

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

NINETY-THIRD LEGISLATIVE DAY

OCTOBER 22, 1973

12:39 O'CLOCK P.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

Clerk Selcke: "A message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed a Bill of the following title, the veto of the Governor to the contrary notwithstanding, Senate Bill 1198; passed the Senate October 16, 1973, by a three-fifth's vote, the veto of the Governor to the contrary notwithstanding. Edward E. Fernandes."

Speaker Blair: "All right, the 1st Special Session will come to order.

The Invocation will be by the House Chaplain, Doctor Johnson."

Doctor Johnson: "We pray. Merciful Father, I pray at the beginning of this Session as a representative of this state. I acknowledge, first of all, the many prayers raised before you this past weekend from Houses of worship in this state; prayers which saw health and prosperity for our executive, our judges, and magistrates and our Legislators. I acknowledge the need of such prayers, O-Lord, especially when I think of the multiple Sessions facing me this day and this week, but now I want especially to pray for those who sought my well-being at Your throne of grace. Be with them as they have gone about their duties this day. Bless the work of their hands, as well as that of mine, that together we may serve our state and nation. Protect them in their several callings and continue to shower upon our land those gifts we have in no ways deserved, but which flow from Your unspeakable goodness. Hear me gracious Father, You who are the health and strength of all who seek your face. Amen."

Speaker Blair: "Roll Call for attendance." Introduction. Vice Pres. Blair

Clerk Selcke: "Alsop. Anderson. Arnell. Barnes. Barry. Beatty.

Beaupre. Berman. Bluthardt. Borchers. Boyle. Bradley. Brandt.

Brinkmeier. Brummet. Caldwell. Calvo. Campbell. Capparelli.

Capuzi. Carter. Catania. Chapman. Choate. Clabaugh. Collins.

Cox. Craig. Cunningham. Davis. Day. Deavers. Deuster. DiPrima.

Douglas. Duff. Ralph Dunn. R. L. Dunne. Dyer. Ebbesen. Epton.

Ewell. Farley. Fary. Fennessey. Fleck. Flinn. Friedland.

Garmisa. Geo-Karis. Getty. Gibbs. Giglio. Giorgi. Griesheimer.

Grotberg. Hanahan. Harpstrite. Hart. Hill. Hirschfeld.



Gene Hoffman. Ron Hoffman. J. Holloway. R. Holloway. D. Houlihan.
 J. Houlihan. Hudson. Hunsicker. Huskey. Hyde. Jacobs. Jaffe.
 Emil Jones. Dave Jones. Juckett. Katz. Keller. Kelly.
 Kempiners. Kennedy. Kent. Klosak. Kosinski. Kozubowski.
 Krause. Kriegsman. Krone. Kucharski. LaFleur. Lauer. Laurino.
 Lechowicz. Leinenweber. Lemke. Leon. Londrigan. Lundy.
 Macdonald. Madigan. Mahar. Mann. Maragos. Martin. Matijevich.
 McAuliffe. McAvoy. McClain. McCormick. McCourt. McGah. McGrew.
 McLendon. McMaster. McPartlin. Merlo. Kenny Miller. Tom Miller.
 Molloy. Mugalian. Murphy. Nardulli. Neff. North. Palmer.
 Philip. Pierce. Polk. Porter. Randolph. Rayson. Redmond.
 Rigney. Rose. Ryan. Sangmeister. Schisler. Schlickman.
 Schneider. Schoeberlein. Schraeder. Sevcik. Sharp. Shea.
 Shurtz. Timothy Sims. Ike Sims. Skinner. Soderstrom. Springer.
 Stedelin. Stiehler. Stone. Taylor. Telcser. Terzich. Thompson.
 Tipword. Totten. Tuerk. VonBoeckman. Waddell. Wall. R. Walsh.
 W. Walsh. Walters. Washburn. Washington. Williams. J. J. Wolf.
 B. B. Wolfe. Yourell. Mr. Speaker."

Speaker Blair: "Ah . . . Introductions, First Reading."

Clerk Selcke: "Wait a minute, we've got a message."

Speaker Blair: "Messages from the Senate."

Clerk Selcke: "A message from the Senate by Mr. Fernandes, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives
 the Senate has concurred with the House in the adoption of the
 following Joint Resolution to wit, House Joint Resolution #2, con-
 curred in by the Senate October 16, 1973; Edward E. Fernandes,
 Secretary. Yeah, she called me . . . House Bill 14, Lundy et al,
 Illinois Public Campaign Financing Act. First Reading of the Bill.
 House Bill 15, Lundy, appropriates \$100,000 to the ordinary and
 contingent expenses of the Campaign Financing Board. First Reading
 of the Bill. House Bill 16, Lundy, amends the Illinois Governmental
 Ethics' Act. First Reading of the Bill."

Speaker Blair: "All right, the Gentleman from Cook, Mr. William Walsh."

Walsh, W.: "Ah . . . Mr. Speaker, I move that the 1st Special Session
 adjourn until 9:30 a.m. tomorrow morning."



Speaker Blair: "All right, discussion? All those in favor of the Gentleman's motion say 'aye, opposed 'no'; the 1st Special Session is adjourned until 9:30 a.m. tomorrow. Regular Session. The Gentleman from Cook, Mr. William Walsh, asks leave to have the same Roll Call for attendance that was taken in the 1st Special Session to be the Roll Call of the Regular Session. Is there leave for that? All right, that will be the Roll Call for attendance in the . . . in the Regular . . . the Minority Leader has asked if I would beg the indulgence of the Membership to have introduced here today and to hear from him for just a few minutes; a Member of the Congress, the former Member of the Philippine Congress, Doctor Agaton Ursua."

Doctor Ursua: "Mr. Speaker, distinguished Members of this Legislature of the State of Illinois, it is an honor and a privilege to be with you this morning, especially because I am feeling as if I am back at home. For the benefits with the Philippine Republic has been a respite from the great Republic of the United States, makes me feel proud that I am with you to tell you that the Republic of the Philippine's has greatly progressed in its political and economic condition. You must have known that the President Marcus at present is . . . has declared the martial law, 'Philippine style'. I say 'Philippine style' because there was no military takeover, there was no shooting, no bloodshed; but it was intended to reform the almost . . . ah . . . dying Republic because of the insurgency rebellion that was going on before the imposition of the martial law. Now, my friends, I am proud to tell you that after a year, the Philippine's has not only reduced its problem of peace and order, its corruption and its economic problems; but we are progressing as expected by the people under the leadership of President Marcus; and I think with another more year if he continues, the national discipline would have been established as expected by the Philippine people. I am glad to inform you further that the Amer . . . the Philippine people are proud of the beneficialities of your magnanimity for the more than 60 years that you were with us that developed the political system in our country



which you greatly have contributed. I was a Member in Congress for 4 years and I know that in many occasions your leaders, who came to the Philippine's, have not only expressed their willingness to help us push through the progress of the young Republic, but has actually contributed to the present state of progress in the Philippine's. I am very glad that you have given me this opportunity and wish to express to you the gratitude and undying appreciation of the people of my country. Thank you very much."

Speaker Blair: "Committee Reports."

Clerk Selcke: "Mr. Collins, from the Committee on Executive, which House Bills 1660, 1726, 1816 referred, reported the same back, and pursuant to Rule 23D, the Bills were tabled. Mr. Collins from the Committee on Executive from which House Joint Resolutions 54, 55 and 68 were reported the same . . . returned the same pursuant to Rule 23D, the Resolutions were ordered tabled. Mr. Collins from Executive from which House Resolutions 325, 371, 388, 409, 429, 442 . . ."

Speaker Blair: "Now, just a moment, let's get this situation straightened out with the TV people again. They asked when I came on the floor today if during the initial Roll Call for attendance they could do what they're doing over there now, and I gave Dick Kay the authorization to do that . . . ah . . . and . . . but that was just during the initial Roll Call. Now . . . ah . . . whatever the Membership wants to do about this is fine with me. I suggest somebody, you know, move to say that the TV people can be here on the floor and to do what they're doing or that they not be permitted to do that. I want it to be a collective Membership situation on the decision. Ah . . . Gentleman . . . Mr. Mann."

Mann: "Well, Mr. Speaker, I would move that the T.V. cameras be allowed to be on the floor as long as the Speaker, in his judgment, feels that they're not . . . ah . . . it . . . in his infinite wisdom and judgment."

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

Choate: "Well, Mr. Speaker, the good Lord only knows that we've got facilities that are going to be trying at the very most. When



various motions and pieces of legislation are to be asked to be heard on the order of voting in this House. We all, collectively and individually, know that as far as the regular Chamber's of the House were concerned; I don't think that the media was entitled to go up and down the aisles. If we're going to give them permission to go up and down the aisle while we're in Session in these temporary Chamber's, I don't know why in the world we restrict them in the permanent facilities that we have in the Capitol building. I'm only going to say to the Membership that if you're going to open up to the television people that they can travel up and down the aisle, then, certainly, every member of the media, period, is going to have that same prerogative; and instead of being out of here in two, or three or four weeks at the most, I'm going to, today, wish you a Merry Christmas because that's exactly how long we'll be here. I would think that we need to keep the media restricted to the areas that are set . . . set aside for them to use. If they want to talk to a Member, that Member can go off of the floor of this Body, the same as they do where . . . when we're in our regular quarters; and we might have a little bit more orderly operation of business as far as these temporary facilities are concerned. I would, therefore, Mr. Speaker, suggest that the same rules that applied to the regular and permanent quarters apply to the quarters that we're using at the present time. This . . . the . . . this . . . the theatre or whatever it is of the Centennial Building; and I would suggest that the Membership ratify those rules."

Speaker Blair: "All right, the Gentleman's point is well taken. Actually, the House rules . . . ah . . . for the Regular Session, and we are in the Regular Session now, do provide under Rule 56 that in . . . ah . . . our meetings that TV cameras may be operated from the rear balcony only. We have provided space, as you all can well see, for both the television and radio people to be right there in the back, and there's never been an arrangement, whereby, they could, while we're in Session, move up and down the aisles and take television . . . ah . . . and . . . so that is the way that



we will proceed to operate under the existing House rules which do not provide for that particular situation. Ah . . . The Gentleman from Union, Mr. Choate."

Choate: "One further suggestion, Mr. Speaker, no longer than we have been in these . . . the temporary quarters, there's been numerous people going up and down the aisles passing literature that is not necessarily germane to the activities being partaken of at the House at this particular time. I would suggest that those people be informed that there is mailboxes back here for the Membership, and as far as this literature that doesn't have anything to do with what we're deliberating at the time be put in the Members' mailbox, rather than running . . . four or five guys running up and down the aisles passing out literature that is something that we might want to look at next month. I would suggest that be done also, Mr. Speaker."

Speaker Blair: "I think that point's well taken. All right, any further Committee Reports?"

Clerk Selcke: "Ah . . . Mr. Collins from the Committee on Executive from which House Resolutions 325, 371, 388, 409, 429, 432, 466 and 493 referred, returned the same back and pursuant to Rule 23D, these Resolutions were ordered tabled. Mr. Rose from Judiciary I to which Senate Bills 254 and 255 were referred, reported the same back and pursuant to Rule 23D, the . . . the Bills were ordered tabled."

Speaker Blair: "Messages from the Senate."

Clerk Selcke: "A message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following Preamble and Joint Resolution, House Joint Resolution #24, concurred in by the Senate October 16, 1973; Edward E. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following Preamble and Joint Resolution, House Joint Resolution #26, concurred in by the Senate October 16, 1973; Edward E. Fernandes, Secretary. Mr. Speaker, I'm directed



to inform the House of Representative that pursuant to the recommendation of the Governor, the Senate has adopted amendatory provisions to a Bill of the following title in the adoption to which I'm instructed to ask the concurrence of the House, Senate Bill 374; action taken by the Senate October 16, 1973; Edward E. Fernandes, Secretary."

Speaker Blair: "Introductions and First Reading of House Bills."

Clerk Selcke: "House Bill 2051, Kelly et al, amends the Illinois Municipal Code. First Reading of the Bill. House Bill 2052, Hanahan et al, amends Public Act 78-120-195. First Reading of the Bill. House Bill 2053, Lundy et al, the Illinois Citizen Information Assistance Act. First Reading of the Bill. House Bill . . . House Bill 2054, Kosinski et al, amends the Criminal Code. First Reading of the Bill. House Bill 2055, Craig et al, appropriates money for personal services. First Reading of the Bill. House Bill 2056, Rayson et al, amends Crime Victims' Compensation Act. First Reading of the Bill; 2057, Rayson et al, appropriates money in the Court of Claims' Fund. First Reading of the Bill. House Bill 2058, Rayson et al, amends Crime Victims' Compensation Act. First Reading of the Bill. House Bill 2059, Rayson et al, makes an appropriation to Crime Victims' Compensation Act. First Reading of the Bill. House Bill 2060, Griesheimer, removes the requirement to charge additional interest on loans. First Reading of the Bill. House Bill 206, Griesheimer, increases interest rates. First Reading of the Bill. House Bill 2062, Griesheimer, amends Civil Practice Act. First Reading of the Bill. House Bill 2063, Griesheimer, amends the Vehicle Code. First Reading of the Bill."

Speaker Blair: "Agreed Resolutions."

Clerk Selcke: "House Resolution 552, Stone et al. House Resolution 556, J. J. Wolf. House Resolution 557, J. J. Wolf. House Resolution 558, McGrew et al. House Resolution 559, Capparelli et al. House Resolution 560, Rayson et al."

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

Walsh, W.: "Mr. Speaker, and Ladies and Gentlemen of the House, these are the Agreed Resolutions; and House Resolution 552 sponsored



by Representative Stone congratulates Ralph Carrol Hay of Champaign, who has retired as Professor of Agriculture . . . Agricultural Engineering at the University of Illinois after 40 years of service. House Resolution 556 salutes Scout Richard Szpila for attaining the rank of Eagle Scout; and House Resolution 557 commends Scout Daniel Plantz for attaining the rank of Eagle Scout; and House Resolution 558 congratulates Miss Colleen Ann Metternich . . . ah . . . who is a pianist and was reelected as one of the ten finalists of the Miss Illinois Contest; and House Resolution 559 by Representative Capparelli congratulates Scouts Kevin Bruce Herrick, Ronald J. Scalet and Richard A. Reinhart for attaining the rank of Eagle Schouts. House Resolution 560 by Representative Rayson congratulates recipients of the Illinois Press Association Award. Is that the one you wanted? I move the adoption of the Agreed Resolutions."

Speaker Blair: "Any discussion? The question is on the adoption of the Agreed Resolutions. All those in favor say 'aye', opposed 'no'; the 'ayes' have it, and the Agreed Resolutions are adopted. Gentleman from Cook, Mr. William Walsh."

Walsh, W.: "Mr. Speaker, I move that the Regular Session stand in recess until the hour of 2:30 p.m. for the purpose of a Republican Conference to be held immediately in Room 212."

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

Choate: "Mr. Speaker, I hope that at least the Democratic Members pay attention to this because I would like to ask for them to meet in Conference in Room M5 . . . Room M5 immediately after we recess here. That will give you, if you are punctual and on time and all that jazz, get there, we'll get it over with, you'll have plenty of time to have a leisurely lunch before we come back in Session. Democrats meet in M5."

Speaker Blair: "M5 and the Republicans in 212, and . . . ah . . . when we . . . ah . . . we're adjourning the Regular now until 3:30 . . ."

Walsh, W.: "We're recessing . . . we're recessing the Regular until 2:30, was my understanding, Mr. Speaker."



Speaker Blair: "All right. All right, the Gentleman from Cook, Mr. William Walsh, amends that motion to provide that we'll recess the Regular until 3:30 or 3:15 . . . ah . . . now, we'll be coming back in here at 3 o'clock for the 3rd Special. Now, the 2nd Special is at 3:45. All right, we'll . . . we'll be back . . . we'll be back here at 3 o'clock into a Special Session, Regular Session recess then at . . . ah . . . back here at 3:15, Republican Conference in 212 and the Democratic Conference in M5. All right, all those in favor of the Gentleman's motion say 'aye', opposed 'no'; the 'ayes' have it, and we are in recess. Come to order the 2nd Special Session, which is the new 2nd Special Session. The old Special Session . . . 2nd Special Session was knocked out by the Governor's 3rd Special Session call; and so what would have been the old 3rd Special Session is now the new 2nd Special Session. Right, just listen to the Proclamation."

Clerk Selcke: "Are we ready to go, Mr. Speaker? Are we ready to go?"

Speaker Blair: "Yeah, read the Proclamation."

Clerk Selcke: "State of Illinois, Seventy-eighth General Assembly, Springfield, Illinois. A Proclamation. 'Whereas, during its 1st Regular Session the Seventy-eighth General Assembly passed and sent to the Governor legislation cutting the rate of Retailers' Occupation Tax, the Service Occupation Tax, the Use Tax and the Service Use Tax from 4 % to 3½% so that the taxpayers would enjoy a measure of well-deserved tax relief; and, whereas, the Governor chose to place an amendatory veto on the legislation, but in a manner which careful legal analysis suggest vio . . . suggests violates the constitutional authority of the executive; and, whereas, to act on that amendatory veto and permit the Governor to certify his acceptance of legislative action would, in our opinion, result in a lengthy period of litigation and ultimate judicial invalidation of an Act . . . of the Act; and, whereas, in the end, the taxpayers of Illinois will be needlessly denied tax relief; therefore, pursuant to Article IV, Section 5 D of the Constitution of the State of Illinois in Chapter 63, Section 191 of the Illinois Revised Statutes; we', W. Robert Blair, Speaker of the House of Representatives



and William C. Harris, President of the Senate, do, hereby, call and convene a Special Session of the Seventy-eighth General Assembly of the State of Illinois to commence on October 22, 1973, at 3 p.m., Central Daylight Saving Time, for the following purpose, to consider and enact legislation to reduce the rate of Retailers' Occupation Taxes, Service Occupation Use Tax, the Use Tax, and the Service Use Tax . . . ah . . . October 16, 1973, Springfield, Illinois, W. Robert Blair, Speaker of the House; William C. Harris, President of the Senate."

Speaker Blair: "All right, Mr. Walsh, moves that . . . ah . . . or asks for leave to have the Roll Call of the 1st Special Session be the Roll Call of this 2nd Special Session. Is there leave? All right, the Journal on the 2nd Special Session will so indicate. Resolutions."

Clerk Selcke: "House Resolution #1, 2nd Special Session, W. D. Walsh, 'Resolved that the Clerk inform the Senate that a majority of the Members of the House is assembled pursuant to the Proclamation of the Speaker of the House and the President of the Senate convening a Special Session of the General Assembly and are now ready for the transaction of business'. House Resolution #2, W. D. Walsh . . . I'll just read them all . . . 'Resolved that the rules of the House of Representatives of the Seventy-eighth General Assembly as amended be adopted as the rules of the 2nd Special Session . . . ah . . . so far as the same may be . . . may be applicable and that the Standing Committees of the House of the Seventy-eighth General Assembly and their Membership shall constitute the Standing Committees of the House during this 2nd Special Session'. House Resolution #3, 2nd Special Session, W. D. Walsh, 'Resolved that a Committee of five Members, no more than three from the majority party be appointed by the Speaker to approve the last day's Journal and all Journals of the 2nd Special Session of the Seventy-eighth General Assembly'."

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

Walsh, W.: "Mr. Speaker, these are the housekeeping Resolutions for the historic 1st Special Session of the Legislature called by



the Legislative Leaders. The first one calls for the Clerk informing the Senate that a majority of the House has assembled and that the Session has begun. The second that the rules of the House of the Seventy-eighth General Assembly shall apply to the 2nd Special Session; and the third calls for the Speaker and the Minority Leader to appoint five Members . . . ah . . . to approve the last day's Journal and all Journals of the 2nd Special Session of the Seventy-eighth General Assembly; and I move the adoption of House Resolution 1, 2 and 3."

Speaker Blair: "All right, is there discussion? Question is the adoption of . . . ah . . . House . . . how many are there? Are they Joint . . . all right, the question in on the adoption of House Resolutions 1, 2 and 3. All those in favor say 'aye', opposed 'no'; the 'ayes' have it; and the Resolutions are adopted. Introductions."

Clerk Selcke: "Introduction. House Bill #1, 2nd Special Session, Schlickman et al, amends the Retailers' Occupation Tax, Use Tax, Service Occupation Tax and Service Use Tax Act. First Reading of the Bill."

Speaker Blair: "All right, no further items on the 2nd Special Session? The Chair recognizes the Gentleman from Cook, Mr. William Walsh."

Walsh, W.: "Mr. Speaker, I move that the 2nd Special Session adjourn to the hour of 11:30 a.m. tomorrow."

Speaker Blair: "All right, is there discussion? Hearing none, all those in favor of the Gentleman's motion say 'aye', opposed 'no'; the 'ayes' have it, and the 2nd Special Session is adjourned until the hour of 11:30 a.m. tomorrow."



Hon. W. Robert Blair: "All right, we're now back in the recessed regular session. And, we'll go to consideration of motions with regards to the veto messages that are before us... all right, on the order of total veto motions.... on the order of total veto motions, it appears a motion with respect to Senate Bill 1198. That's on page 7 on your Calendar. That's at the top of the page, on which the Chair recognizes the gentleman from Cook, Mr. Phil Collins. Now, this is an important item, as are all items that come before the assembly. There is going to be a motion put here, so if we can clear the aisles... and let's be in our seats. Let's clear the aisles, and would the doorkeeper.... so that those persons not entitled to the floor be removed there from... all right... now you can't tell it, but the noise level is very bad and your're not going to be able to hear anybody who cares to address themselves questions, so could we... gentleman from Union, Mr. Choate."

Choate: "A point of order, Mr. Speaker, and I would like for the Membership to listen to me instead of carrying on their little private conversations, because, and one of them's going on right in front of me right here. When we were in our regular Chambers we could carry on the little private conversations and because of the acoustics, were able to get away with them, without it being a complete hub-bub, and the Speaker, having an extremely hard job to know what's going on. But those of us who do have a habit of talking to each other, while the legislative business is being transacted, I encourage you to do one thing. Take two minutes of your time and go up to the Speaker's podium and listen to all of these little private conversations going on, and you will find out that this room is not conducive to the private conversations being set forth. I would therefore, Mr. Speaker, encourage the Membership to give you the order that this House is entitled to, so that you can transact the business of State in a legislative manner, and proceed with the things that we were brought here to do. I would hope that the membership would give the Speaker and other Members this courtesy."

Hon. W. Robert Blair: "Ah, thank you, Mr. Choate. I think your remarks



are well taken. All right, now as I was indicating earlier for those of you who couldn't hear, we're on total veto motions on page 7 of the Calendar. Wherein appears a motion with respect to Senate Bill 1198 on which the Chair recognizes the Gentleman from Cook, Mr. Phil Collins."

Collins: "Ah, thank you Mr. Speaker, and ladies and gentlemen of the House. I'd like to personally thank the Speaker and Minority Leader for that call to order, because I do believe that 1198 does deal with one of the more important matters to come before this Legislature, and this Session. Senate Bill 1198, I'm sure I have to tell no one, is the State Board of Elections. Now, we all know, that a Bill, under my sponsorship, House Bill 212, passed this House, went to the Senate and was stopped in the Senate Elections Committee. In an effort to work out a Bill, so that we could comply with our Constitutional mandates, Senate Bill 1198 was created in a spirit of compromise by the Senate Elections Committee and came out sponsored unanimously by the members of the Senate Elections Committee on both sides of the aisle. I am the first one to admit that I'm not 100% happy with this Bill, but who is 100% happy with most Bills. I think that this Senate Bill 1198 is a meaningful compromise and I would urge support of all the Members of the House. I'd be happy to answer any questions of the Membership, Mr. Speaker, and I would move that Senate Bill 1198 pass, the veto of the Governor to the contrary notwithstanding."

Hon. W. Robert Blair: "All right, discussion?... All right. There seems to be a unanimous demand for a roll call. So, Mr. Clerk, proceed to call the roll, and the motion is shall House, Senate Bill 1198 pass, the veto of the Governor to the contrary notwithstanding?"

Fredric B. Selcke: "Alsop. Anderson. Arnell. Barnes. Barry. Beatty. Beaupre. Berman. Bluthardt. Borchers. Boyle. Bradley. Brandt. Brinkmeier. Brummet. Caldwell. Calvo. Campbell. Capparelli. Capuzi. Carter. Catania. Chapman. Choate. Clabaugh. Collins. Cox. Craig. Cunningham. Davis. Day. Deavers. Deuster. Di-Prima. Douglas. Duff. Ralph Dunn. R. L. Dunne. Dyer. Ebbesen.



Epton. Ewell. Farley. Fary. Fennessey. Fleck. Flinn. Fried-
land. Garmisa. Geo-Karis. Getty. Gibbs. Giglio. Giorgi.
Griesheimer. Grotberg. Hanahan. Harpstrite. Hart. Hill.
Hirschfeld. Gene Hoffman. Ron Hoffman. Jimmy Holloway. R. Holl-
oway. D. Houlihan. J. Houlihan. Hudson. Hunsicker. Huskey.
Hyde. Jacobs. Jaffe. Emil Jones. Dave Jones. Juckett. Katz.
Keller. Kelly. Kempiners. Kennedy. Kent. Klosak. Kosinski.
Kozubowski. Krause. Kriegsman. Krone...."

Hon. W. Robert Blair: "For what purpose does the gentleman seek...
we're on a roll call'... All right, according to Roberts, as you
know, you can't interrupt a roll call unless its an emergency, so
proceed."

Fredric B. Selcke: "Kucharski. LaFleur. Lauer. Laurino. Lechowicz.
Leinenweber. Lemke. Leon. Londrigan. Lundy. Macdonald. Madigan.
Mahar. Mann. Maragos. Martin. Matijevich. McAuliffe. McAvoy.
McClain. McCormick. McCourt. McGah... McGrew. McLendon.
McMaster. McPartlin. Merlo. Kenny Miller. Tom Miller. Molloy.
Mugalian. Murphy. Nardulli. Neff. North. Palmer. Pappas.
Patrick. Peters. Philip. Pierce. Polk. Porter. Randolph.
Rayson. Redmond. Rigney. Rose. Ryan. Sangmeister. Schisler.
Schlickman. Schneider. Schoeberlein. Schraeder. Sevcik. Sharp.
Shea. Shurtz. Timothy Simms. Ike Sims. Skinner. Soderstrom.
Springer. Stedelin. Stiehl. Stone. Taylor. Telcser. Terzich.
Thompson. Tipword. Totten. Tuerk. VonBoeckman. Waddell.
Wall. R. Walsh. W. Walsh. Walters. Washburn. Washington.
Williams. J. J. Wolf. B. B. Wolfe. Yourell. Mr. Speaker..."

Hon. W. Robert Blair: "All right, Duff, aye... Ralph Dunn, aye...
Harpstrite, aye... Gibbs, aye... Boyle, aye... Mike Madigan, aye...
Dave Jones, aye... Brinkmeier, aye... any further votes?.... On
this question there are 158 ayes and 4 nays and Senate Bill 1198
is passed, the veto of the Governor not withstanding. All right,
on the order of amendatory veto motion appears a motion with re-
spect to House Bill 18... that's on page 7 at the bottom of your
Calendar, on which the Chair recognizes the gentleman from Cook,
Mr. Hyde."



Hyde: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 18 is the mandatory death penalty; and I move to accept the Governor's specific recommendation for change with respect to House Bill 18. Ah . . . The Governor, in his amendatory veto, made several changes after two days of consultation with myself and his staff; and, frankly, I state that these changes improve the Bill. Deleted from those categories of murder, where the death penalty is mandatory, were the elected official or candidate; and I agreed to that because it is a very broad category. Also, the intentional alteration of destruction of community water, gas, et cetera, the feeling was that you would pick up any murderer . . . ah . . . under the mass murderer provision; so it was a duplication. The contract killer, the trigger man is still subject to the mandatory death penalty; but not the person who hires the trigger man. Frankly, I was less enthusiastic about this deletion; but in the spirit of compromise, I agreed. Ah . . . The victim, who was the witness in a trial or before Grand Jury, was deleted because there may be no necessary connection between that victim's murder and the fact that he is under subpoena; and lastly . . . not really . . . lastly . . . ah . . . if the accused is already under a sentence of life imprisonment, that was removed because of a technical difficulty. I guess there is no more sentence of life imprisonment under our Code. Left in, however, which require a mandatory death sentence, are the murder of an on-duty policeman, or fireman, or a prison guard. The multiple murdered, murder committed while hijacking an airplane or another public vehicle, murder by the trigger man in a hired killing, and murder in the course of rape . . . rape, robbery, kidnapping, arson or the commission of indecent liberties with a child. Now, Mr. Speaker, Ladies and Gentlemen of the House, the most significant change made in the Bill has to do with the sentencing provision. Under the Bill as passed by the House and the Senate, if a three-judge panel, which was convened immediately following the jury's finding of guilty, if a majority of those judges found that the crime fit within the categories, then the death sentence was mandatorily im-



posed. Ah . . . The Governor's staff posed the problem presented by our Illinois Constitution, which mandates the consideration of rehabilitation in sentencing; and we were in the rather unique dilemma of having the United States Supreme Court say no discretion in sentencing, and the Illinois Constitution requiring some consideration of rehabilitation; and so to meet this problem, a rather unique solution was devised, whereby, the death sentence is mandatorily imposed; however, if the majority of the three judges finds compelling reasons for mercy. Now, this is a higher standard on absolute discretion capable of abuse, and it is more flexible, certainly, than the inflexible mandatory death sentence as originally required by the Bill. Now, there have been objections that this language is vague and provides no standards. I have consulted with several authorities, including the Chief of the Attorney General's Criminal Division . . . Criminal Justice Division, and he agrees and concurs that this language does include the traditional grounds for clemency, which are a part of our criminal jurisprudence; and so we have a unique approach to the death penalty, where it is mandatorily imposed for the most heinous or serious crime. However, if an unusual situation arises where traditional grounds for clemency would exist, the three judges have that power to grant clemency, and . . . ah . . . mercy, and the criminal then would be sentenced pursuant to the Code a minimum of 14 years. This is the middle ground between total discretion, which the Supreme Court said is wrong as . . . because it's capable of abuse, and iron-clad, inflexible mandatory sentencing, which may be unconstitutional under our Illinois Constitution. Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I move that we accept the Governor's specific recommendation with respect to House Bill 18."

Speaker Blair: "All right, the discussion . . . now, the Gentleman from Cook, Mr. Mann."

Mann: "Well, Mr. Speaker and Members of the House, I want to urge the Membership, although I fully recognize that this is not going to be a successful attempt on my part, nevertheless, for the Record, I



do want to urge the Membership to vote 'no' on Mr. Hyde's motion. I opposed Mr. Hyde's Bill in its original form, although I thought it to be a very creative measure, and now that the Governor and Mr. Hyde have gotten together . . . ah . . . with regard to this amendatory veto, I still think that the Legislature is confronted with the ultimate question of whether or not it's right for the state to kill; and I would say that if it's wrong for anyone to kill, it's wrong for the state to kill. Capital punishment is an aberration, it's a throwback to the cave age . . . ah . . . the Supreme Court of the United States has said that it's cruel and unusual punishment; and I think that regardless of how you slice it, regardless of how you dress up capital punishment, it still amounts to mandated killing by the state; is, therefore, morally wrong, and from the standpoint of society, totally ineffective. I would point out to you that all of the notorious assassinations took place in . . . in states that already had capital punishment. That didn't deter any killers from killing Martin Luther King, or Bobby Kennedy or John F. Kennedy. They still proceeded with what they had to do; and I would say that the one redeeming feature of this particular amendatory veto is that it probably would take the ultimate question up to the Supreme Court. That is, is the death penalty with definite sentences constitutional or unconstitutional; and I'm predicting that the Supreme Court will say that it is unconstitutional. I would hope that we would save the court the burden of making that decision; and I urge a 'no' vote here, Mr. Speaker."

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

McAuliffe: "I'd like to arise and ask for support for Mr. Hyde's motion. As a former Chicago policeman, and I have some experience with the crime that's going on in Chicago, and I know what it's like to go out there, and a lot of these policemen are going out and getting shot. Their wives are becoming widows. I've gone to a number of wakes this year, already, where the policemen were left there in the coffin and the wives were there and the kids were there; and nothing ever happens to these fellows that are doing the shooting."



Now, it's about time that we put some fear of God into those people. Let's stand up for the decent law-abiding people of Chicago, who are getting shot every day, and let's put these fellows away where they can't do any more harm. These fellows go out on . . . on . . . get sentenced to life in prison and they're out on the streets 10 years or 12 years later and they go out and kill somebody again; and one way to prevent this is to give them capital punishment, and they won't be able to commit the crime a second time. Life imprisonment no longer means life imprisonment. If there was such a thing as life imprisonment, I'd be for that; but that doesn't happen anymore. They get . . . they spend 10 years or 12 years in jail, they're back out on the streets, and they're able to commit the same type of crime over again and make some other policeman's wife a widow; and this is one way to stop that; and I very strongly support this."

Speaker Blair: "Gentleman from Cook, Mr. B. B. Wolfe."

Wolfe, B.: "Thank you, Mr. Speaker. I have a point of parliamentary inquiry that I believe most of the Members on the floor of the House would like clarified under our voting procedure. Now, Article IV, Section 9, Subsection E, on the amendatory veto has certain provisions in there; for example, my first inquiry is a record vote means that to pass the motion we need 89 'aye' votes. Is that correct, Mr. . . . ah . . .?"

Speaker Blair: "Well, E says that right in the rules; Right."

Wolfe, B.: "Right. Now, what if we don't . . . what if the . . . ah . . . a motion does not get the 89 votes? What's the posture of the Bill? Does it go back to the Governor or does it stay at the Speaker's table?"

Speaker Blair: "Well, I think that begs the question, actually. We're not there, and the Gentleman would be entitled if his motion were not carrying with the requirement to move for Postponed Consideration . . . ah . . . of his motion; and when we get to that, you know, if that situation occurs why we can . . ."

Wolfe, B.: "No, I think, Mr. Speaker, my question is really directed to the posture of the voting that some of the Members would like



to know before they cast an 'aye' or a 'no' vote; and that is, is it possible if the vote . . . if the motion is not accepted for the Bill to be returned to the Governor and for him to accept the Bill in its present condition without the amendatory language? I mean, this is my real question. I think this came up in the last Session. It was never answered, and some of us would really like to know what the posture of that Bill would be if the motion does not carry."

Speaker Blair: "Well, Rule 48 provides in the second paragraph that 'if the Amendment fails to be adopted within 15 days after entry of the objections to the Governor upon the House Journal, the Clerk shall return the Bill to the Governor'. Now, in the instances where that occurred in the last Session . . . ah . . . to the best of my recollection, there was no further action by the Governor with respect to those items. As a practical matter, quite obviously, the action of the House with regard to the specific recommendations of the Governor would not have, in any way, met the specific recommendations of the Governor. So there would be no way, under that circumstance that he could certify that the specific rec . . . that the House's action conforms to the specific recommendations that he had made. Ah . . . I suppose that he would have the option at that time to so say, and then return the matter to the House for it to be reconsidered as a total veto."

Wolfe, B.: "Thank you . . . thank you, Mr. Speaker."

Speaker Blair: "But that . . . no Governor has exercised that option before to my knowledge."

Wolfe, B.: "Thank you."

Speaker Blair: "Ah . . . Mr. Borchers."

Borchers: "Mr. Speaker, fellow Members of the House, just two points in support of this motion. Number 1, when the Lindbergh baby was kidnapped, and killed, and the Federal Congress passed laws in the state in relation to kidnapping. I want . . . have you recollect that it . . . and the death penalty was manditory, it practically ended the crime of kidnapping in the United States until after World War II and the 'Sob Sisters' got ahold of us. Number 2, my



seatmate over here from Lawrenceville . . . ah . . . a year ago in June, told me on that particular morning of the kidnap, and murder and rape, I believe, of a small girl in Lawrenceville, a neighbor of his, not over one or two blocks away. Now, that girl was horribly butchered. I, personally, as a citizen of this state do not believe that the man that did it has a right to continue to live. I do not want my money used, as far as I'm concerned, to keep such a beast alive, and we have others, such as Speck, who butchered eight. I do not think we should forget the girls and think of Speck. I think we should think of the rights of those girls that have been lost forever. The children they'll never have, the homes they'll never have as a result of his brutal murders; and, incidentally, I want you to know that I've seen the pictures of these girls, and I hesitate, I guess I'd better not say what he did to 'em while they were still alive, but one by one he butchered them living; and I think it's a hell of a note if we do not put such people where they can never do these things again, let alone letting them within a short period of time get back out on the streets and be free in 10, 15, 20 years. I think we should act now and do something about it."

Speaker Blain: "Gentleman from Cook, Mr. Rayson."

Rayson: "Mr. Speaker and Members of the House, I think your explanations to Mr. Wolfe's question can elucidate us here to suggest there are reasons not to sustain this motion; and, therefore, not to sustain the amendatory veto, and that is the Governor can have a chance to either veto this Bill in its totality or accept it, and accept it in a form which the Legislature apparently wants because there were five Bills and this one seems to head the list and the people overwhelmingly supported these Bills; but I feel that that's the best opportunity for either the Legislator who wishes to prevail or a full veto to prevail; and three reasons why this motion should not lie, and one is in counter to distinction of the last Gentleman; and I think that if what he preeses . . . pre-supposes is true, then . . . ah . . . I think what he suggests is an illusion, and that no one of us can really realize that any kind



of mandatory penalty is a deterrent to murder; and sane people aren't gaged by rations deterrent. That's number one. Number two, the Supreme Court by two of the justices said Supreme . . . ah . . . cruel and unusual punishment is what capital punishment is all about. Three of them said that, as applied, it's unconstitutional. Three dissenting judges made interpretations to suggest a mandatory measure might . . . might be consitutional. Therefore, I think it's in doubt even so; but thirdly, and most importantly, and it's a matter we, in Illinois, have not addressed ourselves to, and that is the Illinois Constitution, which says most emphatically that it's our duty to rehabilitate convicts; and how can we rehabilitate them if we're going to subject them to the death penalty. I suggest we do not get the votes required for this motion."

Speaker Blair: "Gentleman from Cook, Mr. Duff."

Duff: "Ladies and Gentlemen of the House . . . ah . . . it's very clear from previous votes and referenda and the opinion of this House that capital punishment is desired by a large number of the people in this state and in this General Assembly. Nevertheless, I would like to bring to the attention of the House some significant problems in this Bill and in this amendatory veto. Now, I did vote for one of the capital punishment Bills, which I believed to be solving a very difficult constitutional problem during the Spring Session. I voted against this Bill at that time because I thought it had severe constitutional problems with the establishment of a three-judge panel, one of whose members would be the trial judge. Since the amendatory veto, however, the Bill is even more complicated and really self-defeating. I would draw to your attention that the Governor's amendatory veto says that 'Nobody may be executed until there's an appeal, until an appeal is heard by the higher courts'. Now, practically speaking, Ladies and Gentlemen of the House, if there will never be an execution until there's appeal, who the hell is going to bring an appeal? Nobody's going to take this up to a higher court if it guarantees no execution. Secondly, while we've already noted the fact that the



three judges were made fact finders, in effect, an additional jury, which I suspect, constitutionally, we now have a situation where, without definition, without guidelines, and without any statutory definition at all, the three-judge panel is asked to say that a man may not be executed for compelling reasons, whatever that is. Directly in controver . . . controvention to the United States Supreme Court decision, which said that there may not be discriminatory haphazard decisions on the part of juries, and I'm sure they were the same . . . find the same thing on the part of three-judge panels. I further point out to you that this amendatory veto significantly and substantively changes the Bill, a procedure which previously had been found unconstitutional by our Illinois Supreme Court in the instance of the parochi-aid Bills; and finally I would point out to you that by allowing the discretion which the Sponsor of the motions refers to . . . ah . . . on the part of the three-judge panel . . . ah . . . that he then says that 'clemency . . . clemency is now restored and allowed'. Well, Ladies and Gentlemen of the House, that's a total misdirection of the constitutional and historical concept of clemency, which has always been found in the Executive branch. No judge or no newly created kind of panel which as, in effect, established a new level of appellate jurisdiction within our state has the constitutional right to exercise the historic quality of clemency. This amendatory veto, in my opinion, is the net result of the fact that Governor Walker campaigned against the death penalty, said he would veto any death penalty Bill, and is now realizing that eh people of Illinois want a death penalty Bill, and he has given us, as a compromise, an abomination."

Speaker Blair: "Gentleman from Lake, Mr. Maragos, I'm sorry, Cook, I was looking at Matijevich and said Maragos."

Maragos: "Mr. . . . Mr. Speaker and Members of the House, I move the previous question."

Speaker Blair: "All right, the previous question has been moved. All those in favor say 'aye', opposed 'no'; the 'ayes' have it, the previous question has been moved. Gentleman from Cook, Mr. Hyde. to



close."

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

First of all, I'd like to briefly respond to some of the remarks that were made. Ah . . . When you talk about the state killing people, capital punishment Bills usually emphasize the reverence for the innocent life . . . ah . . . that was taken by the murderer, the criminal, and it seems to me a great way to express that reverence for innocent life is by imposing the ultimate penalty on one who commits the ultimate crime. Secondly, I keep hearing from certain Gentlemen of an ideological persuasion, somewhat to the left of my own, that the Supreme Court called capital punishment cruel and unusual. I would point out there were two of the nine justices that did that; but the majority opinion in no way referred to capital punishment as cruel and unusual; and indeed, logically, it could not because the Constitution itself adverts to capital punishment when it talks about 'no person may be deprived of life, liberty or property without due process of law'. It also talks about capital crime; and so to keep saying that the courts said capital punishment is cruel and unusual, is to betray the fact that you haven't read the opinion. Now, as far as the Gentleman from Evanston or Wilmette, who recently called this Bill an abomination, I think he's paraphrasing his staff member, who called it facical, I believe. I don't know which of the two insults I prefer more; but in any event, let me say that this Bill . . . ah . . . let me instruct the Gentleman and staff member that there is an automatic appeal every time the death penalty is imposed in every capital case. So, as I say, let them be instructed in that . . . ah . . . in addition, as far as parochial aid is concerned . . . ah . . . that opinion said that it was rewriting the Bill. This amendatory veto would in no way do that . . ."

Speaker Blair: "All right, Mr. Hyde, excuse me, Mr. Borchers says that he wants to interrupt you. Why do you want to interrupt him?"

Borchers: "I want to . . . I want to interrupt for a simple reason. I'd like to hear what Mr. Hyde is saying; and I'm sitting over there



and I can't hear a word because of conversation, and I think what he's saying makes good sense."

Speaker Blair: "All right. Proceed."

Hyde: "Thank you, thank you; and thank you, Mr. Borchers. Lastly . . . ah . . . the comments about discretion, I agree that the Supreme Court did prescribe discretion where it is arbitrary; and I submit the language compelling reasons for mercy is a higher standard than arbitrary discretion. This Bill has the support of Jim Zagel, the Chief of the Attorney General's Criminal Justice Division, who has tried almost as many murder cases as my distinguished friend in the green jacket. I move that we sustain the Governor's amendatory veto. Thank you."

Speaker Blair: "All right, the . . . the question is, shall the Governor's specific recommendation with regard to House Bill 18 . . . ah . . . be adopted? For what purpose does Mr. Pierce arise?"

Pierce: "Does it violate our rules to . . . ah . . . mention a Member's jacket in debate? I believe Representative Hyde mentioned a Member's jacket over there. I couldn't hear what that was about."

Speaker Blair: "Roll Call."

Clerk Selcke: "Alsop. Anderson. Arnell. Barnes. Barry. Beatty. Beaupre. Berman. Bluthardt. Borchers. Boyle. Bradley. Brandt. Brinkmeier. Brummet. Caldwell. Calvo. Campbell. Capparelli. Capuzi. Carter. Catania. Chapman. Choate. Clabaugh. Collins. Cox. Craig. Cunningham. Davis. Day. Deavers. Deuster. DiPrima. Douglas. Duff. Dunn. R. L. Dunne. Dyer. Ebbesen. Epton. Ewell. Farley. Fary. Fennessey. Fleck. Flinn. Friedland. Garmisa. Geo-Karis. Getty. Gibbs. Giglio. Giorgi. Griesheimer. Grotberg. Hanahan. Harpstrite. Hart. Hill. Hirschfeld. Gene Hoffman. Ron Hoffman. J. Holloway. R. Holloway. D. Houlihan. J. Houlihan. Hudson. Hunsicker. Huskey. Hyde. Jacobs. Jaffe. Emil Jones. Dave Jones. Juckett. Katz. Keller. Kelly. Kempiners. Kennedy. Kent. Klosak. Kosinski. Kozubowski. Krause. Kriegsman. Krone. Kucharski. LaFleur. Lauer. Laurino. Lechowicz. Leinenweber. Lemke. Leon. Londrigan. Lundy. Macdonald. Madigan. Mahar. Mann. Maragos. Martin. Matijevich. McAuliffe. McAvoy. McClain.



McCormick. McCourt. McGah. McGrew. McLendon. McMaster.
 McPartlin. Merlo. Kenny Miller. Tom Miller. Molloy. Mugalian.
 Murphy. Nardulli. Nardulli. Neff. North. Palmer. Pappas.
 Patrick. Peters. Philip. Pierce. Polk. Porter. Randolph.
 Rayson. Redmond. Rigney. Rose. Ryan. Sangmeister. Schisler.
 Schlickman. Schneider. Schoeberlein. Schraeder. Sevcik.
 Sharp. Shea. Shurtz. Timothy Sims. Ike Simms. Skinner.
 Soderstrom. Springer. Stedelin. Stiehl. Stone. Taylor. Telcser.
 Terzich. Thompson. Tipsword. Totten. Tuerk. VonBoeckman.
 Waddell. Wall. R. Walsh. W. Walsh. Walters. Washburn. Washington.
 Williams. J. J. Wolf. B. B. Wolfe. Yourell. Mr. Speaker. Barnes
 is 'no'. North 'aye' . . . okay . . ."

Speaker Blair: "On this question there are 128 'ayes', 37 'nays'; and the specific recommendations of the Governor with respect to House Bill 18 are adopted. All right, on the Calendar on Amendatory Veto Motions appears a motion with respect to House Bill 1491, that's on page 8. on which the Chair recognizes the Gentleman from Peoria, Mr. Day."

Day: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1491 would establish a Civic Center Authority for the City of Peoria. The Governor's amendatory veto deletes some language in the present Civic Center Support Act, which, in effect, broadened the coverage and the support provisions. Governor felt that this would not be good policy, and it does not materially affect the Bill itself; and I would move at this time to accept the Governor's specific recommendation for change with respect to House Bill 1491; and I would appreciate your support."

Speaker Blair: "All right, the Gentleman from Cook, Mr. B. B. Wolfe."

Wolfe, B.: "Ah . . . We're under the 1970 Constitution, Mr. Speaker, and again on amendatory vetoes, and I just would like to make a point to the Speaker and to his Parliamentarian in connection with the procedure to adopt what the Governor has recommended. Now, this Body is the only Body, the General Assembly, that can pass laws in this state, the Senate and the House. When the Governor sends a message of recommendation to this House on amending a



Bill that he sends back, it would seem to me that the motion should incorporate either the language of the Governor or substantially the same language in an amendatory fashion so that Bill can be amended consistent with his recommendation, and then the Constitution says that that Bill, if it receives a record vote, goes back to the Governor . . . ah . . . goes back to the Governor so that he can decide whether what we did in the House, as a Legislative Body, conforms to his specific recommendations; and then the Bill shall become law . . ."

Speaker Blair: "So far so good."

Wolfe, B.: ". . . Is that right or . . ."

Speaker Blair: "So far so good."

Wolfe, B.: ". . . All right, now, is what we are doing now consistent with this constitutional direction and our responsibility as a Legislative Body?"

Speaker Blair: "Yes, to both questions."

Wolfe, B.: "Thank you."

Speaker Blair: "All right, is there any further discussion? All right, the question is, shall the House adopt the Amendment with respect to House Bill 1491? All those in favor will vote 'aye' and the opposed 'no'."

Clerk Selcke: "Alsop. Anderson. Arnell. Barnes. Barry. Beatty. Beaupre. Is he here or not? I wished he'd answer. Berman. Bluthardt."

Speaker Blair: "Clerk, the Clerk's not able to hear the votes."

Clerk Selcke: "Borchers. Boyle. Bradley. Brandt. Brinkmeier. Brummet. Caldwell. Calvo. Campbell. Capparelli. Capuzi. Carter. Catania. Chapman. Choate. Clabaugh. Collins. Cox. Craig. Cunningham. Davis. Day. Deavers. Deuster. DiPrima. Douglas. Duff. Ralph Dunn. R. L. Dunne. Dyer. Ebbesen. Epton. Ewell. Farley. Fary. Fennessey. Fleck. Flinn. Friedland. Garmisa. Geo-Karis. Getty. Gibbs. Giglio. Giorgi. Griesheimer. Grotberg. Hanahan. Harpstrite. Hart. Hill. Hirschfeld. Gene Hoffman. Ron Hoffman. Jimmy Holloway. R. Holloway. D. Houlihan. J. Houlihan. Hudson. Hunsicker. Huskey. Hyde. Jacobs. Jaffe.



Emil Jones. Dave Jones. Juckett. Katz. Keller. Kelly.
 Kempiners. Kennedy. Kent. Kent. Klosak. Kosinski. Kozubowski.
 Krause. Kriegsman. Kucharski. LaFleur. Lauer. Laurino.
 Lechowicz. Leinenweber. Lemke. Leon. Londrigan. Lundy.
 Macdonald. Madigan. Mahar. Mann. Maragos. Martin. Martin.
 Matijevich. McAuliffe. McAvoy. McClain. McCormick. McCourt.
 McGah. McGrew. McLendon. McMaster. McPartlin. Merlo. Kenny
 Miller. Tom Miller. Molloy. Mugalian. Murphy. Neff. Nardulli.
 North. Palmer. Pappas. Patrick. Peters. Philip. Pierce. Polk.
 Porter. Randolph. Krone. Krone. Rayson. Redmond. Rigney.
 Rose. Ryan. Sangmeister. Schisler. Schlickman. Schneider.
 Schoeberlein. Schraeder. Sevcik. Sharp. Shea. Shea. Timothy
 Simms. Ike Sims. Skinner. Soderstrom. Springer. Stedelin.
 Stiehl. Stone. Taylor. Telcser. Terzich. Thompson. Tipword.
 Totten. Tuerk. VonBoeckman. Waddell. Wall. R. Walsh. W.
 Walsh. Walters. Washburn. Washington. Williams. J. J. Wolf.
 B. B. Wolfe. Yourell. Shurtz. Mr. Speaker."

Speaker Blair: "Collins 'aye'. Krone 'aye'. Getty 'aye'. McPartlin
 'aye'. DiPrima 'aye'. North 'aye'. Kent 'aye'. Well, have
 George take them down. Dunn, Ralph Dunn 'aye'. Are there any
 further vetoes? Tim Simms 'aye'. Ray Ewell 'aye'. Oh, Patrick
 'aye'. Rigney 'aye'? Rigney 'aye'. Ben Polk 'aye'. Polk.
 All right, do we have a vote? On this question there are 152
 'ayes', no 'nays'; and the Amendment is adopted with respect to
 House Bill 1491. Under Amendatory Veto Motions, the motion with
 respect to House Bill 1436, page 8. The Chair recognizes the Gentle-
 man from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker and Members of the House, I move to accept the
 Governor's specific recommendation for change with respect to House
 Bill 1436 in the matter and form as follows: The words 'using' . . .
 use the word 'shall', inserting in lieu of . . . therefore, the
 word 'may'. What this Bill does is it allows cities, and counties
 and townships to use their revenue sharing funds for community action
 agencies that they care to. I move for the adoption of the motion;
 and I'll accept the last unanimous Roll Call."



Speaker Blair: "All right, the Gentleman from Will, Mr. Kempiners."

Kempiners. Will the Gentleman yield to a question?"

Giorgi: "Yes, Bill."

Kempiners: "What's the practical effect of the Governor's amendatory veto on this?"

Giorgi: "Well, the Bill mandated that they use their monies for community action agencies. This . . . it allows them to . . . ah . . . they can . . . they can use their own discretion."

Kempiners: "Is this just the state money? It does nothing to the language which permits local units of government to contribute their money? Is that left intact?"

Giorgi: "There is no monies in . . . no monies involved at all."

Kempiners: "No, what I'm asking is that the language of the Bill as the Legislature adopted it, was that the . . . it would permit units of local government to contribute revenue sharing funds to local C.A.A.'s, is that left intact?"

Giorgi: "Yes, yes, Bill."

Kempiners: "Okay, thank you."

Giorgi: "I'll accept the last unanimous Roll Call, Mr. Speaker."

Speaker Blair: "Is there discussion about the matter further? All right, now, let's have a little attention. The Gentleman has asked leave now with respect to his motion concerning the Governor's specific recommendations with respect to House Bill 1436, he's asked for leave for the last unanimous Roll Call. All right, that leave's been given, and the Amendment with respect to House Bill 1436 is adopted. Now, 1471. The Gentleman from Lake, Mr. Giorgi."

Giorgi: "Thank you, Mr. Speaker. Mr. Speaker, I move to accept the Governor's specific recommendation for change with respect to House Bill 1471 in the matter and form as follows: There was an error in the date in the Bill. We delete 'September 9th' and insert in lieu, thereof, 'November 4th'. This is the Unemployment Compensation Bill, and because of that technical error, had the Bill gone like it . . . lie, it came out of the House, it would have suspended payments from September to November. This cures that so that the . . . no payments are suspended. I move for the . . ."



Speaker Blair: "Discussion? The question is . . . ah . . . the Gentleman's asked leave for the . . ."

Giorgi: "Last unanimous Roll Call."

Speaker Blair: ". . . last unanimous Roll Call with respect to the motion of House Bill 1471. Is there leave? All right, hearing no objection, then the last unanimous Roll Call shall be used with respect to the motion on House Bill 1471; and the Amendment is adopted. Now, 14 . . . 412. I'm on the same page there. The Gentleman from Rock Island, Mr. Pappas."

Pappas: "Mr. Speaker, and Ladies and Gentlemen of the House, as introduced and passed in the House, House Bill 412 was designed to exempt personally owned pickups and like trucks having a gross weight of less than 8,000 pounds from the existing requirement that the owner's name and address be displayed on both sides of the vehicle. Ah . . . It passed the House that way, and in the Senate they wanted to make sure that the commercial vehicles were not exempt and they put an Amendment on which, unfortunately, had a technical deficiency that; and it . . . ah . . . it's actual effect was to require the display of names and addresses only on vehicles over 8,000 pounds operated for personal use. Ah . . . The Governor's specific recommendation for change to House Bill 412 corrects this so that it is strictly only for personal use, for personal vehicles of under 8,000 pounds. I would move for the acceptance and for the last unanimous Roll Call."

Speaker Blair: "All right, is there discussion with regard to this motion? All right, the Gentleman's asked leave for the last unanimous Roll Call with respect to the motion to accept the specific recommendations of the Governor with respect to House Bill 412. Does the Gentleman have leave? All right, hearing no objections then the Gentleman has leave to use the last unanimous Roll Call, and that will . . . it will be so recorded; and the Amendments are adopted with respect to House Bill 412. 122? The Gentleman from Cook, Mr. Maragos."

Maragos: "Mr. Speaker and Members of the House, I move at this time to adopt the Amendment of the Governor to House Bill 122, which are



Amendments which were approved by the Department of Public Health and the optometrists, who are involved with this particular situation. What this does, it takes the words 'prescribing physician' and instead . . . and it takes them out and puts in 'a manufacturing optician', and then deletes the words 'or optometrist' and puts after that 'to certify the words in writing'. There might be some question about this language, but we can amend this later on in the Spring Session if we have to; but in order to keep the Bill and have it passed to protect the safety and welfare of our people, I move the adoption of the Amendment, and also to . . . for the last unanimous Roll Call that we had earlier today."

Speaker Blair: "Is there discussion?"

Maragos: "I would like to have the last unanimous Roll Call . . ."

Speaker Blair: "All right, the Gentleman's asked leave to use the last unanimous Roll Call. Is there leave? All right, hearing no objection, then the Amendment is adopted . . . ah . . . with respect to the specific recommendation of the Governor concerning House Bill 122. House Bill 311, the motion with respect to that amendatory veto; the Chair recognizes the Gentleman from Lake . . . or from McHenry, Mr. Hanahan.:

Hanahan: "Mr. Speaker and Members of the House, House Bill 311 was a strike-breaker Bill, a very important Bill to the working men and women of Illinois. In the last waiting hours of the Session the Senate amended the strike-breaker Bill to prohibit picketeers. This Amendment was placed on against the wishes of myself, as the House Sponsor, even though I did move to consider the Amendment with the view that the Governor may amendatorily veto. I recommended by letter to the Governor an amendatory veto to remove an aspect of the Bill that did not fit within the purview of the strike-breaker ban. The strike-breaker ban is needed by working men and women in Illinois; and I move to concur with the amendatory veto of the Governor. I'd like to move for the last unanimous Roll Call if . . . ah . . . there is no objection."

Speaker Blair: "You didn't quite get there, so I guess . . ."

Hanahan: "Objections have been heard."



Speaker Blair: "Yeah, I've heard some objections. The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Mr. Speaker and Members of the House, I'm sorry, Representative Hanahan, when House Bill 311 left the House, tell us once more what the Senate did and why the amendatory veto."

Hanahan: "The Senate placed on a Bill in Amendment that would prohibit picketeering; and actually the word 'picketeering' isn't even in the dictionary. We haven't even figure out the concept of it. It had nothing to do with strikebreaking. Picketeering, in some people's viewpoint, had nothing to do with a plant that would be under a strike situation where outside people, professional picket . . . professional strikebreakers were going to be employed in an area that has a labor dispute. This was the intent of the legislation. This is what the bill called for, but . . . and when it left the House, this is what it provided. Over in the Senate, an Amendment was placed on that had nothing to do with the concept of anti-strikebreakers, anti-professional strikebreakers; and they placed on an Amendment that prohibited professional picketeering, and nobody really has come up with the answer to exactly what the purviews were, and it would interfere with the logic of the House Bill 311, as I introduced it, and as the concept of what we were after in introducing a ban on professional strikebreakers."

Tuerk: "Well, did the amendatory veto then stike the 'picketerring' word? Is that what you're saying?"

Hanahan: "Right. All . . . all the amendatory veto did was strike the Section that was added on concerning itself with picketeering."

Speaker Blair: "All right, any further discussion? The Gentleman care to close."

Hanahan : "Just that I'd like to have a favorable vote. This is a very important issue for working men and women in Illinois. It's a long time coming. Most of the cities in Illinois have a professional picket . . . ah . . . ban on professional strikebreakers; and I'd just like to bring the rest of the state into line with city ordinances of many of the cities in the State of Illinois. I move for concurrrence with the amendatory veto."



Speaker Blair: "All right. The Clerk will take the Roll. No, we got to take one. Yeah, all right."

Clerk Selcke: "Alsop. Anderson. Arnell. Barnes. Barry. Beatty. Beaupre. Berman. Bluthardt. Borchers. Boyle. Bradley. Brandt. Brinkmeier. Brummet. Caldwell. Calvo. Campbell. Capparelli. Capuzi. Carter. Catania. Chapman. Choate. Clabaugh. Collins. Cox. Craig. Cunningham. Davis. Day. Deavers. Deuster. What did he say? Deuster. DiPrima. Douglas. Duff. Ralph Dunn. R. L. Dunne. Dyer. Ebbesen. Epton. Ewell. Farley. Fary. Fennessey. Fleck. Flinn. Friedland. Garmisa. Geo-Karis. Getty. Gibbs. Giglio. Giorgi. Griesheimer. Grotberg. Hanahan. Harpstrite. Hart. Hill. Hirschfeld. Gene Hoffman. Ron Hoffman. Jimmy Holloway. R. Holloway. D. Houlihan. J. Houlihan. Hudson. Hunsicker. Huskey. Hyde. Jacobs. Jaffe. Emil Jones. Dave Jones. Juckett. Katz. Keller. Kelly. Kempiners. Kennedy. Kent. Klosak. Kosinski. Kozubowski. Krause. Kriegsman. Krone. Kucharski. LaFleur. Lauer. Laurino. Lechowicz. Leinenweber. Lemke. Leon. Londrigan. Lundy. Macdonald. Madigan. Mahar. Mann. Maragos. Martin. Matijevich. McAuliffe. McAvoy. McClain. McCormick. McCourt. McGah. McGrew. McLendon. McMaster. McPartlin. Merlo. Kenny Miller. Tom Miller. Molloy. Mugalian. Murphy. Nardulli. Neff. North. Palmer. Pappas. Patrick. Peters. Philip. Pierce. Polk. Porter. Randolph. Rayson. Redmond. Reigney. Rose. Ryan. Sangmeister. Schisler. Schlickman. Schneider. Schoeberlein. Schraeder. Sevcik. Sharp. Shea. Shurtz. Timothy Simms. Ike Sims. Skinner. Soderstrom. Springer. Stedelin. Stiehl. Stone. Taylor. Telcser. Terzich. Thompson. Tipword. Totten. Tuerk. VonBoeckman. Waddell. Wall. R. Walsh. W. Walsh. Walters. Washburn. Washington. Williams. J. J. Wolf. B. B. Wolfe. Yourell. Mr. Speaker."

Speaker Telcser: "Record Representative Barry as voting 'aye', Fred."

Clerk Selcke: "We took you off now, you wanted to vote 'no'."

Speaker Telcser: "On this question there are 148 'ayes', 2 'nays'; and the House adopts the Governor's amendatory veto with respect to House Bill 311. Are there any other motions which the Members wish



to put today with respect to the amendatory veto motions. If there are, would you please come up to the Speaker's podium so we can attend to those matters as soon as possible. Okay, Introductions of First Reading."

Clerk Selcke: "House Bill 2058, Shea et al, amends the Election Code. First Reading of the Bill. House Bill 2064, Shea et al, add Section to the Election Code. First Reading of the Bill. House Bill 2065, LaFleur et al, amends the Interest Act. First Reading of the Bill."

Speaker Telcser: "Agreed Resolutions. Agreed Resolutions. The Gentleman from Cook, Representative William Walsh, with an Agreed Resolution."

Clerk Selcke: "House Resolution 567, Choate et al, 'Whereas, on the twenty-second day of October in the Year of Our Lord, Nineteen Hundred and Thirty, an event occurred in the City of Clarksburg, West Virginia, that would years later affect the politics and government of a state hundreds of miles to the west; and, whereas, on that momentous day, a bouncing little baby boy first opened his eyes to the world and was heard by all those present to cry . . .'"

Speaker Telcser: "The Gentleman from Union, Representative Choate, for what purpose do you arise, Sir?"

Choate: "Mr. Speaker, I would ask you to get order in the House and I would ask the Membership, Tom, I would ask the Membership to refrain from our visiting for just a second while this Resolution's being read, and I would ask the Clerk to start over the Resolution so that they can hear the opening of this well, thought-out Resolution."

Clerk Selcke: "House Resolution 567, Choate-Murphy et al, 'Whereas, on the twenty-second day of October in the Year of Our Lord, Nineteen Hundred and Thirty, an event occurred in the City of Clarksburg, West Virginia, that would years later affect the politics and government of a state hundreds of miles to the west; and, whereas, on that momentous day, a bouncing little baby boy first opened his eyes to the world, and was heard by those present to cry something that sound like 'All right', a phrase he used hundreds



of times in future years to start momentous occasion in Springfield, Illinois; and, whereas, things did, indeed, begin to turn out 'all right' for this outstanding young lad from the hill country, who gave a fine accounting of himself in every endeavor . . . in every endeavor he chose to pursue; and, whereas, the State of West Virginia was graced with the presence of a future Illinois political leader until his graduation from West Virginia University in 1954, when he received a Doctor of Law Degree; and, whereas, this outstanding future leader served his country with pride and accomplishment for two years following his graduation from law school, when he entered the United State Air Force and served as a Judge Advocate in the Military Courts; and, whereas, in 1956, West Virginia's loss became Illinois' gain when this young southern gentleman settled in the Will County, Illinois, after accepting a position with the Legal Department of Swift and Company of Chicago; and, whereas, this accomplished young attorney soon distinguished himself in business by being named Special Assistant to the President of Swift and Company; and, whereas, this new Illinois citizen honored the City of Park Forest in 1957, when he decided to make that community his permanent home much to the pleasure of those who were to have the good fortune to be served by this future Legislator; and, whereas, this adopted son of Park Forest continues to make great personal and business accomplishments, establishing himself as an attorney and becoming the President of the Fairfax Reality Company; and, whereas, when his part sought a blue-ribbon slate of candidates for the Illinois House of Representatives in 1964, W. Robert Blair's name was in the forefront of those selected for the inclusion on the state-wide 'bed-sheet' ballot; and, whereas, W. Robert Blair was elected to the Illinois House of Representatives in 1964 and has been reelected four times since by the people of his district; and, whereas, in 1971, after only three terms of service in the House, W. Robert Blair's fellow Republicans selected him as their Leader; and he was, subsequently, elected to one of the highest offices in Illinois State Government, Speaker of the Illinois House of Representatives; and, whereas, following a minor



disagreement at the beginning of the 78th General Assembly, the Members of this House chose to, again, elect the Honorable W. Robert Blair to a second term as the presiding officer of this great deliberative Body; and, whereas, Members of this House are grateful to the Speaker's work to provide office space and secretarial assistance to every Member for the first time in the history of this Body; and, whereas, the Speaker has the gratitude of all Members of this House and of all the people of the State of Illinois for his contributions to State Government; be it, therefore, resolved by the House of Representatives of the Seventy-eighth General Assembly of the State of Illinois that Members of this House join in extending heartiest congratulations and best wishes on the occasion of the 43rd Birthday of Speaker W. Robert Blair; and be it further resolved, that the Members of this House noting that the Speaker acting with the President of the Senate used the powers of our new State Constitution for the first time to call a Special Session to convene on this 22nd day of October, 1973, do, hereby, symbolically add a birthday tribute to our Speaker to the order of business of this Session; and be it further resolved that a suitable copy of this Preamble and Resolution be presented to the Speaker'."

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

Choate: "Well, first, Mr. Speaker, and Ladies and Gentlemen of the House, I'd like to . . . as . . . from one southern gentleman to another one, I'd like to ensure the other one that the Resolution will not go to the Governor, where he might use his amendatory veto power. Next, I would like to ask each and every Member of the House to join with Representative Tipword in singing 'Happy Birthday' to the Speaker of the House of Representatives, Representative Blair; and Adeline, get up and . . . Adeline, where are you? Okay, you and Rollie lead us all in 'Happy Birthday', okay, or we'll have to quartet then."

Representatives: "Happy Birthday to you, Happy Birthday to you, Happy Birthday, Dear Speaker, Happy Birthday to you."

Speaker Telcser: "The Gentleman from Will, Speaker Blair."



Speaker Blair: "Well, first let me thank my colleague, Clyde, and all the rest of the Members of the House for that Resolution. I do appreciate it very much; and, Clyde, I really think that if we'd sent that on down to the Governor's desk, he might well not even attach that amendatory veto to it. Let's get back to work."

Speaker Telcser: "Representative Choate has moved that the House do adopt House Resolution 567. All in favor of the adoption signify by saying 'aye' . . . Roll Call? . . . opposed 'no'; the Resolution is adopted. Okay, Death Resolutions."

Clerk Selcke: "House Resolution 562, Katz et al, in respect to the memory of Sarah Kamin. House Resolution 563, Schoeberlein et al, in respect to the memory of James Strohn Copley. House Resolution 564, Shea et al, in respect to the memory of Mr. John Jerich. House Resolution 565, Shea et al, in respect to the memory of Mr. Salvatore Settecase."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh. The Gentleman has moved that the House do adopt the Death Resolutions. All in favor signify by saying 'aye', the opposed 'no'; the Resolutions are adopted. Okay, the Gentleman from Cook, Representative Krone, for what purpose do you arise, Sir? Mr. Krone, for what purpose do you arise, Sir?"

Krone: "Mr. Speaker, I rise on a point of personal privilege."

Speaker Telcser: "State your point, Sir."

Krone: "This is my maiden speech and my farewell address all rolled up into one. Ah . . . Mr. Speaker, I realize that there are some people in this Chamber who do not yet know that Spiro Agnew resigned as Vice-President because so many people have been concerned with . . . with my appointment . . . ah . . . this past week. I thought that . . . ah . . . considering Elliot Richardson's resignation and Mr. 'Ruckell Souce's' resignation that it was a good time for men of good conscience to resign. Ah . . . Abraham Lincoln said, not in this Chamber, but not even in the regular House Chamber but over in the State Capitol Building, 'that a House divided in itself cannot stand'. Well, I'm sure that if that is true about a House, it is also true about a party. I have been a Republican



during the great Ogilive years, and I would hope that my party would hold to the high level of that era. Obviously, many of you know that I came here under unusual circumstances. I want to express my gratitude to Edmond Kucharski, the Chairman of the Republican Party of Cook County, who appointed me as Ward Committeeman of the 1st Ward. I want to, too, express my appreciation to the media, who have supported that appointment, unusual as it was. I do not believe that the constitutionality of my appointments would be considered in doubt by a Federal Court, but it is not my desire to sue in a Federal Court. There are enough constitutional crisis in this nation and there is no reason for this state to be injected in one; but I would say this, that the Equal Protection Clause of the United States' Constitution is the Supreme law of the land; and I would suggest that there would be some constitutional provision, not only in this, but in any other clause in the Constitution which might bring some doubt. I would like to be a Member of this House for the duration of this Session, and I would like to have been a Member of the House for continuing Sessions; and perhaps, someday, the opportunity may come; but it would not be worthwhile, even if possible, to ask people to vote for me on a personal basis out of past friendships and to hang in on a 89 or 90 vote Roll Call, and not be able to pass legislation for function of representation is to represent, and to do so effectively, I believe that I have had an opportunity in past Sessions, not as a Representative, to engage in the legislative process because this is an open Body; and I'm very proud of legislation such as the Edgewater Golf Course Acquisition Act, the Department on Aging, the appropriation for the Arts' Council, the override of the C.T.A. Bill earlier in this Session; and I think that citizens throughout this state should be told that this is an open system. That it is not one just for Legislators and for lobbyists; and so I will return to private life, and hope that there will be no ill will from my brief comet-like appearance in this great city of Lincoln. I could not close without saying several things about several people. I wanted to express my appreciation to the Speaker of the House, who



. . . who appointed too fair a Committee to hear my complaints. Ah . . . I appreciate his personal friendship and pledge to him mine, not only now, but for the future. The very fact that I was on this House for the period I was and to have the privilage of having 100% I.V.I. voting record by voting against the death penalty and for the override of Governor Walker's veto of the voting law. I might be the I.V.I. best Legislator in having served only one week. Anyway, I've ordered my stationary as 'Former State Representative Philip S. Krone'. Ah . . . Also, I understand I'm the first professional volunteer in the history of the Assembly, and I would hope that it remains so. I know, Mr. Manning, one of the distinguished Springfield correspondents, thought that I was very eager to get my hands on that \$17,500 check. He failed to read that press releasc, where I said I was going to return three-fourth's of it; but, nonetheless, my . . . my idea was a pay check in the hand was sort of another indication that I was holding office. There are a few things . . . ah . . . that I might hope that you would consider and that is this, that 100 years from now, I don't think that very few people will know that any of us were here. Perhaps some of us, but it isn't really fame or fortune that we should seek; but an opportunity for service. I should like to read a list of names, John Reynolds, Thomas Carlin, Thomas Ford, William Bissell, Joseph Phieffer, and John Tanner. Those names do not ring in your memory, but they were all Governors of the State of Illinois. So I would suggest that it is not the position we hold in life, but the deeds we do, not whether we are recognized for the, but that we, ourselves, did them and that our self-esteem is such that we know that we have served our fellow man. I have greatly enjoyed the two weeks that I have been here. I am sorry that there was such commotion. I hope that I have not wasted anybody's time, but I want to say to you, Ladies, and Gentlemen of the House, and Mr. Speaker and to the staff, that I treasure the friendships I've made in the past in this Session, and look forward to continuing them that in order that a report on this precedent, and make no mistake, I am the precedent . . . ah . . .



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

in order that a report may be filed on this precedent, I am resigning. I will inform the Secretary of State, the Honorable Michael Howlett, that I will resign from this Honorable Body effective 12:01 a.m. on Wednesday, which gives time for the Committee to file the report so that no other person may tread upon the dangerous areas I have at least until there's some constitutional revision or adjudication in the court. So, Ladies and Gentlemen, thank you for your forbearance, for your attention; Mr. Speaker Blair, Mr. Speaker Telcser, Mr. Speaker-to be-, maybe Choate, and Shea and all the other distinguished, wonderful Members of this Legislature and the honorable gentlemen of the press, I bid you ah . . . not farewell, but just a temporary good-bye. Thank you very much."

Speaker Telcser: "Representative Bluthardt, do you still have an announcement, Representative Bluthardt? The Gentleman from Cook, Representative Bluthardt, in reference to an announcement."

Bluthardt: "It may be mute, but there will be a meeting of the Subcommittee on Elections immediately following this final adjournment today. There will be a meeting of the whole Committee on Elections tomorrow following the final Session tomorrow in Room 212."

Speaker Telcser: "The Gentleman from Cook, Representative Mann, with reference to an announcement."

Mann: "Yes, Mr. Speaker, there will be a meeting of the House Committee on Lake Michigan immediately following adjournment in Conference Room 20, which is right behind my office in the State Office Building."

Speaker Telcser: "Representative Rayson, for what purpose do you arise, Sir?"

Rayson: "Ah . . . An inquiry of the Chair. I introduced House Resolution 566. It wasn't called today. Do I intend that it will be taken up in tomorrow's Session? 566?"

Speaker Telcser: "One moment."

Rayson: "566."

Speaker Telcser: "Yeah, Representative Rayson, the item of business under general Resolutions under which the Resolution which you just



referred to and Representative Cunningham's have not been called today. They'll probably be called tomorrow at which time we can deal with them and whatever motions you and the Sponsors wish to put in regard to those Resolutions."

Rayson: "Thank you."

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

Walsh, W.: "Well, Mr. Speaker, before I move adjournment, I might point out that we have one more Special Session to go this evening and so stick around. For now though I move that the Regular Session adjourn until the hour of 12 noon tomorrow, October 23rd."

Speaker Telcser: "The Gentleman's moved the Regular Session adjourn until the hour 12 noon tomorrow. All in favor signify by saying 'aye', the opposed 'no'; and the Regular Session stands ajourned. Now, we're going to convene . . . which one . . . okay, we're now going to convene the Special Session #3, Special Session #3 is now convened, and the Clerk will now read the Proclamation."

Clerk Selcke: "Proclamation. In order to avoid duplicative and unnecessary Special Sessions, I, hereby, revoke my Proclamation of October 17, 1973, which called and convened a Special Session of the Seventy-eighth General Assembly on October 27th . . . 22nd, 1973, at 4 o'clock p.m., Central Daylight Saving Time, then at Springfield, October 18, 1973; Daniel Walker, Governor'. A Proclamation. It is desirable to prevent any question from being . . . Proclamation. 'It is desirable to prevent any question from being raised as to the authority of the General Assembly to deal with certain matters this Fall. Therefore, pursuant to Article IV, Section 5B, of the 1970 Constitution of the State of Illinois to commence on October 22, 1973, at 3:45 o'clock p.m., Central Daylight Savings Time, for the following purposes: 1) Enactment of laws relating to state lottery; 2) Enactment of laws relating to transportation within the State of Illinois, including, but not limited to, a) the establishment of a Regional Transit Authority in the Chicago metropolitan area, b) restoration of transportation bond funds deleted from the appropriations to the Department of Transportation;



3) Enactment of laws relating to transfer and expenditure of Federal . . . Federal Revenue Sharing Funds, 4) Enactment of laws relating to administration and operation of drug abuse, prevention and treatment programs, 5) Enactment of laws amending the school con . . . the School Construction Bond Act to provide a continuing appropriation for debts service, 6) Enactment of laws permitting the Department of Public Aid to repay . . . prepay certain costs to the Federal Government in accord with the provisions of the Federal A.A.B.D. Program, 7) Enactment of laws relating to appropriations, transfers including, but not limited to, a) transfer of adult training and education item from the Department of Labor to the Department of Public Aid, appropriation to . . . b) appropriations to the Capitol Development Board to authorize payment of certain litigation costs to provide planning funds for various higher education projects; 8) Enactment of laws providing tax relief to individuals; October 18, 1973, Springfield, Illinois; Daniel Walker, Governor."

Speaker Telcser: "Okay, the Gentleman from Cook, Representative Walsh, asks leave for the Roll Call to be the same as that used in the 1st Special Session. Are there any objections? Hearing none, the Roll Call from the 1st Special Session will serve as the Roll Call for the 3rd Special Session. Introduction. Fred says Resolutions first. Resolutions."

Clerk Selcke: "House Resolution #1, W. D. Walsh, 3rd Special Session, 'Resolved that the Clerk inform the Senate that a majority of the Members of the House have assembled pursuant to the Proclamation of the Governor convening a 3rd Special Session of the General Assembly and are now ready for the transaction of business'. House Resolution 2, W. D. Walsh, 3rd Special Session, 'Resolved that the rules of the House of Representatives of the Seventy-eighth General Assembly as amended be adopted as the rules of this 3rd Special Session, so far as the same may be applicable, and that the Standing Committees of the House of the Seventy-eighth General Assembly and their Membership shall constitute the Standing Committees of the House of Representatives during this 3rd Special



Session. House Resolution 3, W. D. Walsh, 3rd Special Session, 'Resolved that a Committee of five Members, no more than three from the Majority Party be appointed by the Speaker to approve the last day's Journal and all Journals of the 3rd Special Session of the Seventy-eighth General Assembly'."

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

Walsh, W.: "Ah . . . Mr. Speaker, these are the housekeeping Resolutions, the first that the Clerk inform the Senate that the Special Session is convened; the second that the rules of the House of the Seventy-eighth General Assembly as amended be adopted and used as the rules for the 3rd Special Session; and finally, that the . . . a Committee of five Members be appointed to approve the final Journal of this 3rd Special Session; and I move the adoption of House Resolutions 1, 2 and 3 of the 3rd Special Session."

Speaker Telcser: "The Gentleman has offered to move the adoption of House Resolutions 1, 2 and 3, Special Session #3. All in favor signify by saying 'aye', opposed 'no'; the Resolutions are adopted. Introductions, First Reading."

Clerk Selcke: "House Bill #1, 3rd Special Session, Juckett, amends an Act to provide for the transportation of school children. First Reading of the Bill. House Bill #2, Schlickman et al, amends the Retailers' Occupation Tax and so forth. First Reading of the Bill. House Bill 3, 3rd Special Session, R. A. Walsh et al, amends the Illinois Income Tax Act. First Reading of the Bill. House Bill 4, 3rd Special Session, Deuster et al . . . the Northeastern Illinois Transportation Authority Act. First Reading of the Bill. House Bill 5, Deuster et al, 3rd Special Session, amends State Finance Act. First Reading of the Bill. House Bill 6, Deuster, 3rd Special Session, amends the Motor Fuel Tax law. First Reading of the Bill. House Bill 7, Shea, 3rd Special Session, creates an Act appropriating \$40,000,000 and so forth. First Reading of the Bill. House Bill 8, Harold Washington et al, 3rd, creates an Act appropriating \$50,000,000. First Reading of the Bill. House Bill 9, Harold Washington, 3rd Special Session, creates the Emergency Public Transportation Loan Act. First Reading of the Bill.



House Bill 10, 3rd Special Session, Stone et al, creates the Down-state Highway's Bond Act. First Reading of the Bill. House Bill 12, Garmisa-Londrigan et al, 3rd Special Session, creates the Regional Transportation Authority Act. First Reading of the Bill. House Bill 13, 3rd Special Session, Choate et al, a new Act to reduce regressive and burdensome impact on individuals on taxes and so forth. First Reading of the Bill. House Bill 14, 3rd Special Session, Choate et al, appropriates \$110,000,000 to the Department of Revenue for payment of tax relief grants. First Reading of the Bill."

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

Walsh, W.: "Mr. Speaker, I move that the 3rd Special Session adjourn until the hour of 10 a.m. on October 23rd."

Speaker Telcser: "All right, . . ."

Walsh, W.: "To recapitulate a little bit, Mr. Speaker, we are due in here tomorrow. The 1st Special Session convenes at 9:30, that's our earliest convening. The others convene after that, so I move that we adjourn, Mr. Speaker, until the hour of 10 a.m. for the 3rd Special Session."

Speaker Telcser: "Is there any discussion? The Gentleman has offered to move that the House adjourn the Special Session #3 until the hour of 10 a.m. All those in favor signify by saying 'aye', the opposed 'no'; the House stands adjourned until the hour of 9:30 a.m. tomorrow morning."



referred to and Representative Cunningham's have not been called today. They'll probably be called tomorrow at which time we can deal with them and whatever motions you and the Sponsors wish to put in regard to those Resolutions."

Rayson: "Thank you."

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

Walsh, W.: "Well, Mr. Speaker, before I move adjournment, I might point out that we have one more Special Session to go this evening and so stick around. For now though I move that the Regular Session adjourn until the hour of 12 noon tomorrow, October 23rd."

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3) Enactment of laws relating to transfer and expenditure of Federal . . . Federal Revenue Sharing Funds, 4) Enactment of laws relating to administration and operation of drug abuse, prevention and treatment programs, 5) Enactment of laws amending the school con . . . the School Construction Bond Act to provide a continuing appropriation for debts service, 6) Enactment of laws permitting the Department of Public Aid to repay . . . prepay certain costs to the Federal Government in accord with the provisions of the Federal A.A.B.D. Program, 7) Enactment of laws relating to appropriations, transfers including, but not limited to, a) transfer of adult training and education item from the Department of Labor to the Department of Public Aid, appropriation to . . . b) appropriations to the Capitol Development Board to authorize payment of certain litigation costs to provide planning funds for various higher education projects; 8) Enactment of laws providing tax relief to individuals; October 18, 1973, Springfield, Illinois; Daniel Walker, Governor."

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Session. House Resolution 3, W. D. Walsh, 3rd Special Session, 'Resolved that a Committee of five Members, no more than three from the Majority Party be appointed by the Speaker to approve the last day's Journal and all Journals of the 3rd Special Session of the Seventy-eighth General Assembly'."

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

Walsh, W.: "Ah . . . Mr. Speaker, these are the housekeeping Resolutions, the first that the Clerk inform the Senate that the Special Session is convened; the second that the rules of the House of the Seventy-eighth General Assembly as amended be adopted and used as the rules for the 3rd Special Session; and finally, that the . . . a Committee of five Members be appointed to approve the final Journal of this 3rd Special Session; and I move the adoption of House Resolutions 1, 2 and 3 of the 3rd Special Session."

Speaker Telcser: "The Gentleman has offered to move the adoption of House Resolutions 1, 2 and 3, Special Session #3. All in favor signify by saying 'aye', opposed 'no'; the Resolutions are adopted. Introductions, First Reading."

Clerk Selcke: "House Bill #1, 3rd Special Session, Juckett, amends an Act to provide for the transportation of school children. First Reading of the Bill. House Bill #2, Schlickman et al. amends the Retailers' Occupation Tax and so forth. First Reading of the Bill. House Bill 3, 3rd Special Session, R. A. Walsh et al, amends the Illinois Income Tax Act. First Reading of the Bill. House Bill 4, 3rd Special Session, Deuster et al . . . the Northeastern Illinois Transportation Authority Act. First Reading of the Bill. House Bill 5, Deuster et al, 3rd Special Session, amends State Finance Act. First Reading of the Bill. House Bill 6, Deuster, 3rd Special Session, amends the Motor Fuel Tax law. First Reading of the Bill. House Bill 7, Shea, 3rd Special Session, creates an Act appropriating \$40,000,000 and so forth. First Reading of the Bill. House Bill 8, Harold Washington et al, 3rd, creates an Act appropriating \$50,000,000. First Reading of the Bill. House Bill 9, Harold Washington, 3rd Special Session, creates the Emergency Public Transportation Loan Act. First Reading of the Bill.



House Bill 10, 3rd Special Session, Stone et al, creates the Down-state Highway's Bond Act. First Reading of the Bill. House Bill 12, Garmisa-Londrigan et al, 3rd Special Session, creates the Regional Transportation Authority Act. First Reading of the Bill. House Bill 13, 3rd Special Session, Choate et al, a new Act to reduce regressive and burdensome impact on individuals on taxes and so forth. First Reading of the Bill. House Bill 14, 3rd Special Session, Choate et al, appropriates \$110,000,000 to the Department of Revenue for payment of tax relief grants. First Reading of the Bill."

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

Walsh, W.: "Mr. Speaker, I move that the 3rd Special Session adjourn until the hour of 10 a.m. on October 23rd."

Speaker Telcser: "All right, . . ."

Walsh, W.: "To recapitulate a little bit, Mr. Speaker, we are due in here tomorrow. The 1st Special Session convenes at 9:30, that's our earliest convening. The others convene after that, so I move that we adjourn, Mr. Speaker, until the hour of 10 a.m. for the 3rd Special Session."

Speaker Telcser: "Is there any discussion? The Gentleman has offered to move that the House adjourn the Special Session #3 until the hour of 10 a.m. All those in favor signify by saying 'aye', the opposed 'no'; the House stands adjourned until the hour of 9:30 a.m. tomorrow morning."



HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

THIRD SPECIAL SESSION - 1ST DAY

OCTOBER 22, 1973

5:30 O'CLOCK P.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

1.

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
1		Clerk Selcke	Reads messages from Senate
		Speaker Blair	1st special session in order
		Dr. Johnson	Invocation
		Speaker Blair	Roll call for attendance
2		Clerk Selcke	Roll call
		Speaker Blair	Introduction 1st reading Messages from Senate
		Clerk Selcke	Reads messages and 1st readings
		Speaker Blair	
		Walsh, W.	Moves 1st special session adjourn 9:30 tomorrow
3		Speaker Blair	Adjourns 1st special session
4		Doctor A. Ursua	Speaks to House
		Speaker Blair	Committee reports
		Clerk Selcke	
		Speaker Blair	
		Mann	Moves T.V. people be allowed on floor
		Speaker Blair	
5		Choate	T.V. people be restricted
6		Speaker Blair	Point well taken
		Choate	Another suggestion
		Speaker Blair	
		Clerk Selcke	Committee
		Speaker Blair	Messages from Senate
7		Clerk Selcke	Reads messages
		Speaker Blair	Introductions & 1st reading
		Clerk Selcke	
		Speaker Blair	Agreed resolution



2.

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Walsh, W.	Regulation session recess until 2:30
		Speaker Blair	
		Choate	
		Speaker Blair	
		Walsh, W.	
9		Speaker Blair	Recess, order of 2nd special session
		Clerk Selcke	
10		Speaker Blair	
		Clerk Selcke	Proclamation
		Speaker Blair	Resolutions
		Clerk Selcke	
		Speaker Blair	
11		Walsh, W.	Moves adoption of 1, 2, & 3
		Speaker Blair	Adopted, introductions
		Clerk Selcke	
		Speaker Blair	
		Walsh, W.	Moves 2nd special session adjourn until 11:30 tomorrow
12		Speaker Blair	Regular session
		Choate	
13		Speaker Blair	
		Collins	
		Speaker Blair	
14		Clerk Selcke	Roll call
		Speaker Blair	
		Clerk Selcke	
		Speaker Blair	SB 1198 passed



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
			3.
15-16		Hyde	HB 18
		Speaker Blair	
17		Mann	Against death penalty
		Speaker Blair	
18		McAuliffe	For HB 18
		Speaker Blair	
		Wolfe, B.B.	Parliamentary inquiry
		Speaker Blair	
		Wolf, B.B.	Quesiton
		Speaker Blair	
19		Wolfe, B.B.	Question
		Speaker Blair	Rule 48 explained
		Wolfe, B.B.	
		Speaker Blair	
20		Borchers	For HB 18
		Speaker Blair	
21		Rayson	Against
		Speaker Blair	
22		Duff	
		Speaker Blair	
		Maragos	Moves previous question
23		Speaker Blair	
		Hyde	Closing debate
		Speaker Blair	
24		Borchers	
		Speaker Blair	Proceed



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Hyde	
		Speaker Blair	
		Pierce	Question
		Speaker Blair	Roll call
25		Clerk Selcke	
		Speaker Blair	Adopted
		Day	HB 1491 moves to accept
		Speaker Blair	
26		Welfe	Question
		Speaker Blair	
27		Clerk Selcke	Roll call
		Speaker Blair	Amendatory veto adopted HB 1436
		Giorgi	HB 1436 moves to adopt
28		Speaker Blair	
		Kempiners	Yield to questions
		Giorgi	Yes
		Kempiners	Question
29		Giorgi	
		Speaker Blair	
		Giorgi	Moves to accept HB 1471
		Speaker Blair	Amendatory veto adopted, 412
		Pappas	HB 412
		Speaker Blair	Amendment adopted with respect to 412 - 122
30		Maragos	HB 122 moves adoption
		Speaker Blair	Amendatory veto adopted HB 311
		Hanahan	Recommend adoption



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
31		Speaker Blair	Objections
		Tuerk	
		Hanahan	Explains further
		Speaker Blair	
		Hanahan	To close moves for concurrence of amendatory veto
32		Speaker Blair	Take roll
		Clerk Selcke	
		Speaker Telcser	Adopted amendatory veto to HB 311. Introduction 1st reading
		Clerk Selcke	HB 2058, 2064, 2065
33		Speaker Telcser	Agreed resolution
		Clerk Selcke	HR 567
		Speaker Telcser	
		Choate	
34-35		Clerk Selcke	
		Speaker Telcser	
		Choate	
		Representatives	Sing 'Happy Birthday'
36		Speaker Telcser	
		Blair	
		Speaker Telcser	Votes to adopt HR 567, adopted Death resolution
		Clerk Selcke	HR 562, 563, 564, 565
		Speaker Telcser	Moves to adopt
37-38		Krone	Personal privilege resign
39		Speaker Telcser	Announcement from Bluthardt
		Bluthardt	
		Speaker Telcser	



6.

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Mann	
		Speaker Telcser	
		Rayson	Question
40		Speaker Telcser	
		Walsh, W.	Move regular session adjourn
		Speaker Telcser	3rd special session
41		Clerk Selcke	Reads proclamation
		Speaker Telcser	
42		Clerk Selcke	HR #1, #2, #3
		Speaker Telcser	
		Walsh, W.	Moves adoption of HR 1, 2, 3, of 3rd special session
		Speaker Telcser	Adopted introduction & 1st reading
43		Clerk Selcke	Reads 1st readings HB 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
		Speaker Telcser	
		Walsh	Move we adjourn 3rd special session
		Speaker Telcser	House adjourned til 9:30 tomorrow morning



GENERAL ASSEMBLY

 STATE OF ILLINOIS
 HOUSE OF REPRESENTATIVES

OCTOBER 22, 1973

12:30 O'CLOCK P.M. - First Special Session - Third Day

12:39 O'CLOCK P.M. - Adjourned

12:39 O'CLOCK P.M. - Regular Session

12:56 O'CLOCK P.M. - Recess

15:29 O'CLOCK P.M. - Second Special Session - First Day

15:36 O'CLOCK P.M. - Adjourned

15:36 O'CLOCK P.M. - Regular Session

17:30 O'CLOCK P.M. - Adjourned

17:30 O'CLOCK P.M. - Third Special Session - First Day

17:50 O'CLOCK P.M. - Adjourned



HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

FIRST SPECIAL SESSION - THIRD DAY

OCTOBER 22, 1973

12:30 O'CLOCK P.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES