HOUSE OF REPRESENTATIVES

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SEVENTY-SEVENTH GENERAL ASSEMBLY

SECOND SPECIAL SESSION - THIRD DAY

JANUARY 4, 1973

4:13 O'CLOCK P.M.

THE HONORABLE W. ROBERT BLAIR,

SPEAKER IN THE CHAIR



GENERAL ASSEMBLY STATE OF ILLINOIS HOUSE OF REPRESENTATIVES A Roll Call for attendance was taken and indicated that all were present with the exception of the following:

Representative George M. Burditt - no reason given; Representative Charles M. Campbell - no reason given; Representative Charles W. Clabaugh - no reason given; Representative Otis G. Collins - illness; Representative Lawrence DiPrima - illness; Representative Bruce L. Douglas - no reason given; Representative Dyer (Mrs. Robert C.) - no reason given; Representative Harber H. Hall - no reason given; Representative John C. Hirschfeld - no reason given; Representative Gene L. Hoffman - no reason given; Representative Thomas R. Houde - illness; Representative James G. Krause - illness: Representative Wilbur H. Lauterbach - no reason given; Representative Edward Lehman - illness; Representative Edward R. Madigan - resigned; Representative Michael J. Madigan - illness; Representative Robert E. Mann - no reason given; Representative James D. Nowlan - illness; Representative George M. O'Brien - resigned; Representative Romie J. Palmer - no reason given; Representative Paul J. Randolph - no reason given; Representative Leland H. Rayson - no reason given; Representative Matt Ropa - no reason given; Representative Eugene F. Schlickman - no reason given; Representative David C. Shapiro - no reason given; Representative John W. Thompson - no reason given; Representative Gale Williams - no reason given.



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Doorkeeper: "All who are not entitled to this House Chamber

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will you please retire to the gallery? Thank you. Hon. W. Robert Blair: "The House will be in order. The invo-

cation will be by the House Chaplain, Doctor Johnson." Johnson: "Mr. Speaker, happy day to you. We pray. Lord, God, our Father, we have been called into this Special Session of the Legislature to deliberate upon fiscal matters related to those who serve in high offices in our State. We remember, on the one hand, that in Your words, You direct us to give honor to all to whom honor is due. On the other hand, we remember that we must deal responsibly with those who have elected us to make the decisions which affect the well-being of all our people. We pray, therefore, now for a full measure of wisdom, that we might seek out the path of rectitude, that we may recognize that way when we see it, and then have the courage to follow it. Remembering above all that our ultimate countability is to You who have ordained civil government and whose servants we are in carrying out its operation. We pray now, because we know You to be our God, our health and ages past, our hope for years to come, a shelter from the stormy blast and our eternal home. Amen."

Hon. W. Robert Blair: "Roll Call for Attendance. Gentleman from Knox, Mr. McMaster."

McMaster: "Ah.... Mr. Speaker, will the record please show that Representative Nowlan is absent because of illness?"



GENERAL ASSEMBLY STATE OF ILLINDIS HOUSE OF REPRESENTATIVES Hon. W. Robert Blair: "The Journal will so show. Gentleman from Cook, Mr. O'Hallaren."

- O'Hallaren: "Ah.... Mr. Speaker, will the records indicate that Representative Michael Madigan is excused because of illness?"
- Hon. W. Robert Blair: "Journal will so indicate. Gentleman from Cook, Mr. McLendon."
- McLendon: "Yes, Mr. Speaker, will the records show that Representative Collins, Otis Collins, is absent because of illness?"
- Hon. W. Robert Blair: "The Journal will so indicate. The gentleman from Union, Mr. Choate."
- Choate: "And Mr. Speaker, please let the Journal show that Representative Bud Krause is absent because of being hospitalized after a recent serious operation."
- Hon. W. Robert Blair: "The Journal will so indicate. The gentleman from Cook, Mr. Ike Sims."

Sims: "Mr. Speaker, will you please let the Journal show that Representative DiPrima is absent because of sickness?"

- Hon. W. Robert Blair: "The Journal will so indicate. Gentleman from Cook, Mr. Hyde."
- Hyde: "Ah.... Mr. Speaker, I now move the House stand in recess for fifteen minute conference. We will be back on the Floor at 4:30, and ask that the Republicans go immediately to Room 212."

Hon. W. Robert Blair: "Gentleman from Union, Mr. Choate."



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Hon. W. Robert Blair: "All right, we'll be in recess for the purposes as announced."

- Hon. W. Robert Blair: "The House will be in Session. Messages from the Senate."
- F. B. Selcke: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker I am directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution, the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit, Senate Joint Resolution No. 1, adopted by the Senate January 2, 1973. Kenneth Wright, Secretary. Mr. Speaker I am directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution, the adopted the following Senate Joint Resolution No. 2, adopted by the Senate January 4, 1973. Kenneth Wright, Secretary."
 Hon. W. Robert Blair: "Speaker's Table."
- F. B. Selcke: "Ah.... A message from the Senate by Mr. Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives the Senate has adopted the following Senate Resolution, to wit, Senate Resolution No. 4, adopted by the Senate January 2, 1973. Kenneth Wright,

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Secretary. Mr. Speaker - I am directed to inform the House of Representatives the Senate has passed a Bill with the following title, and the passage of which I am instructed to ask concurrence of the House, to wit, Senate Bill No. 1, Senate Bill No. 2, Senate Bill No. 3, Senate Bill No. 4, Senate Bill No. 5, Senate Bill No. 6, Senate Bill No. 7, Senate Bill No. 8, Senate Bill No. 9, passed the Senate, January 4, 1973. Kenneth Wright, Secretary." Hon. W. Robert Blair: "All right, the Chair recognizes the gentleman from DuPage, Mr. Philip,", with respect to Senate Bill 1 and Senate Bill 2."

- Philip: "Mr. Speaker, I would like to ask unanimous consent to suspend the appropriate House Rules to move Senate Bills 1 and 2 to Second Reading without reference to Committee. These are the pay increases for the Constitutional Law Officers. I think both of the party caucuses have discussed them in detail."
- Hon. W. Robert Blair: "All right, the gentleman is asking for unanimous consent to suspend the provisions of Rule 41A so that Senate Bills 1 and 2, ah.... may be read a First time and advanced to the order of Second Reading without reference. Is there objection? Objection is being raised. Gentleman from Cook, Mr. Katz, raising objection." Katz: "Would you hear me, Mr. Speaker, please?" Hon. W. Robert Blair: "Were you raising objection? If you're raising objection, then we'll have a motion to it, that's all."



Katz: "I'm making a suggestion, Mr. Speaker, if I might. I wonder if it would inconveniece anyone if the Bills were set down at some sort of Committee Hearing, an hour before we meet tomorrow, so that if any Member of the public wants to be heard, they would have an opportunity to come in and be heard. It would not inconvenience us and at least it would afford that opportunity should any individual want to be heard. Otherwise, they'll have no chance to do so."

- Hon. W. Robert Blair: "All right, the gentleman from DuPage, Mr. Philip, moves that provisions of Rule 41A be suspended so that Senate Bills 1 and 2 may be read a first time and advanced to the Order of Second Reading without Reference. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? Clerk will take the record. Gentleman from Cook, Mr. Wolf."
- Wolf: "Mr. Speaker, would you announce the results of this first, please?"
- Hon. W. Robert Blair: "On this question, there are 94 'ayes' and 13 'nays' and the provisions of Rule 41A have been suspended for the purpose requested. The Clerk will read Senate Bills 1 and 2 a first time."
- F. B. Selcke: "Senate Bill No. 1. A Bill for an Act to amend Section 1 of an Act concerning fees and salaries and to classify several counties of the State with reference thereto. First Reading of the Bill. Senate Bill No. 2. A Bill for an Act to make supplemental appropriations for

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the pay of certain officers of State government. First Reading of the Bill."

- Hon. W. Robert Blair: "Second Reading. The gentleman ah.... from Cook, Mr. J. J. Wolf."
- Wolf: "Mr. Speaker, at this time, I would like to also move that we suspend Rule 40, which ah... would require that all Bills concerning - is there an appropriation in this Bill? - If there is, we would have to suspend Rule 40. Ah... all Bills for appropriations of money from the State Treasury have to go to the Appropriations Committee, and if there is an appropriation in that Bill, we should also suspend Rule 40."
- Hon. W. Robert Blair: "I think the gentleman's point is well taken. All those in favor of suspending ah... Rule.... ah.... is there objection? The gentleman from Cook, Mr. Katz, objects and now we'll move to suspend the provisions of Rule 40. All those in favor, will vote 'aye', and the opposed 'no'. Gentleman from Cook, Mr. Simmons."

Simmons: "Parliamentary inquiry."

Hon. W. Robert Blair: "Yes?".

Simmons: "Is it necessary for these Bills to be designated as being numbered in the Second Special Session?"

Hon. W. Robert Blair: "Yes, they should be. The Clerk advised that they, that the original is coming over from the Senate and are so designated."

Simmons: "Thank you."



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Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. This question, there are 92 'ayes', il 'nays', and the gentleman's motion ah... carries and we've suspended both Rules 40 and 41, with respect to Senate Bills 1 and 2, and those Bills having been read a first time have been advanced to the Order of Second Reading, Second Day. All right, the Chair recognizes the gentleman from Cook, Mr. P. J. Miller, with respect to Senate Bills 3, 4 and 5."

Miller: "Well, Mr. Speaker, I want to take these Bills individually because the Second Bill's an Appropriation Bill." Hon. W. Robert Blair: "All right, proceed."

Miller: "The first bill, Senate Bill 3, I move to suspend Rule... House Rule 41A and the Bill be advanced to Second Reading without reference."

Hon. W. Robert Blair: "All right, is there objection? Gentleman from Cook, Mr. Katz, objects. The question is, shall the provisions of Rule 41A be suspended for the purpose requested? All those in favor, will vote 'aye' and the opposed 'no'. Gentleman from Christian, Mr. Tipsword."
Tipsword: "Mr. Speaker, which Bills are these Bills?"
Hon. W. Robert Blair: "Gentleman from Cook, Mr. Miller."
Miller: "Senate Bill No. 3 is the \$32.00 per day per diem. Expenses, living expenses. Bill No. 3 is the secretarial allowance. Bill No. 5 is the one you are referring to on secretarial allowance. Will you restate your question if I didn't explain it?"

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Hon. W. Robert Blair: "It appears to be statisfactory. Have all voted who wished? Clerk will take the record. On this question, there are 91 'ayes', and 13 'nays', and the provisions of Rule 41A have been suspended for the purpose requested. The Clerk will read Senate Bill 3."
F. B. Selcke: "Senate Bill 3. A Bill for an Act to amend Sections 1 and 2 and the title of and to add, Section 4

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and to enact, provide for and fix the compensation of the Members of the General Assembly of the State of Illinois. First Reading of the Bill."

Hon. W. Robert Blair: "Second Reading. Now do you want Senate Bill 5? All right, well he's going to go back to 4. Gentleman from Cook, Mr. P. J. Miller."

Miller: "Mr. Speaker, Senate Bill No. 4, the appropriation, and I moved that Rule 40 and 41A....."

Hon. W. Robert Blair: "All right, we're back on... we're on 4 now. We're taking 4 now."

Miller: "Yes, 4, I had him."

Hon. W. Robert Blair: "All right. Gentleman ah... asks for ah... unanimous consent to suspend the provisions of Rules 40 and 41A so that Senate Bill 4 may be read a first time and advanced to the Order of Second. Is there objection? Gentleman from Cook, Mr. Katz, objects. Ah.... question is, shall the provisions of Rules 40 and 41A be suspended for the purposes requested? All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? Clerk will take the record. On this question, there are



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93 'ayes', and 13 'nays' and the provisions of Rules 40 and 41A, having been suspended, the Clerk will read Senate Bill 4 a first time."

- F. B. Selcke: "Senate Bill 4. A Bill for an Act to make a supplemental appropriation for expenses of the General Assembly. First Reading of the Bill."
- Hon. W. Robert Blair: "Second Reading, Second Day on all of these. Senate Bill 5. The gentleman from Cook, Mr. P. J. Miller."
- Miller: "Mr. Miller, I move that provisions of House Bill 41A be suspended and Senate Bill No. 5 be advanced to the Order of Second Reading without Reference."
- Hon. W. Robert Blair: "Is there objection? Gentleman from Cook, Mr. Katz, objects. The question is, all those in favor of the gentleman's motion to suspend the provisions of Rule 41A, so Senate Bill 5 may be read a first time, and advanced to the order of Second without Reference to Committee, will vote 'aye', the opposed 'no'. Have all voted who wished? The Clerk will take the Record. On this question, there are 91 'ayes', and 16 'nays', and the gentleman's motion ah.... prevails and Rule 41A has been suspended and the Clerk will now read Senate Bill 5, a first time."
- F. B. Selcke: "Senate Bill 5. A Bill for an Act to amend Sections 1 and 4 of an Act to make appropriations for the furnishing of legislative staff, secretarial, clerical, research, technical, telephone, other utilities services,



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office equipment and office rental cost for the Members

of the General Assembly. First Reading of the Bill." Hon. W. Robert Blair: "Second Reading. The Chair recognizes the gentleman from Cook, Mr. Carroll, with respect to Senate Bill 6."

Carroll: "Ah... Mr. Speaker, I would move the suspension of the appropriate Rules so that Second Special Senate Bill No. 6 can be advanced to the Order of Second Reading without reference to Committee. Senate Bill 6 deals with the salaries for the Judges of the various levels of the Courts."

Hon. W. Robert Blair: "There's no appropriation in any of this?"

Carroll: "There is no appropriation."

Hon. W. Robert Blair: "All right, the gentleman has asked the suspension of Rule 41A. Ah... is there objection? Gentleman from Cook, Mr. Katz, objects. Question is, shall the provisions of 41A be suspended? All those in favor, will voted 'aye', and the opposed 'no'. Gentleman from Cook, Mr. Katz."

Katz: "Mr. Speaker, I want to explain my vote, so it's perfectly clear - my reason for the objection. I am not trying to be obstinate here in objecting. We have a series of Bills that are of great public interest. They have not ah... previously been here before a Committee. There is absolutely no other opportunity for a member of the public to be heard on these Bills, except before a



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Committee. Now, if we schedule them an hour, an hour and a half before our session tomorrow, we would not be inconvenienced and any Member of the public that wanted to be there could be there. And yet we stand here and I stand in object and what we see is, that apparently there is not the concern that I think we should have over the right of people to be heard if they want to be heard. Now if we scheduled it tomorrow an hour before or an hour and a half before, we would not be inconvenienced. It may be that no one would choose to be there, but at least we would have given the Members of the Public an opportunity to be heard at the only time in which they could have an opportunity to be heard in the legislative process. We are not carrying on private business here. We're carrying on public business, but we are not permitting the public to be heard and that is why I'm voting no on this matter."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Juckett."
Juckett: "Mr. Speaker, Ladies and Gentlemen of the House. I'd like to call your attention to the distinguished Member on the other side that the Senate Bill 3, 4 and 5 of the Second Special Session is identical with House Bill 11 and another House Bill which was introduced in December of 1970 and had extensive hearings in the Executive Committee and came out onto the Floor were over in the Appropriations Committee, so those three Bills did have extensive hearings and I think that the fact should be told straight forth

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and not have mislead the statement made on some of these Bills. There was adequate discussion on some of the Bills, and I would object to the gentleman's statement that none of these Bills have ever been heard or we've ever seen anything like them."

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Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Katz, arise?"

Katz: "Well, since you recognized the gentleman to respond to what I said and since he referred to me by inference, I would like to respond."

Hon. W. Robert Blair: "Proceed."

Katz: "Ah.... Mr. Speaker, and my distinguished colleague, I don't know how I would know whether the Bills are identical. We don't even have our Bills on our desk, as we're sitting here voting on the matter. It would seem to me that it might be a help if the Bills were distributed if we were moving them forward to Second Reading, if we had them in front of us. Now I don't believe the Bills are identical. I understand they're not identical, but I haven't seen them, but that is really no reason why we should not have a chance to see the Bill, and no reason why whether the Bills had a hearing two years ago, or one year ago or six years ago, when they're going through this House, the public is entitled to be heard on those Bills, and we are affording them no opportunity to be heard and I don't think it does us any honor and it is in violation of the Illinois Constitution that specifically

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in my opinion requires Public notice and public hearing before committees on Bills, and that is why I am objecting and it is not a frivilous objection. It is an objection going to the right of people to be heard."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Ike Sims." Sims: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "O'kay. We're on explanation of vote. Have all explained their votes? Have all voted who wished? Have all voted who wished? Clerk will take the Record. The gentleman's motion to suspend the provisions of Rule 41A so that ah.... this Bill could have been read a first time today, and ah.... advanced to the Order of ah... Second Reading for tomorrow, having failed to receive I'm sorry. The Gentleman from Cook, Mr. Kahoun, how's he recorded? "

F. B. Selcke: "The gentleman is recorded as not voting."

Hon. W. Robert Blair: "Record him as 'aye'. Gentleman from Cook, Mr. Barnes, how's he recorded?"

F. B. Selcke: "Ah... the gentleman is recorded as not voting." Hon. W. Robert Blair: "Record him as 'aye'. The gentleman from Cook, Mr. Harold Washington."

F. B. Selcke: "The gentleman is recorded as not voting."

Hon. W. Robert Blair: "Vote him as 'aye'. 'Gentleman from Cook, Mr. Caldwell, how's he recorded?"

F. B. Selcke: "The gentleman is recorded as not voting." Hon. W. Robert Blair: "Record him as 'aye'. Gentleman from Cook, Mr. J. J. Wolf."



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J. J. Wolf: "Just a parliamentary inquiry."

Hon. W. Robert Blair: "O'kay."

- J. J. Wolf: "I understood before that the ah... motion would suspend only Rule 41A, and I'd just like to get an opinion, under rule 40, it says 'all Bills for appropriations of money from the State Treasury or providing for the expenditures of money, should be referred to the Appropriations Committee', and I just wonder if that could be construed as...."
- Hon. W. Robert Blair: "You can technically construe that rule, unless the Bill has been referred to another Committee, that the Rule is not applicable. If you'd read that part of the Rule that says 'when a Bill for those purposes has been referred to another committee, and has come out of that Committee, it will be re-referred', so technically there is no need to suspend Rule 40, but I just thought to accommodate the situation, we'd do that when you requested it before. Now, do we have a vote on this question? 91 'ayes', 17 'nays', and the gentleman's motion carries. Read Senate Bill 6 a first time."
- F. B. Selcke: "Senate Bill No. 6. An Act to Amend Section 3 3.1 and 3.2 of an Act concerning fees and salaries as classified in several counties of this state with reference thereto. First Reading of the Bill."

on. W. Robert Blair: "Second Reading. Ah.... Gentleman from Cook, Mr. Carroll, with respect to Senate Bill 7."



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- Carroll: "With respect to Senate Bill No. 7, I would move that we suspend the provisions of Rule 40 because this is the appropriation Bill and 41A so that this Bill may be advanced to the Order of Second Reading, Second Legislative Day, without reference to Committee."
- Hon. W. Robert Blair: "The gentleman from Cook, Mr. Katz, objects, so all those in favor, will ah... of the gentleman's motion to suspend the two rules will vote 'aye' and the opposed 'no'. Have all voted who wished? All right, have all voted who wished? The Clerk will take the Record. Cn this question, there are 91 'ayes', and 17 'nays'. Gentleman's motion prevails and the Clerk will read Senate Bill 7 a first time."
- F. B. Selcke: "Senate Bill 7. An Act making supplemental appropriations for pay of certain officers of the Judical System of State government and authorizing payment thereof for specified funds from the State Treasury. First Reading of the Bill."
- Hon. W. Robert Blair: "Second Reading. Ah.... the Chair recognizes the gentleman from Cook, Mr. Carroll, with respect to Senate Bill 8."
- Carroll: "Thank you, Mr. Speaker. In respect to Second Special Session Senate Bill No. 8, which deals with the ah... salary for the Supreme Court Clerk, I would move that this... the provisions of Rule 41A be suspended so that this Bill may be advanced to the Order of Second Reading, Second Day, without reference to Committee."

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- Hon. W. Robert Blair: "Gentleman from Cook, Mr. Katz, objects. The question is, shall the gentleman's motion with respect to suspending provisions of Rule 40 and 41A be ah... chaired? All those in favor, vote 'aye', and the opposed 'no'. Have all voted who wished? Clerk will take the record. On this question, there are 90 'ayes' and 16 'nays' and the gentleman's motion prevails, and the Clerk will read Senate Bill 8 a first time."
- F. B. Selcke: "Senate Bill 8. An Act to amend Section 12.1 of an Act concerning fees and salaries and as classified in several counties of this State with reference thereto. First Reading of the Bill."
- Hon. W. Robert Blair: "Second Reading, Second Day on all of these. The gentleman from Cook, Mr. Carroll, with respect to Senate Bill 9."

Carroll: "Thank you again, Mr. Speaker. As to Senate Bill 9, which deals with the salary of the Appellate Court Clerks, I would move that the provisions of Rule 41A and any other appropriate rules be suspended so that this Bill may be advanced to the order of Second Reading, Second Day without reference to Committee."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Katz, objects. All right, the question is, shall the provisions of Rules 40 and 41A be suspended. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? Clerk will take the record. Gentleman from Rock Island, Mr. Jacobs 'aye'. Gentleman from Winnebago, Mr. Giorgi,



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votes 'aye'. Gentleman from Cook, Mr. Meyer, votes 'aye'. All right, on this question, there are 90 'ayes' and 14 'nays' and the gentleman's motion prevails and the Clerk will read Senate Bill 9 a first time."

F. B. Selcke: "Senate Bill 9. An Act to amend Section 3 of an Act to establish appellate courts. First Reading of the Bill."

Hon. W. Robert Blair: "Second Reading, Second Day. Resolutions."
F. B. Selcke: "House Joint Resolution No. 1. Hyde. House Resolution No. 1. Hyde. House Resolution No. 2. Hyde. House Resolution No. 3. Hyde."

- Hon. W. Robert Blair: "Are these agreed resolutions? These agreed? O'kay. Gentleman from Cook...."
- Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, House Joint Resolution 1 provides that the Joint Rules of the House and the Senate of the 77th General Assembly be the joint rules of the House and the Senate for this Second Special Session of the 77th General Assembly insofar as they are applicable. House Resolution No: 1 ah... resolves 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 Special Session, and we are ready for the transaction of business. House Resolution 2 provides that the Rules of the House of Representatives for the 77th General Assembly as amended be adopted as the rules of the Special Session insofar as they are applicable and the standing committees



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of the House of the 77th General Assembly and their membership shall constitute the standing committees of the House during this Special Session. And House Resolution 3 provides 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 other journals of the Special... of the Second Special Session of the 77th General Assembly. I'm informed that the Speaker has appointed Representatives Jones, Gibbs, Londrigan, Tipsword and Borchers for this task, and I now move adoption of the agreed resolutions."

Hon. W. Robert Blair: Any discussion? All right, all those in favor of the agreed resolutions, say 'aye', opposed 'no'. The 'ayes have it and the agreed resolutions are adopted. Are there.... Gentleman from Cook, Mr. Hyde."
Hyde: "Mr. Speaker, I now move that this House do stand adjourned until the hour of 1:00 PM tomorrow afternoon."
Hon. W. Robert Blair: "All those in favor of the gentleman's motion to adjourn say 'aye', the opposed 'no', the 'ayes' have it and the House will be adjourned until the hour of 1:00 PM tomorrow."

