished? Take the record. On this question there are 117 'ayes', no 'nays', this Bill having received Constitutional Majority is hereby declared passed. House Bill 678.

Clerk O'Brien: "House Bill 678, Mr. Day. An Act to revise the law in relation to the effective date of laws as amending certain Act here in name. Third Reading of the Bill."

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

Day: Well, Mr. Speaker and Ladies and Gentlemen of the House. This is an Amendment to the affective date statue, doesn't change the present law in any way but it does fill in some gaps and eliminates some language that was put in there with special reference to Bills that were passed prior to July 1, 1971. This Bill clearly provides that a Bill is passed by the Legislature when



it... on the date that it was last acted upon by the Legislature before it was first presented to the Governor. It covers the situation dealing with the overriding of gubernatorial veto or the affirmance of mandatory veto and it clearly provides that when the Legislature takes that action it does not constitute a new passage of the Bill. In other words, passage relates back to the previous last action by the Legislature before the Bill was first presented to the Governor. Now, with the clinger decision that presented a new problem so far as effective date of laws is concerned we still are faced a problem of a effective date on Legislation of the nature that was found in the clinger decision because you'll recall that the court in that case said, that when the amentory veto is in effect a new Bill... the amendtory veto is not valid action on the part of the Governor. So, in an atteapt to handle that situation the last sentence of this Bill provide that if the specific change proposed by the Governor is too substantial to permit passage to be so reaffirmed, the Bill shall be construed as though it had not been enacted and isn't probably an idea solution to this but I think it's the best that we can do under the present state of the law. But I do think that the Bill clears up the situation so far as overriding the amendtory vetos or affirmments... overriding out right



vetoed and the affirmance of amendtory vetoes and clearly provides that the date of passage is the date when the Legislature last acted upon the Bill before it was first presented to the Governor. So, I would urge your support of this Legislation."

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

Shea: "Representative Day, I wonder if you would yield for a question."

Speaker Telcser: "He indicates that he will."

Shea: "Bob, was there some thought that you were going to hold this until we had an Amendment worked out?"

Day: "Well, I've been waiting Jerry, and I assume that who ever was going to work out the Amendment, wasn't able to work it out. Now, this is..."

Shea: "This is the last day, I understand..."

Day: "...date for this and I would be happy to consider any Amendment and recommend it to the Senate... but I do think that we ought to take care of these problems that the Bill does affectively deal with and hopefully if we can work out something so far as the other problem is concerned, this is fine with me."

Shea: "Am I to understand, Mr. Speaker, that this Bill would still be alive tomorrow?"

Speaker Telcser: "That is correct, Sir."

Shea: "Bob, would you have any objections to holding it over night and we'll see if we can get the Amendments to you."



Day: "Will be happy to."

Speaker Telcser: "Okay, let's take that out of the record.

All right now, it is our intent to try and get out of here as close to three as we possibly can, so that the Committees scheduled today can meet. I'm going to go to the order of some motions and announcements and things of that nature and on the.... on that order, the Gentleman from Cook, Representative William Walsh wants to make a motion in reference to the Rules."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House. We have two House Resolutions dealing with the changes in House Rules. They are House Resolution 299 and House Resolution 300 and I wonder if the Clerk would read them."

Clerk Selcke: "House Resolution 299, Walsh."

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

Clerk Selcke: "He wants me to read..."

Walsh: "Now, Mr. Speaker, House Resolution 299 deals with a non substantive changes in the Rules, inserting periods, commas, semicolns, etc., and I move the adoption of House Resolution 299."

Speaker Telcser: "Is there any discussion? If not the Gentleman... The Gentleman from Lake, Representative Matijevich."

Matijevich: "I would like to ask one question to the Majority Leader."



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

Matijevich: "I'm not sure which Resolution you're on... but one of them with regards to Rule 10, the changing order of business. It says, add the word "at" before the word "any" in each line and as I read Rule 10, you've got the word "any" a couple of times in the rule on both lines for example, it reads any order of business may be changed anytime and I would read that change to mean, at any order of business.... I know what you're trying to do but I think the proposed change may be improper by inserting the word "at" before the work "any" in each line because "any" is in the present rule more than once, am I wrong? I hope I'm wrong."

Walsh: "Well, Rule 10, is very short and it as you correctly pointed out, it is titled changing order of business and under that, 10 (a), we would insert as first word "at" any order of business... or any order of business maybe changed at any time by the Speaker, it inserts the at after change and before any and I think clearly does not place at before any as a verse word." Even if it did, it wouldn't make any difference, I don't think it would change the meaning."

Matijevich: "Well, I hate to be technical but I think really the wording is improper because of the fact that any does appear twice in that line and then the second line any appears three times, any order of business maybe



changed any time upon the motion of any Member. Now, I know what you're trying to do, you're trying to say any order of business may be changed at any time. In the second line you're trying to say any order of business may be changed at any time upon the motion of any Member but if we read this the way that I do, you're going to put at before the word any before... at any Member I know what you're trying to do but I just..."

Walsh: "Let me point this out, John, that the change it says to insert at before not just any but any time. So, that it could not be before any of the other any's in the rule."

Matijevich: "Well, that's not according to what I have here." Well, I hope I'm wrong, I'll take it as such."

Walsh: "Well, that's what the Resolution says."

Speaker Telcser: "Is there further discussion? The Gentleman from McHenry, Representative Hanahan... No, okay. Is there further discussion? If not, the Gentlemen has offered to move the adoption of House Resolution 299. Now, this is a change in the rules and it will take a Roll Call vote. Roll Call vote of 107 votes. All those in favor of the Gentleman's motion will signify by voting 'aye', the opposed by voting 'no'. This is a motion to change and adopt the rule change. The Gentleman from Cook, Representative Cadwell."

Caldwell: "Mr. Speaker, while they're trying to figure out



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what Bill is talking about, I want to take the privilege of introducing the 8th grade class from Harvard St. George, in my district accompanied by their teacher, Mrs. Kathy Asche and two parents, Mrs. Rahard and Mrs. Johnson, will you great them please."

Speaker Telcser: "Record Representative Dyer as voting 'aye'. Juckett, 'aye'. Have all voted who wished? Take the record. The Gentleman from Lake, Representative Matijeovich."

Matijeovich: "I think my former seatmate had the privilege of making the last introduction, if I'm correct. Isn't that one of the rule changes?"

Speaker Telcser: "Yes, I was going to tell him that but he just snuck it in another way. The Gentleman from Randolf, Representative Hollöway."

Hollöway: "Mr. Speaker, have you concluded with this order of business?"

Speaker Telcser: "No, we're on the Roll Call."

Hollöway: "All right, then I would like to be recognized."

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

Davis: "Mr. Speaker, may I ask the Gentleman a question."

Speaker Telcser: "Yes, you may."

Davis: "Is that one of the changes in the rules, that we would have no more introductions?"

Walsh: "Not the one that was just adopted."



Davis: "Not the one that we just adopted. Well, I want to tell you before you bring that one up, I'm opposed to it because it will be some what expostfacto because we've been doing it and if we have been doing it all through the Session, I don't know why you should cut us off here in the last minute. You see, when it comes up I want to be heard on it. I'll vote for this one but I don't..."

Speaker Telcser: "Have all voted who wished? Take the record. On this question there are 121 'ayes' no 'nays' and the Gentleman's motion to adopt House Resolution #299 prevails. The Gentleman from Randolph, Representative Holloway."

Holloway: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I would like to move at this time to suspend the appropriate rule to take from the Speaker's Table and advance to the order of Second Reading without reference, Senate Bill 1139 and Senate Bill 40. These two Bills are emergency measures that arise out of the flooding conditions that deal with the public school system...."

Speaker Telcser: "Representative Holloway.... could we finish up with the rule changes first that is continuity then we'll get back...."

Holloway: "Certainly, certainly."

Speaker Telcser: "Thank you. Now the Gentleman from Cook,



Representative William Walsh."

Clerk Selcke: "House Resolution 300, W.D. Walsh."

Walsh: "Mr. Speaker, these are the substantive changes in the rules, there are... there are five of them and I will explain them briefly. First of all Rule 3, the change specifies that the present practice of seating Members of equal seniority by lot and that just does what we have been doing for lo these many years. There is a change in Rule 9 and it eliminates the return of a Bill from the Consent Calendar to House Bills Second Reading, First Legislative Day and places the Bill instead on House Bill, Second Reading. There didn't seem to be much point in the opinion of the Rules Committee for placing them on the earlier order of business. Rule 26, provides simply for ten copies of the Bill to be filed with the Clerk instead of the present seven and the Clerk has good and sufficient reason for this. Rule 37, under calling of Bills provides that the Bills with similar subject matter may be called at the same time regardless of their number or the date of their expiration and this arose mostly because of Bills that had appropriation being called at the same time as the Bills that contain the corresponding substantive matter. It also provides... the change also provides that Bills instead of being called numerically shall be called by the Speaker, by



order of the day they die on the Calendar, that is the earliest day first. And, finally to, under Rule 57, intitled quorum in debate it provides that introductions of guests in the gallery or on the floor, shall be done only by the Speaker, the Minority Leader or the Majority Leader and by no other person. Our reason for this is clearly that in the weeks ahead we will be extremely business with this... being in Session five days this week, five days next week and very likely five or six days... every day in the ensuing weeks before June 30th. Now, we think that this is reasonable, we think we give the Members the opportunity through the Speaker, Minority Leader or Majority Leader to recognize celebrities, we feel that using this technic we will cut down considerable in a number of introductions and it will be indeed very easy for us as Members to say to the school that, doggone it, I can't introduce you but I sure wish I could. Because nobody will be able to introduce except the fore going three people. And, now, Mr. Speaker, unless there is an objection and I'm afraid maybe there is, I move the adoption of these substantive changes in House Resolution 300."

Speaker Telcser: "The Gentleman Cook, Representative Davis."

Davis: "Mr. Speaker and Ladies and Gentlemen of the House.

I'm a Member of the Rules Committee but I feel that this takes an unfair advantage over the Members of this



House. Now it's like passing the expostfacto law, the thing has been done all during the Session and here you want to pass a law now to prevent it from being done. I think a thing of this kind... if you're not going to have an introduction, this should begin with the Session but not go down almost the wire and then shut off Members of the House is like saying, there's no law that have been passed against that crime you have committed but we're going to pass one now and I think that that is unfair to the Membership of the House, I think they ought to have the privilege... but the Speaker with the gavel in his hand would refuse to recognize anyone who got on the floor and asked for this floor for the purpose of introduction, under the rule of personal privilege when somebody else was speaking, he could tell that Member to wait until they were through and then give him the same privilege of introducing those people in his district as has been done here all through the Session. I think that that would be fair."

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

Murphy: "Well, Mr. Speaker, not to be unkind to the previous speaker, but there has always got to be a time to do something and as you know and I know, that this has gotten out of hand, you know that in other sections we have not allowed it and precedent had made it so,



is not allowed but this time it has got out of hand. and it is time that we've done something about it. This floor is not supposed to be used for political purposes and introducing guests is political purposes. And, I think we have to cease it in the interest of saving time and I certainly think this is a good rule and I think it should be adopted."

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

Duff: "Would the distinguish Majority Leader answer some questions on the Resolution?"

Speaker Telcser: "He indicates that he will."

Duff: "On the proposed change on the Consent Calendar, as I understand it the intent of the rule change would be to jump one day on Second Reading, is that correct?"

Walsh: "The present rule says that no matter how long a Bill has been on the Consent Calendar, when it is taken off it is placed on Second Reading, First Legislative Day. The change provides that instead of being placed in that order of business, it will be placed on Second Reading."

Duff: "Thank you." And, then on the rule change that says that simular Bills will be heard together... is simular defined anyway or how broad... how broad of similarity might the Chair find when it want's to call several Bills together.... or how narrow."



Walsh: "No, that is left to the discretion of the Speaker or acting Speaker and if I may, I'll read it, it is very brief. House Bills or Resolutions pertaining to similar subject matter for consideration at the same time or in consecutive order so that the House may consider and resolve the subject matter at one time."

Duff: "And, as to the question that the early numbered Bills would be called first... would that not often times produce a conflict or a contradiction to the rule change on similar Bills that have been called together. For example, supposing a House Bill had number 900, right now and had been on the floor for three weeks and the Sponsor has had an opportunity to work his Bill and work the merits of it and then another Bill comes on the floor... lets say with a number of 1800 and just got reported out of Committee last Thursday, now they have similar subject matters under a hypothetical and that Sponsor has had no time at all, in fact to explain the merits of his Bills to the people of the floor to whom he might normally go for support on that subject."

Walsh: "Well..."

Duff: "If that Bill is then called at the same time as the earlier Bill, which must be called early and then the Speaker makes a definition that they will be called because of the same subject matter, would that not work a hardship on the Member who put a contrary Bill in



on the same subject matter at a later date."

Walsh: "It would be my feeling in this matter that the person with the Bill that had just arrived on the Calendar would have the discretion of whether he wanted that Bill called at that time or not."

Duff: "Is that in the rule?"

Walsh: "No, not specifically but I think it's a time honored tradition that the Sponsor pretty well controls his Bills except as to deadlines and I think that the Speaker would, in every case honor his feeling."

Duff: "I'm absolutely sure that the present Speaker would do that but we're dealing in terms of rules and my question is, whether or not that suggested rule which allows any Speaker to call Bills on similarity regardless of the time honored tradition of the Sponsors ability to some extent to control his Bill, isn't a major change."

Walsh: "We're of course writing rules, Brian, that we can change at any time and while they are certainly not perfect and if they.... there are some imperfection that develop, we will certainly entertain Amendments to the rules. It was felt that this answered a problem that has existed with respect to the call of the Bills and the smooth flow of business through this House and this is the way in which the Rules Committee thought would solve that problem."

Duff: "Thank you."



Speaker Telcser: "Further discussion? The Gentleman has offered to move... the Gentleman from Lawrence, Representative Cunningham."

Cunningham: "Will the Majority Leader yield to a question?"

Speaker Telcser: "He indicates that he will."

Cunningham: "Mr. Majority Leader, did I understand you correctly that the only people that would be introduced were those introduced by you and the Minority Leader and by the Speaker, is that..."

Walsh: "That is correct and generally that would be done at the request of a Member to one of those three persons."

Cunningham: "Can we come and ask you to introduce people, that's my..."

Walsh: "You certainly can."

Cunningham: "And who decides who is important and famous, distinguish, I believe was the words you used."

Walsh: "That is the exclusive domain of the Majority Leader."

Cunningham: "Would you agree in advance that everyone in the 54th District sat in that category.... nobody... be quiet. Mr. Speaker, I want to comment briefly on this proposed effort to mussel every Member of this House. Now there is absolutely no excuse for any adoption of such a rule as this, we haven't yet reached George Orwell's period where everyone or some are more equal than others. Each of us was elected here on his own individual candidacy and we didn't run on the shirt



tail of a Speaker or a Majority Leader or Minority Leader. I for one am not willing to concede on the basis of the evidence before us now that any of those three Gentleman have a monopoly on brains and disearnment perhaps on the evidence there will be... questions the other way. I urge each of you to resist this infringement upon the rights of your constituents."

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

Caldwell: "Mr. Speaker, Ladies and Gentlemen of the House. I would concur with what Representative Cunningham has just said, I can understand that during the rest of this Session we are going to be extremely busy. I would suggest that we cut out all introductions, I would be against the Majority Leader and the Minority Leader and the Speaker, having the privilege of introducing them and they would have to make the decision as the previous speaker just pointed out. So, what I would suggest, if we're going to drop some hard and fast rules here and we're going to be working around the clock from now until June 30th, let's cut out all introductions and everybody would be equal otherwise I'm against this proposal."

Speaker Telcser: "The Gentleman has offered to move the adoption of House Resolution... the Gentleman from Cook, Representative Fleck."



Fleck: "I wish to announce that I make a motion to move the previous question."

Speaker Telcser: "The Gentleman has moved the previous question. All in favor signify by saying 'aye', the opposed 'no'. The previous question has been moved, does the Gentleman wish to close?"

Walsh: "Well, Roll Call. Yes, fine."

Speaker Telcser: "The Gentleman has offered to move the adoption of House Resolution #300. All those in favor signify by voting 'aye', the opposed by voting 'no'. Pursuant to Rule 73, it will take 89 votes. The Gentleman from Cook, Representative B.B. Wolfe to explain his vote."

Wolfe: "Yes, in the nature of a question to the distinguished Majority Leader. The ten copies that we now have to file with the Clerk, does that include the original, or is that plus the original making it eleven all together?"

Walsh: "That includes the original."

Wolfe: "Thank you."

Speaker Telcser: "Have all voted who wished? Take the record. Kempiners, 'aye'. The Gentleman from Cook, Representative Fleck."

Fleck: "Well, Mr. Speaker, as long as it appears that these rule changes have been made. I would wish that the Speaker and the Majority, Minority Leaders please



supply the Members with the rules with the changes. I remember last Session they made a number of rule changes and no one except for Members of the Leadership received copies of the changes and I wish that this year we would get those changes."

Speaker Telcser: "They were in the Journal, Representative Fleck. The rules, the original rules. On this question there are 115... 117 'ayes', 5 'nays' and House Resolution #300 is adopted. The Gentleman from Cook, Representative William Walsh."

Walsh: "Well, Mr. Speaker, in response to Representative Fleck's question, we will have a zerox copy of the rules as amended on your desk, perhaps by Friday but certainly by Monday of next week. Now, at the same time we're in the process of ordering the booklets, the Legislative hand book that will incoorate the rules as amended and they should reach you before June 30th. But you will have a copy of the rules on your desk within a week."

Speaker Telcser: "Okay, now before we take a motion that I know that you all want to make, I want to take the Consent Calendar, Second Reading."

Clerk O'Brien: "House Bill 598, a Bill for an Act to amend the Military and Navel Code. Second Reading of the Bill. House Bill 755, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill."



House Bill 853, a Bill for an Act to amend the Illinois Governmental Ethic Act. Second Reading of the Bill. House Bill 859, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 902, a Bill for an Act to provide for same compensation persons eligable World Ward II bonuses. Second Reading of the Bill. House Bill 906, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill 920, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. House Bill 965, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. House Bill 985, a Bill for an Act to amend an Act relating to the operation of General Assembly. Second Reading of the Bill. House Bill 986, a Bill for an Act creating Commission on the organization of the General Assembly. Second Reading of the Bill. House Bill 1008, a Bill for an Act to amend the Park District Code. Second Reading of the Bill. House Bill 1009, a Bill for an Act to amend an Act in relation of State Revenue Sharing with local government entity. Second Reading of the Bill. House Bill 1070, a Bill for an Act to amend an Act to authorizing the period of time for public corporation to issue bonds. Second Reading of the Bill. House Bill 1251, a Bill for an Act authorizing the transfer of unneeded fund from motor



fuel fund to the road fund. Second Reading of the Bill. House Bill 1300, a Bill for an Act to amend the Radiation and Protection Act. Second Reading of the Bill. House Bill 1493, a Bill for an Act in relation to licensing and residential facilities with the intent treatment, maintenances, supervision of care of persons in need of treatment. Second Reading of the Bill. House Bill 1494, a Bill for an Act in relation to licensing regulation of residential facilities for maintenance supervision care for mentally retarded persons. Second reading of the Bill. House Bill 1616, a Bill for an Act to amend the Section of an Act creating Commission to survey and study problems pertaining to public schools and state. Second Reading of the Bill."

Speaker Telcser: "Third Reading. Now, the Gentleman from Tazewell, Representative Von Boeckman with reference to a motion. Trying to pick up all these motions now. Representative Von Boeckman, do you wish to put a motion, Sir?"

Von Boeckman: "Yes, Mr. Speaker, I would like to move under Rule 67, to discharge House Bill 1320 from the Committee on Appropriations and place on the Calendar in Second Reading, First Legislative Day. I have the support of Representative Washburn, of the Appropriation Committee and both sides of the aisle... Leadership."

Speaker Telcser: "Is there any discussion? The Gentleman



has moved to discharge the Appropriations Committee from consideration of House Bill 1320. All those in favor signify by voting 'aye', the opposed by voting 'no'. It takes 89 votes. Have all voted who wished? Take the record. On this question there are 129 'ayes' no 'nays' and the Gentlemans motion to discharge the Appropriation Committee for consideration of House Bill 1320, prevails. The Gentleman from Randolph, Representative Holloway."

Holloway: "Yes, Mr. Speaker, I would like to renew my motion now to suspend the appropriate rule for the advancement of Senate Bills 1139 and 1140, I have cleared this with the Leadership on both sides of the aisle and the Chairman of the various Committees. I would appreciate your support."

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

Walsh: "Are these Bills that you're talking about.... last week to me..."

Holloway: "Yes, they are."

Walsh: "... did you clear these with the Chairman of the Appropriation Committee?"

Holloway: "Just a minute Bill...."

Walsh: "Well, I would be interested in seeing what the Chairman...."

Speaker Telcser: "The Gentleman from.... Okay, the Gentleman



from Grundy, Representative Washburn."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I wasn't aware of these Bills until just a few moments ago when Representative Holloway got up to make the motion at an improper time apparently. I went over and talked to him to see just what they were, I don't think he had a comment out of me because it was my understanding that Leadership on both sides of the aisle had approved by pass of the Committee. My suggestion to him was that, he move to have them heard Wednesday, which we would approve of, day after tomorrow, that is the only commentment I have. I have noted in the Digest since I have returned to my desk that they weren't assigned to any Committee in the Senate so apparently they haven't been heard by anyone to this point."

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

Walsh: "Well, I would like to say to the Gentleman making the motion that any commitment that I would make on a subject like this would be subject to the approval of the appropriate Committee Chairman now, Chairman Washburn, has not approved of by passing Committee with these Bills then certainly I don't approve of it and I think he has made an offer really that the Gentleman can't refuse namely that the rule be suspended and that they



be heard for ~~the~~ first time in a Committee the day after tomorrow."

Speaker Telcser: "The Gentleman from Randolph, Representative Holloway."

Holloway: "I would ~~say~~ that that is an excellent offer and I would like to ~~change~~ my motion then to suspend the rules to hear ~~this~~ Bill Wednesday, in the House Appropriations Committee."

Speaker Telcser: "Okay, the Gentleman has offered the move that the House rule 18, ~~be~~ suspended so that Senate Bill 1139 and 1140 may be posted for hearing in the Appropriations Committee this Wednesday. Now, all those in favor.... is there any discussion in that motion? If not, those in favor of that motion signify by voting 'aye', the opposed by voting 'no'. This will take 107 votes. Have all voted who wished? Shea, 'aye'. Take the record. Kozubowski, 'aye'. This question 124 'aye's', no 'nays' and the Gentlemen's motion suspended of rule 18, prevails. Now further... I've got this..... Wait, let's get the Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Mr. Speaker, Ladies and Gentlemen of the House. Due to an oversight, House Bill 1797 was inadvertently left off posting in the Executive Committee schedule for this Thursday, and I have checked with the Committee Chairman, the Speaker of the House, the



Majority and Minority Leaders and there is no objection to having this Bill posted and I would like to move to suspend the appropriate rule to have House Bill 1797, posted so it can be heard this week."

Speaker Telcser: "The Gentleman has moved that the provisions of rule 18 be suspended so that House Bill 1797, may be heard in the Appropriations Committee this week. All those in favor of the Gentlemans motion signify by.... the Gentleman from Union, Representative Choate."

Choate: "Just a point of clarification. The Gentleman is absolutely right, however, it was in view of an agreed Amendment that will be offered to the Bill."

Speaker Telcser: "The Gentleman is indicating an affirmative.. All those in favor of the Gentlemans motion signify by voting 'aye', the opposed by voting 'no'. 107 votes. Have all voted who wished? Take the record. On this question there are 129 'ayes', no 'nays' and the Gentlemans motion prevails. The Gentleman from Cook, Representative Hyde."

Hyde: "Mr. Speaker, Ladies and Gentlemen of the House. With reference to House Bill 1224, which was the Bill that provides the referendum on the Equal Rights Amendments through inadvertance this Bill was not scheduled for hearing in Executive Committee this Thursday, and I would request leave of the House to suspend the appropriate provisions to Rule 18, so that this Bill might be heard



this Thursday, the Committee Chiirman knows of this and is agreeable."

Speaker Telcser: "Is there any discussion? The Gentleman has moved that provisions of Rule 18, be suspended so that House Bill 1224, can be posted and heard in Committee this week. All in favor of the Gentlemans motion signify by voting 'aye', the opposed by voting 'no'. 107 votes. Have all voted who wished? Take the record. On this qesiton there are 131 'ayes', 1 'nay' and the Gentlemans motion prevails. Now, the Gentleman from Cook, Representative Mann."

Mann: "Mr. Speaker and Members of the House. I would like to move to suspend the provisions of Rule 18, so that House Bill 1295, might be posted for this Thursday, meeting of Executive Committee. It's an administration Bill dealing with the hearings of the Illinois Racing Board."

Speaker Telcser: "Is there any discussion? The Gentleman has move the provisions of Rule 18, be suspended so that House Bill 1295, can be posted for hearing this week in the House Executive Committee. All in favor of the motion signify by voting 'aye', the opposed by voting 'no', 107 votes. Have all voted who wished? Take the record. On this question there are 107 'ayes' and no 'nays', the Gentlemans motion to post House Bill 1295 to be heard this week prevails. Now, the Gentleman



from Cook, Representative Fleck."

Fleck: "Well, Mr. Speaker and Ladies and Gentlemen of the House. With reference... relation to House Joint Resolution Constitutional Amendment #23, I ask that the provisions of Rule 19, be suspended so that this Resolution may be posted for hearing this week, I talked to the Chairman of the Executive Committee and he has agreed to this motion."

Speaker Telcser: "Is there any discussion? The Gentleman moves that rule 18, be suspended for the purpose of hearing House Resolution #23, in the Executive Committee this week.. All in favor of the Gentlemans motion signify by voting 'aye', the opposed by voting 'no'. 107. This is a House Joint Resolution #23. Have all voted who wished? Wall 'aye'. Take the record. 122 'ayes' no 'nays', the Gentlemans motion prevails. The Gentleman from Cook, Representative McCourt, do you wish to put a motion, Sir? Representative McCourt, are you putting a motion, Sir? You want to go to the one next to you then."

McCourt: "Mr. Speaker, Representative Porter and myself have House Bill 1680, on Third Reading. It's an emergency piece of Legislation that affects suburban buses throughout the state. I would very much like that the appropriate Rule 37, be waived so that we may take action on this today and hopefully get it over to the Senate. I so



move."

Speaker Telcser: "Well, okay Representative McCourt, would you please hold that motion for just a moment, let me get to Representative Soderstrom."

McCourt: "All right."

Speaker Telcser: "I'll go back I'll announce Third Readings as if I were there and that would be the appropriate time for you to put it since I'm not there now. Now, Representative Soderstrom, for what purpose do you rise, Sir?"

Soderstrom: "To make a motion, Mr. Speaker."

Speaker Telcser: "State your motion, Sir."

Soderstrom: "Inadvertently, House Bill 1813 by Representative Katz was not posted to be heard before the Elementary Division of the Education Committee this week. I would like to move that Rule 18 or the provisions thereof be suspended so that Representative Katz's House Bill 1813 can be posted, heard and acted upon before the Education Committee tomorrow."

Speaker Telcser: "The Gentleman has moved to suspend the provisions of Rule 18, for the purpose of posting House Bill 1813, for hearings in the Education Committee this week. All in favor of the Gentlemans motion signify by voting 'aye', the opposed by voting 'no'. Takes 107 votes. Have all voted who wished? McAvoy, 'aye'. Wall, 'aye'. Take the record. Carroll, 'aye'. This



question there 134 'ayes', no 'nays' and the Gentlemans motion to Rule 18, prevails. The Gentleman from Kane, Representative Friedland."

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

I would like to make a motion to suspend the appropriate rule to have House Bill 1170, heard in the Revenue Committee... be scheduled for the Revenue Committee meeting tomorrow. I have checked with the Chairman and he agrees."

Speaker Telcser: "The Gentleman moves for the suspension of Rule 18, for the purpose of the posting House Bill 1170, in the House Revenue Committee for hearing this week. All in favor of the Gentlemans motion signify by voting 'aye', the opposed by voting 'no'. 107 votes. Have all voted who wished? Take the record. Wall, 'aye'. On this question there are 109 'ayes', no 'nays' and the Gentlemans motion to suspend the provisions of Rule 18, prevails. The Gentleman from Cook, Representative DiPrima."

DiPrima: "Mr. Speaker, I would like suspension of Rule 18, in order to have House Joint Resolution 36, 43, 38 and 39, heard in the Executive Committee this coming Thursday."

Speaker Telcser: "Would you read those numbers again, please Larry."

DiPrima: "36, 43, 38 and 39."

Speaker Telcser: "Is there any discussion? The Gentleman has



for suspension of the provision of Rule 18, for the purpose of posting House Resolutions 36, 43, 38 and 39, for hearing in House Executive Committee this week. All in favor of the Gentlemans motion signify by voting 'aye', the opposed by voting 'no'. 107 votes. Have all voted who whised? Take the record. The Gentleman from Cobk, Representative William Walsh."

Walsh: "Well, Mr. Speaker on this Gentlemans motion I would like to point out that in the Executive Committee this week, there are 70 Bills that must be heard this week if we are to keep our timetable now, what we're doing here is suspending this rule for Resolutions which don't expire and we can indeed hear them in the Executive Committee in the seven or eight weeks that we have remaining so, there really doesn't seem to much point in voting to hear these Bills this week, especially this week but I was wondering if the Gentleman would withdraw his motion."

Speaker Telcser: "Okay, the Gentleman will withdraw his motion. The Gentleman from Lake, Representative Matijevich."

Matijevich: "Mr. Speaker and Members of the House. I move to suspend Rule 18, relative to the posting provision for House Bill 1928, which was introduced last week, this is an emergency Bill, it's a transfer of funds authorized by the Department Mental Health through an inverfance, I thought I had a Committee hearing posted



for this week and I find that I haven't and I have cleared this with the Committee Chairman, the Leadership of both sides of the aisle."

Speaker Telcser: "Is there any discussion? The Gentleman has moved for the suspension of provision of rule 18, for the purpose of posting House Bill 1928, for hearing this week. All in favor of the Gentlemans motion signify by voting 'aye', the opposed by voting 'no'. It will take 107 votes. Have all voted who wished? Take the record. On this question there are 123 'ayes', no 'nays' and the Gentlemans motion prevails. The Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker and Members of the House. Inadvertently the number 1876 was posted for Judiciary Committee instead of 1878, I would like leave of the House to suspend Rule 18, to allow the House Bill 1878, to be heard tomorrow's Revenue Committee or when the Committee gets at it this week. 1878."

Speaker Telcser: "The Gentleman moves for the provisions of Rule 18, to suspended for the purpose of hearing House Bill 1878 in the House Revenue Committee tomorrow. All those in favor signify by voting 'aye', the opposed by voting 'no'. 107 votes. Have all voted who wished? Take the record. On this question there are 119 'ayes', 1 'nay' and the Gentlemans motion prevails. Carter, 'aye'. House Bills, Third Reading. The Gentleman



from Cook, Representative McCourt."

McCourt: "Mr. Mayor... excuse me, I've been on the City Council so long I'm still calling the Speaker, Mr. Mayor."

Speaker Telcser: I consider that a promotion, Sir."

McCourt: "I would like to suspend the appropriate rules so House Bill 1880 can be called. I so move."

Speaker Telcser: "The Gentleman has moved that the provisions of Rule 37, be suspended so that the Speaker may call out of order on Third Reading, House Bill 1680. All in favor of the Gentlemans motion signify by voting 'aye', the opposed by voting 'no'. It will take 107 votes. Have all voted who wished? Take the record. Telcser, 'aye'. Leon, 'aye'. Beaupre, 'aye'. Anderson, 'aye'. On this question there are 108 'ayes', McAvoy, 'aye'. 109 'ayes' and no 'nays' and the Gentlemans motion prevails. House Bills, Third Reading. House Bill 1680."

Clerk O'Brien: "House Bill 1680, a Bill for an Act to amend the Section of an Act making appropriations for the Department of Transportation. Third Reading of the Bill."

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

McCourt: "Mr. Speaker, some weeks ago we passed House Bill 89, which appropriated two million dollars for emergency



aid to suburban bus companies, in that Bill we defined operating deficiency in such a way that it does not allow bus companies to utilize depreciation in determining the operating deficient. This Bill merely adds depreciation as one the normal operating expenses and by so doing it will allow a number of the bus companies to have immediate aid. In particular Evanston, right now has been on... our bus operation has been curtailed for three weeks and it is felt that this will get the buses going once more. I would urge everyone to support this. Thank you."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 1680 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Cook, Representative Berman to explain his vote."

Berman: "Thank you, Mr. Speaker, I'm pleased to stand in support of this Bill. We have a situation up in the north end of my district involving Evanston, there is a crisis there is a crisis there with the buses and this one approach that I think is a responsible approach to try to get those buses rolling. And, I would appreciate as many green lights as we can get."

Speaker Telcser: "Telcser, 'aye'. Have all voted who wished? Take the record. Jim Houlihan, 'aye' and Telcser, 'aye'. On this question there are 113 'ayes' and no 'nays', a



Mann, 'aye', and this Bill having received Constitutional Majority is hereby declared passed. The Gentleman from Cook, Representative William Walsh."

Walsh: "Mr. Speaker, one announcement before adjournment. Coach Deaver's advises my that there will be self-ball practice tonight at 6 o'clock in Lincoln Park at Diamond #4 and he advises me that all the positions are opened and now, Mr. Speaker, I move that the House adjourn until 9:30 tomorrow morning for Regular Session."

Speaker Telcser: "Representative... wait a second now, Representative Harpstrite, do you seek recognition, Sir?"

Harpstrite: "Yes, I do for an announcement. The Calendar says that the meeting on Agriculture Researchs will be thirty minutes after adjournment. Instead it will be immediately after adjournment in C-1."

Speaker Telcser: "Representative Mann, for what purpose do you rise, Sir?"

Mann: "Well, Mr. Speaker, I would like to ask the Majority Leader, where diamond #4 is? Representative Schneider and I made a tour around Lincoln Park and in looking for a Majority Leader because we know it hits such a long ball, we were looking for some kind of booming drive somewhere, we couldn't find diamond #4. I wondered if maybe if you were playing in Lincoln Park in Chicago, Bill."



Walsh: "Well, Bob, we didn't know that you were going to be with Representative Schneider, we gave him intentional wrong directions."

Speaker Telcser: "Okay, the Gentleman has moved that the House do stand adjourned until the hour of 9:30 A.M. on Tuesday, May 15. All in favor of the Gentlemans motion signify by saying 'aye', the opposed 'no' and the House stands adjourned until the hour of 9:30 A.M. on Tuesday, May 15."

