

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

SIXTY-THIRD LEGISLATIVE DAY

MAY 25, 1973

10:00 O'CLOCK A.M.

THE HONORABLE W ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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

Representative Merle K. Anderson - illness;

Representative Robert L. Dunne - no reason given;

Representative Peter C. Granata - illness;

Representative Henry J. Hyde - no reason given;

Representative C. L. McCormick - illness in family;

Representative Langdon Patrick - death in family;

Representative Bernard B. Wolfe - illness



Speaker Telcser: "Okay, the House will come to order. The invocation will be by Dr. Johnson."

Dr. Johnson: "Heavenly Father, endow me with Your spirit that I may faithfully perform the duties of my calling in accordance with Your will for my life. As I look at the multitude and the tasks which confront me, I ask for a generous measure of Your strength. As I look at difficulties embodied in those tasks, I ask for a generous measure of courage. And as I look at the problems inherent in those tasks, I ask for a full measure of patience. Guide me throughout this day so that when it ah... comes to an end, I may at least have the assurance of knowing that I have done my best. Take me and my colleagues safely to our various destination at the close of today's work and bring us back refreshed in mind and spirit for the job that remains to be done. Hear me, Oh Lord, My strength and My redeemer. Amen."

Speaker Telcser: "Roll Call for attendance. The Gentleman from Cook, Representative Walsh."

W.D. Walsh: "Mr. Speaker, will the record show that Representative Granata is absent because of illness and Representatives McCormick and Rose are absent because of illness in their families."

Speaker Telcser: "Okay, that will be Journalized. Committee Reports."

Clerk Selcke: "Mr. Washburn from Appropriations to which House Bill 662 was referred; reported the same back with Amendments thereto with the recommendation the Amendments be adopted and the Bill as amended be passed. Mr. Washburn from Appropriations to which House Bill 809 was referred; reported the same back with the recommendation the Bill do pass. Mr. Washburn from Appropriations to which Senate Bill 368 was referred; reported the same back with Amendments thereto with the recommendation the Amendments be adopted and the Bill as amended do pass."

Speaker Telcser: "Message from the Senate."

Clerk Selcke: "Message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred in the adoption of the following Preamble and Joint Resolution. House Joint Resolution #49. Concurred in by the Senate May 24, 1973. Edward E. Fernandes, Secretary."



Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in the passage of Bills of the following title. House Bill 54 and House Bill 995. Passed by the Senate May 24, 1973. Edward E. Fernandes, Secretary.

Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed the Bills of the following titles, in the passage of which I'm instructed to ask the concurrence of the House. Senate Bill 29, 83, 298, 342, 243, 454, 504, 505, 506, 507, 509, 539, 557, 575, 576, 599, 600, 601, 603, 634, 646, 676, 696, 708, 709, 710, 746, 798, 799, 805, 896, 1079, and 1145. Passed by the Senate May 24, 1973. Edward E. Fernandes, Secretary.

Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed the Bills of the following title, the passage of which I'm instructed to ask concurrence of the House.

Senate Bill 246, 254, 255, 281, 282, 289, 294, 296, 322, 347, 425, 426, 427, 433, 435, 451, 473, 481, 490, 508, 519, 523, 524, 525, 526, 527, 528, 529, 530, 533, 546, 547, 558, 571, 577, 581, 584, 587, 588, 596, 602, 604, 605, 606, 607, 613, 627, 635, 637, 638, 639, 640, 647, 656, 672, 690, 695, 707, 714, 747, 754, 755, 782, 783, 817, 820, 833, 910, 926, 927, 933, 940, 957, 999, 1012, and 1095. Passed the Senate May 24. Edward E. Fernandes, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed the Bills of the following titles, the passage of which I'm instructed to ask concurrence of the House.

Senate Bill 553, 794, 796, 797. Passed the Senate, May 24, 1973. Edward E. Fernandes, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed the Bills of the following title, the passage of which I'm instructed to ask concurrence of the House. Senate Bills 764, 765, 780, 787, 790, 791, 792, 793. Passed the Senate May 24, 1973. Edward E. Fernandes, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed the Bills of the following title, the passage of which I'm instructed to ask the concurrence of the House. Senate Bill 769, 770, 772, 773, 776. Passed the Senate May 24, 1973. Edward Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives, the Senate has



passed the Bills of the following title, the passage of which I'm instructed to ask concurrence of the House. Senate Bill 800, 801, 802, 803, 806, 809, 824, 826, 827, 829, 830, 831, 854, 855, 857, 860, 869, 871, 872, 873, 875, 876. Passed the Senate May 24, 1973. Edward E. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution and the adoption of which I'm instructed to ask the concurrence of the House. Senate Joint Resolution #39. Adopted by the Senate May 25, 1973. Edward E. Fernandes, Secretary."

Speaker Telcser: "Okay, we'll come back to the Agreed Resolutions ah... after they've been worked out. Now we'll go to House Bills, Third Reading. Representative Cunningham... We're working on the Agreed Resolutions now, Bill. Then we'll come back to them. Representative Cunningham, what purpose do you rise, sir?"

Cunningham: "Mr. Speaker, I wish to inquire as to what time today that the Motions will be taken up. I have three ethics Motions on the Calendar. I wasn't trying to tell the Speaker how to run his business, but it would be helpful if we had some indication as to what time in the day that these will be heard."

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

Shea: "I think they take 89 votes and he could call it now if he wanted it."

Cunningham: "Fine, what was your answer?"

Speaker Telcser: "Well, Representative Shea's answer was it takes 89 votes if you wish to take it up now. Would you like us to?"

Cunningham: "In about 30 minutes, Mr. Speaker, it'll just be fine. It'll be ready. Thank you very much."

Clerk Selcke: "House Bill 637, Kozubowski."

Speaker Telcser: "He's not here. Take it out of the record."

Clerk Selcke: "House Bill 687, Timothy Simms. Out of the record, not here. Well, we're getting no place fast. House Bill 820, Londrigan. Not here."

Speaker Telcser: "Ewell isn't here. Take that out of the record."

Clerk Selcke: "909, Blair's not here. 911, McCormick's not here."



562, Schneider. Is he here? 735, Hart. Yep, 735. House Bill 735, Hart. A Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Hart: "Mr. ah... Mr. Speaker and Ladies and Gentlemen of the House, I'll take a chance on this if they'll promise not to verify the vote. I don't know whether 89 votes here if everybody was home, but it isn't a very controversial Bill. This Bill was requested by my ah... local Supervisor of Education Service Region. It has the support of the Illinois Scholarship Commission. Presently, persons who get Teacher Education Scholarships must teach two out of the first three years or pay back the money that they received for a scholarship. My Bill would extend that period so that they would have to pay the money ah... if they don't teach two out of the first five years after they receive their scholarship. Due to this... Okay, I appreciate the support of the House, very much needed."

Speaker Telcser: "The question is shall House Bill 735 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Cook, Representative William Walsh."

W.D. Walsh: "Well, Mr. Speaker, I hate to be a wet blanket, but this... this Bill certainly isn't ah... all that noncontroversial. This, this talks about doing something that shouldn't be done at all and it's extending the ah... time that teachers can ah... oh... extending the time that they have before they begin teaching. Ah... I wonder if we could take this out of the record till we got more people so that we didn't ah..."

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

Hart: "Well, this just proves what I've been suspicious of all along. There's nothing too insignificant for the Majority Leader to take issue with. Now ah... in the first place, ah... he's completely incorrect in assumption of the Bill. Because of the surplus of teachers in the State of Illinois, these people who graduate with the Teacher Education Scholarships can't find jobs. So ah... they're up against it to try to pay back this ah... money that they owe for not... This isn't getting out of paying their money



that they owe. It just gives a little bit more time for them to do it. The Scholarship Commission ah... as I said, supports this measure. It's got support by... I've had a lot of support for it from around the State and ah... Instead of having to pay it back two, if they don't teach two out of the first three years, it gives them ah... five year period in which to pay back this scholarship. And gives them a little more time to try to find jobs and teach, which is what they went to school for and which is what they want to do and I'd like to, to have this Bill pass. There's nothing wrong with it. Ah... I, I... It was either Mr. Walsh or his brother that passed the Bill which required them to pay these things. This came out of Higher Education Committee with only one dissenting vote and that was ah... I believe, Richard Walsh. I think he was the Sponsor of the original Bill. Ah... I think, I think this Bill has the support of the majority of this Body and I'd like to go ahead with it."

Speaker Telcser: "Representative Walsh, do you wish to..."

W.D. Walsh: "Well, my only question is whether a majority of this Body is here and I repeat, I don't think it's ah... ah... a very good Bill notwithstanding the fact that ah... Richard Walsh doesn't think it is either. Ah... And I'd like, too, to respond a little bit and say to the Gentleman something that was said to me yesterday by another Member. He said, if ah... if you won't lie about me, I won't tell the truth about you. Ah... I just think that if we're going to be very close on this that ah... I'm going to ask for a verification. I think we're going to waste time. That's the ah... that's the only thing. I think it's that significant."

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

Choate: "Only to comment, Mr. Speaker, that ah... regardless of how valid the Majority Leader's objection might be and it certainly appears to be because of the lack of Membership on the floor of the House, I only want to point out that it was Speaker that went to the order of Third Reading when the Membership was this thin on the floor of the House. And in accordance with the Rules



of this House, started going down the order of call and we arrived at this Bill. Now if we don't want to try to pass some noncontroversial legislation, well then I suggest that we do something else that ah... might be at the whims of the Majority Leader until the Membership gets here. This is a noncontroversial piece of legislation. I don't know of anyone that objects to it and if we don't want to try and clear the Calendar up, well then it's all right with me, but we're going to find out that ah... in the near future there going to be really piled up here and this appears to me as an opportunity to get rid of some of the non-controversial legislation."

Speaker Telcser: "The Lady from DuPage, Representative Dyer."

Dyer: "Mr. Speaker and Ladies and Gentlemen of the House, speaking for the Higher Education Committee, I would like to clear up this if I can. Ah... Representative Hart is perfectly correct ah... This Bill passed out of Higher Education Committee 14 'yeas' and only 1 'nay'. I think the difficulty... perhaps Mr. Majority Leader isn't aware of the whole picture that we are trying... that we will eventually phase out all of these special teacher scholarships. However, there are many young people in Illinois right now who accepted them, accepted their obligation, perfectly willing to fulfill their obligation. Only the jobs are simply not available and the intent of this Bill is just to give them two more years in which they can honorably fulfill their obligations and justify their scholarship. I urge a 'yes' vote on this. This is or should be a noncontroversial Bill. I hope this clears it up."

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

Stone: "Mr. Speaker and Ladies and Gentlemen, I was in the Higher Education Committee when this Bill was heard and, and ah... most of us didn't see anything wrong with it there. I think it is a noncontroversial Bill. I agree with the Minority Leader that if we're going to start on, on Bills ah... without a full Membership here, you theoretically couldn't find a better Bill than this to start with. No one objects to it. I should say, very, very few object to it and ah... if we're going to do business, fine. If we're not, ah... we can fiddle around until the Membership is





here. This is a good Bill and you should vote 'yes'."

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

Hudson: "Mr. Speaker and Ladies and Gentlemen of the House, ah... unavoidably I missed some of the initial comments by the Sponsor and comments by our colleagues on this particular Bill, but I rise in support of it. It is identical to a Bill that I had drafted, but Representative Hart beat me to it. I'm glad he did. My Bill was 1035. I sought to do exactly what Representative Hart's Bill does. I think it's eminently fair. Yesterday, we talked a great deal about second chances and I think it is indeed fair that we give some of these young people who accepted these scholarships with every idea that when they had completed their work, their academic work, that there would, in fact, be jobs for them to move into. This is not the case. This is a modest ah... Bill seeking only to give them a little more time, extend their time two years for them to work their three years in a five year period. Very reasonable approach, hurts no one that I can see and helps these young people. And I certainly would add my words for what they may be worth to those already spoken in favor of this measure. I urge a green light."

Speaker Telcser: "The Gentleman from Union, Representative Choate."

Choate: "Let me make a suggestion, Mr. Speaker. I believe there's 89 Members on the floor of this House and I think that by the debate that's been taken part of in here this morning that you find it's a noncontroversial piece of legislation. Let's clear the Roll Call and only those present vote and I'm sure that the 89 votes will be there or on the way."

Speaker Telcser: "Okay, let's take new Roll Call. The question is shall House Bill 735 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Cook, Representative Richard Walsh."

R.A. Walsh: "Mr. Speaker, Mr. Speaker, Ladies and Gentlemen of the House, as the person who voted 'no' in the Higher Education Committee and as the person who sponsored ah... the law which ah... which this Bill seeks to amend, ah... I would like to just briefly explain my vote. Now when people who ah... accepted the Teacher



Education Tuition Waivers ah... did so ah... the people who are trying to be ah... ah... given some relief under this Bill, they agreed to repay ah... to the State the amount of the tuition which was waived if in fact they did not teach as agreed for two of the three years after their graduation. Now they were on notice that they might not be able to get jobs as teachers. They were indirectly encouraged as a matter of fact by this Bill that we passed ah... I think it was four years ago, not to engage ah... in a Teacher Education Program because there wasn't any need at that time and it was clear that there probably wouldn't be any need upon their graduation. I don't see any reason why the people of the State of Illinois, why the taxpayers shouldn't have this money repaid to him because the student didn't pay any tuition in the first place and we're merely getting what the taxpayer has coming. I think that this Bill is bad and I'm voting 'no'."

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

Hirschfeld: "Well, Mr. Speaker, I must say that I'm alarmed at the debate on the floor this morning. We've spent more time on this Bill already on the floor than we spent in the Higher Education Committee where I personally think there is more expertise on the matter. So for that reason and also because in the three years I've been down here, I can't remember that the two distinguished Walsh brothers from Chicago have ever voted together and that troubles me greatly and therefore, I'll have to vote the opposite. So I vote 'aye'."

Speaker Telcser: "Have all voted who wished? Take the record. Representative Ryan, for what purpose do you rise, sir?"

Ryan: "To inquire, Mr. Speaker, is this the honor system that ah... Representative Cunningham spoke of yesterday?"

Speaker Telcser: "Of course it is. Have all voted who wished? Take the record. On this question 117 'ayes', 6 'nays', and this Bill having received the Constitutional majority is hereby declared passed. Ah... Okay, let's go back for a minute to the Agreed Resolutions which are cleared up ah... then we'll go back to Third."

Clerk Selcke: "House Resolution 322, Washburn. House Resolution 350, McPartlin. House Resolution 351, Kelly. House Resolution 352,



Emil Jones. House Resolution 353, Hirschfeld. House Resolution 354, Lechowicz. House Resolution 356, Fary. House Resolution 367, Rose. House Resolution 359, Friedland. House Resolution, House Joint Resolution 352, Geo Karis. Senate Joint Resolution 28, Douglas. House Resolution 369, Hart. Senate Joint Resolution 39..."

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

Walsh: "Mr. Speaker, Ladies and Gentlemen of the House. These are the Agreed Resolutions and House Resolution 322 congratulates Charles C. Newman of Paxton who will retire at the end of the spring 1973 term, having served 20 years as Superintendent in Paxton Community Unit District No. 2. House Resolution 350 congratulates David Tripoli of Chicago, Illinois who has been selected to receive the rank of Eagle Scout and House Resolution 351 introduced by Representative Kelly congratulates the Chief of Police William H. Abraham of the Village of Hazel Crest who will retire on June first 1973, and House Resolution 352 by Emil Jones commends the Roseland Kiwanis Club of Chicago upon 50 years of service to mankind and House Resolution 353 by Representative Hirschfeld congratulates Sister Leo Marie on the celebration of her Golden Jubilee, and House Resolution 354 by Representative Lechowicz congratulates Mr. & Mrs. Bernard Krukowski who will celebrate their 50th Wedding Anniversary on Monday, May 28th, and House Resolution 356 by Representative Fary congratulates Mr. & Mrs. John J. Bartecki of Chicago upon the occasion of their 35th Anniversary, ah, Wedding Anniversary, and House Resolution 357 congratulates Mr. Henry Love who has retired from the Gillespie Police Force after some 20 years of service and House Resolution 359 sponsored by Representative Friedland congratulates Mr. & Mrs. Walter J. Reed of Elgin who will celebrate their 50th Wedding Anniversary on June 6th, and House Resolution 361 by Representative Hart congratulates Metropolis Illinois for its efforts in promoting Superman and the ideas he stands for, and House Joint Resolution 52 by Representative Geo Karis congratulates Mayor Richard M. Foss of Mundelein who retired from Public Office in April of 1973, and Senate Joint Resolution 28 by Senator Shapiro calls for us urging the Department of Mental Health to require that all State or State Licensed Private Health Care Facilities including Day Treatment Programs for the mentally retarded insure that



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each resident or patient participate in a daily oral hygiene program conducted by the Institutional Staff and that the necessary supplies and utensils be supplied, etc., and Senate Joint Resolution #39 is the Adjournment Resolution and as we mentioned yesterday the Adjournment Resolution says that when we adjourn today the House will stand adjourned until Tuesday, May 29, 1973, at 10:00 a.m. and as we mentioned yesterday the convening at 10:00 on next Tuesday May 29th will not be perfunctory, we will be in Regular Session then but it is our intention to take up matters that are non-controversial such as messages from the Senate, Bills, ah, House Bills on Second Reading that do not have Amendments and other non-controversial things and go into controversial things, with Amendments at 12:00 noon, so everyone is expected to be here at 12:00 noon on next Tuesday and Mr. Speaker I move the adoption of the Agreed Resolutions."

Speaker Telcser: "Is there any discussion? The Gentleman has moved for the adoption of the Agreed Resolutions, all in favor signify by saying 'aye', opposed 'no'. The Agreed Resolutions are adopted. Now we will go back to House Bills, Third Reading. The Clerk will start House Bills Third Reading at the top of the list again because a number of Members have now come in."

Clerk Selcke: "Kozubowski, out. House Bill 687, Timothy Simms."

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

Clerk Selcke: "House Bill 820, Londrigan."

Speaker Telcser: "Is Representative Londrigan on the Floor?"

Clerk Selcke: "A Bill for an Act to amend the Vehicle Code. Third Reading of the Bill."

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

Londrigan: "Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill for bicycle safety. If you will remember during the last Session we passed a bicycle reflector law which is very much approved of and has put the State of Illinois in the lead for bicycle safety. There is millions and millions of new bicycle enthusiasts and this will provide safety for our children and for all the bicyclers. What it does is provide that on the tire or rim there be a reflector 3/16 inch which on the tire will be part of the tire. This is a white reflector all the way around the tire. It can be seen at almost 300



degree angles. Presently we have reflectors the standard ground reflectors, two on each side, which will be mandatory soon. This will replace these reflectors with these white reflector on the tire or rim. They can be seen much much better. They are a far superior reflective material. They can be seen at up to a 300 degree angle and what is vitally important, they are easily understood. You can see that it is a bicycle that you are approaching rather than just a standard reflector. I think it is a very good Bill and I ask your support."

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

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill which was discussed in the Committee on Transportation and it is a wonderful idea and that the Sponsor knows there is only one problem and I would like to ask the Sponsor whether there has been any solution to this problem, and that is this Bill would require that as of a certain date every bicycle, every bicycle manufactured have this material on the tires, this reflective material and as I understand it, there is only one manufacturer, Minnesota Mining and Manufacturing that produces this at the moment. So what we do if we pass this Bill would be to create a monopoly. We would be calling for a material to be on our bicycle and there is only one person, one firm making it, and I want to ask the Sponsor whether this is so and if it is so I think every Member of this House ought to know what they are doing. And its a great idea, we have lots of bicycles in my garage, we are all interested in the safety of little children and people who are riding bicycles, but I don't think we want to create a monopoly and I wonder if the Sponsor would respond and tell us whether the bicycle tire manufacturers are able to produce these right now or whether we are calling for something that is just a good idea."

Londrigan: "That is not true, there is no monopoly here. Now on the process to put it on the tire, there is one invention which is already has three manufacturers using it and others can use it as they see fit. But if you will note, this is not just on the tires, we have put on the rim. And by putting it on the rim, it is open to anyone that wants to use any material to use it on the rim. Now



this is a model, this is a model uniform law. California and Wisconsin are in the process of passing it now. New York already has passed it. So we are starting in to something which the other States, too, are considering and will pick up gradually and hopefully we will make it uniform across the country. But there is no monopoly in this. I checked it out before I introduced this Bill because I had the same question and I, of course, would not be any part of that. But it can be on the tires or the rim which makes it completely open to everyone."

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

Kempiners: "Thank you Mr. Speaker. Will the Gentleman yield to a question?"

Speaker Telcser: "He indicates he will."

Kempiners: "There is only one problem that I can see with this, and I think that Representative Deuster may have answered it, but is this related to the manufacture of new bikes only or does it mean that a person that presently owns one will have to see that this material is added to the tire or rim."

Londrigan: "A very good question: I am glad to answer that. It applies only to new bicycles and there is an Amendment. It is January 1st, 1975, which will give the manufacturers time to get rid of their inventory and make it timed so they can get the new inventory and be prepared. It is only on new bicycles after January 1st, 1975."

Kempiners: "Fine, it seems like a good Bill to me."

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

Borchers: "Well, this is what I call a nice Bill for Grandfathers and Grandmothers. I have seven Grandchildren and they indirectly own seven bicycles, and I think this is a fine Bill for us. So I move the previous question."

Speaker Telcser: "All right, the Gentleman has moved the previous question. All those in favor signify by saying 'aye', the opposed 'no'. And Representative Londrigan to close. Do you wish to close? No."

Londrigan: "I think that with that Bill discussion and I would appreciate your support on this good Bill."

Speaker Telcser: "The question is shall House Bill 820 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Lake, Representative Deuster to explain his vote."



Deuster: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I see all those green lights up there and I'm going to put my red light on because in the Committee we went into this a little bit. I am fearful of that we may be creating a monopoly. As of this moment it is my understanding that only Minnesota Mining and Manufacturing which is engaged in a lobbying campaign across this country and it is true that other State Legislatures are considering this but I don't think it has been passed. They are engaged in a campaign to require this and they produce the material. I don't know of anybody else that does. Also I believe that we were told in the Committee that even the bicycle tire manufacturers are not in a position to gear up and do this. And so, yes safety of little children is the popular thing, like motherhood, but we have got to have a few red lights on there. I think it is a dangerous proposition and there is some reservations we should have about the legislation. So I encourage some no votes."

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

Huskey: "Mr. Speaker, Ladies and Gentlemen of the House. This is a very good safety measure, but I feel that safety measures should be optional. If the parents want this safety measure, I am sure the dealers could provide it for the parents, but actually what we are doing, our nation is faced with a shortage of fuel crisis. Bicycles are going to become more popular. They are going to become another mode of transportation. So actually all we are going to do is increase the cost of bicycles. So really who is really going to suffer? The little children that you speak about."

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

Hudson: "Mr. Speaker and Ladies and Gentlemen of the House. I'm as much interested in safety, I think, bicycle safety, as anyone here. At least I hope I am, but it seems to me that here's a Bill that once again mandates the manufacturer to go one step farther by government fiat. Now we have Bills that require reflectors on bicycles. We have Bills that require reflectors on pedals. We have Bills that require lights, Bills that require horns. The only extension to this whole thing, that I can see, is that we pass a Bill to require the bicyclist himself to take a bath in florescent material so that he



too will be visable and less apt to sustain injury. But being a little more serious maybe what we ought to do is encourage the bicyclist himself to buy clothing of a florescent material which he can do, a jacket or whatever, that will make him clearly visable and do the same thing. Without once again going by government dictate into the private business and raising the cost of the bicycles to the consumer. I think it is unnecessary, well intended, but unnecessary and I therefore vote no."

Speaker Telcser: "Have all voted who wish? Take the record. The Gentleman from Macon, Representative Borchers."

Borchers: "I could care less about the monopoly and the extra buck. I have seen a little child crushed with a bicycle and a car. That's the only thing I care about and it don't hurt my feelings a bit if my son-in-laws are forced to buy, spend a little extra money, to protect my grandchildren."

Speaker Telcser: "On this question 126 ayes, 14 nays and this Bill having received the Constitutional Majority is hereby declared passed."

Clerk Selcke: "House Bill 562, Schneider, A Bill for an Act to Amend the Civil Administrative Code, Third Reading of the Bill."

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

Schneider: "Thank you, Mr. Speaker, Members of the House. 562 has been changed completely, the Digest the last Digest I believe is accurate. It was a Bill which was actually developed in Committee through the Sub-Committee process, then in Committee again. It was amended by the Committee and brought out on the Floor. It works out all the Departments involved have agreed. The Department of Conservation and the Division of Water Resource Management have agreed to the Bill. Now all of the Directors also have agreed and I believe it probably has reached the best form it can involving as many of the agencies as possible. Representative Mahar chaired the Sub-Committee which helped draft the Bill and it provides that the Department of Conservation will work in consultation with the Division of Waterways for any surveys or projects that are undertaken in the future. So it is a cooperative venture and I solicit your support on 562."

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

Mahar: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. This Bill





was referred to a Sub-Committee. We talked to the Department of Conservation about it. We talked to the Department of Transportation. There is a great need for coordination in these areas to save money to get the job done. It is an excellent Bill and I urge your support."

Speaker Telcser: "Is there any further discussion? The question is shall House Bill 562 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the record."

On this question there is 125 ayes and 1 nay. This Bill having received the Constitutional Majority is hereby declared passed."

Clerk Selcke: "House Bill 764, Rayson, A Bill for an Act to Amend the Public Junior College Act, Third Reading of the Bill."

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

Rayson: "Thank you Mr. Speaker and Members of the House. This is a Bill amending the Junior College Act to increase the amount of flat grants per student per semester hour from \$16.50 to \$21.00. This Bill passed the Committee by a vote of 11 to 2 but at that time we had \$24. \$24 was the Illinois Master Plan for Higher Education Recommendation. \$24 was the recommendation of the Junior College Board, but we thought we would be pragmatic because we know the Governor is looking with a jaundice eye for coming up with the appropriate money we need notwithstanding his favoring increases. So we cut it down to \$21.00. This was an increase of some 13½ million over what was appropriated heretofore. But we also know the Junior College enrollment is going to be up considerably. I appreciate your support for increase for flat grants for Junior Colleges."

Speaker Telcser: "Is there further discussion? The question is shall House... The Gentleman from Cook from Whiteside, Representative Miller."

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

Speaker Telcser: "He indicates that he will."

Miller: "Mr. Rayson, I was trying to listen but I don't believe you stated how much more State Revenues it would take to implement this Bill if it passed. Can you give me a figure on it?"

Rayson: "It is actually about 13½ million more."

Miller: "Than now?"



Rayson: "Than what the existing law like that would be."

Miller: "At the 15½."

Rayson: "But it is also the Board of Higher Education is coming in with or have recommended a figure quite similar to it and the master plan of course the Junior College Board want more. Notwithstanding the amount of increase we all know the need and the budgeting effects of the Junior College Program and the enrollment to get that this is a rather moderate increase that is needed."

Miller: "Well, now, I'm not sure exactly how to ask this question, but Lee, is this your own idea? Or is this backed by the educational people?"

Rayson: "This is backed by the educational people, yes."

Miller: "The Junior College Board."

Rayson: "The Junior College Board and Junior College teachers and professors and others."

Miller: "Did I understand you to say, though, that if this passes they are likely to come in and recommend more than this."

Rayson: "No, the point is we understand the Governor said he will go for an increase but he won't go for the kind of increase his campaign rhetoric promised. We are trying to keep him honest and get as much as we can."

Miller: "Well, do you think the Governor will sign this Bill if it passes?"

Rayson: "I hope he will."

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

G. Hoffman: "Will the Sponsor yield for a question?"

Speaker Telcser: "He indicates he will."

G. Hoffman: "Is there an Appropriation Bill with this? Will this go through the Appropriations Committee?"

Rayson: "No, it didn't."

G. Hoffman: "Where is the money for us then?"

Rayson: "If it isn't in the Hopper, it will be next week."

G. Hoffman: "You mean if the money isn't in the Hopper, somebody is going to put it there next week."

Rayson: "Well, it has got to be there, because by law you know. We have this flat grant pay. Now the Senate Bill, there is a Senate Bill



that passed out of the Senate too. But I'm sure we all know we are going to have to..."

Miller: "Mr. Speaker, Ladies and Gentlemen of the House. It is my understanding that the Governor has indicated to some groups of people that he is willing to increase this a dollar. Now not that what he indicates to anybody makes much difference to this body, but nevertheless I think it is a factor that we have to be concerned about at the end of the line. I think the other thing that we have to be concerned about is that when we talk about expenditures we have to recognize a variety of priorities. I think we have to ask ourself if this type of an increase on a percentage wise basis regardless of how well deserved makes any sense. I think we each have to answer that to ourselves. However, I think we should all take it into consideration. Thank you."

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

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House. I think this is a extremely good Bill. We have tried to fund the Junior Colleges at a sufficient level to pay for the education of our people throughout the State. I think this in one step in the right direction if we can get the Junior Colleges funds at the proper level, we probably wouldn't have to spend as much money on our big Universities as we do. I think this Bill should pass."

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

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

Speaker Telcser: "He indicates that he will."

Hunsicker: "Leland would this in effect help hold Real Estate Taxes down?"

Rayson: "Well, of course, it would reduce the Real Estate Tax or it would certainly stabilize it. Because as you know, the Junior College Program is funded through State money to Real Estate Tax and tuition. And of course, if we come up to our level, which should be at least a third and this is in that direction, but it is still short of that. It can't help but at least stabilize it if not reduce Property Tax."

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

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

Speaker Telcser: "He indicates he will."



Lechowicz: "How much money is allocated in the 74 Fiscal Budget for Flat Junior College Grants?"

Rayson: "The 74 year Fiscal Budget has about 73.7 million dollars, last year it was about 54 something. Now that is based on the 16.50 figure plus a modest increase. Now this would, it is due to increase enrollment. It is going to go up higher, but this would add about 13½ million more than what would come in. And the come in pack is about 73.7."

Lechowicz: "Lee, what is it per semester hour? This Bill calls for a \$21 expenditure. What is it based in Fiscal 74 for a dollar cost per semester hour?"

Rayson: "I think per 74 there is a recommendation on \$18 on 16.50."

Lechowicz: "So if we pass this Bill, we are increasing the budget by 13 and some million dollars."

Rayson: "Thank you."

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

Kempiners: "Thank you, Mr. Speaker. I move the previous question."

Speaker Telcser: "The Gentleman moves the previous question. All in favor signify by saying 'aye', the opposed 'no', and Representative Rayson to close."

Rayson: "Mr. Speaker and Members of the House, I don't think I can add too much. The distinguished Minority Whip very cogently and distinctly expressed the needs of this Bill. We have to come back to what has been the projected thinking in Illinois to beef up the programs of our Junior Colleges. To stop the extravagant expenditures that we have been putting out for our Senior Colleges. The cost of funding between the two are most greatly desperate. This is only a partial step to meet the master plans recommendations for the kind of funding that we need for our Junior Colleges. I urge a favorable vote."

Speaker Telcser: "The question is shall House Bill 764 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Franklin, Representative Hart."

Hart: "Mr. Speaker, for the reason that I do not want to mislead any of the Junior College people in my District from thinking that this is going to become the law, I would like to be voted as present."



Speaker Telcser: "Record Mr. Hart as voting as present. Have all voted who wish? Take the record. On this question there are 129 ayes, 12 nays and this Bill having received the Constitutional Majority is hereby declared passed."

Clerk Selcke: "House Bill 846, Simms, A Bill for an Act to Amend the Public Junior College Act, Third Reading of the Bill."

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

Simms: "Mr. Speaker, Ladies and Gentlemen of the House. This Legislation is intended to amend the section of the Illinois Public Junior College Act that eliminates the requirement of giving preference to indistrict students for admission to all programs in order to permit admission of students to the programs covered by contractual agreement. This is recommended by the Public Junior Colleges and I would urge a favorable vote."

Speaker Telcser: "Is there any discussion? The question is shall. The Gentleman from McHenry, Representative Skinner."

Skinner: "I must admit I am rather amazed the Illinois Junior College Board would make such a recommendation. They are saying that people who live in a Junior College District should not have preference for the classes in that Junior College. Is that correct, Tim?"

Simms: "No, what this allows is contractual agreements between one District and another. Like in their dental hygiene program. Where they can work out cooperative agreements and each student from each District would be treated the same."

Skinner: "For instance if you have a dental hygiene program in Rock Valley and we have an agricultural program in McHenry your agricultural people would be put on the same basis as our agricultural people and vice versa."

Simms: "Right."

Skinner: "Oh, then it's a good Bill."

Speaker Telcser: "The question is shall House Bill 846 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the record. On this question there is 135 ayes, 8 nays. This Bill having received the Constitutional Majority is hereby declared passed. Waddell and Cox aye. House



Bill 950.

Clerk Selcke: "House Bill 950, Maragos."

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

Clerk Selcke: "House Bill 966."

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

Clerk Selcke: "House Bill 601, Krause, A Bill for an Act making an appropriation to the St. Louis Metropolitan area Airport Authority. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from St. Clair, Representative Krause."

Krause: "Thank you, Mr. Speaker. Mr. Speaker and Members of the House, House Bill 601 is the annual appropriation for the St. Louis Metropolitan Airport Authority and it appropriates 709,150 dollars and I would appreciate your support."

Speaker Telcser: "Is there any discussion? The question is shall House Bill 601 pass? Those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the record. On this question there are 144 ayes, 1 nay, and this Bill having received the Constitutional Majority is hereby declared passed: House Bill 684."

Clerk Selcke: "He isn't here."

Speaker Telcser: "Boyle isn't here. Take it out of the record."

Clerk Selcke: "House Bill 685, Pierce, A Bill for an Act to Amend the School Code. Third Reading of the Bill."

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

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 685 is aimed at the problem that the parents of handicapped children have had when their child has been referred for a case study or an evaluation pursuant to the School Code and sometimes it is as long as six months they have to sit home till they wait for that case study and evaluation to be completed so they can be placed in the appropriate special education classroom or perhaps even in a regular classroom with just a part-time assistant from the Special Education teacher. What the Bill requires is that once they are referred for evaluation and testing by either the school authorities or the parents, that the determination be made in 60 days as to the appropriate placement for them and that they be placed in the appropriate



classroom at least by the beginning of the next semester. We make it clear that in the meantime that the school district is responsible for their education. This Bill does give a reasonable time limit of 60 days to determine the proper classification of the student. And of course that is not final. It can always be changed at a later period when more is learned about the student's problem. But it will relieve the definite problem we have had of a student sitting home as long as six months while they wait for someone to determine what class is the appropriate one for them. The Bill was approved in Elementary and Secondary Education Committee. There is no organized opposition to it that I know. We have worked out our problems with OSPI and I ask that you support House Bill 685."

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

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

Speaker Telcser: "He indicates he will."

Tuerk: "Cannot OSPI do this right now without having a new law on the statutes?"

Pierce: "The determination is not made by OSPI. The original Bill indicated that and we amended it. The determination is actually made by the local school authorities or Special Education Joint Agreement District who evaluate the student and then it is reviewed by OSPI. You see alot of things can be done now, but they are not being done now and this Bill will give them some direction. There is no penalty. No one goes to jail if they don't evaluate the child in 60 days, but we are telling the authorities that we think 60 days is a long enough period to at least make an initial determination of where this child should be in the school system. And that's all the Bill is aimed at Representative Tuerk. We don't send any one to jail for not making a proper evaluation or make it a felony. We do give direction to the school authorities. Don't let this child sit home more than 60 days, find where he should go."

Speaker Telcser: "Is there further discussion? The question is shall House Bill 685 pass? Those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the record. William Walsh, aye. Tim Simms, aye. Stiehl, aye. Gene Barnes, aye. From now on why don't you come up to the Clerk's desk and get on.



On this question there is 151 ayes, no nays. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 708."

Clerk Selcke: "House Bill 708, J. J. Wolf. A Bill for an Act to Amend the Election Code. Third Reading of the Bill."

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

J. J. Wolf: "Mr. Speaker, Members of the House. What this Bill does is it increases from  $\frac{1}{2}$  percent to  $1\frac{1}{2}$  percent the number of signatures required for a Member of the General Assembly to get on the ballot. The reason for this is I think it is obvious, in view of the recent court decision, not the court decision, but the ruling that what constitutes a Republican and a Democrat, people can now switch from one Primary to the next and I don't think this is any great hardship on securing the necessary amount of signatures in order to get on the ballot. I would ask your support."

Speaker Telcser: "Representative Wolf, the Clerk tells me that there is an Amendment up here on the Clerk's desk that was not yet adopted. Did you want an Amendment adopted?"

J. J. Wolf: "There is an Amendment up there?"

Speaker Telcser: "Is that right, Fred."

Clerk Selcke: "Yes, we have Amendment #1 up here, Jake."

J. J. Wolf: "Would you take that out of the record for a minute until I get a chance to look at it."

Speaker Telcser: "Okay, take it out of the record. House Bill 711."

Clerk Selcke: "House Bill 711, Tipword. A Bill for an Act to amend the Probate Act. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Christian, Representative Tipword."

Tipword: "Mr. Speaker, Ladies and Gentlemen. House Bill 711 is a Bill which would provide for distribution of Estates up to the amount of \$50,000 on Summary Administration upon the filing of a verified petition inventories with the court, consent of all persons who are interested in the estate. Showing that there are no taxes due to the United States or the State and that those taxes have been paid or are the obligation of some other person. And upon publishing notice for the filing of claims and making provision for the filing of claims in this kind of a proceeding. This kind of a rather small estate





may be closed after a period of 30 days upon the entry of order. The order can provide for the claims to be determined and to provide for the distribution, the collection of assets and the distribution of assets to the heirs. This is a proceeding to meet what has been requested and required by many people throughout the State of Illinois. It was prepared originally by the Illinois State Bar Association and has been amended and redrafted by the Judiciary Committee I and a hard-working Sub-Committee and I would request the approval of this House in providing this additional more rapid estate service to some of the people of the State of Illinois."

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

R. Walsh: "Will the Gentleman yield to a question?"

Speaker Telcser: "He indicates he will."

R. Walsh: "Does this in effect raise the small estate situation up to \$50,000."

Tipsword: "No, this is not strictly a small estate situation. No sir. This covers real estate as well as personal property. It is the total value of real estates. You do not deduct the land from it in arriving at the value of the real estate. This is to try to cover most of those situations where there is a resident perhaps owned and involved in the estate and maybe an account or two, small account or a small holding in stocks. This provides not..."

R. Walsh: "Mr. Speaker, I can't hear the Gentleman."

Tipsword: "It is similar to a small estate situation. This provides for a complete inventory of the assets in the estate. A provision for the making of claims or proof that there are no claims outstanding in this estate. It really provides for the doing of almost all of the things that is done in another state proceeding except that it provides for more rapid distribution and protection of course to the creditors of the estate who when they turn over assets to the person who is permitted to make distribution."

R. Walsh: "What is the claim period for creditors?"

Tipsword: "The claim period is not changed in this kind of a proceeding from what it is under the regular probate proceeding. It just simply provides the first step in claim proceeding, providing specifically



that claimants may file their claim from notice must be published. Must be published for three successive weeks ah... just as we publish for our claim notices ah... under the present, under the present Act. They're very similar thereto. The Clerk publishing this notice after that period has passed, let's see here... the Clerk of the Court publishes the notice informing all persons of the death of the deceased and of the filing of a petition for summary administration and of the date, time, and place of the hearing on that petition. And that must be fixed with the court at least once a week for three successive weeks in a newspaper published in the county where the petition has been filed, the first publication having been made not less than thirty days prior to the hearing. And then, from that hearing that is thirty days, at least, the hearing must be at least after the first publication claim. Then the court can determine from the petition, the inventories on file, it's a verified petition. The claims that are then on file, the verified statements of the person who filed the petition with the court whether or not he will allow summary proceedings. Now if a later claim comes in, there would be a later claim that is not known and comes in within the time limit now provided by the Probate Act, the claimant would have to proceed against the assets in the ah... hands of the person to whom they are distributed."

R.A. Walsh: "What is the earliest period in which ah... summary proceedings such as you provide can be concluded?"

Tipsword: "The earliest period would be thirty days after the filing of the... or after the first publication of notice for claims. I think, practically, this is going to be a matter of, perhaps, sixty, seventy, eighty days, perhaps."

R.A. Walsh: "And the claim period remains, I believe is it now, what? Five months?"

Tipsword: "I believe that is what it is at the present time."

R.A. Walsh: "Six months."

Tipsword: "That's right. That's right, we changed it a month in Judiciary last time."

R.A. Walsh: "Well, Mr. Speaker, Ladies and Gentlemen of the House, it seems to me ah... that this is ah... is really not such a good idea



because we leave the claim period for creditors at, at six months. And yet provides that the ah... an estate of up to \$50,000 can be distributed ah... without giving the claimant ah... an opportunity to ah... to be repaid. Now I would have no objection to increasing the ah... small estate proceedings which we have in Illinois from what I believe is now the... I think it's a \$10,000 level now ah... maybe \$15,000 or ah... which I think would be a reasonable figure; but to provide for an estate of \$50,000 to be distributed in a summary proceeding such as this ah... without ah... protecting the rights of a creditor of the decedent ah... I believe is a bad, a bad provision and I would oppose this Bill."

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

Epton: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Speaker Telcser: "Indicates he will."

Epton: "Well, I disagree with the previous speaker. I think this is a good Bill and I read the revised, the amended Bill, but I was particularly intrigued by your comments, Representatives Tipsword. Are you telling this august Body that a organized Bar Association in this State spent many, many months in preparing this Bill and a Judiciary Committee in a very short time in its wisdom saw fit to revise it so it came out properly?"

Tipsword: "Mr. Epton, from the reports I received though I did not sit on the Probate Section of the Illinois Bar or the Chicago Bar, I am told that that is true and, and ah... an exemplary revision of it in a short time by the Probate Committee after a State Bar Association of the Chicago Bar has worked upon a Bill is not at all unusual as you well know. And often the product is much better, I agree with you."

Epton: "Mr. Tipsword, Representative Tipsword, I am shocked. I'll vote for this Bill, but to hear that from a Member of the Bar, even if it's true, distresses me immensely."

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

Arnell: "Will the Sponsor yield to a question?"

Speaker Telcser: "Indicates he will."

Arnell: "Representative Tipsword, does this apply only where the distribution is to ah... residents who reside in the State of Illinois?"



Tipsword: "No, this does not."

Arnell: "What protection is there then for residents of the State of Illinois if the assets of an estate are distributed to people who live outside the State of Illinois? What protection do creditors have residing within the State of Illinois if all the assets are distributed to people living outside the State of Illinois?"

Tipsword: "The protection would be to come in ah... before the court to, to file that claim and to ask for the estate to be reopened if they are all personal property assets. Those assets will by that time have been distributed and I must agree with you there. The real estate, of course, would still be within the State of Illinois; but in this kind of a situation where the ah... persons are outside of the State of Illinois, your protection therein lays of course, with the court. The court does not upon the petition, have to permit a summary distribution. The court could in that situation refuse where the, the assets are to be distributed outside of the State of Illinois ah... refuse to permit it to proceed on summary distribution and require that you proceed under the ordinary probate procedures. This is a matter that is within the Judicial discretion of the court as to whether they allow such a proceeding or not."

Arnell: "But under your Bill, you only give them thirty days ah... That isn't much time for a creditor to determine, find out if a person passed away or not within that thirty day period. I don't think it gives the people of the State of Illinois very much protection."

Tipsword: "The, the claims are not barred and I think you probably, I'm sure you're very well aware that, that most of our claims are filed within that period of time ah... very shortly after the notices are filed. It is a rare instance where there is an unknown claimant. This occurs of course, but it occurs infrequently. This was discussed in the Sub-committee of the Judiciary I that this and some other instances may arise where there is some difficulty that could arise in situations such as this, but would arise no more frequently and in fact, would arise less frequently because ah... this is only a part of the probate proceedings. And they now arise



in the ordinary probate proceedings in the State of Illinois. And I again ah... remind you that no claims are barred by this action. It just provides for an earlier distribution and that distribution may only be made upon the ah... determination of the court that distribution would be proper in the situation. The court does not have to provide for distribution and in the case where the, all of the assets of the personal assets or a great part of them would be distributed outside the State of Illinois, I feel certain that the Judges of the State would not permit ah... a distribution of the assets in summary proceeding, but would require a full probate."

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

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

Speaker Telcser: "Indicates he will."

Day: "Representative Tipsword, does this Bill apply to wills as, as intestate estates?"

Tipsword: "This provides both as to wills and as to intestate estates. Yes, sir."

Day: "Now, would this permit a court appointed guardian ad litem to, in effect, waive any rights than an incompetent or a minor might have to contest the will?"

Tipsword: "In this kind of a situation, the petition must be agreed to by each of the adult and competent persons. In addition thereto, it provides that if any one of the heirs of the estate or persons to whom the estate should be distributed, is a minor or an incompetent and then consent may be given by the guardian or consulator of the estate. Or if none, by a guardian ad litem who would be, of course, appointed by the court. Again this is all within the protection of the court. The court does not have to consent in any of these situations and it remains up to the discretion of the court as to whether to proceed on summary distribution would be violative of rights to the court... find ah... should accrue to the incompetent or to a minor or to any other heir and could deny the right to proceed on summary distribution."

Day: "Thank you."

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

McGah: "Mr. Speaker, Ladies and Gentlemen of the House, I think every



Member here better take a good look at this Bill and listen to the debate and find out what we're doing. First of all, in a probate proceeding, the reason for the proceeding is the protection of claimants and the ah... federal taxes and state taxes which will be due. The way it is now, we can't close in this State until the time ah... the time for claims have expired and the... both federal and the state tax, if any, is due has been paid and audited in the same with the state return. Now, now there's been reference made here to the Sub-committee in Judiciary I as to what they did with this Bill. I'll tell you what they did with the Bill. I have the Amendment in front of me. They raised the amount from \$25,000 to \$50,000 without probate and they changed the words 'without probate' to 'summary probate', but they didn't change the proceeding one bit. Now how anybody could make a claim after the money has been distributed to... in many cases, maybe to a half a dozen or more heirs or legacies and ah... hope to be able to get the money back from those heirs or legacies who may, as one of the previous speakers pointed out, be scattered around the country to me is really ridiculous. Now also, a person has the right to contest a will under the present statutes and nothing in here changes that. And I don't how you could possibly have distribution made and then somebody come along within the seven months and file a Bill to contest the will and have the court ah... say th at the will is invalid due to any number of reasons and then go back to the, to the people that have received the money under the so-called summary probate in an attempt to get the money back. Now ah... I agree with one of the previous speakers that we should ah... that we could raise the, the amount of the smallest state affidavit which I believe is \$5,000 now, up to ten or maybe even \$15,000 and take care of most of the problems ah... ah... that might be necessitated. But to just go ahead and hand out money to heirs and legacies without ah... having any proper ah... accounting for either taxes or for possible claims. I certainly can't see and I don't think anyone in ah... including lawyers or non-lawyers should support this Bill. Thank you."

Speaker Telcser: "Okay, the Gentleman from Kane, Representative Waddell."



Waddell: "Would the Sponsor yield to a question?"

Speaker Telcser: "He indicates he will."

Waddell: "Are you saying in this Bill that there are adequate provisions that every time that you act in behalf of a minor that there is a court action?"

Tipsword: "No, in this situation I said, the guardian ad litem would have to be appointed by the court to represent the minor. This provides that actions may be taken by a minor or an incompetent or in behalf of a minor or incompetent only by the guardian of the minor or the conservator of the incompetent or by a guardian ad litem who would have to be appointed by the court for that person."

Waddell: "What recourse then would a minor have at a later date if he were to find out that the assets of the estate or, you know, were misused? In what way would you be protecting under this, the, the actual interests of the minor or the incompetent as the case may be?"

Tipsword: "You mean, if the assets that are placed in the hands of his guardian or conservator ah... misuses those assets?"

Waddell: "Right."

Tipsword: "That would be ah... his action then would be to proceed upon the bond of the conservator or, or guardian and against that person individually for the assets that are placed in his hands. This would be the same that would be true ah... even after the determination of a regular and general probate proceeding in an estate."

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

Berman: "Would the Sponsor yield?"

Speaker Telcser: "Indicates he will."

Berman: "At the present time, if there are ah... no claims and there's an agreed distribution, you can come in on an early petition and make distribution. Am I correct?"

Tipsword: "You are correct."

Berman: "All right, then how does this Bill really change the procedure ah... from what we have today except that you have the technical continuation of an estate even though you may have had early distribution. What, what's changed by this?"



Tipsword: "I'm sorry. I could not hear you."

Berman: "At the present time, if everything has been paid, there are no claims, there are no taxes owed and there's no dispute as to how the estate is to be distributed, you can go in right after opening up an estate and make a distribution to your heirs. Ah... what changes does this Bill provide that you couldn't do under the existing statute and in early distribution?"

Tipsword: "The only changes that are provided are additional protections in this situation of the notice ah... ah... for the claimant, just sets up the procedures that should be followed. I agree that in the situation that you point out, the result would be the same."

Berman: "Well, if I may just address myself quickly to this. I think that the safeguards, I don't think are as good in this Bill as you have under existing ah... statutes. Ah... under existing statutes, you have the requirement of a bond to be posted and that bond would have to remain ah... for the seven months of the probate period. Here, you're avoiding that requirement. Of course, it avoids the cost, but I think in the long run the protection of minors or unknown heirs or other claimants ah... that bond does serve a purpose and ah... I ah... I personally don't think this is a, the right time to move ahead on this type of proposal."

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

Maragos: "Mr. Speaker, Members of the House, in rising in support of this measure, I would like to state that as a Member of the Subcommittee of Judiciary I, we had discussed all the points that have been raised in this debate. It should be pointed out that this procedure would not apply until the court was fully aware and as sure as anybody can be possible that there are no claims and no creditors outstanding. All the taxes have been paid or none due and more importantly, is the fact that the heirs all are in agreement that distribution should be made. Now I would say that if there's a minor in question, a court is going to allow this procedure to go ahead. Secondly, you're going to be fighting a combined petition to have the will admitted to probate or an administrator appointed with a, an effective inventory. Now the reason... the response to Representative Berman's question, how does this





differ from the present procedure, it is two-fold. Presently, many of the banks and other financial institutions will not turn over any of the assets of the estate which are in their possession until the seven months are out of the way because it's acclaimed procedure and they have no direct authority because they, they still are responsible if they got a court allowing this procedure. So therefore, many times assets cannot be pulled out even if you want to make a distribution. Secondly, right now, under the present procedure if you have a foreign heir, you cannot make a distribution before seven months. Whereas, under this procedure, you could. I had in one point... myself in the state where everybody's in agreement to disperse except in the fact that one of the heirs lives in Minnesota and therefore, we had to wait the seven month period because of the way the present statutes stand. It is a procedure which I feel will not be very well, much used, but it's a procedure that can fit certain areas and certain situations which can be used and save a lot of time of the court because it'll still require, it'll require court proceedings and it will still require legal advice and legal handling so that people will not be thrown out like you do or have the misgivings if you have some kind of a claim by an affidavit, small estate affidavit under \$5,000, \$10,000. We went through all these affidavit forms and all these discussions. I think this is a measure in the right direction and if you have ah... and I think we should support this measure."

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

Cunningham: "Mr. Speaker, at the request of the press, I move the prior question."

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

Tipword: "Mr. Speaker, if I might. I would like to try to answer some misconceptions that have unfortunately been stated on the floor. It is specifically provided herein that you, that the court cannot order summary distribution unless there is an absolute showing that no tax will be due the United States and I would suggest that



a State tax would probably not be due. This is a \$50,000 estate in value and your estate tax limitation is \$60,000. There could be Federal Estate Tax or other federal taxes but it must be shown that there are none due or that no taxes are due to the State of Illinois or that those taxes have been paid. It did not take long to file and get approval of an inheritance tax return in the State of Illinois and this must be done. So I don't think we have any problem with regard to taxes on the estate. It does protect creditors just as well as creditors are protected at the present time except that the assets of the estate are not held as long in the Executor's hands. But the assets can be reached and that the rights that the creditors presently have to proceed against the assets. It does not, I think, in the ah... someone suggested that we would remove the right to contest the will. It does not remove such right to contest the will, but it does provide that all persons who are interested in the estate, all heirs, legacies, ah... have the... must be of legal age and submit their consent before this kind of distribution can be had. All of this must be reviewed by the court and the court does not have to allow summary distribution, but only can allow it and would allow it in those cases where such distribution would be just and proper. I have found Judges of Probate Courts to be very careful and with some of the objections that I have had and some of the activities in our courts, I have very little objection to the manner in which our Probate Judges have proceeded in this estate. This is not the same as a small estate proceeding. This is expanded to include the real estate and it's to meet the objection that many of you who are Members of the Bar and many others in the public have been receiving that when, say, the husband dies, the widow does not have the right to the assets of the estate or to the real... absolutely until such time and especially to her residence, although she is living therein and can continue to do so until such time as the total probate proceeding has been ended. This will speed that time and this is going to be especially, especially acceptable to those ah... widows and widowers in the small estate as... situations. And believe me, \$50,000 will cover their residence and very small other investments



at the present time. Representative Maragos is absolutely correct in that this in addition to the proceedings now provided does provide for a rapid gathering together or marshalling of the assets in the estate which would not be provided under the procedures that are presently in existence except under the small estate or the \$5,000 total estate proceedings. And it does take into consideration the possibility of distribution to a foreign heir which I again submit, would not occur if the bulk of the estate would be going outside of the State of Illinois and away from possibility of ill... of late arriving Illinois creditors of being protected under the law. I would suggest to you that this is an attempt, an attempt on the part of the Bar, of the Judiciary ah... Committee of this House and I hope of the General Assembly of the State of Illinois to try to provide a more rapid means of distributing those estates that are really truly small estates when you have a residence involved and a few minor investments. I would certainly urge that this House pass this Bill as they passed a very similar Bill a year ago which included assets up to \$60,000. It was increased from twenty-five to fifty, but in increasing from twenty-five to fifty in the Committee, they reduced, they took out of this Bill the right to take off of the valuation of real estate and other assets any liens there are against the real estate or any of the assets of the estate. So in doing so, you did not really very much increase the kind and type of estate that would be included in this kind of a proceeding. I urge and request a vote of the House in approval of House Bill 711."

Speaker Telcser: "The question is shall House Bill 711 pass. Those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Cook, Representative Porter, to explain his vote."

Porter: "Mr. Speaker, Ladies and Gentlemen of the House, if there is any area in which I might have a conflict of interest, this would be it since I do a lot of work in this area. And I would like to be recorded as 'present'."

Speaker Telcser: "Record Representative Porter as voting 'present'. Representative Lauer, for what purpose do you rise? Well, why don't you come here and throw your switch? Representative Beatty,



for what purpose do you rise, sir?"

Beatty: "I also do some probate work. So I'll just be recorded 'present'."

Speaker Telcser: "Okay, record Beatty 'present'. Okay Beatty 'present'.

McLendon 'present'. Take it easy now fellows. Okay ah... who else wants to be 'present'? Boyle? Okay, explain your vote? Okay. The Gentleman from Macoupin, Representative Boyle, to explain his vote."

Boyle: "Thank you, Mr. Speaker. I also do some probate work and I also may be an heir in an estate ah... and I vote 'aye'."

Speaker Telcser: "The Gentleman from Peoria, Representative Day, to explain his vote."

Day: "Thank you, Mr. Speaker. I also do some probate work, but I really see no ah... problem of conflict of interest here. I think that the, the ah... the success of this ah... of this Bill and the administration of a program like this is going to depend pretty much upon the ah... Judiciary. Now I have no ah... no problem with this Bill in my area because we have a fine ah... Probate Judge and I'm sure that he will examine every one of these petitions that comes along to make sure that ah... no one is injured by this summary procedure, but ah... there might be a problem in an area like Chicago where things are much more impersonal so far as the relationship between the courts and the attorneys that are concerned and I can see where there might be a problem there. But I think as the Bill it does have merit and ah... I'm going to vote in favor of it."

Speaker Telcser: "Have all voted who wished? Take the record. On this question 107 'ayes', 15 'nays', 7 answering 'present'. This Bill having received the Constitutional majority is hereby declared passed. House Bill 736."

Clerk Selcke: "House Bill 736, Williams. A Bill for an Act to amend the Park District Code. Third Reading of the Bill."

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

Williams: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 736 ah... provides a single procedure in an area where two park districts exist for a disannexation and, and annexation simultaneously from one to the other. There are two good Committee Amendments which



put this into good shape ah... One was provided by Bob Stewart, the Legislative Council for the Park District. The original Bill did not establish any kind of mechanism for providing the annexing district with an option to accept or reject the disconnected territory ah... The Amendment does provide that in the referendum in the municipality if a majority of the votes are cast upon the question by those voting in the territory proposed to be disconnected and of those voting within the remainder of the municipality be in favor of the proposition, then the territory therein described shall be disconnected from the one district and annexed to the other and also the original Bill did not provide for the paying of any indebtedness contracted by the corporate authorities of the park district prior to the disannexation ah... The Amendment does now provide that and it makes the ah... procedure that when a part of a park district is annexed to another part under the proceeding provisions and before such annexation, the district from which the territory is detached that made annual tax levy, then there shall be paid over to the Treasurer of the district to which such ah... area has annexed the ah... pro rata share paid by the ah... territory of said tax levy for said year according to the taxable property therein as the same existed immediately before such annexation. (microphone turned off)...ly there's any opposition now, it passed out of the Committee as amended by a ten to nothing and I would appreciate your favorable support on this Bill."

Speaker Telcser: "Is there any discussion? The question is shall House Bill 736 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. Kozubowski 'aye'. Have all voted who wished? Maragos and Garmisa 'aye'. Take the record. Emil Jones 'aye'. You fellows that want to get in, why don't you come to the Clerk's booth. The Calender is so big, my God. On this question 135 'ayes', no 'nays', and this Bill having received the Constitutional majority is hereby declared passed. Let's go back to House Bill 708. We had that Amendment which was overlook on Representative Wolf's Bill."

Clerk Selcke: "House Bill 708. A Bill for an Act to amend the Election Code. Third Reading of the Bill."



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

J.J. Wolf: "Yes, Mr. Speaker, Members of the House, ah... I would like to move the adoption of ah... ah... the Amendment which is just a technical Amendment and it changes on page 2 ah... the figure 2% and makes it one and a half percent to conform with the page 1 of the Bill. I move its adoption."

Speaker Telcser: "All right, the Gentleman has asked leave to have House Bill 708 taken back to the order of Second Reading for the purposes of Amendment. Are there any objections? Hearing none..."

Clerk Selcke: "Amendment #1, amends House Bill 708 and so forth."

Speaker Telcser: "The Gentleman from Cook, Representative Wolf, has moved for the adoption of Amendment #1 to House Bill 708. All in favor of adoption signify by saying 'aye', the opposed 'no'. The Amendment is adopted. Are there further Amendments? Third Reading. Appearing on Third Reading is House Bill 708 which has been read a Third time. The Gentleman from Cook, Representative J.J. Wolf."

J.J. Wolf: "Mr. Speaker, Members of the House, I did explain the Bill before. It changes from one half percent to one and a half percent ah... the number of signatures required on the ah... petition and I would move its adoption...ask your favorable vote."

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

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

Speaker Telcser: "Indicates he will."

Mugalian: "I understand that ah... this would make it more difficult to get on the ballot. What is the compensating reason for this Bill? What is the purpose? I assume it's not just to make it more difficult."

J.J. Wolf: "Well, it, it changes, I don't know how many signatures you need in your district. I think I need about 180, would be three times that much which would put me at about five hundred and some signatures which is, I think, no great burden. The reason for it is because right now, before the law was that you had to have, you know, Republicans sign Republicans ah... petitions and Democrats to other ones. Of course, now people can change from one election, you know, to the next. So I don't think it's any real hardship. It also would help to some degree ah... from keeping non-serious



candidates off the ballot. For example, if you and I were on the ballot together and I wanted to try to jockey for a ballot position, I would have one or two people who were not serious to file and get on the ballot and if you ended up in fourth spot, I'd leave them on until the primary was over. If I had a good spot, I would have 'em withdraw and it's just to prevent that."

Mugalian: "One more question. I understand your answer, Representative Wolf, to be essentially that because of late cases, you do not have to worry about whether the party that signs your petition is a Democrat or a Republican. I'm not sure that is the result of those laws. I think that those laws permit you to vote in the next primary in a different party, but I'm not sure that one who voted in the Democratic primary can sign a candida... a petition for a Republican candidate. Are you sure of your position on that, sir?"

J.J. Wolf: "Well, whether it does or doesn't, I think the second reason I gave was a good reason to pass the Bill and a Bill did come out of the Committee by unanimous vote, I believe."

Mugalian: "Thank you."

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

Rayson: "Mr. Speaker, Members of the House, I heard the engagement just now and it seems to me that this is a trend away from what should be in our society. I, I see no real reason why if a person changes parties why somehow we should have more signatures on ah... seemingly ah... to make it a little harder and ah... whether it's 180 signatures or 360 or 540, I, I somehow think the rationale even for any great number of things is absolute. ah... we all know that to get signatures on a petition, is a euphemism. It doesn't express popular will. Ah... and we all know the machinations involved in getting people to sign petitions which tend to keep ah... ah... Let's say, the serious minded candidate ah... who doesn't have the following to get on the ballot. I say democracy is such that ah... we should have the minimum amount of signatures for any office to get on the ballot and ah... for these reasons, I see no real reason why this Bill should pass."

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

Neff: "Will the Sponsor yield to a question? Jake, ah... as I just read



a little of this Bill there, about all I can see that's being done is that you would ah... triple the number of signatures required before filing, is that right? Do I have that interpretation right?"

J.J. Wolf: "That's correct."

Neff: "Ah... Mr. Speaker, therefore speaking on the Bill, I can see no reason for this. I think most of us realize that going out and getting signatures is no problem. Anyone can go out and get signatures, I think, for any office and therefore, I think this is just adding something on that is unnecessary and will not make for better government or will not limit or put on more regardless. It's just a case of getting more signatures. I think the Bill should be defeated."

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

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

Speaker Telcser: "The Gentleman has moved the previous question. All in favor 'aye', opposed 'no'. Representative Wolf, to close."

J.J. Wolf: "No close."

Speaker Telcser: "The question is shall House Bill 708 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. Kucharski 'aye'. Have all voted who wished? Have all voted who wished? Take the record. On this question 107 'ayes', 7 'nays', and this Bill having received the Constitutional majority is hereby declared passed. Simms 'aye'. Okay, House Bill 757, I think, is next."

Clerk Selcke: "House Bill 757. A Bill for an Act to prevent fraudulent and corrupt practices in the making or accepting of official appointments and contracts by the public officers. Third Reading of the Bill. Kempiners."

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

Kempiners: "Thank you, Mr. Speaker. I'd ask leave of the House to take this Bill back to Second Reading for purpose of Amendment."

Speaker Telcser: "Are there any objections? Hearing none, House Bill 757 be placed on the order of Second Reading. Are there any Amendments?"





Clerk Selcke: "Amendment #6, Kempiners. Amends House Bill 757."

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

Kempiners: "Mr. Speaker, this Amendment is ah... in regard to a request made by Representative Shea with regard to the cancellation of a contract between a governmental unit and a land trust and ah... it is in effect a two year statute of limitations on the voidability of the contract or in the case of a lease agreement, the voidability upon the governmental units option when they found the contract is not ah... is not being followed and I move its adoption."

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

Rayson: "Would the Gentleman yield to a question?"

Speaker Telcser: "Indicates he will."

Rayson: "Do I understand the Bill really says that the land trust structure is in effect as it always been, but with reference to governmental contracts or leases or negotiations, the principle of open disclosure of beneficiaries must prevail or there's a voidable option of the governmental authority to ah... to terminate the contract. Is that correct?"

Kempiners: "This is one of the penalties, Representative Rayson. Another penalty, if there is a violation of the, a willful violation is a Class IV felony; but it ah... this is on the part of a governmental unit. If the governmental unit finds that the ah... the Act has not been followed by the trust, it may void the contract. What the Amendment..."

Rayson: "But the... but the purpose is open disclosure of beneficiary prior to negotiations?"

Kempiners: "Yes, not just beneficiaries. Anybody who is deriving financial interest through that..."

Rayson: "So the idea is the governmental authority can rely on these representations so that they can arrive at their negotiations in an open manner knowing who they're dealing with."

Kempiners: "Right, knowing who is..."

Rayson: "Thank you, fine."

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

Maragos: "Will the Sponsor of the Amendment yield to a question?"

Speaker Telcser: "Indicates he will."



Maragos: "In order to understand this Amendment fully, are you saying that the statute of limitations for prosecutions is two years in cases of violation or are you saying that the term by which the ah... interest is only two years in lent?"

Kempiners: "There is a provision in this Bill that if there is not complete disclosure and it's discovered after the contract is signed, that the complete transaction is voidable at the option of the governmental unit. However, I am putting a two year provision on this so that, for example, buildings not built with perhaps governmental units knowing this and then waiting until ah... a period of time to cancel out the ah... the agreement."

Maragos: "In other words, that's only the, the voidable part of the... what the government has to do."

Kempiners: "Right."

Maragos: "Does not affect the penalties."

Kempiners: "This does not affect the Class IV felonies at all."

Speaker Telcser: "Is there further discussion? The Gentleman has offered to move the adoption of Amendment #6 to House Bill 757. All in favor of the adoption signify by saying 'aye', opposed 'no'. The Amendment's adopted. Are there further Amendments? Third Reading. Do you want... On Third Reading appears House Bill 757 which has been read a Third time for which purpose the Gentleman from Will, Representative Kempiners, is recognized."

Kempiners: "Thank you, Mr. Speaker. A recurrent theme, Ladies and Gentlemen of the House, that we've noticed today is a loss of confidence in government by the people of the state, of the country, and of our local areas. And recent news disclosures of what is happening in Washington, what's happening here in Illinois seem to confirm this loss of confidence. Many in government are doing a commendable job, but we're all being stigmatized by what is appearing in our newspapers. House Bill 757 is an attempt to demonstrate to the people of Illinois that government can be trusted and to provide a means for government to demonstrate this. What is required in House Bill 757, any time there is a purchase or a lease agreement between any unit of government and a land trust, there must be complete disclosure of the participants in the land trust. The governmental unit



must secure from the people disclosed by the managing agent or the trustee an affidavit stating that they are the end of the line and if they are not the end of the line that somebody is deriving a benefit through them. They must disclose the name of that individual. If the trust participant is a corporation the corporation president must disclose the names of those holding five percent or more of the stock in the corporation. Included among the types of transaction involved are eminent domain procedures as well as instances of a governmental unit selling a land to a trust. House Bill 757 is an affirmative action to help restore confidence in government at all levels and I urge your support."

Speaker Telcser: "Is there any discussion? The question is shall House Bill 757 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the record. On this question 135 ayes, no nays. Campbell aye. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 784."

Clerk Selcke: "House Bill 784, Berman."

Speaker Telcser: "Is Representative Berman on the Floor? Take it out of the record."

Clerk Selcke: "House Bill 789, Alsop."

Speaker Telcser: "We'll go back to Representative Berman's Bill."

Clerk Selcke: "House Bill 784, Berman. A Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Berman: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. House Bill 784 is a Bill that would increase the membership of the Teacher's Certification Board by adding three more classroom teachers which under this Bill would be selected by the Superintendent of Public Instruction. The present member of the Board is 12 and it would be increased to 15. I would appreciate an affirmative vote on House Bill 784."

Speaker Telcser: "Is there any discussion? The Gentleman from McLean, Representative Bradley."

Bradley: "It's just a question of the Sponsor. What is the present make-up now of the Board?"



Berman: "At the present time there are four faculty members, two regional superintendents, two administrators and three classroom teachers. That totals twelve. This Bill would make it 15 of which classroom teachers would then be six. The administration would be the same, superintendents would be the same and the faculty members would be the same."

Bradley: "Did you say, if this passes, seven classroom teachers out of 15 or 16?"

Berman: "No, six out of fifteen."

Bradley: "Thank you."

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

Clabaugh: "Mr. Speaker, Members of the House. I don't think this is a good Bill. I think there are two maybe three groups that ought to be represented, two at least on this certification board. That's somewhere nearer to an even number. Now there is two things that the certification board does. One is write up the guidelines for certification. The other is the matter of backing up the Superintendent of Public Instruction if a certificate is withdrawn or cancelled. Now here's what could happen on this Board if this Bill is passed. One of the provisions, one of the provisions now and would still be in the Bill calls for four administrative or faculty members from the University. Now that four could all be teachers, two administrators then to this Bill would make six classroom teachers. That's six and four are ten and the Superintendent of Public Instruction who is a teacher and that's eleven. Now this Board could have eleven teachers on it and the administrative and the so-called citizen's groups would could have four between them. Now I think that is a top heavy representation that might be effected on this Board. On the, voiding on a certificate or suspending a certificate or revoking a certificate if that is done by the Superintendent of Public Instruction which he has, which authority he has then it must be backed up and endorsed by this certificating board. And I have had a great deal of experience as being a very close friend and associate with the man who has represented the Office of Superintendent of Public Instruction for twenty years in the revocation of teacher's licenses, certificates. Now you say, that's not a very large number. Probably it is not because the



number is relatively small but I would tell you that some of the most sorted and sickening offenses that I can think of, short of kidnapping or murder, are often involved in this revocation take. And I don't want there to be a majority certainly not a majority of eleven out of fifteen teachers sitting in judgment upon one of their fellow teachers in these revocation cases. Now it was said in the Committee when I made that statement on this Bill that the teachers are not monolithic in their actions. Well, maybe that's true but they are coming awfully close. They are approaching the monolithic position and they are going to be doing it more and more and more. And I don't think, I think that six with the chances of two, four and one more are enough. I don't think we need to add three more teachers here to make this a Board that could very well be eleven out of fifteen teachers. And this is no reflection at all upon the teachers that I call the right kind of teachers. It is just a defense and I think that the general public, the taxpayers, and the citizens and the boys and girls of this State have a right to have representation in a more balanced position than it would be if this were passed."

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

Leinenweber: "I have a question for the Sponsor, if he will yield?"

Speaker Telcser: "He indicates he will."

Leinenweber: "Representative Berman, why is it necessary to increase the Board by adding the three classroom teachers? Are they feeling under represented on it now?"

Berman: "I think the rationale behind this Bill is to give greater representation to the group of the society that is most affected by the Board."

Leinenweber: "They feel they are under represented?"

Berman: "Yes."

Speaker Telcser: "Is there further discussion? Does the Gentleman wish to close the debate? The Gentleman from Cook, Representative Berman."

Berman: "Thank you. Mr. Speaker, in response to the Gentleman from Champaign, I would indicate that I think that we are, that he is giving less credit to both the Superintendent of Public Instruction



and to the teachers throughout the State than experience has justified. All twelve members of the present board and the fifteen members of the proposed board would be appointed by the Superintendent of Public Instruction. And I believe that the Superintendent and in fact the State Board of Education will come to take over the powers of the Superintendent in 1975 will try to have a Board that does represent from its membership a broad spectrum of interest in the educational area as possible. But I think there is merit in this Bill because what we are talking about is that this Board does affect both the requirement for the professional and academic courses to receive a teachers certificate and hear the appeals on suspensions and revocations. That affects the teachers and I think it is not unreasonable to say that six of the fifteen members should be teachers and I will appreciate an aye vote on House Bill 784."

Speaker Telcser: "The question is shall House Bill 784 pass? All those in favor signify by voting aye, the opposed by voting no. Have all voted who wish? Have all voted who wish? Take the record. Leon aye. On this question 105 ayes, 30 nays. Duff, no. And this Bill having received the Constitutional Majority is hereby declared passed. Skinner, present."

Clerk Selcke: "House Bill 789, Alsup. Appropriation for the expense of the Department of Revenue. Third Reading of the Bill."

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

Alsup: "Mr. Speaker, Ladies and Gentlemen of the House. This is the appropriation for the expenses for the Department of Revenue. It is 189 million dollars. Originally it was for more. It was amended in the Committee and they took out two million seven hundred and forty dollars, wait a minute. Two million seven hundred and forty thousand one hundred and seventy five dollars and this was by an agreement between both sides of the aisle and the Department and I ask your favorable consideration."

Speaker Telcser: "Is there any discussion? The question is shall House Bill 789 pass. All those in favor signify by voting aye, the opposed by voting no. Have all voted who wish? Take the record. A number of members have made inquire about our recessing for lunch. We do not intend to recess for lunch today. We would like to work right on



through and possibly adjourn sometime in mid-afternoon, 3, 4 o'clock. On this question 140 ayes, 2 nays. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 799."

Clerk Selcke: "House Bill 799, Philip. A Bill for an Act in relation to disclosure of beneficiaries of land trust seeking variances or re-zoning. Third Reading of the Bill."

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

Philip: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 799 as amended, amends three separate sections of the Illinois Statutes. The section on the Illinois Municipal Code, the section on County Zoning, the section on Township Zoning Act. What it states is no petition or application for a variance or for re-zoning filed on behalf of a land trust may be considered unless it states the name and address of each beneficiary of that land trust. The reason and purpose of this Bill is in my little home town of Elmhurst I had friends who had a 3 1/2 acres lot behind their home. A land trust came in and filed for zoning change to put up a highrise. They went to the Board to fight the change and come to find out it was a land trust. They came to me and asked me if I could find out who the beneficiary of the land trust was and of course I couldn't do that. So that is the reason of the introduction of this Bill and I ask for your favorable consideration."

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

Mann: "Will the Sponsor yield to a question?"

Speaker Telcser: "He indicates he will."

Mann: "Now, do I understand that this would apply to land trusts throughout the State?"

Philip: "That is correct."

Mann: "And at what stage would the beneficiaries be released in terms of their identity?"

Philip: "When they file their application."

Mann: "When they file their application for what?"

Philip: "For a zoning variance."

Mann: "Well, Mr. Speaker, I would like to address myself to the Bill."

Speaker Telcser: "Proceed Sir."



Mann: "Mr. Speaker and Members of the House. I know that as a Lawyer the argument is made that we must have land trusts, but also as one who has had some experience in as Chairman of the Legislative Commission on Low Income Housing, I know that the land trusts can be used to conceal the identity of slum landlords and can be used to conceal the identity of certain public officials and certain public figures that are involved in land trusts and use it as a shield. Now I'm not pointing to anyone in particular, but what I'm saying is that I think this is a very constructive Bill for those of us in the City of Chicago who trying to trace the identity of slum landlords and have tried in vain for years and years and have been unable to do so. I think that we can retain the land trusts but we ought not to permit people to engage in rent dodging and other unethical practices in connection with the ownership of the slum property that exists not only in Chicago but across the State in many Counties. So I'm saying that this is an excellent Bill and it ought to be supported."

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

Beatty: "Does this Bill require 89 votes or more? Does it invade the Home-rule power?"

Speaker Telcser: "No, I would say that this would take 89 votes in order to be enacted into law. I don't see it infringing on any home-rule powers. The Gentleman from Cook, Representative Maragos."

Maragos: "I would like to ask the Sponsor, now that we passed Representative Kempiner's Bill 757, do you think this is necessary?"

Philip: "Absolutely."

Maragos: "The only thing that does concern me is sometimes the knowledge of the zoning itself, I have no objection to the secrecy being involved, but sometimes they can be used as a wrong weapon to deny zoning in the proper circumstances and I don't think the secrecy should be the only deterrent, but I'll vote for it anyway."

Speaker Telcser: "Is there further discussion? Does the Gentleman wish to close the debate?"

Philip: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I think it is a great disadvantage when local people find themselves in a very unusual situation that somebody is trying to rezone property in





their neighborhood. They go in to argue against this re-zoning and they can't even determine or find out or figure out who the people are that own the land trust. It could be the local Mayor, it could be the local councilmen, it could be a Member of the board, or a supervisor and it seems to me that this is certainly a step in the right direction and we ought to support House Bill 799."

Speaker Telcser: "The question is shall House Bill 799 pass? All those signify by voting aye, the opposed by voting no. Have all voted who wish? Palmer, aye. The Gentleman from Cook, Representative Shea."

Shea: "I would like to address a question to either Mr. Philip or Mr. Mann. Couldn't you do the same thing with a corporation?"

Philip: "I certainly would."

Speaker Telcser: "Take the record. On this question 130 ayes, 3 nays, and this Bill having received the Constitutional Majority is hereby declared passed."

Clerk Selcke: "House Bill 803, Stiehl. An Act limiting the amount of debts payable from ad valorem tax receipts and so forth. Third Reading of the Bill."

Speaker Telcser: "The Lady from St. Clair, Representative Stiehl."

Stiehl: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 803 addresses itself to the unlimited bonding power of home rule municipalities. Presently home rule municipalities have the power to incur debts in any amount without limitation and without referendum. House Bill 803 is designed to implement the new Constitution which provides that the General Assembly may require a referendum if a home rule municipality desires to issue bonds payable from ad valorem property tax receipts in excess of the amount allowed in the new Constitution. This Bill, it is in accordance with the intent of the Constitution Delegates because the official explanation sent to the voters prior to ratification of the new Constitution provided that the General Assembly could require a referendum should a home rule municipality desire to issue bonds in excess of the constitutional amount. This Bill does not and is not intended to unduly limit or restrict home rule municipalities. It merely states that if a home rule city decides to issue bonds in excess of the amount they should get the approval of the people. And I would like to point out how much free debt they



have. The City of Chicago can issue bonds for 380 million dollars. The City of Decatur is allowed three million two hundred eighty thousand. Mr. Speaker I move for approval of House Bill 803."

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

Shea: "I assume Mr. Speaker, this takes 107 votes."

Speaker Telcser: "Well, Representative Shea, under Article seven, Section .....the Chair would rule that House Bill 803 would take 89 votes."

Shea: "Now how do you feel it is a K rather than a G limitation, respectfully I ask you that."

Speaker Telcser: "I will try to be as respectful as possible in getting an answer together for you. Well the Bill deals with the limit which can be imposed by referendum which is the language in Section K of Article seven so clearly the Bill falls within that Section."

Shea: "Well, I respectfully disagree, but I found out one thing about when you've got the gavel, there, you're going to do it and that's it."

Speaker Telcser: "Is there discussion relative to the Bill?"

Shea: "Well, I would like to talk about it after some of the other people do."

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

Lundy: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Would the Lady yield for a question?"

Speaker Telcser: "She indicates she will."

Lundy: "As I understand it the principle rationale behind this Bill is to provide an incentive to communities that can be home rule units but vote not to do so because of the absence of a limitation to become home rule units. Am I correct in that understanding?"

Stiehl: "Yes."

Lundy: "May I ask then, why the Bills apply to existing home rule units? Why doesn't, why don't the Bills apply simply to communities, counties, or municipalities which are voting on becoming home rule units?"

Speaker Telcser: "Is your microphone not working? Do you want to go to Mary Lou Kent's microphone."

Stiehl: "I think that to do this would make the Bill unconstitutional



because we could be ah... accused of class legislation in this amount... in this type. And the people have... I think that this is just in accordance with the people. I don't believe they would have passed the new Constitution if they hadn't felt that the General Assembly would require a referendum for the issuance of certain ah... debts."

Speaker Telcser: "You're on Representative Lundy."

Lundy: "Mr. Speaker, if I may address myself for a moment to the Bill."

Speaker Telcser: "Proceed, sir."

Lundy: "I must respectfully disagree with the Sponsor of these Bills that ah... distinguishing between present and future home rule units would constitute class legislation. It seems to me that the Constitutional Convention and the ah... the, the voters of the State when they, when they adopted the Constitution ah... accepted the idea that certain units ought to be home rule units ah... simply by virtue of their size or by virtue of their, their ah... form of organization. And then the Constitution so states, but certain, certain ah... units of government are simply by virtue of their size or form of organization, home rule units. Now part of the idea underlying home rule units ah... and part of the new idea of the new Constitution was to remove artificial restrictions on the way local communities and especially home rule units can handle their affairs. And it seems to me that if the, if the thrust of these Bills is to allow communities or units of government which are not now home rule units to become home rule units ah... so that they... in other words, to allow them to convince the voters in their areas that ah... they won't run away with ah... the bonding power, the taxing power. If they become home rule units, then the Bills ought to be limited to units of government which are not now home rule units which were not designated by the Constitutional Convention and the people when they adopted the Constitution as ah... already being big enough or well organized enough or whatever to be able to handle their own affairs."

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

Shea: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I know



of no home rule unit that is in any way ah... done anything to warrant this kind of legislation. I have in my district probably the smallest home rule unit anyplace in the State. Ah... The village of McCook is 450 people and it's voted to go home rule and I think that I don't know why this limitation is being placed on home rule units. I know of no abuse. I think Mr. Lundy made an excellent point of if this is needed to encourage smaller units of government to go home rule, I'm sure that it could be amended to do that without any trouble; but in this, the form this Bill is in I know of no abuse and I'd have to oppose it."

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

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

Speaker Telcser: "Indicates she will."

Mugalian: "Well I notice that the Constitution now has ah... different percentages ah... depending on the size of the home rule unit. Municipalities of over half a million have a 3% free limit whereas municipalities between 25,000 and up to 500 ah... 15 and those 25,000 or less, we do it by option or one half percent. It seems to me that these percentages should be equal because the bonding problems of the village ah... like the one I in, Palatine, it seems to me to be just as important as bonding problems of large municipalities. My question is would you try to amend this ah... in the Senate so that there would be a free limit up to 3% for all municipali... home rule municipalities?"

Stiehl: "Of how much?"

Mugalian: "Up to 3%. It'd be the same as those of over 500,000."

Stiehl: "Well, I would certainly consider it, Representative, and I would be very happy to discuss this with ah... Members and ah... people who are very knowledgable in this field. And it's not my intent to limit or to restrict a municipality and I would be more than happy to have this Bill amended to what was felt to be equitable amount for all cities."

Mugalian: "Yes, but you see under this Bill ah... the City of Chicago has six times the bonding power without referendum."

Stiehl: "Right."

Mugalian: "As would ah... more municipalities."



Stiehl: "Well, I took these limitations because they were the ones that were listed in the Constitution."

Mugalian: "Thank you."

Speaker Telcser: "The Gentleman... Representative Shea, for what purpose do you rise, sir?"

Shea: "Did I understand the Lady is going to hold the Bills and will try to work out some Amendments?"

Stiehl: "No, no, no. It was in as it went over to the Senate."

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

T.H. Miller: "Thank you, Mr. Speaker. Will the ah... Sponsor yield to one question, please?"

Speaker Telcser: "Indicates she will."

T.H. Miller: "Representative Stiehl, if I understand the thrust of your Bill, all it does is establish legislatively the Constitutional limits that are presently in our Illinois Constitution. What you're doing legislatively is not giving any of the ah... any of these home rule units anymore bonding power than we have created in Section, in Article 7, Section 6, paragraph K, isn't that correct?"

Stiehl: "That's correct."

T.H. Miller: "And then, Mr. Speaker, if I might address myself to this Bill for a moment."

Speaker Telcser: "Proceed, sir."

T.H. Miller: "If we were to alter the bonding power of home rule municipalities in these three different categories, we would have to do it by Constitutional Amendment. As I understand this Bill, all it does is state that these municipalities in the three different categories will not have any more bonding power than is established in the Constitution. I think it's a doggoned good Bill. The Constitution states that the General Assembly may limit by law the amount and require a referendum approval of debt to be incurred by home rule municipalities payable to ad valorem property tax receipts only in excess of the following percentages. So constitutionally, the municipalities are protected up to that point of 3% per municipalities of over 5,000, 1% per municipalities between 25,000 and 500,000 and one half of one percent per communities under 25,000. And as I understand the Bill, all it does is put a



legislative lid at this time on those figures. I think it's a good Bill."

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

Schlickman: "Mr. Speaker and Members of the House, with the 1970 Constitution we came a long, long way and by that Constitution, particularly in Article 7, we established the principle of home rule. We established the principle of home rule for the benefit of all municipalities, all counties within the State of Illinois and for all other constituencies. Now in addition to that duty, we also provided in the new 1970 Constitution that there would not be a limitation on bonded indebtedness. You recall that the limitation of bonded indebtedness in the 1870 Constitution resulted in a multiplicity of units of local government. Such a multiplicity that Illinois stands at the top of the number of units of local government, resulting in conflict, resulting in duplication, resulting in inefficiency. That limitation on bonded indebtedness was removed. Now it's the responsibility of the General Assembly to follow through with what the Constitution and the delegates provided, a basis for home rule, a basis for local government. The exercise of responsibility at the local... lowest level possible. Now that responsibility that we have live in Subsection K of Section 6 of Article 7 and the responsibility to implement, to promote. If we are to provide home rule and to all of the units of ah... all of the municipalities and counties, we must provide ah... the implementation that's contained in this Bill. If we don't, we are going to have two classes of municipalities. We're going to have those over 25,000 that are home rule and those under 25,000 that won't become home rule because the people in the State of Illinois cherish and treasure the traditional concept that we've had of the voters participating in the determination as to capitol improvements. Now the ah... Lady, the distinguished State Representative, the Sponsor of this Bill is following through with the implementation. She wants home rule and only by the passage of this Bill are we going to follow through on the direction that was given to us by the delegates and I earnestly solicit your support of this



measure."

Speaker Telcser: "Is there further discussion? If not, the Lady from St. Clair, Representative Stiehl, to close."

Stiehl: "Mr. Speaker, I would like to point out to the Members of this House that this Bill refers only to general obligation bonds payable in a period of up to forty years from ad valorem property tax receipts. It does not include referendum bonds. It does not include working cash fund or judgement funding or short-term anticipation notes. It only includes general obligation bonds. The people have asked for this right and all we are doing with House Bill 803 is giving the people a voice in how their tax dollars will be spent. At least at the local level. I ask your approval of this Bill."

Speaker Telcser: "The question is shall House Bill 803 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Cook, Representative Katz."

Katz: "Ah... explaining my vote, Mr. Speaker, I understood that when we established home rule, it was for the purpose of permitting local units of government to be able to govern themselves without being governed from Springfield. It was not to permit them to govern themselves without consulting their own constituents, namely the people in those districts. I believe that the fundamental soundness of requiring public officials in a local area before they encourage large indebtedness to have to go to the voters in their district is quite sound. And accordingly, I'm going to vote 'aye'."

Speaker Blair: "Have all voted who wished? The Clerk will take the record. On this question there are 106 'ayes' and 27 'nays'. This Bill having received the Constitutional majority is hereby declared passed."

Clerk O'Brien: "House Bill 804, Stiehl. A Bill for an Act to amend Sections of an Act to revise the law in relation to counties. Third Reading of the Bill."

Speaker Blair: "The Lady from St. Clair, Mrs. Stiehl."

Stiehl: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 804 is exactly the same as House Bill 803 except that it refers to counties. As you will see from the information that I have



delivered to your desks today, in all of the major downstate counties the home rule proposition was considered and it was overwhelmingly defeated. Defeated by margins of up to nine to one. The people emphatically express their desire for a voice in how their tax dollar will be spent and I feel that if we are to put our faith in the people, then it's important that we pass this Bill."

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

Shea: "How many votes does this take, Mr. Speaker?"

Speaker Telcser: "Well, let me see, Jerry. I'm inclined to think 89, but I'd better consult with my Parliamentarian."

Shea: "This one may be not ah... a K and Mrs... Ann will tell you this one."

Speaker Telcser: "Well, I don't know. I think it's 89. So I've been overruled. I've just... this 804 would fall under Article 7, Section 6G and of course, therefore, require 107 votes. Now is there further dis... The Gentleman from ah... Cook, Representative Bluthardt."

Bluthardt: "Well, Mr. Speaker, I must respectfully disagree with you. I think that the power is reserved to the General Assembly by the provisions of the Constitution. It says that the, that... that the General Assembly may provide by law a ceiling on ah... indebtedness. That's in the Constitution. Is... that being so, then it is not ah... depriving a home rule unit of its powers. It recognizes the power of this General Assembly to establish limitations on bonded indebtedness for municipalities and counties or other home rule units that anything over the former set forth in that Constitution."

Speaker Telcser: "Well, Representative Bluthardt, ah... I understand there was a case, Canellus vs. Cook County in the State's Supreme Court which dealt with this very issue ah... and the court ruled ah... that it would be a ah... home rule pre-emption and then going with that court ruling, we'll require 107 votes. Representative Duff, for what purpose do you rise?"

Duff: "Mr. Speaker ah... I... there may be a lower court case on this. Ah... But there are some cases currently also ah... under consideration





and the Chair in the General Assembly made a ruling before which would, well... not del... well, not on all fours with this was related to Section H which uses the same words that the General Assembly may provide specifically by law and ah... both the House of Representatives and the Senate have made prior rulings ah... which would indicate that Representative Bluthardt is correct."

Speaker Telcser: "Well, Representative Duff, ah... the case to which I alluded was the Supreme Court case. However, if Representative Stiehl's Bill did not have the referendum, then of course ah... under J, it would require 89 votes. But the fact that there is a referendum ah... would then ah... make it require 107. I've got all kinds of advisors here. Okay, are there questions of... Is there discussion relative to the Bill? The Gentleman from ah... the Gentleman from St. Clair, Representative Krause."

Krause: "Mr. Speaker, Mr. Speaker, are you asking if there's discussion on the Bill? Is that what you..."

Speaker Telcser: "Yes."

Krause: "Representative Stiehl, have you concluded your opening remarks?"

Speaker Telcser: "Yes, she has and now we're in reference to the Bill."

Krause: "Well, Mr. Speaker and Ladies and Gentlemen of the House, ah... in all deference to the Sponsor of the Bill who happens to come from my district, I have to get up and oppose this Bill. We heard this Bill in the County and Townships Committee and the testimony brought out here by Morris Scott of the Taxpayer's Association was that this would encourage downstate counties to become home rule counties because it would release to the County Board the authority to issue the bonds and in my county it amounts to something like \$7,000,000, without a referendum to the people. Now we had a referendum on home rule for our county which was soundly defeated and the very fact that it was defeated was that it would give unlimited powers to the county as far as the money was concerned. Now we're going to give 'em a unlimited power if this Bill passes, and in my county, it's somewhere around \$7,000,000 which we don't want them to have. We seem to think that it ought to go to the people



That they should vote on this. If, if the proposition is good enough, the people will, will vote on it and give them what they want; but we certainly don't want to just turn them loose and say here it is. Go spend it. I think this is a bad Bill and I think it ought to be defeated enough though the Representative's from my district."

Speaker Telcser: "You're going to have a chance to close, Representative Stiehl. Did you want to... The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, the Constitution... one of the... one of the great accomplishments of the Constitutional Convention was to allow home rule powers for counties. Unfortunately, it is so open-ended right now it is absolutely impossible to pass a referendum. Here campaigns are run and you just can't muster the support even in counties where there has been more than pro forma attempt to be 'passed'. In my county, they have 100,000 people. The County Board will be able to borrow 5.3 million dollars. I think I trust them 'cause that's the point. I certainly don't trust the \$36,000,000 which is what they would need ah... which is our 5% of assessed valuation. I think this Bill ought to be passed. Otherwise, we'll still have county governments running back to the Legislature every year asking questions like the City of Chicago did before home rule was granted them on changing the color of the lights on the police cars. I think that's an absolutely ridiculous thing for the General Assembly to have to ah... concern itself with. So I would a 'yes' vote."

Speaker Telcser: "Okay, the Gentleman from ah... Peoria, Representative Day."

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

Speaker Telcser: "Indicates she will."

Day: "As I understand the law at the present time and the Constitution, when a county elects to become a home rule county under the law that now stands ah... it would have unlimited borrowing power. Is that correct? I'm sorry, I didn't hear you."

Stiehl: "That's correct."

Day: "Now, under your Bill, what your Bill would do would be to require



a referendum for any home rule county before it could ah... issue bonded indebtedness. Is that correct?"

Stiehl: "If they exceed the allowable amount in the Constitution, yes."

Day: "Yes, thank you."

Speaker Telcser: "Any further discussion? If not, the Lady from St. Clair, Representative Stiehl, to close the debate."

Stiehl: "Ladies and Gentlemen of the House, by passing House Bill 804, we will be saying to every taxpayer in Illinois, you shall have the right to determine how at least part of your tax dollar shall be spent. Thank you."

Speaker Telcser: "The question is shall House Bill 804 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. Any-one wish to explain their vote? The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker, Members of the House, explanation of my vote. Peoria County was one of those counties who attempted to go to a home rule unit and referendum sometime back, one of seven or eight. Peoria County lost that decision by the least amount of any of the other counties. Now that doesn't say a whole lot in so far as we weren't successful, but there were a number and a great number of people in Peoria County who wanted to go to a home rule county, but the one disadvantage of it being that they felt that the County Board wouldn't have unlimited power to tax them as property taxpayers. Now what this Bill addresses itself to is a limitation which then would make it more amenable to the people of my county and I'm not saying that it would pass the next time around, but what I'm saying is it would make it more palatable to the people of Peoria County and I think more palatable to the people throughout the State of Illinois if these limitations were put on. So I would urge your favorable support of this Bill."

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

Hirschfeld: "Well, Mr. Speaker and Ladies and Gentlemen of the House, it seems to me there's a very basic concept at stake in this Bill. The Members of this General Assembly are being asked to decide one question and one question only. Do you prefer that the people in the district, in the home rule units decide the fate of those



particular units from a bonding point of view or do you intend to put the power in some ah... for lack of a better term, I'll say higher authority; and in looking at the Roll Call on the board with very few exceptions, it seems to me, that the downstate Representatives are deciding that they favor the people and that the people should make the decisions as to how much the bonding referendum should be. And unfortunately, and with all due respect to my brethren from Cook County, it seems like too many of the Cook County Representatives are deciding that the power should not be in the hands of the people, but should remain with the Mayor of Illinois. And I think we would be much better off leaving the power in the hands of the people. And therefore, I vote 'aye'."

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

Philip: "Mr. Speaker and Ladies and Gentlemen of the House, I can't understand why there's not more green lights up there. Now we had the referendum home rule on our last election and I want to tell you it went down the drain by a little better than 3 to 1 and I'll tell you the reason it went down the drain and what became the issue. The issue was the increase in taxes without referendum. It would seem to me both of these Bills are people's Bills. The people want to have a chance of vote on increase in taxes and I would solicit your green vote."

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

Duff: "Mr. Speaker, Ladies and Gentlemen of the House, there seems to be a little bit of Alice in Wonderland thinking going on amongst the lights that I see up there that are some of the light, at least, that are red. Two years ago, we had a prolonged debate on home rule in this House and the statement was made which I recall that home rule is a very good concept. That home rule basically was a necessary addition to the strength and, and growth of the urban areas in particular. It was also made clear that home rule can be a very valuable thing to a county if it chooses to adopt the method. But it's very interesting that for two years now we've seen the City of Chicago and Representatives thereof in large numbers say that we should attach a home rule Amendment to every significant piece of legislation because they believe in home rule; and now on



the other hand when there is a Bill proposed which will make a legitimate definition of home rule, they now say, don't do it. We don't like the opportunity or the probability now that some of these people downstate may find an adequate reasonable limitation on home rules that they will adopt it and thereby achieve the benefit that they may have from home rule. If this Bill passes, we will see and I speak for the ah... additional passage of home rule powers in many downstate counties who may want to. Without this, it's been very clear by a vote of 4 or 5 to 1 in as many as 10 referendums over the last two years the people are saying to us very clearly, define, define home rule for us. The Sponsor of this Bill has done a marvelous job of proposing a significant piece of limitation which will be part of the debate of the next decade in terms of what home rule should be. Those voters from the City of Chicago who will come back to us repeatedly, time after time, saying we don't... we want home rule and we don't want you to affect it in your Bills. Consider the logic of your position now in not allowing downstate counties to, if they choose, avail themselves of this opportunity."

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

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, to explain my vote perhaps mine is somewhat like the ones from DuPage and Peoria County where our county did turn down the home rule provision. But again the main reason was the people fear that the County Board with their unlimited right to tax and issue bonds. I think we have to look at the good of the people for the total aspect that home rule giving the powers to a Chief Executive to make responsibility and the other privileges and rights that go with home rule counties, should be preserved. And for this reason, I feel that it's very important and I think the Sponsor of this legislation has done careful, long consideration, have given a lot of time to this to see that the people in downstate counties have the right to go to home rule provisions, at the same time giving the people the right in those communities not to have the fear of being taxed ah... beyond any reasonable doubt. For this reason, this type of legislation needs the support to give the larger



counties downstate Illinois and even the smaller counties, home rule powers that they don't have now to administer their government on a basis of sound and of fiscal management and administration. And for this reason, ah... I would urge that additional 'aye' votes be placed up there and that we pass this most important legislative Act."

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

Hill: "Mr. Speaker and Ladies and Gentlemen of the House, I'm voting 'no' on this piece of legislation. And the reason I'm doing this is because I'm against the home rule clause in our Constitution. And it seems to me that these people who are voting 'aye' up there, you're just going to make it that much easier for the counties to come under the... that particular clause. I readily realize we had a vote in Kane County and it was defeated overwhelmingly and the people are opposed to home rule and the more things that you do to make it easier to come under home rule for that county, the harder the taxpayers are going to get hit in the head in that particular county. And I would suggest to those people that are voting 'aye' and against home rules, should change their votes to 'no' because this would be to the proper vote. Thank you."

Speaker Telcser: "The Gentleman from Knox, Representative McMasters."

McMaster: "Mr. Speaker and Ladies and Gentlemen of the House, in explaining my 'yes' vote on this piece of legislation, let me say that I do not like to see distinctions drawn between upstate Illinois or downstate, between the City of Chicago which has home rule powers or counties downstate which do not have it. I think that we all have, should have equal rights in this State. I often supported legislation on this basis. I certainly feel that whether you do or do not like the home rule aspect that were put in by the new Constitution for the State of Illinois. Certainly I feel that ah... to cast a decision against home rule at this stage of the game, is wrong. I think that home rule should have a chance to operate and should have the opportunity for the people of the State of Illinois to have had some experience with it. I certainly feel that this is good legislation whether it does or does not encourage more home rule counties in the State of Illinois. I



certainly feel that it does maintain the right of the people to have a say-so about the indebtedness of their county governments and I would certainly urge your 'yes' vote for this legislation."

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

Skinner: "Mr. Speaker, I have two points that I would like to make.

The Kane County vote for home rule was not a, a vote which there was any... where there were any proponents. It was a, a ah... sham to start with. The county government was against it. They said they wanted to study it for several years before they put it for a vote. So I don't think that's a true indication of how Kane County feels or doesn't feel about home rule; but the major question I would like to ask, I guess I would like to ask someone from the Cook County side. At the present time, there is no limit on the amount of money that Cook County government may borrow. I presume they may borrow up to the \$22 billion of assessed valuation that they have in Cook County and thereby bankrupt the entire county. This Bill would limit the amount of money that Cook County government could borrow to \$1,000,000,000. That's right, \$1,109,000,000. And that is a lot of money. Now without referendum, they could borrow six hundred and sixty-five and a half million dollars. I cannot conceive that Cook County couldn't accomplish every public works project that has yet been conceived with that amount of money and I don't see why that they should impose non-home rule government on downstate home ah... on downstate counties because they think this is a limitation. It is not a meaningful limitation and I would hope that they would show some compassion for the governments in downstate Illinois who would like to emulate their actions ah... in the Cook County area."

Speaker Telcser: "Anyone else want to explain their ah... The Lady from Cook, Representative Macdonald."

Macdonald: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to support this Bill. I would like to say that for those of us in Cook County, I feel it is extremely important for us to put on our green lights. Home rule powers are one of the most important basic parts of the new Constitution. The concept is new to the people of Illinois and I think to retain their confidence and support,



that it is vitally important for us in Cook County who need home rule so badly to show the people that we do have confidence and we do want to have their opinion on such important bonding issues. I think it is extremely important for us, for their support and for the future powers of home rule for us to vote 'yes'."

Speaker Telcser: "Anyone else? The Gentleman from Peoria, Representative Dunn."

Dunn: "Thank you, Mr. Speaker. Members of the House, as a Member of the Constitutional Convention that helped in the home rule section, I'd like to tell you that the trigger for home rule is the County Executive and the only county in the State of Illinois you know has a County Executive is the County of Cook. Any other county can get home rule by referendum. This is the only key to have home rule and no one's going to vote for home rule, I don't think, downstate anyplace else in the State of Illinois unless there's a limit on the debt that can be incurred. It has to have a referendum. So I think this is a wise move. This is something that should of been put in the Constitution. It wasn't politically possible to put it in at the time of the adoption of the Constitution and at the time that we wrote it, but now it's a timely time to do it and I think that downstate people, I can understand the people in the County of Cook may have an interest that they can't vote for it, but anyone downstate that doesn't vote for it is not, is saying to their people that they think that they should have unlimited debt without a referendum. I'd like to see some more green lights on there. I appreciate your support and I vote green."

Speaker Telcser: "The Gentleman from Christian, Representative Tipword."

Tipword: "Mr. Speaker, I personally am basically opposed to the concept of home rule as it applied in our Constitution in Illinois; but I also ah... favor the concept of referendum of ah... upon bond issues. So consequently, in this dilemma I would like to be recorded as 'present'."

Speaker Telcser: "Record the Gentleman as voting 'present'. Have all voted who wished? The Lady from DuPage, Representative Dyer."

Dyer: "Hoping just to see about five more green lights come on, I would just like to add my word to those from DuPage County who have,





have spoken. I did serve on that County Board for eight years. We have restructured. We do have a Chief Executive Officer and now ah... all we need is to have this assured limitation of bonded indebtedness for the people to welcome home rule, I think, out in DuPage County and give it a chance to solve their stool-water problems, their flood-control problems. Some of these things we're not going to solve unless the County Board has the power to do the job. So please give us about five more votes to let us downstate counties get our job done."

Speaker Telcser: "Have all voted who wished? Take the record. Representative Bluthardt, for what purpose do you rise, sir?"

Bluthardt: "I think ah... in explaining my vote, Mr. Speaker, Members of the House that there's one very important item that's been overlooked here. That in addition to the 3% that this would ah... place on county ah... taxing powers without referendum, there's a provision in the Constitution, says that in addition all other indebtedness outstanding at the time of the enactment of this limitation would ah... would not be included. In other words, there'll be 3% plus whatever outstanding indebtedness is on the books at this time and I think that's very important."

Speaker Telcser: "All right, now we've got 105 'ayes'. The Lady from St. Clair, Representative Stiehl."

Stiehl: "Mr. Speaker, may I have a poll of the absentees, please?"

Speaker Telcser: "Yes, you may. The Clerk please read the names of the absentees."

Clerk O'Brien: "Anderson, Arrigo, Beatty, Blades, Brinkmeier, Capparelli, Chapman, Craig, DiPrima, R.L. Dunne, Ewell, Fennessey, Flinn, Granata, Hanahan, Hart, Hyde, Emil Jones, Kennedy, Klosak, Kosinski, Maragos, McCormick, Nardulli, Patrick, Rose, Sevcik, Ike Sims, Stedelin, Terzich, Tipsword, Washington, B.B. Wolfe."

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

Stiehl: "Mr. Speaker, may I leave to have this Bill placed on postponed consideration?"

Speaker Telcser: "You certainly may. Okay, House Bill 804 will be placed on the order of postponed consideration. House Bill 822."

Clerk O'Brien: "House Bill 822, Yourell. A Bill for an Act to amend the



Election Code. Third Reading of Bill."

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

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 822 ah... amends Chapter 46, paragraph 13-10 to provide for an increase in the minimum and maximum compensation of election judges in the counties of the State of Illinois. It affects all of the counties and provides that they receive an increase of \$5. Now the reason for this being that you know in your election precincts throughout the State of Illinois, the election days are getting longer and longer due to the ah... more ballots that are being considered, the new referendums and all of the things that make an election judge put in longer hours ah... than originally. Now in my own township, for example, I have continued vacancies in the placement of election judges, 118 in the last election and I am certain that all of you in the downstate counties and ah... Cook County are facing the dilemma that you can't get election judges to work any more. They have to pay babysitters and because of retention ballots and all of the other things ah... I think that a raise is necessary ah... to ah... hold our present election judges and attract other individuals to serve as judges of elections. I ask for a favorable Roll Call."

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

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

Speaker Telcser: "Indicates he will."

Skinner: "Might it be the case that it's not the amount of money that you're paying per day, but the number of days that we're holding elections on that is the reason you can't get judges?"

Yourell: "Well, I don't know ah... the case in your county, Cal. I know that as a township committeeman, the complaint that I continually receive is that they're not going to work 15 and 16 hours a day for \$30. And so that would I assume at least in my area is the reason that I'm having difficulty getting judges of election. This does not only affect Democratic judges of election, but ah... those in the Republican party as well. That is my common complaint that they're not going to work for that kind of money."

Skinner: "Thank you."



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

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

Speaker Telcser: "Indicates he will."

Juckett: "It's my understanding now from this Bill that the State then would be mandating the counties ah... to pay their judges more money, is that correct, \$5 more?"

Yourell: "Yes, I had a similar Bill four years ago, Representative Juckett, that you voted for ah... that did give them an increase of \$5 and this is the same Bill that's going to increase them again by \$5."

Juckett: "Okay now, when we're talking about in an election year, you're talking about what ah...? A primary and a general election. So that's ah... in effect, \$10 a year, there's over 10,000 precincts. There are at least 5 judges per precinct. So we're talking almost a, ah... at least a half a million dollars. Now this will be coming out of county funds. Are we providing any additional funds for the county so that they can ah... cover this state mandated program?"

Yourell: "No, there's no appropriation ah... going along with House Bill 822, but I think through the use of federal revenue ah... funds and ah... other areas, this can be accomplished. I know that I, I anticipated some questions relating to how much this would cost ah... certain counties and I can tell you in Cook County for one election it would cost \$129,000. I don't know, I think in DuPage County, for one election it would be about \$12,000. I know that these county governments are, are ah... begging for money and having a difficult time with finances and revenue, but I still say that if you're going to have the proper conduct in the election, you're going to have to pay the judges more than they're receiving today."

Juckett: "Well now, you're not indicating to me that these ah... judges that were found guilty of vote fraud ah... were fraudulent because we weren't paying enough money, were you?"

Yourell: "No, I'm not saying that at all."

Juckett: "Thank you."



Speaker Telcser: "Is there further discussion? The question is shall House Bill 822 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? The Gentleman from DuPage, Representative Philip."

Philip: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to explain my vote. I'm going to support this, but I just wanted to make one point. We have people on the other side of the aisle who are continually introducing Bills to increase people's wages, to spend more money on the county level. But when we have lost the collection fee for Treasurers here under the new Constitution, where were all those people on the other side of the aisle when we tried to put that back on. They weren't voting or they voted 'no'. And just to remind you that the counties today are in big financial trouble and we have some of these Bills to give them some more funds to pay for some of these things that you mandate that you ought to reconsider your position."

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

Neff: "Mr. Speaker and Ladies and Gentlemen of the House, as it's been brought here, this is going to cost the counties of the State of Illinois over \$500,000 and ah... we're not supplying any money to these counties ah... any appropriation of state money to take care of it. I think we're putting our handicap on them. Most of these counties are having trouble getting along as it is. I don't believe this is needed to get qualified judges because I find that most people that serve as judges are people that are interested in good government and do not serve necessarily for the pay. I don't think this will help us any on getting better judges. And, therefore, I think it should be opposed."

Speaker Telcser: "Have all voted who wished? Take the record. On this question 115 'ayes', 15 'nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 824."

Clerk O'Brien: "House Bill 824, Yourell. A Bill for an Act to provide for the licensing, regulation of marriage counselors. Third Reading of the Bill."

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



Yourell: "Mr. Speaker, may I have leave to consider House Bill 824 along with 825? 825 is the appropriation for 824."

Speaker Telcser: "Are, are there any objections? Hearing none, will the Clerk please read House Bill 825."

Clerk O'Brien: "House Bill 825. An appropriation for the marriage ah... licens... for the licensing of marriage counselors. Third Reading of the Bill."

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

Yourell: "House Bill 824 is a Bill that provides for the registration, regulation and licensing of marriage counselors in the State of Illinois. To my knowledge, there are only three states presently that provide for the regulation of those who practice the profession of marriage counselors. This profession has been terribly abused in the past because of a lack of regulation and it's been the cause of many traumatic experiences in the lives of many of our citizens. The shocking fact is, Ladies and Gentlemen, that a person without any education, training, or experience may set himself up as a marriage counselor to help people solve the most crucial problems of their lives. He need not pass an examination. He need not obtain, obtain a license. And consequently, thousands of quacks have moved into marriage counseling, are doing untold harm to countless thousands of trusting people. People who come to them when they are miserably overwrought, ready to heed advice from anyone who sounds knowledgeable in the field. Fourteen years ago in 'Professional Journal', the American psychologists calculated that 25,000 phony marriage counselors were operating in the United States swindling the public out of approximately \$375,000,000 annually. On the basis of a nation-wide survey recently made, estimates are that the number of quack counselors in their take have at least doubled since 1963. As for the increase in the misery they produce, that is beyond of course any estimate. In the words of Doctor David. R. Mace, Executive Director of the reputable, influential American Association of Marriage Counselors, quacks do more to injure marriages which might of been preserved. They can cause lasting disfiguring scars in people's sites. I would like to call to your attention that the Department of Regulation



and Registration has ah... endorsed the Bill, the Child and Family Services of Sangamon County, the Christian Science Committee on Publication, many attorneys, the Council of Illinois Chapter, the National Association of Social Workers, and marriage counselors of Rock Island County and many, many others. Ah... I'd be happy ✓ to ah... and delighted to answer any questions on this subject and would ask for a favorable Roll Call."

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

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

Speaker Telcser: "Indicates he will."

McClain: "Buz, could you please ah... inform me as to the qualifications necessary in order to receive a license under this Bill?"

Yourell: "In Section 4, ah... Representative McClain, and on page 1, it indicates those who cannot apply or this Act does not apply to any physician licensed to practice medicine in all of its branches, registered professional nurse, attorney, or consulting psychologist, admitted or licensed to practice in the State of Illinois. This Act does not apply to any registered professional nurse, certified teachers, social worker or their assistants acting under their supervision employed by a governmental or voluntary not-for-profit agency providing marriage counseling services; to practitioners of any well-recognized religious denomination whose services have been requested solely for the purpose of utilizing spiritual means or prayer for the resolving or elimination of marital conflict or discord or to students of these agencies."

McClain: "Ah... Buz, how about the qualifications in order to receive a license?"

Yourell: "The qualifications to receive a license to engage in the business of marriage counselors must have the following qualifications. A Doctorate in Medicine including psychiatry, psychology, sociology, or education. A Master's Degree in social work or marriage counseling. A Degree from an accredited law school or a three year Graduate's Degree from a theological seminary, three years experience in the profession of the applicant. At least one years experience in marriage counseling under the supervision of a



duly licensed marriage counselor in this state or one year's experience of a nature that under the discretion of the Director is equivalent thereto. And of course, United States citizenship or evidence of a declination of intention."

McClain: "Ah... Are there any examinations required?"

Yourell: "No, just the presentation of the certificates of authorization and ah... that is all."

McClain: "Okay, thank you."

Speaker Telcser: "Is there further discussion? The question is shall House Bills 824 and 825 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Will, Representative Leinenweber, to explain his vote."

Leinenweber: "Thank you, Mr. Speaker. Members of the House, maybe I'm easily influenced but Representative Katz just the other day passed out an article which I ah... had missed. It was from Nicholas VonHoffman's column where he criticized the ah... over-regulation of different occupations when generally speaking, the regulation leads to exclusions from the occupation and an increase in fees to the consumer. I, I really don't feel that ah... this is an area that needs the regulation and licensing which has been set up here and I think we ought to look pretty closely when we get into this field. So I'm voting 'no'."

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

Fleck: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'm not too fond of the continued licensing of various professions. However, I do feel that this is a very good Bill and for these very good reasons. Historically and traditionally, the State has always had an interest in the family unit and the maintenance of the family unit. That is why there's some statutes on divorces and divorce law on how this day should be handled in the state. This is a very, very sensible approach which might lead greatly to lowering the divorce rate in this state. One of the greatest problems that the people face who are involved in these divorce cases, it's that they do not have adequate reconciliation services nor counseling and they don't know if they're going to proper counseling services. They're not sure if they're going to a charlatan."



I think that this is a very good Bill so that any case which is in court would have an adequate opportunity for the parties to consult the marriage counselors who are licensed by the State. They're not fly by night operators and possibly cut down on the ever increasing divorce rates and have parties reconciled as they properly should and should not be divorced. It's a good Bill for the marriage institution; it's a good Bill for the children of marriages which could be reconciled. And I urge a favorable vote on this."

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

W.D. Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'm nonplussed. I was certain that Representative Fleck would arise and make the point that he's made on the income tax and other things that ah... single people are being disadvantaged by certain of these things and ah... he's certainly speaking for himself and for many others and I would think he'd make the point that this could never effect him and he'd be paying taxes ah... for this licensing and ah... never get any benefit from it. But in addition to that, it seems to me that the Act exempts many people that have nothing whatever to do with ah... marriage counseling. It exempts for example, certified teacher or social worker. Now I don't know what in the world a teacher has to do with ah... marriage counseling. Ah... Just absolutely nothing and there... the psychologist, the professional nurse, what does a professional nurse have to do with marriage counseling? Now I submit to you, Mr. Speaker, that this, there's going to be domestic problems whether this Bill passes or not. The only thing that this Bill is going to do is increase the cost of a, the taxpayers of Illinois. It's going to provide more licensing, more unnecessary services, and it's going to cost a great deal of money. Marriage counseling is done now as we know, by psychologists, psychiatrists, members of the clergy, and ah... I think we ought to leave it there and ah... not go into any more licensing."

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

Giorgi: "Mr. Speaker, I don't think the Majority Leader went far enough."





I think this is a bad Bill because it automatically licenses attorneys as marriage counselors and I know there are about 50 attorneys in the House and ah... some of the advice they've given us, I'd hate to see them advising a marriage that's going on the rocks. So I'd have to vote 'no' on this Bill."

Speaker K.W. Miller: "The Gentleman from Rock Island, Mr. Polk."

Polk: "Mr. Speaker, I never assumed that I'd have to stand up today and speak on this Bill. I had assumed that this Bill would go flying straight through. As a former counselor in a home for juvenile delinquents, as a former counselor in a penitentiary, as a former counselor of marriage problems, ah... I have dealt with many, many people and let me tell you the last thing that the ah... that ah... people look for is a counselor when it comes to marriage problems. So when they finally do come, they truthfully do have a real problem and there are people in my community today who are given counseling on marriage and their, and their ah... qualifications are they are palmists or they're seers and people that have a real problem and need serious counseling go to people such as the type I have just mentioned and they leave completely disillusioned. And I sincerely believe that we need some restrictions on the type of ah... qualifications that people should have to serve as counselors of marriage."

Speaker K.W. Miller: "The Gentleman from Peoria, Mr. Day."

Day: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think this is an excellent Bill. I practiced law for some thirty years and handled hundreds of divorce cases. I've heard both sides of the question many, many times and I certainly wouldn't consider myself qualified to act as a marriage counselor. This is a very difficult field. This requires expertise. This requires people who have had some training in this field, not only on the question of whether or not they should get a divorce, but what are they going to do after the divorce is granted. And a good marriage counselor can ease the pain of a ah... divorce and ah... can certainly ah... perform great services to the, both parties and especially to the children ah... where a divorce does take place. I think it's a fine Bill and one that everyone should support."



Speaker K.W. Miller: "The Gentleman from Macon, Mr. Alsup."

Alsup: "Well, I never read the Bill, so therefore, I may not know what I'm talking about. If it only applies to people who set themselves up and are paid, that's one thing; but I suppose anyone who's lived to be 60 who has married children ah... sometimes you are tempted especially if they ask for your advice to give it and I refrain from giving free advice. Usually it's about worth what you pay for it, but there's one other problem that concerns me. The woman who talks to her neighbor, the man who talks to his friend, ah... but in our churches anymore this has got to be such a great problem that the priests and the ministers and rabbis are swamped with this type of counseling. And what they have done in many churches is to have some couples who have made a success of their marriage and have lived long enough to know and realize the problems involved to counsel. Now they don't charge anything for the service. They merely do it as to save the minister or priest or rabi's time and ah... the minister or priest or rabi who asks them to do this has every confidence in their good judgement and I think that if you're going to eliminate this type of person, it's bad because I think they do need someone to talk to oftentimes and I'm not too sure what a qualified counselor is. I think some of them do much more disservice than they do a service. So, you can't replace good common judgement and I think the husband-wife team on a volunteer basis is, should be allowed."

Speaker K.W. Miller: "The Gentleman from Livingston, Mr. Hunsicker."

Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House, I'm going to vote red on this Bill. I am opposed to it and I'll tell you why and I've got a few questions I want to ask that are in my mind that haven't been settled. I'd like to know what became of the ministers and priests that used to do marriage counseling and are they going to have to be ah... registered and pass an examination before they're allowed to do this. What about the parents? Are they going to have to pass an examination before they can counsel their children? And what about who's going to give the examination? Who knows how qualified they're going to be? I can tell you a little story of what happened in our own county not too many years ago. We



had a counselor that was counseling different ones on marriage problems and he finally divorced his wife and married some young gal about half his age and he'd of been qualified to pass the examination. So I'm going to vote 'no'."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Mugalian."

Mugalian: "In explaining my vote, Mr. Speaker, very briefly. I have to agree with Zeke Giorgi completely. This, I think that this Bill would have the opposite of effect of what is intended by it. It would open up the doors to people like myself, lawyers, surgeons, ah... apparently teachers and gives them a license, so to speak, to hold themselves out as ah... marriage counselors. I think that probably with... this should be studied and ah... we should not ah... expose the population of this State to the ah... ah... to lawyers and doctors and others who admit they have no, no expertise in these, in this field and no interest. At least those who have practiced marriage counseling have a deep interest in it and have some experience in it. I think this Bill is counter-productive of the Sponsor's good intentions."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Caldwell."

Caldwell: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Bill. It's a very common sense approach to a serious problem in today's society. Now I can understand why the Sponsor ah... made it possible, makes it possible in his Bill to include ministers and lawyers, psychiatrists, psychologists, etc.; but I believe that if we start now to license the marriage counselors, ah... these other people will eventually and very effectively, quickly be eliminated. I think that the time has come when we do need in our society, professional people to counsel marriage, married people and those whose marriages are in trouble. I think that this is the proper approach and I think we ought to pass this Bill."

Speaker K.W. Miller: "The Gentleman from DuPage, Mr. Hudson."

Hudson: "Mr. Speaker and Ladies and Gentlemen of the House, in explaining my 'no' vote, I'd like to make this point. I feel that the net effect of this Bill will be to commercialize and, yes, secularize questions in this area that might best be left to spiritual consideration. What I'm saying, in effect, is we're going to set up



people that will ah... put a shingle outside their door indicating that they are expert in this area. These will be for the main, secular people with no necessarily, not necessarily any basis or any foundation or any training in the religious area. I think if people, I think if people seeking advice on marriage should probably go to their ministers, their priests, their rabbis first because I feel that marriage is a spiritual institution and the considerations therein are spiritual and this is where I think they will get the advice that's going to be the longest lasting and the most beneficial to them. And in passing this Bill, we are going to discourage this and encourage them to go elsewhere for this advice that may affect the rest of their lives. For this reason, I vote 'no' and would urge others to do the same."

Speaker K.W. Miller: "Have all voted who wished? Take the record, Mr. Cler... just a moment. Mr. Yourell."

Yourell: "Just a word. I didn't mean this to be a binding arbitration Bill or anything like that and I didn't expect such opposition to it or discussion on it. But I would remind those who have brought up the point that ministers, priests, and rabbis are not included in this Bill and that is where people generally go first. Ah... and I want that to continue as I'm sure all of us do and this Bill will have no affect on them whatsoever. They can continue counseling as they've always done in the past. I ask for a favorable Roll Call."

Speaker K.W. Miller: "All right, everyone that's... Clerk will take the record. On these two Bills, the 'ayes' are 101, the 'nays' are 31 and each of these Bills having received the Constitutional majority is hereby declared, are hereby declared passed."

Clerk Selcke: "House Bill 826, Waddell. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from Kane, Mr. Waddell."

Waddell: "Mr. Speaker and Ladies and Gentlemen of the House, this is a yearly Bill that states in part that upon your request and those who run for state office may be furnished a copy of the abstract of votes. It's permissive in as much as you can either request it or not request it as you so choose."



Speaker K.W. Miller: "Is there discussion? The question is shall this Bill pass. All those in favor will vote 'aye', opposed 'nay'. Have all voted who wished? Take the record. On this question there are 136 'ayes' and no 'nays' and this Bill having received the Constitutional majority is hereby declared passed."

Clerk Seicke: "House Bill 87... 1, Kosinski. A Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, this, this Bill essentially legalizes the Department of Transportation taking soil samples along the proposed right of way. Ah... modern highway design procedures require detailed soil characteristics in addition to geological maps and ah... aerial surveys. Soil characteristics are obtained by making soil borings. This Bill authorizes entry on private land for this purpose. Obviously, the State takes responsibility for any damages that could ensue. I solicit your vote."

Speaker:K.W. Miller: "Is there discussion? The Gentleman from Cook, Mr. Jaffe."

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

Speaker K.W. Miller: "Of course he will."

Jaffe: "Roman, according to the testimony in Committee ah... the State can go in an really drill a hole three hundred feet deep, can they not?"

Kosinski: "The depth was never considered."

Jaffe: "But they can do that?"

Kosinski: "Essentially."

Jaffe: "Ah... they can take as much land as they want to test upon, isn't that..."

Kosinski: "In the vertical sense, yeh."

Jaffe: "Well, you know, horizontal sense, too. There's no limitation."

Kosinski: "Well, of the limitation of the size of the boring obviously."

Jaffe: "Well, but we don't know what that may be."

Speaker K.W. Miller: "The ques... The Gentleman from Lake, Mr. Murphy."

Murphy: "Representative, you mean that ah... somebody can come on your property and being surveying or digging or something and they don't



even have to ask you for permission to come on your property?"

Kosinski: "The Department of Transportation informs me that permission is obtained from the landowner, but this gives them legal responsibility ah... and legal statutory authorization."

Murphy: "What you're actually saying is they don't have to ask permission do they?"

Kosinski: "Legally, they will have that right, sir."

Murphy: "They'd better not get in my back yard, I'll tell you."

Speaker K.W. Miller: "The Gentleman from Kane, Mr. Waddell."

Waddell: "Ah... Mr. Speaker, ah... I'd like to address myself to this."

Speaker K.W. Miller: "Proceed, sir."

Waddell: "Roman, I don't know what your experience is out in the country but I can tell you that is not the way it works. What happens out there is they come on to your property with a truck and go scooting right across your property, I don't care if you're in the process of, of planting your field or what happens. And if we give them this, I'm afraid that we will have no recourse but these people will just absolutely go willy-nilly across your place whether your crops are in or not. I don't think this is a good Bill."

Speaker K.W. Miller: "The Gentleman from ah... Knox, Mr. McMasters."

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

Speaker K.W. Miller: "He indicates he'll yield. Proceed, sir."

McMaster: "Roman, maybe I missed some of the debate on this, but ah... does this include payment of damages to crops?"

Kosinski: "Yes, it does, sir. And in response to a previous question, I would assume that the normal dignity of man prevails. People do not take trucks and deliberately injure crops. Ah... They, I'm certain, are concerned about the welfare of the land upon which they accrued. Ah... This is not the intent of the Bill. It is the intent of the Bill in as much as downstate, one certain road situation that every facility be afforded the Department of Transportation to permit them to put these roads in from previous moneys ah... so put together. I would recommend that this Bill be given very serious consideration. There's a big probe going on ahead in terms of downstate to assist with additional roads, but



they can't be achieved without going through this formality."

McMaster: "Roman, we do not deny the fact that we want highways and certainly we would cooperate in every way, but I think you should recognize that this is sub-soil surveys and is done by a major piece of equipment such as a truck with boring and it does cause quite a bit of damage when ah... fields are entered and driven across to conduct these surveys. And certainly I would be interested in knowing ah... who is the one who decides the amount of damages. Is it a negotiable thing between the owner or is it a set thing that ah... the ah... county or state comes in and says we will give you so much and ah... you have no recourse."

Kosinski: "The Bill per se' indicates that ah... ah... by the subject... that is subject... the State is subject to responsibility for all damages which shall be occasioned thereby."

McMaster: "I, I know..."

Kosinski: "All, I repeat, all damages."

McMaster: "I know, Roman, but in many cases the State is quite arbitrary as to what they feel is the proper amount of damage and ah... is in disagreement in many cases with the landowner."

Speaker K.W. Miller: "The Gentleman from Kane, Mr. Hill."

Hill: "Mr. Speaker and Ladies and Gentlemen of the House, this is a bad Bill and I'm afraid that the Sponsor of the piece of legislation ah... was in consultation with the engineers in D.O.T. and just didn't understand what was happening in regards to this piece of legislation. I've had a lot of experience with the engineers in Department of Transportation over the years. And I assure you that anyone that votes for this piece of legislation, many times your telephone is going to start ringing and there are going to be people complaining that this is happening to their private property. And when you call the Department of Transportation, you're going to find out that they won't even recognize you. They'll just say to you, tough, old buddy; but this is the law and we're going to continue to do it. This is a bad piece of legislation and I'd appreciate very much if you'd vote in opposition to it. Thank you."

Speaker K.W. Miller: "Is there further discussion? The Gentleman from Cook, Mr. Kosinski, to close the debate."



Kosinski: "Mr. Speaker, in view of the concern of some of the very ah... astute Gentlemen of this House as to the propriety involved here, I think it would be important that some of this be clarified with the Department of Transportation. It's not my intention to force the Bill onto these people which is not just. In consequence, I petition the Chair to remove this from the record till we make such clarification."

Speaker K.W. Miller: "Take it out of the record, Mr. Clerk."

Clerk Selcke: "House Bill 881, Flinn. A Bill for an Act to amend the Pension Code. Third Reading of the Bill."

Speaker K.W. Miller: "Just a minute, is Mr. Flinn on the floor? I don't see Mr. Flinn on the floor so take this Bill out of the record."

Clerk Selcke: "House Bill 888, Skinner. A Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from ah... McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, this Bill allows County Treasurers to invest 100% of taxes paid under protest and held in escrow. At the present time, they may only invest up to 75%; and I would ask for a favorable vote on this Bill."

Speaker K.W. Miller: "Is there discussion? The question is shall this Bill pass. All those in favor say 'aye', and opposed 'nay'. Vote 'nay', vote 'aye'. Have all voted who wished? Take the record, Mr. Clerk. On this question there are 135 'ayes' and 2 'nays', and this Bill having received the Constitutional majority is hereby declared passed. Record Mr. Porter, Porter as 'aye'. Next Bill, Mr. Clerk."

Clerk Selcke: "House Bill 889, Timothy Simms. An Act in relation to the wrongful use or disposition of credit cards. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from Winnebago, Mr. Simms."

Simms: "Yes, ah... Mr. Speaker, Ladies and Gentlemen of the House, House Bill 889 is the product of the Illinois Legislative Investigating Commission. According to the Resolution passed in January 14, '72 when Representative Shea and Hyde were Chairmen of the Commission, it authorized that the study of the credit card laws in the State of Illinois. The product of the ah... legislation was





a ah... to re-examine the credit card laws in Illinois, to update the statutes and provide penalties for increased credit card fraud in the State of Illinois. The legislation had ah... the support of industry and business and received a ah... ah... favorable vote in Committee. I would urge its adoption."

Speaker K.W. Miller: "The Gentleman from ah... Will, Mr. Leinenweber."

Leinenweber: "Will the Gentleman yield for one question, please?"

Speaker K.W. Miller: "Proceed, sir."

Leinenweber: "Representative Simms, ah... did you... is the Amendment that we discussed in Committee on which removes ah... misinform... ah... ah... wrong credit information as a violation of this law?"

Simms: "Yes, it is."

Leinenweber: "Thank you. Then I would urge that this Bill ah... be adopted, Mr. Speaker."

Speaker K.W. Miller: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "What are some of the severe penalties that your Bill provides as ah... to fraudulent users of credit cards? Is there mandatory jail sentences in this?"

Simms: "There are for ah... there are for the more serious criminal offenses ah... the continued ah... ah... use ah... the continued conviction ah... They become felony cases ah... areas of ah..."

Giorgi: "Is there any mandatory jail sentences put right in your Bill?"

Simms: "Yes, sir. Because ah..."

Giorgi: "Some of the blue collar workers are concerned that you white collar ah... providers don't provide the same penalties on the same levels and that's the reason for the questioning."

Simms: "In these cases, it's either/or, Representative Giorgi. Penalties can be up to one to five years, or \$500 to \$3,000 fine. Basically those areas of felonies are the same ones that are in the Illinois statute at the present time."

Speaker K.W. Miller: "Is there further discussion? The question is shall this Bill pass. All those in favor will vote 'aye' and opposed 'nay'. Have all voted who wished? Take the record, Mr. Clerk. On this question there are 130 'ayes' and no 'nays'. And this Bill having received the Constitutional majority is hereby declared passed."



Clerk Selcke: "House Bill 892, Hanahan."

Speaker K.W. Miller: "I don't believe Mr. Hanahan is here. Take it out of the record."

Clerk Selcke: "House Bill 900, Getty. A Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Getty."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House, at this time, I would ask leave of the House to have House Bill 900 moved back to Second Reading for the purposes of an Agreed Amendment that Representative Washington has submitted."

Speaker K.W. Miller: "All right, with leave of the House, this Bill is returned to the order of Second Reading. Are there Amendments, Mr. Clerk?"

Clerk Selcke: "Amendment #2, Washington. Amends House Bill 900 on page 1 by deleting line 30 through 32 and so forth."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Washington."

Washington: "Before proceeding, Mr. Speaker, may I ask a question of the Chief Sponsor? The question is this ah... was it your intention to table Amendment #1, Representative Getty?"

Getty: "Yes it is."

Washington: "I think you'd better do..."

Getty: "At this time, I would ah... ah... move to have Amendment #1, Committee Amendment #1 of which I was the Sponsor, tabled."

Speaker K.W. Miller: "All right, the Gentleman moves to table Amendment #1 which was previously adopted. Is there leave? All right, the Amendment is tabled."

Clerk Selcke: "Amendment #2, Washington. Amends House Bill 900..."

Speaker K.W. Miller: "Mr. Washington, the Gentleman from Cook."

Washington: "Mr. Speaker and Members of the House, Amendment #2 to House Bill 900 restores the Act to its original position which permits security guards to take their sidearms to and from work ah... within one hour's traveling time. Amendment #2 also provides that every security guard employed by a detective agency within the State of Illinois, all these guards must have training in the use and safety of weaponry. I know of no opposition to it. The industry supports it. The Chief Sponsor of the ah... Bill



supports it and I move for the adoption of Amendment #2 to House Bill 900."

Speaker K. W. Miller: "Is there discussion? The question is shall Amendment #2 be adopted. All those in favor say aye, opposed, nay. The ayes have it and the Amendment is adopted. Are there further Amendments, Mr. Clerk? All right the Bill is advanced to the Order of Third Reading. All right, this Bill having been read a Third Time, the Chair recognizes the Gentleman from Cook, Mr. Getty."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House. As Representative Washington has pointed out House Bill 900 now restores the right of a security guard to carry his gun to and from work provided that he has had the requisite training in the use of firearms so as to avoid situations of which I believe many of us are familiar where a security guard might be hired after a ....examination if any by his employer, given a gun and given the right as the law now is to carry that gun concealed on his person with absolutely no training. This will clarify a very serious problem and I would ask for the support of the House."

Speaker K. W. Miller: "The Lady from Cook, Mrs. Catania."

Catania: "Would the Gentleman yield to a question?"

Speaker K. W. Miller: "He indicates he will. You may proceed."

Catania: "Representative Getty, am I correct in understanding that these weapons can be concealed when these security guards are on the way to and from work."

Getty: "Yes, the security guard can have it concealed for a period of one hour. He would be exempt going to or from work for a period of one hour, so that he can carry the gun."

Catania: "Thank you."

Getty: "However, as the Bill now reads he must have received a minimum of 30 hours of training and carrying with him a certificate indicating that he has done so."

Catania: "Representative Getty, does it specify what kind of training he should receive in the use of the weapon?"

Getty: "Yes, it indicates training in the use of weapons and in the theory of law enforcement and in liability for his act and he must be certified by the Department of Registration and Education. So



this would be something which the details could be approved by the Department."

Catania: "Thank you."

Speaker K. W. Miller: "The Gentleman from McLean, Mr. Bradley."

Bradley: "Thank you Mr. Speaker. I have a question for the Sponsor. I recall on a Bill that I had in Judiciary II that was signed to incorporate bank guards under the definition of security guards so that they would be eligible to carry a weapon back and forth to work with them and you opposed that Bill and I am wondering if they are included. Is a bank guard allowed under your legislation to carry a weapon to and from his place of employment?"

Getty: "Security guards as defined in the Act are those people who are under the detectives and detective agencies act employed as security guards. It would be limited to those individuals."

Bradley: "Then let me, another question, it says that they will be in a locked container, could you describe what kind of a container you might be thinking of that would have to be locked. Would you have to have a lunch box locked with your weapon inside of it."

Getty: "That Amendment has been tabled, sir."

Bradley: "That Amendment is tabled?"

Getty: "That's right."

Bradley: "Thank you."

Speaker K. W. Miller: "The Gentleman from Cook, Mr. Mahar."

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

Speaker K. W. Miller: "Proceed, sir."

Mahar: "Representative Getty, what is the purpose of the one hour restriction after work?"

Mahar: "That's the law as it presently reads now and is the result of quite a bit of discussion, I understand of the 77th General Assembly, and it was agreed that the one hour limitation was a reasonable amount of time. What we have done is just maintained that same period of time and not changed it at all. But required before the individual can carry a concealed weapon he must have had the training. That is the thrust of the Bill, that he must have had training."

Mahar: "How will you actually determine that one hour time. Supposing he worked over-time. Maybe a half hour over-time or two hours over-



time or he goes home before the full day. How do we determine? How can we accurately tell that we really have a one hour restriction that is enforceable."

Getty: "Well, quite frankly it does cause a degree of difficulty in determining. However, we do have a year and a half experience in that regard. It has nothing to do with his regular hours of work. It is in fact, one hour from the time he leaves his employment or one hour from the time he leaves his home to go to his employment that he has the exemption."

Mahar: "If he lives five minutes from home, can he stop and hoist a couple on the way home?"

Getty: "No, it is only for the purposes of going to and from work. If he goes off of his beaten path, he would be in violation."

Mahar: "Thank you."

Speaker K. W. Miller: "The Gentleman from Cook, Mr. Palmer."

Palmer: "Just one question if the Sponsor will yield, and that is who is going to give the training. I don't have the Amendment here."

Getty: "The Act provides that the Department of Registration and Education would have to approve."

Speaker K. W. Miller: "The Gentleman from DuPage, Mr. Schneider."

Schneider: "Thank you Mr. Speaker. I know that last year when Representative Washington was passing a number of Bills like this I always had serious reservations about them. One of the things that always interested me was why a security guard who let's say, one summer I was a security guard for example and all I did there was no need for a weapon at that post, but if you could have kept a weapon at the post, what would be the purpose of carrying a weapon from the post that you are assigned as a security guard back to your residence and then carrying it back to your job. Now Harold has explained to me about the door rattlers and people of that type, and I wonder if maybe there ought to be a further clarification of security guards in order to define it. I don't think every security guard maybe Representative Bradley's bank guard, guards at factory gates that need weapons for purposes that they would have to define, it doesn't seem to me that they would need to carry the gun back and forth to work, so I would wonder and maybe Harold, I know he is on his feet



yet might be able to explain to me further the need for that kind of responsibility to carry the weapon to and from work."

Getty: "Well, let me say that the only guards that we are referring to is those guards who are as defined in the Act employed by detective agencies, that is the ones who are guards for hire. Not those guards who might be employed by a business or by a bank or by some individual to be a permanent guard. We are only referring to those guards who are by the usual nature of their work would go either from place to place or on a daily basis would be hired for a short period of time and because of the non-permanent nature of their assignment they do make some case for this sort of exemption."

Speaker K. W. Miller: "The Gentleman from Cook, Mr. Petrovich."

Petrovich: "Will the Sponsor yield to a question?"

Speaker K. W. Miller: "Proceed, sir."

Petrovich: "Representative Getty, what are we trying to accomplish by this particular piece of legislation."

Getty: "We are trying to accomplish the education of security guards before they carry guns. Recently due to a very well documented newspaper story in Chicago, it was pointed out that a newspaper reporter went to an agency without giving proper identification..."

Petrovich: "I recall that now fine. Now what is this one hour provision in here?"

Getty: "That is in the Bill as it is now. I'm not changing that at all."

Petrovich: "Well, can you..."

Getty: "I'm sorry, that is the Act as it is now, we don't I'm not seeking to change that upwards or downwards or make any modification in that at all. What we are trying to do is make sure that before that person has the right to carry a concealed weapon that he has had training."

Petrovich: "All right, fine. Does it provide for anything other than the training you are talking about?"

Getty: "No, that's the only thing that the Act does now."

Speaker K. W. Miller: "The Gentleman from Perry, Mr. Ralph Dunn."

R. Dunn: "Thank you Mr. Speaker. Will the Sponsor yield to a question?"

Speaker K. W. Miller: "Proceed, sir."

R. Dunn: "Representative Getty do I understand that this examination would be given by the Department of Registration and Education in



order to carry the gun."

Getty: "Yes, they would have to be certified by the Department of Registration and Education."

R. Dunn: "Would it require an examination?"

Getty: "No, it would require that the training they received be approved by the Department of Registration and Education and if the Department issues them a certificate indicating that they have passed it and that they carry that certificate with them when they are carrying their concealed weapon."

R. Dunn: "I see, thank you."

Speaker K. W. Miller: "The Gentleman from Cook, Mr. Barnes."

Barnes: "Yes, Mr. Speaker, Members of the House. I think this is a good piece of legislation. It is really a minimal step for people that live out in my District and the District beyond in the 28th District. The one hour limitation that is in the law already creates somewhat of a hardship because of many of my constituents have to travel more than one hour to their place of work, on the far north side. So I have some problems with that but to answer one of the questions before, these are people who are hired by detective agencies that are assigned to various places in various locations and they may have had some altercations with some of the people in carrying out their duties while they are doing that employment for that particular day and when they leave there are times when these people will sometimes some of these people may run into some problems if they cannot transport these weapons to and from their employment. I think this is basically inconsistent with the idea that policemen carry their weapons when not on duty. I think this is consistent with that kind of idea and especially since these people are not assigned to one place, they move around from place to place. So this is a minimal step and I think we should support this piece of legislation."

Speaker K. W. Miller: "The Gentleman from DuPage, Mr. LaFleur."

LaFleur: "Mr. Speaker, I move we call the previous question."

Speaker K. W. Miller: "Alright the previous question has been moved. All those in favor say aye, opposed nay, the ayes have it. And the Gentleman's motion prevails. Now the Gentleman from Cook, Mr. Getty



may close the debate."

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

Speaker K.W. Miller: "For what purpose does the Gentleman from Cook, Mr. Washington, arise?"

Washington: "Mr. Getty has carried the onus of debate, but it is my Amendment and I would like to close the debate when he finishes."

Speaker K.W. Miller: "Well, Mr. Getty, I believe, is the Sponsor of the Bill. We're on Third Reading. Mr. Getty may proceed if he chooses."

Getty: "Mr. Speaker, at this time, I would like to yield to Representative Washington, to close."

Speaker K.W. Miller: "All right, that's just fine. The Gentleman yields to Mr. Harold Washington."

Washington: "I made a mistake, Mr. Speaker. I thought we were still back on Second, but we're back on Third, so I stand corrected."

Speaker K.W. Miller: "The Gentleman has yielded to you, sir."

Washington: "Well, I think Mr. Getty has pretty well described what's involved here. A... an employee of a detective agency must be certified by the State. He is fingerprinted, he is screened; and only then can he function as a guard for that detective agency. Last Session, we passed a law which permitted those persons who had been certified by the State one hour to carry their weapons to and from work, period. This Amendment which was placed on today simply adds that additional proviso that the Department of Education and Registration shall certify certain organizations that will train these individuals in the use, safety, and theory of weaponry. That's an additional safeguard for the public of the State. When that person has been trained and certified, he is then given an I.D. card which substantiates that training and certification. It's an additional safeguard for the public. It is not an extension of the law relative to carrying guns. That is already the law and if you defeat the Bill, all you're doing is saying that you don't want those people trained."

Speaker K.W. Miller: "The question is shall this Bill pass. All those in favor will vote 'aye' and opposed 'nay'. The Gentleman from McLean, Mr. Bradley, to explain his vote."





Bradley: "Yes, thank you, Mr. Speaker. I'd just like to explain my 'no' vote by saying that I think we're rather restrictive here with just a one hour time to commute to and from home because there are many people in the State that live further away than one hour from their employment. It ah... does not include other security guards that are doing the job in the State that I think this Bill should ah... include such as the people who are guarding ah... bank guards. It does not include bank guards. It does not allow them to carry a weapon to and from home and I think that we're asking for some specialized training in this piece of legislation that ah... possibly would be very restrictive to the people that are presently employed and to ah... obtaining a job ah... possibly even policemen who are presently employed or possibly have a security job as a second job and could not meet the requirements. And ah... I don't think that this Bill goes far enough and I am voting 'no'."

Speaker K.W. Miller: "Have all voted who wished? The Gentleman from Cook, Mr. Emil Jones, to explain his vote."

Emil Jones: "Mr. Speaker and Ladies and Gentlemen of the House, I live in a district on the far, far south side of the City of Chicago and many residents in my area have to travel to the far, far north side of the City of Chicago in order to get to work. So in explaining my vote, if the Sponsor would agree to amend his Bill so that more time is allotted to those who have to travel longer distances to get to work, then I would support this Bill because you're putting a person in jeopardy if he does not have an automobile. It takes two hours for a person who rides on public transportation to travel from my district just to get to O'Hare Airport. So I will vote 'yes' at this particular time, but I wish the Sponsor would amend his Bill when it gets over to the Senate."

Speaker K.W. Miller: "Have all voted who wished? Take the record, Mr. Clerk. On this question there are 93 'ayes' and 16 'nays' and this Bill having received the Constitutional majority is, is hereby declared passed."

Clerk Selcke: "House Bill 881, Flinn. A Bill for an Act to amend the Pension Code. Third Reading of the Bill."



Speaker K.W. Miller: "The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 881 is one that ah... is identical to one that was passed in the 77th General Assembly and was tabled with a group of Bills at the last part of the Session over in the Senate. What it does basically, raises the monthly pension of widows of retired firemen from a 40% to 45% and for each child, living child under 18 or guardian ah... children, from 8% to 10%. So I would ah... ask for your support for House Bill 881."

Speaker K.W. Miller: "Is there discussion? The question is shall this Bill pass. All those in favor will vote 'aye' and opposed 'nay'. Have all voted who wished? Take the record, Mr. Clerk. Mr. Lundy 'present' on this Roll Call. On this question there are 121 'ayes', 1 'nay' and 1 'present'; and this Bill having received the Constitutional majority is hereby declared passed. House Bill 908. Record Mr. Barnes 'present', er... 'aye'."

Clerk Selcke: "House Bill 908, Totten. A Bill for an Act to revise the law in relation to statement of candidacy. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Totten."

Totten: "Ah... Thank you, Mr. Speaker. I'd like to ask leave of the House to consider House Bills 907 and 908 together as they are companion Bills."

Speaker K.W. Miller: "Mr. Totten, it's the Chair's understanding we'd have to ah... suspend the rules to take 907 out of order. Do you desire to do that or shall we go ahead with 908?"

Totten: "I would like to do that, Mr. Speaker."

Speaker K.W. Miller: "All right, the Gentleman moves that, that there... that we... the House suspend the provisions of Rule 37 so that House Bill 907, is that correct, Mr. Clerk? 907; can be considered out of order and be considered with 908. All those... this will take 107 votes. All those in favor will vote 'aye' and opposed 'nay'. Have all voted who wished? Take the record, Mr. Clerk. On this question there are 129 'ayes' and 1 'nay' and the Gentleman's motion prevails. All right now the Gentleman has ah... asked leave to consider House Bills 907 and 908. Does the Gentleman have



leave? All right, Mr. Clerk, read 907."

Clerk Selcke: "House Bill 907. A Bill for an Act to amend the Illinois Governmental Ethics Act. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Tqppen."

Totten: "Mr. Speaker and ah... Members of the House ah... House Bill 908 amends the Election Code, the School Code, and the Municipal Code ah... to require that statements of candidacy include an assertion that the candidate has filed ah... his statement of economic entry. House Bill 907 ah... merely provides for that ah... provision making it before or at the time of action and I would ask for your favorable vote."

Speaker K.W. Miller: "Is there discussion? The Gentleman from Madison, Mr. Calvo."

Calvo: "Will the Gentleman yield for a question?"

Speaker K.W. Miller: "Proceed, Mr. Calvo."

Calvo: "Representative Totten, do either of these Bills have any effect upon present officials? Is this only for future elections?"

Totten: "It's only for future elections."

Calvo: "Thank you."

Speaker K.W. Miller: "Is there further discussion? The question is shall these two Bills pass. All those in favor will vote 'aye' and opposed 'nay' and the Clerk will take two Roll Calls. Have all voted who wished? Take the record, Mr. Clerk. Record Mr. Capuzi 'aye' on these two Roll Calls. On these questions there are 142 'ayes' and no 'nay'. and each of these Bills having received the Constitutional majority are hereby declared passed."

(con't on next page)



that they will be able to do it if this law passes."

Matijevich: "What they have been doing, Representative Maragos, is that they have built in as part of the rental amount that they assessed against the, for example, Standard Oil and so forth. They have an amount built in taking into account that certain amounts are for the purposes of taxation. They're still receiving those amounts and as far as I'm concerned the toll way ought to be making their revenue out of those coins that are going into those boxes and that amount that they have in their, at least, arrangement for tax purpose ought to stay in the taxing body."

Maragos: "What are they presently doing with those funds that they have, those amounts now? Do you know? Are they using them for their own revenue or are have they put them in a reserve or in escrow of some type?"

Matijevich: "I imagine they're using them to pay off the bonds and from what we know about the Toll Way Authority, they're paying them off in a hurry anyway."

Maragos: "Thank you very much and I'm...after this explanation I'm in favor of this action and I ask that everyone vote 'aye'."

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

Walsh: "Ah...How much of this property is there and what would the evaluation be in the Gentleman's opinion?"

Matijevich: "Ah...I believe there are six toll road oasis. I'm not sure about the evaluation. I do know that...ah...in the court case relating to the Lake Forest Oasis in my district it amounted to twenty nine thousand, a little over twenty nine thousand dollars in taxes levied in the taxable year, I believe of 1970. So you can get a pretty good idea of that from that particular oasis as to what it would be in the other five."

Speaker Miller: "Is there further discussion? Does the Gentleman care to close?"

Matijevich: "I'll close with a Roll Call vote."

Speaker Miller: "All right, the question is, shall this Bill pass? All those in favor will vote 'aye' and opposed 'nay'. Have all voted who



Clerk Selcke: "House Bill 964. Matijevich. A Bill for an Act to amend Section 22 of an Act in relation to construction operation and regulation maintenance system of toll highways and so forth. Third Reading of the Bill."

Speaker Miller: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 964 is designed to place back on the tax rolls properties now leased by the Illinois State Tollway...Toll Highway Authority to private entities at tollway oasis. The reason I introduced this Bill was that in March of this year there was a court injunction and that court decreed that in the absence of law that the taxes couldn't be levied on such real estate and the school districts have been hurt in my county to the extent of twenty nine thousand. I think some of the rest of you have toll road oasis in your districts. Now in Committee, the Bill was reported out twenty to nothing and Representative Maragos passed and I didn't have any information at that time relating to the...ah...lease...ah...arrangement with the Toll Way Authority. I have since learned that the Toll Road Authority has built into the actual rental an amount to cover any real estate taxes which might be levied. Hence the Toll Road Authority has received these built in tax received and continued to receive this money which should be paid to the local districts. The provision in the lease is that if and when taxes are levied against a lease holder the monies paid will be deducted from the annual rental. Ah...So this reinforces my belief that...ah...this money ought to go to the local school districts and the local taxing bodies. The...ah...Standard Oil I'm sure doesn't object because they've got to pay it anyway whether it goes to the Toll Road Authority. I have the firm belief that it ought to go to the local taxing districts and I hope that you join with me by supporting House Bill 964."

Speaker Miller: "Is there discussion? The Gentleman from Cook, Mr. Maragos."

Maragos: "Representative Matijevich, did I understand you to say that the Toll Way Commission is now putting this, these funds on the side based on the fact that they can't do it under the leases, or



wish? Take the record Mr. Clerk. On this question there are 134 'ayes' and 1 'nay'. This Bill having received the Constitutional Majority is hereby declared passed."

(con't on page 93)



Clerk Selcke: "House Bill 977, Berman. A Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Berman."

Berman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 977 ah... seeks to clarify what I believe was the intent of the Legislature in the passage of the School Code as it exists now where it provides that ah... reimbursement for special, special education would go to school districts that operated schools for a full year and that was to provide ah... reimbursement for summer school programs and special education. There's been an interpretation that this ah... language in the present Code meant that only 12 month school districts and there's only a few of those in the State, would qualify for the reimbursement. House Bill 977 ah... spells out the language and says that ah... summer... any district that runs an approved summer school program would be eligible for reimbursement and I ah... solicit your support of House Bill 977."

Speaker K.W. Miller: "Is there discussion? The Gentleman from Madison, Mr. Calvo."

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

Speaker K.W. Miller: "Proceed, sir."

Calvo: "Art, where does this money come from? Does it come out of the distributive fund? It would of been distributed to the other schools."

Berman: "It would be ah... part of the Superintendent's ah... ah... budget and ah... from General ah... General Revenue Fund."

Calvo: "Then he's going to have to increase his budget and ah... have a larger budget in order to have these funds, is that correct?"

Berman: "If the ah... request for reimbursement from previous years have been turned down on the interpretation, the estimates that I've got is there would be ah... about... somewhere between one and three million dollars."

Calvo: "One and three million?"

Berman: "One... somewhere between one, two, three million dollars."

Calvo: "Additional?"

Berman: "Correct."

Calvo: "Thank you."



Speaker K.W. Miller: "Is there further discussion? Does the Gentleman care to close? Mr. Berman."

Berman: "Only to indicate that I believe this was the purpose of the language of the Bill that was previously passed to allow school districts to continue in the very necessary efforts of ah... continuing special education programs through the summer so there is no regression in the training of these children. And I'll solicit your support on 977."

Speaker K.W. Miller: "All right, the question is shall this Bill pass. All those in favor will vote 'aye' and opposed 'nay'. Have all voted who wished? Take the record, Mr. Clerk. On this question there are 138 'ayes' and no 'nays' and this Bill having received the Constitutional majority is hereby declared passed."

Clerk O'Brien: "House Bill 978, Matijevec. A Bill for an Act to enact the Illinois Trade and Drugs Act. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Matijevec."

Matijevec: "Mr. Matijevec from Lake ah... would like to have..."

Speaker K.W. Miller: "Correction, correction, sir."

Matijevec: "Mr. Speaker, Members of the House, this is the Bill that everybody's received communications pro and con on. I don't think it'd be fair to the Members who aren't here to put them on record. So I'd like to have this Bill rest over the Memorial Day weekend. I'll call it Tuesday."

Speaker K.W. Miller: "Take House Bill 978 out of the record."

Clerk O'Brien: "House Bill 979, Matijevec. A Bill for an Act relating to pharmacists, pharmacies, and fee-splitting. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from Lake, Mr. Matijevec."

Matijevec: "I'm going to make the same request to this except that there is an Amendment ah... so to get it in proper shape, I'd like to..."

Speaker K.W. Miller: "Well, why don't... why don't we just take it out of the record and then do it all at one time, sir? Ah... Mr. Matijevec, the Clerk informs me it would help because it would go through Enrolling and Engrossing. So if you'd care to take the Amendment now, we can. So you desire... the Gentleman moves





that House Bill nine..."

Matijevich: "I asked you then for consent to bring it back to Second."

Speaker K.W. Miller: "...979 be brought back to Second Reading for purpose of Amendment. Does the Gentleman have leave? All right, the Bill is now on the order of Second Reading. Mr. Clerk, read the Amendment."

Clerk O'Brien: "Amendment #1. Amends House Bill 979 on page 1, line 20 by inserting immediately after from, the following."

Speaker K.W. Miller: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker and Members of the House, this Amendment was offered by the Nursing Home Asso... Illinois Nursing Home Association. This is a fee-splitting Bill as between pharmacists and nursing homes. The nursing homes ah... ah... when they do purchase from pharmacies, very often do the billing and so forth and there's a percentage which they get for that service so that it isn't really a fee-splitting of the purchase. I would move the adoption of Amendment #1 to House Bill 975, er... 979."

Speaker K.W. Miller: "The Gentleman moves the adoption of Amendment #1. All those in favor say 'aye', opposed 'nay'. All right, ah... the Gentleman from Kankakee, Mr. Ryan, has a question."

Ryan: "Yeh, ah... ah... Representative Madi... Matijevich, does this take the... you say, the billing process is the same as it now is for the nursing homes? They still bill the patient and the pharmacist bills the nursing home, is that right?"

Matijevich: "Well, what happens is the, the ah... nursing home ah... makes certain that billing procedure, actually it's a book-making process which they ah... provide rather than the pharmacy itself. So ah... for this service, there's a percentage ah... of the sale, the total sale. In other words, what they do maybe for a whole month, ah... they will ah... they will bill all of the sales that they make from the particular pharmacies and they do all the procedures for that service ah... a percentage of the sale. And ah... I don't think that's fee-splitting at all. And I don't think anybody else does; and besides, the Nursing Homes Association said with that Amendment they support the Bill. What could I do?"

Ryan: "I think the Amendment kind of guts your Bill as far as the ah..."



Matijevich: "No, I don't really think it does."

Ryan: "I'm in the business and I know how this works and I would urge that you don't put this Amendment on."

Matijevich: "Well, lets go as far as I can with the Amendment and then we'll see what happens later."

Speaker K. W. Miller: "The question is shall Amendment #1 be adopted? All those in favor say aye, opposed nay. The ayes have it and the Amendment is adopted. Are there further Amendments Mr. Clerk. Now this Bill is advanced to the Order of Third Reading and the Sponsor has requested that it be taken out of the record on Third Reading."

Clerk O'Brien: "House Bill 994, B. B. Wolfe."

Speaker K. W. Miller: "Take it out of the record. For what purpose does the Gentleman from McLean, Mr. Bradley arise?"

Bradley: "An inquiry, Mr. Speaker. We received on our desks just now some material referring to a piece of legislation regarding a County Officer's pay raise. No identification as to who it is from. Referring to House Bill 1791. I would like to know who is placing it on our desks."

Speaker K. W. Miller: "Well, the House rules provide that identification be on such memorandum. If a Member put it out, of course, we... The Gentleman from Union, Mr. Choate."

Choate: "Mr. Speaker, would the Gentleman, is absolutely right and you are absolutely right. The rules do require identification of material placed on Member's desks. I would suggest that the Speaker contact the pages to see if they are knowledgeable as to who is placing this on the desks."

Speaker K. W. Miller: "I am informed on the Republican side that the pages did not put them out. Can you help me here, Mr. Choate."

Choate: "I'll find out on this side."

Speaker K. W. Miller: "Fine, Mr. Choate. Call the next Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1044, R. H. Holloway. A Bill for an Act to amend Sections of the Illinois Insurance Code, Third Reading of the Bill."

Speaker K. W. Miller: "The Gentleman from Cook, Mr. Holloway."

R. H. Holloway: "Mr. Speaker, Ladies and Gentlemen of the House. This Bill extends the scope of an insurance company investment power to



include obligations of transportation corporation rather than merely railroad corporations. This Bill takes into account the fact that the transportation industry offers solid investment possibilities in transportation companies other than railroads and I solicit your approval of this Bill."

Speaker K. W. Miller: "Is there discussion? The question is shall this Bill pass? All those in favor will vote aye, and opposed nay. Have all voted who wish? Take the record Mr. Clerk. On this question there are 130 ayes and no nays and this Bill having received the Constitutional Majority is hereby declared passed. Now the Chair recognizes the Gentleman from Union, Mr. Choate."

Choate: "Mr. Speaker on the Gentleman from, Representative Bradley's inquiry a moment ago, the Democratic pages advise me that they did not have anyone to come and give them to those to them for placing on the Member's desk. It was their suggestion that they might have come through the post office and I am following through on that."

Speaker K. W. Miller: "All right, thank you Mr. Choate. Call the next Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1072, Stone. A Bill for an Act to amend Sections of the Industrial Project Revenue Bond Act. Third Reading of the Bill."

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

Stone: "Mr. Speaker, would you take that out of the record for now."

Speaker Telcser: "Take it out of the record. House Bill 1074."

Clerk O'Brien: "House Bill 1074, Hanahan. A Bill for an Act to amend the Fair Employment Practices Act. Third Reading of the Bill."

Speaker Telcser: "Take it out of the record. House Bill 1080."

Clerk O'Brien: "House Bill 1080, Skinner. A Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

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

Skinner: "Mr. Speaker, at the present time, mail notices have to be sent to taxpayers for assessment changes in all but one year. That year is the quadrennial reassessment year when all of the assessments are suppose to change. This would require that notices be sent in all years. For down State only, there is a Bill for Cook County which Representative Maragos is Sponsoring, House Bill 1859, which will come out later. This passed out of the House Revenue Committee unanimously,



and I would ask for a favorable vote."

Speaker Telcser: "Is there any discussion? The question is shall House Bill 1080 pass? All those in favor signify by voting aye, the opposed by voting no. Have all voted who wish? Take the record. On this question there is 139 ayes, no nays and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1092."

Clerk O'Brien: "House Bill 1092, Berman. A Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Berman: "Thank you Mr. Speaker. House Bill 1092 is a Bill which would authorize the Chicago Board of Education to enter in and collect a bargaining agreement which would extend up to three years in length. There was a contract negotiated a short time ago a couple years ago that was two years in length. A court ruled that that contract was void because there was no statutory authorization. Many major cities throughout the Country already provide for multi-year employment agreement. I think it lends a stability to the operations of the School Board and I would urge your affirmative response to House Bill 1092."

Speaker Telcser: "Is there any discussion? The question is shall House Bill 1092 pass. All those signify by voting aye, the opposed by voting no. Have all voted who wish? Laurino, aye. Take the record. On this question 138 ayes, 1 nay and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1099."

Clerk O'Brien: "House Bill 1099, Jaffe. A Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Telcser: "Representative Jaffe on the Floor? Take it out of the record. House Bill 1143."

Clerk O'Brien: "House Bill 1143, Barry. A Bill for an Act to..."

Speaker Telcser: "Is Representative Barry on the Floor? Okay, go ahead Jack."

Clerk O'Brien: "A Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cairo, Representative Barry,"

Barry: "Mr. Speaker and Ladies and Gentlemen of the House. This is a



Bill very similar to the one Representative Berman passed this morning, another version of it whereby the State Board is increased by one extra member I believe it is, a total of 15 members including the Superintendent of Public Instruction, three of whom will be classroom teachers. The Board will continue to be controlled by persons other than teachers and I recommend its adoption."

Speaker Telcser: "Is there any discussion? The question is shall House Bill 1143 pass? All those in favor signify by voting aye, the opposed by voting no. Have all voted who wish? Take the record. Ebbesen, aye. On this question there is 116 ayes, 6 nays and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 11, Deavers, aye. House Bill 1191."

Clerk O'Brien: "House Bill 1191, Schneider."

Speaker Telcser: "Is the Gentleman on the Floor. Take it out of the record. Can you handle that for him, Bruce?"

Douglas: "Mr. Speaker, I ..."

Speaker Telcser: "Wait a minute, let the Clerk read it a Third time."

Clerk O'Brien: "A Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Douglas: "Mr. Speaker, when I went on this as a Co-Sponsor and read the Bill it seemed to be completely non-controversial to me and that's my impression and therefore will accept the responsibility of handling this for Representative Schneider. I think it is clear. It repeals an Act prohibiting persons with tuberculosis from working for schools or school districts. If there are any major questions, I may have to ask that it be postponed. Otherwise I move for its favorable consideration."

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

Berman: "Thank you, Mr. Speaker. To expand on Representative Douglas' comments. There was a lengthy Hearing in the Education Committee. There was testimony from a Representative from the Department of Public Health that the requirements for yearly filings was not necessary, and I believe that the Committee acted in accordance with the recommendation of the Department of Public Health and it is a good Bill."



Speaker Telcser: "Is there further discussion? The question is shall House Bill 1191 pass? All those in favor signify by voting aye, the opposed by voting no. Have all voted who wish? Take the record. On this question 134 ayes, 2 nays. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1620."

Clerk O'Brien: "House Bill 1620, Blair. A Bill for an Act..."

Speaker Telcser: "Take it out of the record. I don't know where the Speaker is right now. House Bill 812."

Clerk O'Brien: "House Bill 812, Barnes. A Bill for an Act to amend the Vehicle Code. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, Members of the House. House Bill 812 is the Bill that addresses itself to the Vehicle Code concerning commercial drivers concerning driving while under the influence. It is more or less a preventive Bill in terms of the Secretary of State having the option on the first defender, this is on the first defender, having the option to issue restrictive permits for commercial drivers to drive their commercial vehicles if the ticket was given in their non-commercial vehicle. What we are doing here that was a Federal Appellate decision in Minnesota that addressed itself to it prior to this we had an automatic suspension of up to three years. The court decision in Minnesota said that this was arbitrary and was unconstitutional and what House Bill 812 intends to do is to simply bring our Vehicle Code within the realm of that Federal Court decision as handed down by the Appellate Court in the State of Minnesota. I would solicit your support."

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

Fleck: "Will the Sponsor yield for a few questions?"

Speaker Telcser: "He indicates he will."

Fleck: "Does this mean, correct me if I am wrong, a person who is a cab driver, truck driver, is arrested for driving under the influence of liquor would not get the automatic suspension and a person who is driving as a private citizen would."

Barnes: "No, it does not. What it means is that if a cab driver, or a truck driver was driving his private vehicle and was hit with a DWI, he would get his suspension from driving that private vehicle but it



would leave the Secretary of State with the option on the first defense to give him a prohibitive driving permit for him to continue to drive his commercial vehicle only. And it is permissive. It is based on all of the ramifications. He would have to apply through the Secretary of State and the Secretary of State would ultimately make the decision of whether or not he could have the restrictive permit. This is already been. The only thing that we are doing here is striking out the mandatory three years of suspension."

Fleck: "So anybody driving a commercial vehicle, correct."

Barnes: "Commercial vehicle."

Fleck: "If I may address the Bill, Mr. Speaker."

Speaker Telcser: "Proceed sir."

Fleck: "I don't know if the courts, the Federal Court in Minnesota might have done, but it seems rather clear to me that the Bill itself appears to be kind of unconstitutional on the grounds of equal protection under the law. It seems that a person who is driving a commercial vehicle having the loophole, the discretion on the part of the Secretary of State to grant him a temporary driving permit, is highly discriminatory to the private citizen who is stuck with such a conviction with a mandatory revocation of his drivers license and any way you look at it the person who is not a cab driver a truck driver and I do feel sorry for them because they are making their living by driving a motor vehicle, but that private person is denied the due process of equal protections under the law, the 14th Amendment and I think this is a bad Bill in that regard. The motives are highly laudible but I don't think we should be passing unconstitutional Bills."

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

Lundy: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for an additional question."

Speaker Telcser: "He indicates he will."

Lundy: "Gene, on page 7 of the Bill, line 5 through 7,"

Barnes: "Joe, just a minute, what page was that?"

Lundy: "Page 7 lines 5 through 7. One of the additional grounds for revocation by the discretionary revocation by the Secretary without a Hearing is quote "has since the issuance of licenses or permits been the judge to be afflicted with or suffering from any mental disability



or disease". My question is does this require a court adjudication of incompetence or what does the adjudged mean. Is it just the Secretary of State who has to find that somebody's got a mental disease or does it have... does it require court adjudication of incompetence?"

Barnes: "No, as I understand this would require court adjudication and ah... this language is being codified, in essence, the language that you're pointing to now because that's part of the, the ah... State statute already."

Lundy: "All right, thank you very much."

Speaker Telcser: "The Gentleman from Christian, Representative Tipsword."

Tipsword: "Would Representative Barnes yield for a question?"

Speaker Telcser: "Indicates he will."

Tipsword: "Representative Barnes, I'm only looking at the synopsis in the Digest, but it indicates that it adds fleeing from an officer, refusing breathalyzer tests, and other things for the suspension and revocation of a license or permit. Don't we already provide for the suspension of a ah... license for the refusal to take a breathalyzer test under our ah... we have the Implied Consent Act that we passed?"

Barnes: "You're absolutely right. The only thing that we're doing in, in terms of that portion of the Act is, is simply bringing it all within the purview of this, this particular piece of legislation. That's taken right out of the Implied Consent Act as such. That is the language that was in the Implied Consent Act that we passed in the 77th General Assembly."

Tipsword: "The thing that worries me about it is that this, does this just simply say the refusal to take the breathalyzer test or does it also include those protections that we wrote in to the Implied Consent Act for those who refuse to take it, but thereafter found not guilty?"

Barnes: "This, as I understand it, this includes the exact language from the Implied Consent Act itself and none of it has been changed."

Tipsword: "It includes these protections also?"

Barnes: "Yes, yes. And it has not been changed."

Tipsword: "I was wondering why we even need to say so because I thought





the Secretary of State had already had the authority on, on these areas to suspend and I wonder why we ought to write it in again with the danger of taking away, possibly taking away protections that are already in another Act."

Barnes: "Well, as I understand ah... that portion of the language in this Bill which was ah... incorporated in here under ah... compensation with the Secretary's Office because that wasn't the ah... gist of what I was purporting this Bill for. That the language in here and all of the protections are simply taken directly out of the Implied Consent Act and has not been changed is simply being incorporated under this one Act along with some other codifications of some other ah... Acts that fell under the purview of the Secretary of State."

Lundy: "Thank you. I was just a little worried because I thought the Act we already had already mandated the Secretary of State to do it. I'm a little hesitant about running it through in another Act because we may get some different provisions."

Barnes: "Well, you're absolutely right. We haven't changed..."

Lundy: "...Interpretations."

Barnes: "We haven't changed any of it and what happened here is there are some other points of this particular Bill that are codifying some of the Secretary's of States' ah... authorities under one Act and that's where, perhaps, some of the mix-up is."

Lundy: "Thank you."

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

Maragos: "Representative Barnes, as I read the Digest here I think you are adding additional grounds upon which the revocation of the ah... operator's license is being issued for him to be suspended. Well, does this Act add fleeing from the officer, refusing breathalyzer and mental disability as grounds for suspension?"

Barnes: "Absolutely not. The only thing this Act is doing in terms of breathalyzer is bringing under this particular Act what was set out in the Implied Consent Act that we passed in the 77th General Assembly."

Maragos: "Well so..."

Barnes: "We haven't changed any of it."



Maragos: "No... something that you are putting in this statute is that these additional grounds are not there now and the Secretary does not have that right now..."

Barnes: "As I understand, as I understand the Implied Consent Act that we passed, it does have it."

Maragos: "Yeh, but it doesn't... that's only in the regular license. It doesn't govern the operator's license which is a three year suspension."

Barnes: "Yes, it does."

Maragos: "Well then, why does the Digest say you're adding this rather than having it in the Act now? I'm worried whether you're going to be hurting these men rather than helping them by this language. And that's... I... 'cause I have... I agree..."

Barnes: "Absolutely not. The way it stands right now, Sam, if one of these guys are hit with a driving ah... while under the influence in their private vehicles, their license are automatically suspended for three years and the Federal Court held that that was unconstitutional, that that was arbitrary and unconstitutional. You couldn't take a man's license automatically for three years without giving him some recourse since that was his way of making his ah... living, that was his livelihood. So what I'm trying, attempting to do here, is to say on the first offense, as the Bill says, on the first offense, the Secretary has discretionary powers to give that person a ah... restrictive permit so he can continue to drive his commercial vehicle."

Maragos: "Well, the question is where do you get the three years suspension? Is that in the Minnesota law or Illinois' law?"

Barnes: "That has been the administrative pow... it was a Minnesota law."

Maragos: "Yes, but..."

Barnes: "It has been the administrative policy of the Secretary of State of this State. We're writing in the law to give him the discretion where he cannot have the power to automatically suspend a man for three years without giving him some recourse."

Maragos: "I see what you're doing there because he has that power how to give 'em that discretionary relief on that... out of the present



law, but what you're saying here, he cannot go to the three years.

He's got to go to the one year. That's what I think you're saying."

Barnes: "Right."

Maragos: "All right, now we... All right, okay."

Barnes: "Absolutely."

Speaker Telcser: "The Gentleman from ah... DuPage, Representative LaFleur."

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

Speaker Telcser: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye', the opposed 'no'. And the Gentleman from Cook, Representative Barnes, to close."

Barnes: "Yes, Mr. Speaker and Members of the House, what we are attempting to do here, I think, is simply equitable to everyone. It's just like in our own profession. Although, hopefully, none of us has ever had ah... that kind of thing to happen to us, but if we are hit with a ah... a driving while under the influence and our license happens to be suspended, it would not cause, create any such hardships 'cause we can simply go to some other mode of transportation to get our work and our employment. And our occupation will go on and our families will not ah... ah... be hurt sincerely under that kind of a ruling. What we are talking about, hundreds of thousands of men in this State who are commercial drivers and as the law was administered and as the law was set out that they would be automatically suspended from plying their trade for, for to be able to bring about the, the ah... maintenance of their families for a three year period. The Federal Court spoke and said that that was arbitrary and unconstitutional and I agree with them and what we are attempting to do here now in House Bill 812 is simply to say on the first offense that the Secretary of State has the discretionary powers for the men to come in and make an application and for him to be able to make a decision to give those commercial drivers a restrictive driving permit so that they can drive their commercial vehicles and that their families would not be penalized for something that happened in their private vehicle when they were not involved in their, their, their profession ah... and plying their trade to ah... support their families. I think this is only



just and proper. I think that this is a thing that we would all want if we was involved in this particular occupation. and I solicit your support."

Speaker Telcser: "The question is shall House Bill 812 pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. All voted who wished? The Gentleman from Cook, Representative Barnes, to explain his vote."

Barnes: "Yes, Mr. Speaker, in explaining my vote, this Bill had a thorough hearing in ah... Motor Vehicles Committee. We ah... had people in from both the ah... Unions and from the Motor Freight People. There was no opposition to this Bill. They felt that this was the kind of tool that was necessary for them to be able to maintain their business in a proper manner. We ah... and, and, in the wisdom of this General Assembly under the 77th General Assembly, we allowed commercial drivers additional moving violations so on their commercial vehicles, so they would not be interrupted in trying to support their families and I think here... The only thing we are saying, we're not mandating the Secretary of State to do anything, but I suggest to you in other occupation, in any other occupation, if a man is hit with a ah... ah... a D.V.I. driving while under the influence, this does not, does not, and I emphasize, does not inter him from making a living. And what we are saying in we... saying here, if we do not give the necessary votes to this Bill to pass, is that for these guys that are commercially, if they are hit with a driving while under the influence in their private vehicles, we are going to penalize not only them, but their families from him being able to ply his trade and to be able to work at the occupation that he has chosen to be able to support his family. I think that we should consider what we are doing here and give some consideration to these hard-working gentlemen who are essentially part of the backbone of our State and at least give them the option to be able to get a restricted drivers license so they can ply their trade. I submit that the few extra votes that we need up there and I solicit your support."

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

W.D. Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, I, I



think that there's some misunderstanding on this. First of all, if it's a good idea for commercial drivers to be given this chance after they have been convicted of ah... the offense of driving under the influence of liquor, then it's a good idea for people who might have an automobile in which to make a living such as salesmen and ah... routemen and others who use an automobile ah... to make their living. Now ah... I think it's important also to note that the Secretary of State does now have the discretion to grant restricted driving permits to anyone ah... whether they be commercial drivers or ah... persons who drive private passenger automobiles even though they have been convicted of driving under the influence. The Secretary of State has the discretion to grant them a permit to use their automobile so that they may continue to ah... getting their livelihood. Now this is discretionary because each case is different. There are some cases where ah... a person who must have an automobile, a truck driver or a salesman, but his driving habits and record are so bad as to be a nuisance and to endanger the public health and safety and so those persons simply have no other choice than to find other employment. Ah... This is a difficult choice to make, but it is one that must be made if someone is going to use a motor vehicle so hazardously as to ah... kill and injure people. So there is protection here for people who make a mistake and are convicted of driving under the influence. We have a protection in the existing law and there's just absolutely no need to have this law to put this on the books to, in effect, cause the Secretary of State to have second thoughts about the, the ah... privilege he has now in this regard. I think we take a very large step toward increasing the deaths and injuries on our highways when we enact legislation such as this."

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

Fleck: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I can't help but echo some of the sentiments of the Majority Leader and a lot of the Members of the 78th General Assembly ah... know my feelings on the Implied Consent Law in general. I don't quite agree with this in any manner, shape or form, but I do not think even though I am solely against it in concept that I should be voting for a Bill



which I think is just superfluous, unconstitutional, and wrong. It seems highly improper to me that a person who is a private individual does not have the discretion to have his license returned out of limited privilege as a person who's driving a vehicle which is commercial. Now as the Majority Leader stated, there are a lot of people who are very, very dependent on their automobiles to get to and from work and they might not be truck drivers or cab drivers. They might be salesmen. They might be the people from Representative Jones or Barnes District who have to drive two hours to get to their place of employment and the loss of their car might mean the loss of their job, but because it's not a cab or a truck, they're suddenly faced with great difficulty and strain on their household. And I think this Bill because it is a denial of driving privileges and grants or doesn't grant is a violation of the equal protection clause. It isn't a clear discretion on the part of the Secretary of State for both classes of motor vehicles. It's a denial in one and a discretion in the other and I think it's wrong to be voting for an unconstitutional Bill."

Speaker K.W. Miller: "The Gentleman from Logan, Mr. Lauer."

Lauer: "Mr. Speaker, in explaining my vote, it would seem to me that the Gentleman from Cook is using some sort of a logic that would imply that a person who is killed by a driver of a commercial vehicle while he's driving his private vehicle is not just as dead when he gets hit by this drunken driver as is any other indivi... ah... as he would be if he was hit by any other individual. I don't know that it makes any difference whether it's a commercial vehicle driver or whether it is Joe Doe Citizen. The citizen who's hit is just as dead and the purpose of liquor control laws and drivers license control laws having to do with D.W.I. is to control the drunken driving, to stop the slaughter on the highways. I don't know whether there's an implication that some lives are worth more than others and it has to do what your profession is, just how valuable is the life that you take from an individual. I strongly urge a 'no' vote on this Bill."

Speaker K.W. Miller: "The Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I find this



a very troublesome Bill and I find it troublesome because I kind of agree with the concept expoused by the Sponsor, but it seems to me that it has never posi... ah... provisions contained in the Bill that are undesirable and for that reason I'm voting against it. It contains, for instance, ah... the... gives the Secretary of State the right to revoke driver's licenses for numerous felonies and for numerous offenses that are under the Criminal Code. Ah... it seems to me that ah... we are imposing sanctions and penalties under the Criminal Code and that we shouldn't be dealing in the area of Civil matters. I think one interesting sidelight in this Bill is the provision which pro... which provides the secrea... the Secretary of State may revoke a license for fleeing ah... a police officer. I might suggest to you that ah... while we are protected by the Constitution ah... going to and from Legislative Sessions and while criminal sanctions cannot me imposed upon Members of the Legislature, that if a police officer attempted to arrest you on the way here and you refused to be arrested, imposing your ah... constitutional right, the Secretary of State still might very well revoke your driver's license and I suggest this is rather interesting sidelight. Maybe we ought to think about it."

Speaker K.W. Miller: "The Gentleman from Vermilion, Mr. Craig."

Craig: "Mr. Speaker and Members of the House, I suppose it's very laudable to get up here and talk about not giving anyone that ever had too much to drink a driver's license and I want all of you to realize that really I'm not a very heavy drinker and I drive a lot of miles on the highway. But I've seen a lot of these people who've drove, have driven a truck, have driven a truck, worked all week, had an outstanding safety record as far as his driving condition is concerned, but he goes out to a party on a Saturday night and he has a few drinks and he gets in a little mishap or maybe no mishap at all but he gets arrested and he has to take the test. So he's determined that he's drunk, so his license is revoked. Now I fancy why it's all wrong to, for the offense, if you please, to give this man a license at least to drive a truck to make a living for his family. We come in here and we talk about taking 'em, we don't like to have more public aid and all this. Well, that's all



you're doing to this man when you take him away. Now you talk about the man that's got to go to the factory, maybe his wife can drive him to the factory or some, get someone to do that, but if you're a truck driver, it's pretty hard to have your wife to drive that truck or to get someone to take his... do that. I think this is good, sound legislation and I can't see why it's so bad to let a man drive... ah... get a license to drive, not for his time off or anything in a car on Saturday again. This is only to give a license to earn a living and I'd like to see a few more green lights, please."

Speaker K.W. Miller: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, I rise in support of this Bill because it seems like more and more were using their driver's license to penalize people. Last week, we passed a Bill here that if you're convicted of throwing a Kleenex out the window, you'd go into the high-risk pool for three years and have to pay insurance premiums where someone else had maimed someone didn't be... wouldn't get the same penalty. And further, we're talking about the guy that doesn't have the \$750,000 to go see a lawyer about dragging a case through the courts when they're charged with fleeing an officer or refusing to take a breathalyzer test or some other infraction. Any, yeh... all the lawyers know what it means to a fellow that's in trouble with his driver's license. Everyone knows how our Bar Association member waltzes in through the various courts. This is for the poor guy that's bewildered, needs his driver's license, and depends on driving for a living."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. McCourt."

McCourt: "Mr. Speaker, it's easy for many of us who are lawyers or doctors or salesmen or teachers to say, if you're drunk, you just don't drive. But we don't say, if you're drunk, you just don't live. You just don't have the ability to feed your family. All of us who use a car in a normal profession can get out, get along without it. I, I like to drive down to the Loop, but I can take the CTA if the money is given for us to keep in business, but it would seem to me that we are taking more than a man's driver's license away. We're taking his very livelihood away and this is permissive





with the Secretary of State and I feel this should be... we should vote for this."

Speaker K.W. Miller: "The Gentleman from ah... Henry, Mr. McGrew."

McGrew: "Representative Beaupre raised some very interesting questions and I would like to yield my three minutes to explain my vote to Representative Barnes to respond to that question."

Speaker K.W. Miller: "We, we haven't been doing that on Third Reading Bills. Now he, he will have a chance to explain his vote. Does Mr. McGrew care to proceed?"

McGrew: "I can't yield my time then?"

Speaker K.W. Miller: "I don't know whether he's explained his vote now. The Chair... You can proceed, Mr. McGrew."

McGrew: "Well, it was just my understanding that that is the current statutory law and ah... I thought that I was certainly within my rights, but I'll sit down."

Speaker K.W. Miller: "All right, the Gentleman from ah... St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, in explaining my 'yes' vote I would like to say ah... reiterate what Representative Craig just said, that we're treating truck drivers, for instance, like second class citizens. Why not deny employment to all the factory workers for this same reason? Would it sound ridiculous to cause all the people who work in the factories and the farms and so forth to loose their jobs just as a truck driver would be loosing his if he's denied a license, a special license to drive the truck in that case? I think there should be a lot more green lights up there. At least, enough to pass Representative Barnes' Bill."

Speaker K.W. Miller: "All right, the Gentleman from Marion, Mr. Stedelin, to explain his vote."

Stedelin: "Mr. Speaker and Ladies and Gentlemen of the House, I don't think there's a single one of us here that hasn't gone to bat to get some poor truck driver his license back and I can't see any thing wrong with this. As you remember, Ladies and Gentlemen, that passage that says, 'he is without sin casts the first stone'. And I think you'll be more green lights because let's don't put a



man out of a job and remember that driving a truck and driving a taxi is his livelihood and anybody's liable to play when he's not on the job. I don't see a thing wrong with this. I think it should pass."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Palmer."

Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, I see nothing wrong with this Bill. When a person who has been arrested on a D.W.I. comes to an attorney, the thing that he's concerned about most is his driving privileges. He's concerned about it because of the economic loss he may suffer under the present law. Now it's true that the Secretary of State has discretion presently under the law to revoke his drivers ah... or to not give him a restricted drivers permit upon application, but at least this Bill indicates or gives some legislative ah... indication that the Legislature itself says that when a person has been convicted of a D.W.I. and it is a first offense, that the Secretary of State should give him a restricted drivers license considering his economic circumstances, his family, etc. I feel it's very good in that respect and also it adds the additional feature that a person who drives... who is a truck driver then has the opportunity of knowing that his economic future is not in jeopardy also. I think it's a good Bill and perhaps give a little sense of direction to the Secretary of State in these regards. I think it's a legislation of enlightenment and should not be one of suppression and it is not that and I urge its endorsement."

Speaker K.W. Miller: "The Gentleman from Peoria, Mr. Day."

Day: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think that Representative Fleck ah... went right to the heart of this matter when he said that this Bill ah... contains a classification that just cannot be justified. Now what this Bill in effect says is that if the person who is charged ah... drives a ah... Greyhound Bus and has under his protection some 50 passengers or if he drives one of those huge trucks on the highway, he gets a second chance and we authorize the Secretary of State to give him a second chance. But if he's a travelling salesman, he has only his own neck. He drives alone, then he doesn't get a second chance and I don't see



how you could justify a classification like that under the Equal Protection Clause of either the State or the Federal Constitution."

Speaker K.W. Miller: "Have all voted who wished? Take the record, Mr. Clerk. On this question there are 99 'ayes' and 34 'nays'. This Bill having received the Constitutional majority is hereby declared passed. 992."

Clerk O'Brien: "House Bill 992. A Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill."

Speaker K.W. Miller: "Mr. Tuerk on the floor? All right, the Gentleman from Peoria, Mr. Tuerk, is recognized with respect to House Bill 992."

Tuerk: "Thank you, Mr. Speaker, Members of the House. House Bill 992 addresses a problem which we have over in Knox County where we have the land which is owned by the Burlington Railroad and leased by people in that area and they've had the land or they've had the use of the land for the last 50 years and apparently what the railroads like to do now is to sell the land. And what this Bill says is that at the point in time that they want to go before the Commerce Commission for approval of the sale the land, that these people who have leased the property would have standing before the Commerce Commission. That's all the Bill does, Mr. Speaker, and I'd urge your support."

Speaker K.W. Miller: "Is there discussion? The question is shall this Bill pass. All those in favor will vote 'aye' and opposed 'nay'. Have all voted who wished? Take the record, Mr. Clerk. Leon 'aye'. Fleck 'aye'. On this question there are 124 'ayes' and 5 'nays'. And this Bill having received the Constitutional majority is hereby declared passed. House Bill 1052."

Clerk O'Brien: "House Bill 1052, Craig. A Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker K.W. Miller: "The Gentleman from Vermilion, Mr. Craig."

Craig: "Mr. Speaker, Members of the House, House Bill 1052 is a Bill that gives the right to move mobile homes 14 feet wide and 85 overall length on highways. Now they have to get a permit from the Department of Transportation to move these homes where they will know what roads are going over and they will give them these one-way permits



which are, I think, are \$17. And these will be gotten from the Department of Transportation. The purpose of this Bill is, we've already lost I think all but one manufacturer of mobile homes left in Illinois today because of the fact mobile homes can be moved in Indiana and practically all of the states around us, 14 feet wide with an overall length of 85 feet. And there was no sense in building mobile homes in Illinois, 14 feet wide and 85 feet overall length for the truck... for the tractor to pull them when they couldn't even as much as get them out of the State. We also are having problems and I live on the Indiana border and they won't bring those homes into Illinois today. And we talk about Federal regulations at the Federal level, we talk about the Feder... the Federal always taking over, and I think as long as we set ourselves separate and apart some legislation of this kind, by not adopting legislation of this kind to make movements of these types of homes or vehicles or whatever it may be in the movement that we have today I think we're asking for the Federal government to take over. 'Cause you can't make me believe that it's any more dangerous to pull a mobile home or I don't think as much in Indiana or Missouri or Iowa or some way south around us than it is in Illinois and I would like to urge the support of this measure."

Speaker K.W. Miller: "Is there discussion? The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Would the Gentleman yield for a question please?"

Speaker K.W. Miller: "Proceed, sir."

Tipsword: "Representative Craig, what kind of a permit is, is granted?"

Is this a permit for each individual movement?"

Craig: "Yes."

Tipsword: "Or a general permit?"

Craig: "It was amended to make each individual permit for each home movement."

Tipsword: "So if there's a thousand of these units moved in Illinois, there has to be a thousand permits?"

Craig: "There would be a thousand permits."

Tipsword: "And will those permits specify what highway?"

Craig: "Yes, they... the... the Department of Transportation would have



the authority to specify the highway."

Tipsword: "Is there any prohibition in the Bill against permitting these ah... wide and long ah... units to be moved on our 22 and 24 foot high... two-lane highways?"

Craig: "I don't know whether there's any rule, but the Department of Transportation would route you which I would be the way they figured would be the most safe and... way to go."

Tipsword: "Well, what I'm wondering is now you ah... I'll pick out, say the Town of Cowden, Illinois which is on, I think, a 24 foot highway and someone purchases one of these units. What happens."

Craig: "Well, I would hope that they, they could move these here down the highway. They'll have to have an escort vehicle in front and behind to escort these to warn the oncoming traffic that there is a extra-wide load... ah... road vehicle on the moving... extra-wide vehicle moving down the highway."

Tipsword: "You mean there's already authority for doing this?"

Craig: "There's what?"

Tipsword: "There's already authority then for doing this?"

Craig: "Not for 14 foot, 12 foot. It would be same authority that's done with 14 as there is now with 12."

Tipsword: "What's the present limitation on width and length?"

Craig: "Is what?"

Tipsword: "What's the present limitation on width and length in Illinois?"

Craig: "Twelve foot for the ah... width and I think 65 or 70, 80?

Sixty-eight feet they tell me for overall length now."

Tipsword: "All right, thank you."

Craig: "It's 85 overall."

Speaker K.W. Miller: "The Gentleman from Union, Mr. Choate."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I remember a Bill of this nature, I think, in the last Session and the Session before that being introduced into the Legislature and to be quite frank with you, I don't think I voted on the last one because I was not as knowledgable at that time about the manufacturing of trailers within the State of Illinois as I am today. And the principle reason that I'm more knowledgable today is simply because that the only mobile home manufacturer left in the State of Illinois is located in



Anna, Illinois. Illinois used to be the hub of the industry, used to be the hub of this industry for all of the... at that time, 48 states. Many people in this State have had to look elsewhere for employment simply because the industry has moved into other States. All of them have left the State because they cannot be competitive. They can't build the big homes in Illinois as demanded by the customers today. I might say to you that they can build them, but they can't move them. The thing that we want to do is permit them to move them under all safety regulations that is presently in effect with the exception to widen them, lengthen them overall and we're talking about the truck that pulls them in that total length so that we can be competitive with other States. The Anna Plant is a prime example of the out-of-state competition. 60% of the production is shipped to Missouri, Indiana, Kentucky, and Tennessee. These customers are demanding bigger homes, mainly the 75 foot variety. If the Anna Plant cannot meet this demand and other States which now allows it to be done continue to do so, they're going to be forced to relocate the same as other industries have done. There's about 200 people employed in the Anna Plant at the present time and if this law is amended, they're going to enlarge the plant and hire about an additional 50 people. Furthermore, there's over 100 mobile plants located in northern Indiana. I'm positive after testimony, that many of these companies which moved out of the State of Illinois would either move their plants back to Illinois or build an addition to their plant in northern or central Illinois. Regarding the escort vehicles, Minnesota issued a report concerning the nineteen and seventy-two statistics. 24,000 permits were issued that year with no accidents since the introduction of the 14 foot wide homes. This is the only State that has compiled a record on that. No deaths out of the 24,000 permits was brought about. The use of the escort cars in Minnesota is very limited. None are used with two-way radios. It's been found that escort cars sometimes add to the hazards rather than subtract from it. I would expect, Mr. Speaker, that the State of Illinois with the sensible drivers that we have could have the same type of accident record that Minnesota has. In other words, the width of these homes by widening them two feet,



lengthening them a wee bit is not going to produce any more accidents than has been happened in the past. And one further point on the length and width restrictions, Indiana, Missouri, Kentucky, and Arkansas all allow at least an 85 foot total over-length and a 45 foot width. There have been no increases in accidents in these States because of the bigger homes, but bootlegging, bootlegging these big homes into Illinois in flagrant and direct violation of the laws by the out-of-state manufacturers has been somewhat of a problem to the Department of Transportation and they'll tell you so. To allow Illinois fair competitive structure, to allow our companies to live within the laws, this is what we want to do in House Bill 1052."

Speaker K.W. Miller: "The Gentleman from ah... Adams, Mr. McClain."

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

Speaker K.W. Miller: "Proceed."

McClain: "Bob, could I ask, would it be possible for the Department of Transportation to prohibit the transfer of 14 foot wide trailer on ah... two-lane roads?"

Craig: "Well, I think it would be if they wanted to... thought it was necessary to deny them a permit on a two-lane highway or I think they could deny that permit because these permits are left up to the discretion of the Department of Transportation. And they pick the route."

McClain: "Okay ah... my second question would be ah... did you say ah... the fee was \$17 per move? That would imply that a person buying a mobile home, a 14 foot wide mobile home could then ah... remove this mobile home to a different part of the State?"

Craig: "I would presume it, but he would... by getting another \$17 permit, he could move that home. Per move, \$17 permit per move."

McClain: "All right, thank you."

Speaker K. W. Miller: "The Gentleman from Henderson, Mr. Neff."

Neff: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this legislation and I know it's controversial, but we must keep in mind that some of this has been brought out that here in Illinois just a few years ago, we did have 25 mobile home



manufacturers. Today, we have one left. I had one of these in my own ah... district at Macomb and they had to move out and ah... this has been a big economical loss to the State of Illinois. And ah... also that ah... just last year in 1972, there was 13,488 mobile homes sold in the State of Illinois ah... but only 1,696 were manufactured in Illinois. In other words, 11,792 had to be manufactured out of state. And who buys these mobile homes, these homes to live in? That is the poor people, the older people, the retired people, many of these people could not own a home except to buy this type of home. And therefore, these people were ah... by having 'em manufactured out-of-state and brought in, it's costing 'em more money. Many times they have to bring 'em in torn down and so forth and assembled which costs fifteen to seventeen hundred dollars and we're hurting the poor people, the people that have to... if they're going to own their own home must have this type of home. I think it's a shame and a disgrace. I think we do need this Bill passed and therefore, I'll hope we'll all support it."

Speaker K.W. Miller: "The Gentleman from Cook, Mr. Juckett."

Juckett: "Thank you, Mr. Speaker. Will either the Sponsor or the distinguished Minority Leader yield for a question?"

Speaker K.W. Miller: "The Sponsor is ready to yield. Proceed."

Juckett: "Okay, now does this Bill apply only to the manufacturers moving their product out of the factory?"

Craig: "No, this implies that there... with an Amendment because it allows whether it's an Illinois manufacturer or any other one and you as an individual, like they said as a question was asked a while ago if I want to move my home from 50, 100 miles to another location, by getting a permit from the Department of Transportation, I could do so."

Juckett: "Well, it's my understanding from the Minority Leader that the reason for the Bill and as he appeared before the Committee was to provide for 50 more jobs in the State of Illinois."

Craig: "Well, to answer your question there, it would be rather foolish for a plant to be in Illinois, building 14 foot wide homes when you couldn't even get 'em out of the state or out of his lot or place where he built them. That is the reason..."





Juckett: "Okay, now..."

Craig: "...preserve these places in Illinois... his factory in southern Illinois to stay there and maintain it and to get larger."

Juckett: "Now this applies for four-lane or two-lane roads, doesn't it?"

Craig: "Yes."

Juckett: "How many of our two-lane roads are thirty-two feet in width?"

Craig: "That will be left up and I think you know they're not thirty-two feet and I do, too and that will be left up to the Department of Transportation. And I would say this, I think the Department of Transportation will more or less pick the time and everything, take in the traffic consideration of that highway. I would say that on a Saturday afternoon or Sunday afternoon, you wouldn't get to move these, these..."

Juckett: "Is there such a prohibition in this law or in this Bill?"

Craig: "The Department of Transportation has complete power over the permits, where they're going and what they're routed on and what time and everything."

Juckett: "But there is no prohibition for moving them, say, on weekends or holidays?"

Craig: "I don't think there is, but I'd say that you wouldn't get a permit. I don't think you can even get a permit now hardly to do that now with a 12 foot home on weekends and holidays."

Juckett: "But you don't..."

Craig: "I'm sure you can't."

Juckett: "You don't know that for sure, if you don't..."

Craig: "I'm positive now you can't and you couldn't now."

Juckett: "Okay now, when Governor Ogilvie presented his Road Building Program, he indicated to us that there was more than 6,000 miles of road in the State of Illinois that were 16 feet in width or less and that there were more than 24,000 bridges in the State of Illinois that were 16 feet in width or less. And it's my understanding that Governor Walker has stopped for the most part, the rebuilding program that Governor Ogilvie and Governor Kerner started. How do you propose to move a 14 foot vehicle on those kind of roads? And those kind of bridges?"

Craig: "Well number 1, as far as the bridges are concerned, I don't think



it would harm it. You could move across any bridge that's 16 foot wide because the weight limit is no problem whatsoever."

Juckett: "But he indicated they were 16 feet in width or less."

Craig: "Well, these people with these mobile homes have a lot of money invested in them and you can believe me that they're not going to take a mobile home wider... try to go through a bridge wider than the home, er... narrower than the home. They're a little concerned about these high priced mobile homes, too. And as I said, it's up to the Department of Transportation to route these vehicles and over the roads and the time and everything. That will be determined by them and I've sort of got a little faith in the Department of Transportation that they will do it at a time when they think best."

Juckett: "Well, now from the Minority Leader when he spoke before the Committee, he indicated the emphasis on the ma... on the manufacture, the fact that he didn't want to lose his... the plant in Anna and he wanted to keep the industry viable. I would imagine then that ah... one of the main emphasis is then to transport from the manufacturer to the eventual destination of these mobile homes. What would be wrong with writing a Bill to provide for the manufacturer to transport these to a railroad siding and have 'em transported like they do the trucks and the large vehi... the larger items, put 'em on a railroad flatcar and transport 'em. Then there's no problem with bridges, no problem with traffic, no problem with accidents. We can build up our railroad industry, we can build up our trailer industry, and we have no problems."

Craig: "Well, I don't think your mobile home... all your mobile home sites are located along a railroad. And furthermore, I'm not working for the railroad industry. I'm trying to get these homes trying to move to the various points as cheap and economically as I can and I'm satisfied moving them on the railroad wouldn't do that."

Juckett: "Thank you, Mr. Speaker. I think we've got a problem here. I think under the current administration that our roads are not going to be sufficient. I think that ah... the bridges are not going to be sufficient and I think that ah... these could create a hazard.



Now it's true they could be regulated and very strictly regulated by the Department, but I don't know that we should leave that up to the Department. I think maybe we should set those regulations in here because that certainly would affect the health, welfare, and safety of the people of the State of Illinois. And I do sympathize with the Minority Leader. He's got a good industry. He wants to keep it there, but I think there are better ways to do it."

Speaker K. W. Miller: "The Gentleman from Cook, er... Lake, Mr. Murphy."

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

Speaker K. W. Miller: "All right, the previous question has been moved.

All those in favor say 'aye', opposed 'nay'. The 'ayes' have it. Now ah... for what purpose does the Gentleman from Cook, Mr. Palmer, arise?"

Palmer: "A point, a point of parliamentary inquiry. It would appear that the ah... the Bill here ah.. applies to the public... all the public highways of this State and of course some of the public highways go through home rule and municipalities. The question then to be put to the Chair or to the Speaker is whether or not it requires 107 votes or 89."

Speaker K. W. Miller: "It will take 89 votes."

Palmer: "Well, then I would like to call the Speaker's attention to Amendment #4 unless it has been tabled. It says, 'over the public highways of this State'. Now that means ah... if I may suggest to the Speaker, those highways that are under the jurisdictions, under jurisdictions other than the Department of Transportation. For instance, counties, townships, and municipalities; and for, for ah... verification of that, you might go to Chapter 121."

Speaker K. W. Miller: "The Gentleman from Union, Mr. Choate."

Choate: "That would be no different what he's talking about than the present highway construction that is in effect throughout the State of Illinois today. You know and I know that any time that a big bulldozer or a piece of heavy earth-moving equipment or anything of that nature is moved throughout the State of Illinois today that it takes a permit, permit from the Department of Transportation. And there has been no municipality, no city, no county government or any other government that has stopped the moving of this equipment



and held up the highway building program."

Speaker K. W. Miller: "Well it would appear to the Chair... The Gentleman from Cook, Mr. Palmer. The Chair..."

Palmer: "Well I, I, I... In answer to the distinguished Minority Leader, I would suggest this, that ah... weight limitations that this Legislature has given the right to municipalities to impose and many of us, that is, many of the municipalities have imposed such weight limitations. And if the argument that he gives is to be used, ah... I don't see how it can be because any municipality has the right to exclude from its own highways vehicles with weight limitations exceeding those that are set by ordinance."

Speaker K. W. Miller: "The Gentleman from Cook, Mr. Choate."

Choate: "I'm not from Cook, I'm from Union, but..."

Speaker K. W. Miller: "Sorry, I apologize."

Choate: "...I was not talking, Romie, in any, any weight limitations whatsoever. You and I know that when the heavy highway construction equipment is moved, it's over width as much as weight. It's not the weight that causes a problem from a safety standpoint. It's that wide piece of equipment that goes right down the narrow roads that the Highway Depart... the Department of Transportation rather does give them a permit that does go through small municipalities that travels throughout the entire state and it's the width that I was talking about, not the weight. The weight doesn't have anything to do with it in my particular instance."

Speaker K. W. Miller: "The Chair is ruling that it takes 89 votes because it is referring to a State highway. All right now ah... we'll return to the Gentleman from Vermilion, Mr. Craig, to close the debate."

Craig: "Mr. Speaker and Members of the House, you're talking about a 14 foot mobile home being moved, but I can get a permit today to move a house down the highway, 30 and 40 and maybe 50 feet. So I'm... what I'm saying to you because the mobile home industry is a growing industry in Illinois as well as other States in this Nation, I think we should keep in step with the times of moving forward and permitting these homes to be moved. I don't think anyone wants to be pulling one of those homes if he has money invested



in that home up and down the road any more than is absolutely necessary. And I'm satisfied that the Department of Transportation will do the best in its ability to give these permits at times when they feel it is most safe to move these buildings, er... these homes with ah... cars... caution cars ahead and behind to warn the public of this extra width. And I'd like to urge an 'aye' vote on this House Bill 1052."

Speaker K. W. Miller: "All right, the question is shall House Bill 1052 pass. All those in favor will vote 'aye' and opposed 'nay'. Vote Mr. Bluthardt 'present'. The Gentleman from Cook, Mr. Palmer, to explain his vote."

Palmer: "Well to explain my 'no' vote, Mr. Speaker, ah... and perhaps I have misread this. I don't believe that I have. It would appear that the Division of Highways, Department of ah... Division of the Department of Transportation has the right to issue out permits for the movement of these ah... extra-large ah... trailers over the highways and in Amendment #4 it says, 'over the public highways of this State'. Public highways, of course, has been... is now and has been construed as all highways of this State. The Bill does not make clear whether or not the Division of Highways can give a permit for a manufacturer or a total... truck operator of a trailer whether or not that permit also covers municipalities, over... that is, ah... highways within municipalities, municipally maintained highways, or township highways or county highways. And it does not appear to be that clear, perhaps they intended it to make it apply only to the State roads of this State, but I would like to suggest that if the Bill is this way, if it is to apply to all the highways, it's invalid. It can't be ah... it can't be made because this Legislature has given the authority to the counties and to the townships and to the municipalities to make regulations in this respect. The other ah... we... I'm concerned about the movement of these vehicles, of course, but the public safety of this State should not yield to the economic benefit. How many times have those from the northern part of Illinois come down to this Legislature to Springfield on Highway 66 and have seen these large trailers occupying a part of the passing lane and



I've... in, in areas where the wind velocity or wind is high, then of course you see those trailers light as they are going all over the highway. Until these things are cleared up, I will vote 'no'."

Speaker K.W.Miller: "The Gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House, I think the ah... the problem has been best extenuated by the distinguished Minority Leader. And so I'm going to rise in support of his views because I don't happen to have a mobile ah... home construction ah... industry in my district. I voted against this Bill in the last Session of the General Assembly because I was primarily concerned about the width and the length and the possible danger to the people in the State of Illinois on the highways. However, when I heard that this Bill had been re-introduced by Representative Craig, I took it upon myself to go up to Elkhart, Indiana, and observe the industry that's up there. Now, Ladies and Gentlemen, we are spending day after day, week after week, down here trying to find additional sources of revenue for the people in the State of Illinois. We passed the lottery, we're coming up with sales tax exemptions, income tax exemptions, and everything else; but I think the easiest possible way to get additional revenue and we could get hundreds of thousands of dollars, would be by passing this Bill because we could hold industry, we could attract new industry and we could make a fantastic amount of money on the permits that would be issued. We are loosing these people and we're loosing them to states that are liberalizing their laws while we are not doing the same thing in Illinois. The distinguished Minority Leader has put his finger on this problem and I think we need to give it 89 votes and get it over to the Senate."

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

Skinner: "Mr. Speaker, this is a far different Bill from the Bill that was recorded out of the Motor Vehicles Committee. Ah... I'm going to vote in favor of this Bill, but I assure everyone in this General Assembly that when I see a trailer or a 14 foot trailer on one of the 18 foot highways in my county, I will conclude that the Department of Transportation no longer deserves the permit right."

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



Gentleman from Union, Representative Choate."

Choate: "Thank you, Mr. Speaker. Thank you."

Speaker Telcser: "Try to help you, Clyde. This question, 100 'ayes', 32 'nays'. And this Bill having received the Constitutional majority is hereby declared passed. The Gentleman... Maragos 'aye'. Oh, I'm sorry. Maragos 'present'. The Gentleman ah... from Cook, Representative Randolph with respect to a motion ah... for an announcement ah..."

Randolph: "Mr. Speaker, and Members of the House, I would like to have the six and a half day rule suspended so we can finish the Revenue business on House Bills, that these six Bills were posted for hearing this week, but we ah... the House is in Session and we were unable to finish our job. They're House Bill 1699, 1700, 1916, and 1917, 1933, and 1934."

Speaker Telcser: "The Gentleman has moved the provisions of Rule 18 be suspended for the purpose of hearing the Bills stated in the Revenue Committee. All those in favor signify by voting 'aye', the opposed by voting 'no'. 107. Have all voted who wished? Take the record. This question, 126 'ayes', no 'nays'. The Gentleman's motion prevails. Senate Bills, First."

Clerk Selcke: "Senate Bills, First Reading. Senate Bill 324. A Bill for an Act to amend the Business Corporation Act. First Reading of the Bill. Senate Bill 325. Amends an Act relating to public utilities. First Reading of the Bill. Senate Bill 327. Amends the Public Junior College Act. First Reading of the Bill. Senate Bill 385. Amends an Act relating to township organization. First Reading of the Bill. Senate Bill 408. Amends the Consumer Installment Loan Act. First Reading of the Bill. Senate Bill 419. Amends an Act relating to grand juries. First Reading of the Bill. Senate Bill 420. Appropriation for certain retirement benefits for teachers. First Reading of the Bill. Senate Bill 423. Appropriation flood control in Cook County. First Reading of the Bill. Senate Bill 428. Amends the Pension Code. First Reading of the Bill. Senate Bill 436. Amends the Public Aid Code. First Reading of the Bill. Senate Bill 437. Amends an Act relating to counties. First Reading of the Bill. Senate Bill 438. Amends the Pension Code.



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GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



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Speaker Blair: "Introduction ah... First Reading of House Bills."

Clerk Selcke: "House Bill 1958, Blair et al. Regional Transportation Authority Act. First Reading of the Bill. 1959, Blair et al. Suburban Transportation Corporation Act. First Reading of the Bill. 1960, Blair. Amends the Metropolitan Transit Authority Act. First Reading of the Bill. 1961, Blair. Amends the Local Mass Transit District Act. First Reading of the Bill. 1962, Blair. Amends the Urban Transportation District Act. First Reading of the Bill. 1963, Blair. Amends the Municipal Code. First Reading of the Bill. 1964, Blair. Amends the Public Utilities Act. First Reading of the Bill. 1965, Blair. Amends the Retailers' Occupation Tax Act. First Reading of the Bill. 1966, Blair. Amends the Use Tax Act. First Reading of the Bill. 1967, Blair. Amends the Illinois Municipal Budget Law. First Reading of the Bill. 1968, Rayson. Appropriates \$125,000 ordinary, contingent expense to Office of Consumer Advocate. First Reading of the Bill."

Speaker Blair: "Resolutions."

Clerk Selcke: "House Resolution 363, Mann et al. Death Resolution. House Resolution 362, Chapman et al. In respect to the memory of Jeannette Rankin."

Speaker Blair: "The Gentleman from Cook, Mr. William Walsh, moves the adoption of the Death Resolution. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Resolution's adopted. I would like to announce for record that ah... I have appointed Representative Ben Harpstrite as the Chairman of the House Agriculture and Environmental Protection... Oh, Agriculture and Natural



Resources Committee. Ah... Now the Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, I move to suspend the provisions of Rule 36D. That's the Rule dealing with the May 25 is the last day for House Bills to be heard in the House and I move to extend the 25th of May date to June 1. I take it all back, Mr. Speaker."

Speaker Blair: "You do?"

W. D. Walsh: "No, I don't."

Speaker Blair: "Well I'm just wondering ah... are there some Bills that would be expiring because of the 30-day Rule ah... and shouldn't the motion..."

W. D. Walsh: "I don't think so. I don't think that there are, Mr. Speaker. We're into June 6th, I think."

Speaker Blair: "The five Bills for May 31 that would have to be extended and there're a couple of Senate Bills ah... I would think that you broaden the motion to include those Bills that otherwise would fail or would be automatically tabled under the Rules."

W. D. Walsh: "Under the ah... 30-day on the Calendar Rule?"

Speaker Blair: "Yes, that they would be..."

W. D. Walsh: "All right, yeh, there could be some of those, I suppose, on postponed consideration. I would include that in my motion, Mr. Speaker."

Speaker Blair: "All right, I think that ought to take care of the situation. The Gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Mr. Speaker, point of inquiry please. Ah... under Motions ah... there's a lot of motions and I had one that was an Agreed Motion. Is that... Will that be included in the distinguished Majority Leader's..."

Speaker Blair: "Yes, I would say all... the Motion would be all matters on the Calendar, on the Calendar that otherwise would expire if this extension were not made ah... wa... would be included in his Motion. Now that would be Motions, Resolutions, Bills, be they House or Senate. Any further questions on that? The Gentleman from Cook, Mr. Duff."

Duff: "Mr. Speaker, with some of the changes, I'm not sure of this



question. So as a parliamentary inquiry on this Motion ah... is there some possibility that Bills have to be out of Committee, after reported out of Committee they have a number of days to be passed off the House floor?"

Unknown: "Thirty days, I think it is."

Duff: "That's covered by the Motion?"

Unknown: "Ah... the Majority Leader tells me that's included in the Motion."

Speaker Blair: "All right, ah... the question is shall the Gentleman's Motion be adopted. All those in favor will vote 'aye' and the opposed 'no'. This requires 107 votes. Have all voted who wished? Clerk will take the record. On this question there are 115 'ayes', no 'nays' and the Gentleman's Motion prevails. The Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Mr. Speaker, I move that the House adjourn until Tuesday, May 29, at 10 a.m. and I reiterate that at 10 a.m. we expect to do substantially perfunctory things. Although we will be in Regular Session and we will get to things that might be ah... of some substance at 12 o'clock, noon; and so, you're expected here at 12 o'clock, noon on next Tuesday, May 29."

Speaker Blair: "Any questions about the adjournment ah...? We'll be back here next Tuesday at 10 o'clock. All those in favor of the Adjournment Resolution say 'aye', opposed 'no'. The 'ayes' have it. Drive safely and have a good weekend. When you get back, we're going to have a lot of work."



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	Hirschfeld	Supports
	Telscer in Chair	
	Skinner	Support
125	Telscer	
	Choate	
	Telscer	HB 1052 passed
	Randolf	Suspend Rules to Hear HB 1699, 1700, 1916, 1917, 1933 and 1934 in Revenue Committee
	Telscer	Motion prevails
126,127	Selcke	SB 1st Reading
	Sp. Blair in Chair	Intro. and 1st reading
	Selcke	"
	Blair	Resolution
	Selcke	"
	Selcke	Death Resolution
	Speaker Blair	"
128	Walsh, Wm.	Move to suspend 360
	Speaker Blair	
	Hirschfeld	Point of Inquiry
	Speaker Blair	"
	Duff	Question
129	Speaker Blair	Motion prevails
	Walsh, Wm.	Move to adjourn House
	Speaker Blair	House adjourned