

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED SIXTY-FORTH LEGISLATIVE DAY

NOVEMBER 28, 1972

11:15 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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

Representative George M. Burditt - no reason given;

Representative Bernard E. Epton - no reason given;

Representative Donald A. Henss - no reason given;

Representative Gene L. Hoffman - no reason given;

Representative Thomas R. Houde - illness;

Representative Edward Lehman - illness;

Representative Allan L. Schoeberlein - no reason given;

Representative John W. Thompson - no reason given.



Hon. W. Robert Blair: "All right, the House will now be in Order for our Regular Session. The invocation will be by Doctor Johnson."

Doctor Johnson: "We pray again. Rather briefly. Lord we know Your ears never tire of hearing us, and we know that we need all the praying we can get, and now we remind You of our earlier invocation delivered three and a half minutes ago, and asked that You hear it again and be mindful of us once again. We pray it in Your name. Amen."

Hon. W. Robert Blair: "Roll Call for attendance. All right, ah.... All right, let's go to House Bills, Second Reading, and I'll just go right down them, and if you don't want them called, why get my attention and take them out of the record. All right, House Bill 4299 - the gentleman from Peoria, Mr. Lauterbach. Have it read a Second time."

F. Selcke: "House Bill 4299. A Bill for an Act to add Section 2.3 henceforth to the Safety Glazing Materials Act. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor? Third Reading. 4694."

F. Selcke: "House Bill 4694. Bill for an Act to amend Section 3-3.2 henceforth, Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor? Third Reading. 4695."

F. Selcke: "House Bill 4695. Bill for an Act to amend Sections 5.14 and 5.22 of the Fish Code of 1971. Second Reading



of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor? Third Reading. 4697."

F. Selcke: "House Bill 4697. Bill for an Act to conform the criminal penalties of certain acts therein named to the penalty classification system established by the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor? Third Reading. 4698. Is Mr. Shapiro back there?"

F. Selcke: "Ah... House Bill 4698. Bill for an Act making a supplemental appropriation to the Illinois Scholarship Commission. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any from the floor? Third Reading. 4700."

F. Selcke: "House Bill 4700. Bill for an Act making appropriation for certain claims against the State of Illinois in conformity with the warden made by the Court of Claims. Second Reading of the Bill. No Committee Amendment."

Hon. W. Robert Blair: "Change the Number, Fred. Any from the floor? Terrible. Gentleman from Cook, Mr. Shea. What horse did you take that off of, Jerry?"

Shea: "Is that how you refer to one of the Governor's administrative aides?"

Hon. W. Robert Blair: "I didn't know he had appointed any yet."



Shea: "No more bond sales for you."

Hon. W. Robert Blair: "Third Reading. 4704."

F. Selcke: "House Bill 4704. Bill for an Act to amend Section 6, an act providing for the creation, management of forest preserve districts. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor? Third Reading. 4705."

F. Selcke: "House Bill 4705. Bill for an Act to amend Section 1 of an Act appropriating funds to the Department of Transportation for Division of Water Resource Management Capital Improvement Projects. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor. Third Reading. Third Reading. Senate Bills, Third Reading. Senate Bill 1281, which I understand the gentleman from Cook desires recognition for purpose of taking it back to the Order of Second Reading for purposes of an amendment. Gentleman from Cook, Mr. Granata."

Granata: "I don't see Representative Wolf on the Floor. He's got the amendment, so if we can just hold this a few minutes until Representative Wolf gets the thing straightened out and then we can shoot with it. Thank you."

Hon. W. Robert Blair: "All right, we'll get back to that just as soon as Mr. Wolf returns. With leave of the House, we'll go back to Introduction, First Reading of House Bills."



F. Selcke: "House Bill 4711. Regner. Bill for an Act making an appropriation of \$250,000 from the General Revenue Fund to the Local Government Law Enforcement Officer's Training Board. First Reading of the Bill. House Bill 4712. Telcser. Ah... Appropriates \$250,000 to the Department of General Services to complete the rehabilitation and modernization of the Executive Mansion. Ah... First Reading of the Bill."

Hon. W. Robert Blair: "All right, if we'll just be at ease for just a very few minutes, it looks like the plan will be to promptly recess shortly ah.... to a later time this afternoon, but before we do that, we want to get a message back from the Senate on one House Bill in order that a Conference Committee can be appointed and I would like to appoint that before we recess until that later point this afternoon. For what purpose does the gentleman from Lake, Mr. Conolly arise?"

Conolly: "Mr. Speaker, there is on the Table, House Joint Resolution 142, that was tabled on June 30. I have discussed this with the Leadership on both sides of the aisle. It pertains to the dredging of the Waukegan Harbor owned by the Waukegan Port District. It was heard in Executive Committee, and I would asked leave that it be returned to the Calendar on House Joint Resolution, Third Reading."

Hon. W. Robert Blair: "All right, is there objection? No. All right, hearing no objection, then the consent is given ah.... for the Motion to be passed, and the gentleman's



Motion then prevails and the Resolution will be taken from the Table and placed on the Calendar. The gentleman from Cook, Mr. Hyde."

Hyde: "Mr. Speaker, Ladies and Gentlemen of the House. I now move that the House stand in recess until the hour of 3:00 PM this afternoon."

Hon. W. Robert Blair: "All right, all those in favor of the gentleman's motion, say 'aye'."

Members: "Aye."

Hon. W. Robert Blair: "Opposed 'no': The 'ayes' have it and the Motion prevails. Now...."

Doorkeeper: "All who are not entitled to the House Chamber, will you please retire to the Gallery? Thank you.
All who are not entitled to this House Chamber, will you please retire to the Gallery. Thank you."

A. Telcser: "Ladies and Gentlemen, if we could be at ease for a while, the Speaker is meeting with ah.... Representative Choate and the Senate Leaders. He will be along very shortly."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Hyde."

Hyde: "Mr. Speaker, Ladies and Gentlemen of the House. I now move that the House stand in recess until the hour of 4:15, for purposes of a Republican Conference. The Republicans should go immediately to Room 212. We will be back on



the floor at 4:15."

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

Choate: "Mr. Speaker, I would asked the Democratic Members to come to Room M-5 for the purpose of a Democratic Conference and we will also attempt to be back on the Floor by 4:15."

Hon. W. Robert Blair: "All right, if the Members would please go to these Conferences as quickly as possible. We're trying to get this wound up so we'll be out of here this evening."

Hon. W. Robert Blair: "All right, Introduction on First Reading of House Bills."

F. Selcke: "House Bill 4713. Yourell. Bill for an Act to amend the corporate powers and functions, Article and Municipal Code. First Reading of the Bill. House Bill 4714. Washburn et al. Amends Retailors Occupation Act. First Reading of the Bill. House Bill 4715. Washburn et al. Amends Use Tax Act. First Reading of the Bill. House Bill 4716. Washburn et al. Amends Service Use Tax Act. First Reading of the Bill. House Bill 4717. Washburn. Amends Service Occupation Tax Act. First Reading of the Bill. House Bill 4718...."

Hon. W. Robert Blair: "Just a moment, just a moment. Go ahead."



F. Selcke: "McCormick. Appro...."

Hon. W. Robert Blair: "Hold it. For what purpose does the gentleman from Grundy, Mr. Washburn arise?"

Washburn: "Ah.... Mr. Speaker, and Ladies and Gentlemen of the House, this series of four Bills that I just introduced would exempt from the Retailers Occupational Tax, the sales tax, prescription medicines, drugs and food. It certainly is recently an Act that ah... Federal Revenue Sharing Plan and ah... the rumor that the budget could be cut by five hundred million dollars will make all of the sources of revenue available. Now the revenue involved to the State in these four Bills is approximately three hundred and ninety-six million dollars and certainly I invite anyone who wishes to become a co-sponsor of them. Thank you."

F. Selcke: "House Bill 4718. McCormick."

Hon. W. Robert Blair: "What purpose does the gentleman from Johnson, Mr. McCormick rise?"

McCormick: "Mr. Speaker, ah.... Ladies and Gentlemen of the House, I feel like that priority is a very vital thing for us for now and in the future in this Legislature, and I think that all of us as candidates and politicians now should face up to the responsibility of living up or helping our colleagues or helping other people live up to their campaign promises. Now the Illinois Education Association ah...., which supported the new Governor



strong proposed that we must fund the Teachers Retirement System, and since they're still one-hundred million dollars left in the five hundred million, I propose that that one hundred million be put into the Teachers Retirement System to help fund it. I would appreciate everybody in the House joining me as a Co-sponsor in this Bill. Thank you."

F. Selcke: "House Bill 4718. McCormick. Appropriates one hundred million dollars to the Teachers Retirement System to reduce unfunded accrued liabilities of the System. First Reading of the Bill. House 4719. Jimmy Carter et al. Amends Chapter 8 of the Illinois Vehicle Code. First Reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. James Carter, for what purpose do you rise?"

James Carter: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to make a Motion, but before I make the Motion, I would to at least like to explain what I'm doing. The Bill which has just been read and which is sponsored by me concerns primarily the City of Chicago and the Department of which I'm a head. We have a situation in which there are uninsured vehicles carrying passengers for hire without the properly authorized insurance. Now this would merely add a penalty, which doesn't presently exist in the Act for carrying passengers for hire, without the proper insurance. Mr. Speaker, I'm requesting unanimous consent to advance this to Second Reading without reference to



Committee. I might say, also, Mr. Speaker, that I've cleared it with you, my own leadership, with Mr. Hyde and ah... I'm asking that, and Jim Taylor also."

Hon. W. Robert Blair: "All right, ah.... is there objection? All right, ah.... hearing no objection, unanimous consent, therefore, being given, we will advance the Bill to the Order of Second Reading without reference to Committee. Messages from the Senate."

F. Selcke: "Message....."

Hon. W. Robert Blair: "One minute. The gentleman from Cook, Mr. Ewell."

Ewell: "Thank you, Mr. Speaker, the House Bill 4713 introduced by me and ah... Members of my party and the ah... other side of the aisle today, ah... is a Bill that would provide for one municipality to extend its water mains to provide water to other municipalities within a certified radius. Now, this Bill has been o'kayed by Chapman and Cutler in the Letter of Opinion and it will be circulated to that effect when we return on the 14th, and this Bill has been cleared for passage by both sides of the aisle and I request now that it be advanced to Second Reading without reference."

Hon. W. Robert Blair: "All right, is there objection? Hearing none, ah... we will advance that Bill to the Order of Second Reading, without reference to Committee. Gentleman from Cook, Mr. Telcser."



Telcser: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4712 was read a first time prior to the ah... recess of the House earlier in the day. I discussed the Bill with Representative Choate in our own conference. It deals with appropriating money for the restoration of the mansion and I would now asked leave of the House to have House Bill 4712 sent to the Order of Second Reading without reference to Committee."

Hon. W. Robert Blair: "All right, ah... is there objection? Hearing none, then unanimous consent having been given, the Bill, having been read a first time, will be advanced to the Order of Second Reading without reference to committee. Messages from the Senate."

F. Selcke: "Message from the Senate by Mr. Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that pursuant to the recommendation of the Governor, the Senate has adopted an amendatory provision to Bill of the following title and the adoption in which I am instructed to asked concurrence of the House. Senate Bill 970. Action taken by the Senate November 28, 1972. Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives, the Senate has concurred with the House in the adoption of the Governor's Amendment to a Bill with the following title. House Bill 515, concurred in by the Senate, November 28, 1972. Kenneth Wright, Secretary. Mr. Speaker - I am directed



to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's Amendment to the Bill with the following title. House Bill 1984. Concurred in by the Senate, November 28, 1972. Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives the Senate has concurred with the House in the adoption of the Governor's Governor's Amendment to the Bill with the following title. House Bill 3090. Concurred in by the Senate, November 28, 1972. Kenneth Wright, Secretary. No further messages."

Hon. W. Robert Blair: "All right, we're on ah.... All right, we'll go to the Order of Senate Bills, Second Reading. It's not on the Calendar, but earlier today, I with leave of the House, brought back from the Order of Third Reading, Senate Bill 1281, for the purpose of allowing the gentleman from Cook, Mr. Granata, to ah... have Mr. Wolf, Mr. Frank Wolf, ah... address an amendment to ah... that Bill."

Granata: "O'okay, Mr. Wolf will handle it."

Hon. W. Robert Blair: "Allright, gentleman from Cook, Mr. Wolf, with regard to Senate Bill 1281."

F. Selcke: "Amendment No. 2. Frank Wolf."

Frank Wolfe: "Mr. Speaker and Ladies and Gentlemen of the House. Ah.... I would at first like to table Amendment 1 and I would like to have leave of the House to table Amendment 1 to Senate Bill 1281. Do I have leave to



table Amendment 1 to Senate Bill 1281?"

Hon. W. Robert Blair: "All right, is there objection? Hearing none, consent's given. Amendment No. 1 is tabled."

Frank Wolf: "I will offer Amendment 2, and I have furnished the membership with a copy of Amendment 2, which you will find on your desk. Senate 1281 pertains to the General Retirement Fund, and touches upon five points. Number 1 is the Amendment, Section 2-150, the Reciprocal, which is the part that I have amended out. It is now in Amendment 2. The Second Amendment pertains to the widows and widow's annuity, whereby it reduces the spouses annuity from that age of 55 to 50. The third item, it increases the maximum annuity for 20 years service in the General Assembly, as far as the retirement and permanent and disability section is concerned from 75 to 80 percent, and if you will recall that 15-18 months ago, this particular section was passed by this House, but this past year it fell astray in the Senate. The fourth point is that the contributions will be increased from six and a half to seven percent for the annuitant's facet of his contribution, plus two percent for the widow, plus one percent to the cost of increment for the automatic increase, making this a ten percent ah.... contribution. The fifth is the cost of living section has been reduced from that of sixty to fifty-five. It also has an amendatory act effective January 1, 1973 and the cost factor in this particular ah... shall I say in this package of five points, covering the various



fringes to the General Retirement System is taken up by the contribution of half of one percent. I asked for the adoption of this Amendment."

Hon. W. Robert Blair: "Is there any further discussion? Question's on the adoption of the Amendment. All those in favor, say 'aye'."

Members: "Aye."

Hon. W. Robert Blair: "Opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Are there further amendments? Third Reading. All right, ah... there are fifteen days in which to act on these various veto matters, and ah... with adjournment today, we're going to have to take action on these various items today, because when we come back we will be outside the fifteen day period. So, under Amendatory Vetoes Motions appears a Motion with respect to House Bill 1569. The gentleman from Johnson, Mr. McCormick."

McCormick: "Mr. Speaker, I want to ah... I would like for Representative Shea to get involved in this, too, because it's kind of a sticky situation with me personally. I made agreements, when we passed these Bills, ah... here with Representative Shea and the people over there, and then when they went on through and they were presented to the Governor, why the Governor has made some changes in his veto. Now, I don't know exactly where I stand, where I'm violating my word, when I asked the Legislature to consider the Amendatory Veto or just exactly where I



stand on it. I feel obligated to pursue the Bill, and yet I feel that ah.... obligations live up to my word, too. So, I would like to hear what you have a comment on, Representative Shea."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Shea."

Shea: "Ah... I'd like to just get together with C.L. for a few minutes on these, so if you could, would you take them out of the record for a minute?"

Hon. W. Robert Blair: "All right, we'll take 1569 out of the record. 4128. Gentleman from Cook, Mr. Fleck."

Fleck: "Mr. Speaker, I move that the Governor's amendatory veto recommendation for change not be accepted by the House. It's on political subdivisions, whether it should be included in the Bill or not, and since his Amendatory Veto, I've received a letter from Attorney General Scott's Office. Though they didn't render an official opinion, they finished their letter by stating that we enclose excerpts from various legal opinions, which appear, at least in part, to support your position on the matter of words and phrases and I asked the Members to support me in this Motion."

Hon. W. Robert Blair: "Further discussion? All right, let's take 4128 out of the record, while we are resolving a.... while we're resolving part of it, and we'll go back then to ah... to the 1569. Ah.... Now, is Mr. McCormick going to handle it or Mr. Shea? Mr. McCormick. Gentleman from Johnson, Mr. McCormick."



McCormick: "Mr. Speaker, Ladies and Gentlemen of the House, I am back to 1569 and the Bill we passed, and then the Governor made two changes; making a nonresident collector either maintain an office or a registered in the State, or authorizing the Director of Financial Institutions to be his agents for the purpose of service and agree to bring his records back to the State; and it makes some changes in the Home Rule restriction. And I think that's where Representative Shea and I were talking, and he probably wants to be heard on this."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, In supporting the acceptance of the Governor's Amendatory Veto on House Bill 1569, I desire to clarify two points and I would like to ask Representative McCormick two questions with regard to them, so we could have this legislative record correct. I'd like to ask Representative McCormick two questions with regards to the Amendatory Veto, so we could have the legislative record."

Hon. W. Robert Blair: "He indicates he'll yield. Proceed."

Shea: "Representative McCormick, do you agree with me that the elimination of Section 18 dealing with Home Rule units, nevertheless leaves Home Rule units free to concurrently with the State license and regulate collection activities, pursuant to Section 6A and 6I of the Constitution?"

McCormick: "I agree with you, and I think that's absolutely right."



Shea: "Further, do you also agree with me that the State's units of local government and school districts are not included within the definition of person in Section 2 of the Act, so that their collection activities are not regulated or licensed by this Act and that this, despite the unnecessary specific exemption of certain public officials and judicial officers in Section 3, Number 4?"

McCormick: "You're right. I agree to that, too. That's true."

Shea: "With that kind of record in an agreement from this Body, ah.... I intend to support this Amendatory Veto, Representative McCormick."

McCormick: "Thank you, and I move that we concur with the Governor's Amendatory Veto, Mr. Speaker."

Hon. W. Robert Blair: "Further discussion? All right, the question is, shall the Amendment pass? All those in favor, vote 'aye', the opposed 'no' and this requires 89 votes. Have all voted who wished? The Clerk will take the record. On this question, there are 141 'ayes' and 2 'nays', and the Amendment is passed. The Amendment is adopted and the Bill passed. All right, now we are to House Bill 4469. This is being handled by the gentleman from Champaign, Mr. Clabaugh."

Clabaugh: "Mr. Speaker and Members of the House. Yesterday I filed a motion ah.... to accept the recommendations of the Governor's Veto message, Amendatory Veto, on House Bill 4469. I've been in conference with another member of the School Problems Commission, because this was his



who has offered a substitute Amendatory Motion and I'm now give way to Mr... to Representative Berman, and I'm in perfect agreement with the change that he has suggested."

Hon. W. Robert Blair: "The Gentleman from Cook, Mr. Berman."

Berman: "Thank you. Mr. Speaker, the motion that I have filed and is on the Clerk's desk is a Motion that would change the wording of the Governor's Amendatory Veto. The wording that is suggested by my Motion does not change the substantive impact or the purpose of the Governor's Amendatory Veto. It merely clarifies it and I would describe it as a more of a styling and drafting change of the Governor's Amendatory Veto than anything else. We have reviewed with the Speaker's staff, Representative Clabaugh and myself, the Attorney General's Opinion of October, 1971, and we are all of the opinion that this change in the Governor's Amendatory Veto falls within the permissive changes of the Attorney General's Opinion. The purpose of this as Representative Clabaugh has mentioned, the purpose of the Governor's Amendatory Veto was to clarify some technical provisions of the School Code that deals with the election to fill vacancies in certain special charter school districts. At this time, Mr. Speaker, I would asked unanimous consent to waive the rule regarding one day prior filing of these Motions, so that we can consider ah.... this Motion at the present time, and I would so move."



Hon. W. Robert Blair: "All right, the gentleman from Cook, Mr. Hyde."

Hyde: "Well, Mr. Speaker, a point of information. Ah... is what the gentleman seeks to do simply changing the Amendatory Veto as to style or phraseology rather than substantive, because as I recall, ah... the Attorney General did issue an opinion, which you're more familiar with than I, and I just wonder whether the gentleman is able to by this device, change an Amendatory Veto and to what extent?"

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Berman, desire to be heard further."

Berman: "Yes, merely to respond to the inquiry and Henry, this is exactly the question that we were discussing with the Speaker and with Representative Clabaugh and with the Speaker's staff just a few minutes ago, and it's the concensus of opinion, unanimously, that this is not a substantive change, but rather a drafting and style change of the Governor's language."

Hon. W. Robert Blair: "Well, it would appear that on that question, the Attorney General's Opinion, would indicate that styling and drafting changes in the Governor's Amendatory Vetoes, would be permissible, and review of the substitute Motion, which Mr. Berman has filed, it appears to be in that category. And ah.... the Chair would be prepared to rule that on that basis, ah... it could be considered for a vote. Now, the gentleman from Cook, Mr.



Meyer have some comment on that?"

Meyer: "Point of Order, Mr. Speaker. Ah... several months ago in the Amendatory Veto of Representative Schlickman's Bills dealing with nonpublic schools, I attempted to amend his amendatory veto, and at that time, if I'm not mistaken, the Chair ruled at that time that you could not amend an Amendatory Veto."

Hon. W. Robert Blair: "Well, that may have been the situation at that time. Perhaps if I knew the specific date, when that occurred. The Attorney General's Opinion was October 12, and ah... ah.... I just don't know ah... that he sent to Senator Arrington in response to a question and he indicated that in the areas of styling and drafting, ah... as long as it was not a substantive change, ah... to the Governor's Amendatory Veto, that the ah... assembly could consider those changes, and the Chair would be prepared to rule at this time that in light of that Opinion, that as long as we're having styling and drafting changes of the Governor's Amendatory Vetoes only, that they could be considered. All right, is there further discussion now on the question? All right, ah... the question is shall the Amendment.... gentleman from Cook, Mr. Berman."

Berman: "I believe I asked first for unanimous consent to waive the one day posting rule."

Hon. W. Robert Blair: "All right, yes, there was leave for that given earlier. All right, the question is, shall the Amendment pass? All those in favor, will vote 'aye',



the opposed 'no'. This requires 80 votes.. There is not an earlier effective date. Gentleman from Cook, Mr. Shea."

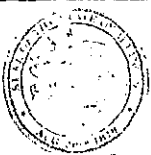
Shea: "As I understand the posture of the Chair, is that an Amendatory Veto may be amended or reworded by 89 votes of the House. Is that correct? And sent to the other Chamber for passage?"

Hon. W. Robert Blair: "Well, the exact language of the Attorney General's Opinion is that change in form or substance, which does not conflict with the spirit of the Governor's recommendation, should constitute proper legislative response and acceptance by the General Assembly and afford a basis for a valid certificate by the Governor. So I am ruling that in this instance, that the change is in a form which does not conflict with the spirit of the Governor's recommendation, and for that reason, we may consider the motion as it's been considered by the gentleman from Cook, Mr. Berman."

Shea: "Well, I would like to just point out - Do you feel that this Chamber and this Body is bound by an Attorney General's Opinion?"

Hon. W. Robert Blair: "No, not necessarily."

Shea: "All right, so what you are, in effect, saying then, is that this Chamber or this Body does have the power to change a Governor's Amendatory Veto and I vote 'aye' on this measure."



Hon. W. Robert Blair: "Well, the record will show what I said and it will said what you said, and what I said isn't exactly what you said. Have all voted who wished? The Clerk will take the record. This question, there 137 'ayes', no 'nays' and the Amendment is adopted and the Bill passed. All right, now to ah... House 4128. The Chair recognizes the gentleman from Cook, Mr. Fleck."

Fleck: "Mr. Speaker, Ladies and Gentlemen of the House. At this time, I would like to renew my Motion that this House do not accept the Governor's specific recommendation for change and to treat House Bill 4128 as a vetoed Bill. I asked for the required three-fifths vote to over-ride this Veto."

Hon. W. Robert Blair: "All right, is there any further discussion? All right, the question is, shall the gentleman's motion prevail? All those in favor will vote 'aye', and the opposed 'no', and this motion is in the nature of an over-ride of a total Veto, and will require 107 votes. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. This question, there are 133 'ayes', four 'nays', and the gentleman's Motion prevails. And... House Bill 4128 passes the Governor's recommendations for change notwithstanding. Ah... House Bill 3648. Total Veto Motion. The Gentleman from Perry, Mr. Cunningham."

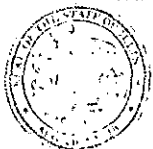
W. J. Cunningham: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3648 was passed out of this Assembly



passed out of the Senate. Wasn't any dissension about it at all. It was in keeping with the series of Bills to take the judicial appointments away from the Court according to the new Constitution and place those appointments in the proper places. 3648 had to do with intercity water commissions and it was the thought of this House of Representatives that cities going together for a water commission, should be able to appoint their own Members to that Commission, and everything went all right until some Republican Senator over across the Rotunda decided that he had a little trouble down in his District and he didn't want it to happen that way. So he decided it would be best if the County Board Chairman would also get chance to put his two bits in on this water commission. Now we in the House has consistently refused to accept that. We do now, we did then. We have quite a bit of support on this Veto on both sides of the aisle, and I would like to bounce it right back to the Senate again by over-riding this Veto. He did his homework well, but he's wrong. He's always been wrong and as long as he keeps on getting elected, he's going to be wrong continuously. I don't want to belabor the learned man across the aisle, but I do want this Veto ah... over-ridden in its entirety, and I asked your support of it."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House. I arise to oppose this Motion. Senate Bill 1271



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which the previous Speaker referred to, as having been approved by the Governor, and with which House Bill 3648, would be in conflict, was introduced in the Senate by a Republican. It was handled in the House by a Democrat. The Bill is of bi-partisan or if you will, non-partisan nature. There are water commissions made up of municipalities that do like to have an at-large member; one who will view the water supply needs of a given area from an area-wide view coupled with the interest of the individual municipalities that make up the water commission. By transferring the appointment power from the judiciary to the county board, the sponsor, the Senate sponsor and the House handling of that Bill was simply complying with the 1970 Constitution. I respectfully request, Mr. Speaker, Members of the House, that we do not over-ride this Bill because, the veto of this Bill, because if we were to and the Senate were to, then we would have a conflict, which would have to be reconciled at some future date. We've made our decision, we acted upon Senate Bill 1271, it was approved by the Governor and I suggest that we concur with that by not over-riding that Motion."

Hon. W. Robert Blair: "Gentleman from ah... Morgan, Mr. Rose."

Rose: "Mr. Speaker, Ladies and Gentlemen. I would just like to very briefly support the Motion to over-ride. My reason is very simple. We're talking about municipally owned waterworks, and I see no reason for the intervention of a County Board Member, Chairman that is, in making an



appointment. It seems to me that the appointments to a municipal commission should be by the municipal authorities."

Hon. W. Robert Blair: "The gentleman from St. Clair, Mr. Krause."

Krause: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I agree that the appointment should be made by the municipality and the County Board shouldn't enter into this at all."

Hon. W. Robert Blair: "Further discussion? Gentleman from Perry, Mr. Cunningham, care to close?"

W. J. Cunningham: "Briefly, Mr. Speaker, Ladies and Gentlemen of the House, frankly I can see that there may be a little bit of conflict between the Senators' Bill and our House Bill, but you can't bury your head in the sand on the conflict. I think they're wrong. I think the House is right. I know the municipalities are right and the taxpayer public is right, and I asked your support in overriding this Veto. Thank you."

Hon. W. Robert Blair: "All right, the question is shall the Bill pass over the Veto of the Governor. All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? Clerk will take the record. Madigan 'aye'. Mike Madigan. Congressman Madigan 'aye'. Redmond 'aye'. Mike and Ed. O'kay, which one has already voted?"

F. Selcke: "Congressman Madigan."



Hon. W. Robert Blair: "Congressman Madigan had already voted. You get two. O'kay. Mike Madigan. Bill Redmond. Mati-jevich. Choate. Barry. Tim Simms. Frank Wolf. This question, there are 111 'ayes' and 11 'nays' and the Bill passes over the Veto of the Governor. Take a couple of minutes here to introduce John Stokes, who is on the staff of the Chicago State University, and he's the Director of their House Legislative Staff Intern Committee Study Program at the University. John."

John Stokes: "Thank you, Speaker Blair. Ah.... quite a few people have been interested in some of the students who have been in the House today, and I thought we'd take an opportunity to explain to you exactly who they are and what the program is about. Ah.... Chicago State University ah.... this past fall instituted a new program that they call the House Legislative Staff Intern Program. Ah... it was the ah.... thought of President Byrd and the members of the Office of Experimental Education, that there is a real need for students who attend as commuters, who are commuter students, who in urban universities, to learn something about State government. And especially State legislative politics. Ah.... with that in mind, they decided to coordinate their efforts with some members of advisory committees. Those.... Most of those members are ah.... Members of this House. There is Representative Harold Washington, Representative Lewis Caldwell, Representative Eugene Barnes, Representative Bernard Epton,



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and Representative Meyer. Ah.... there are also some academic members, Mr. Reginald Jones, who is on the faculty of Chicago State and myself, John Stokes. The staff training for this program is being done at Chicago State, in conjunction with work with ah... some of the Members of the Advisory Committee and some other Members. I'm going to turn the Mike over to Linda Stausman, who I think many of you will know, who was a legislative intern here in the graduate program, and has been operating as a free-lance legislative consultant, and she'll explain to you in considerably more detail, but briefly, exactly how our program operates and then she will introduce some of the interns. Thank you."

Linda Stausman: "The intern program of Chicago State University is modeled after the Intern program, with which you are all familiar. It differs in that it provides undergraduates who are not able to live full-time in Springfield for ten months with an opportunity to work as professionals in legislative staff work. The program runs for a full academic year. The classwork is project oriented. I'm doing straight staff training. They've done digest research projects and so forth, and it also consists of field work with legislators. Chicago State serves the student body on the southside of Chicago and because of this, determines that House Members from Districts 22 through 30 are eligible for using the interns. The interns will not be assigned to legislators. But hopefully



there will be enough contact both professionally and socially for interns to pick legislators that they want to work with. I want to thank members of the Advisory Committee and the Leadership, Representative Blair and Representative Choate and their staffs, in their assistance in putting this together, and now I would like to introduce our interns. You can just step forward. Ah.... Mr. John Woods. Delores Bradford. Larry Alexander. Robert Brown. Riley Davis. Carmen Chekoe. Ernestine Flint. And Tony Green. One more. Phyliss Fletcher was not able to be here this afternoon. Thank you very much."

Hon. W. Robert Blair: "All right, on total Veto Motions, appears a Motion with respect to House Bill 4180, on which the Chair recognizes the gentleman from Peoria, Mr. Day."

Day: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4180 appropriated the sum of twenty-two hundred and ninety dollars to the City of Peoria for the purpose of paying the State's share of a special assessment for a Street Improvement Program. The State happens to own a tract of land on Hine Street, 229 feet, and this special assessment program, which is for paving, provides that the City of Peoria in general, will pay sixty-seven percent and the property owners thirty-three percent. Following the usual practice of special assessment projects such as this, the ah.... City of Peoria then assessed the property owners ten dollars per front foot. And since the State had two-hundred and twenty-nine feet, this amounted to



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twenty-two hundred and ninety dollars. Now the Bill passed the House Revenue Committee with no problems. It passed the House with 149 votes and no dissenting votes, and it passed the Senate. According to the Governor's Veto Message, the highway department opposed the Bill or indicated that they were opposed to it, as a matter of precedent. This is not the case, because there have been many instances such as this when the State owned a piece of property for a Mental Health Clinic or a ah... university ah.... something of that nature, when the municipality improved the street and ah... appropriations were made to cover the State's share the same as any other property owner, and that's all that this Bill does. There is a principal involved here; namely, whether this legislature is going to set the policy of this State, or whether the highway department is. Obviously, if this Bill does not become law, either the property owner, the adjoining property owners, who are homeowners, are going to have to make up the State's share, or else the taxpayers in general are, and I submit that this is not fair. I would appreciate your support of this motion to over-ride. Thank you."

Hon. W. Robert Blair: "Further discussion? All right, the question is, shall the Bill pass over the Veto of the Governor. All those in.... Gentleman from Cook, Mr. Glass."

Glass: "I would like to asked a question, if I might of the sponsor, Mr. Speaker. Representative Day, ah....I'm a



little bit unclear as to why this wouldn't be a bad precedent to be setting. Why should the State be paying ah... for what is essentially a local improvement? I mean, how do the taxpayers of the entire State benefit from this local improvement, and I had read the message on it, and it occurred to me that if we get into the developmental of a policy of letting the State pay for local improvements wherever you have State highways or State roads involved, ah.... we might find ourselves in a bad position unable to support ah.... these local improvements, and I would like your reaction on that because frankly I was convinced that this is not a good precedent to be setting."

Day: "Well, the reason why the State should pay its share, because it's just like any other property owners. This happens to be a vacant tract of land, and when this street is put in here, it's going to improve the State's property. In other words, if they sell these lots at a later date, they're going to get more money. They're going to get a windfall, because someone else; namely, the local taxpayers, have paid to pave a street in front of the State's property, thereby improving the State's property. This is not an ordinary highway. This is a corner lot. The highway department acquired this particular piece of tract because it needed it for a highway along the long side of the lot. The part of the lot we're talking about is the short side, or the side which fronts on the City street."

Glass: "Well isn't this a 229 foot right of way?"



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Day: "It's 229 foot frontage that the State owns on a City street. The depth of the lot is much greater and that is where the highway runs along the depth of the lot. Has nothing to do with that."

Glass: "Then this is a buildable lot. Can be sold for a House or commercial building?"

Day: "It's vacant land, yes."

Glass: "All right, thanks."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Bluthardt."

Bluthardt: "I wonder if the gentleman will yield for a question or two. Bob, this followed the ordinary procedure for special assessments and there was a public hearing held, I take it, and the State had ample opportunity to appear there and to voice objections at that time, did they not?"

Day: "Yes, they were given the same notice."

Bluthardt: "Do you know whether or not they appeared?"

Day: "To my knowledge, they did not. No."

Bluthardt: "Did they file any objections in the Court at the Court Hearing?"

Day: "They did not. No."

Bluthardt: "So they had every opportunity both to appear at a Public Hearing and to file their objection and to also file their objection in court, and they failed to do so. Therefore, it would seem to me that it would be justified to bill them their part of the ah... improvements to their property."



Hon. W. Robert Blair: "Further discussion? Gentleman care to close?"

Day: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I don't know that there's much more that I can say except that the language in the Veto Message, which refers to this as establishing a precedent is not correct, because we have done this on many other occasions in the case of State-owned property, which fronts on a City street. I would also, ah.... advise you that I have checked this matter out with my own special assessment ah.... authority, Representative Joe McGah, in regard to this question. We do the same thing in cities when we have a street which fronts on a school, a piece of school property. The City assesses the School District and they pay the same property assessment that any other property owner would pay. And I understand from Mr. McGah that this is the practice in his area also, and I think it's the practice throughout the State. So, what it boils down to is that either the State's going to pay its fair share of this improvement for its own property or else the local taxpayers are going to have to do it, and I submit to you that on the basis of common sense and fairness, ah.... we are discouraging local improvements if we take this approach. We are certainly not helping ah.... the ah.... property tax ah... freeze competition when we force local property owners to improve the State's property in order to get their own street paved. And I would appreciate your support."



W. Robert Blair: "All right. The question is shall the bill pass over the veto of the Governor? All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wish? The Clerk will take the record. Mara.. How do you wish to vote? Maragos, 'aye'. On this question ah.. R. A. Carter, 'aye'. On this question there are 125 'ayes', no 'nays' and the bill passes over the veto of the Governor. All right. There's on the Clerk's desk a motion with respect to House Bill 311. Gentleman from Cook, Mr. Scariano."

Scariano: "Mr. Speaker. At this time I'd like to move to suspend the pertinent rule because I filed a motion today to override the Governor's total veto of House Bill 311. I understand that by the time we get back after we adjourn today, the fifteen day legal limit will have expired and there won't be time to bring it up. And this is rather an important matter to the teachers of the State of Illinois because ah.. the Governor misconstrued entirely the thrust of the bill and ah.. so that the members know what they are voting on ah.. I'd like to explain that House Bill 311 ah.. permits the ah.. hearing officer... a hearing officer to be appointed by the Superintendent of Public Instruction to hear cases of dismissed teachers. Ah.. no civil service system, no merit system, no tenure system permits the dismissing agency to hear ah.. dismissal cases to sit in judgement on its own determination as to whether or not an employee should be terminated. Teachers are the only ones who suffer under this onus and there's every indication that



this is an unconstitutional procedure. Ah.. the School Board still prosecutes the case, still dismisses the teacher and if the decision is adverse to the School Board they can still appeal to the courts the way the teachers appeal to the courts now. It's procedural due process and I ask your ah.. support in giving me permission to consider ah.. the ah.. total veto at this time by suspending the rules."

W. Robert Blair: "Is there objection? All right. Hearing none, then the Rules are suspended and you may procede to discuss your motion."

Scariano: "Oh, Mr. Speaker. I only want to add to what I've already said that the Governor in his message says that the changed proposed by this enactment would remove the School Board from the hearing process and substitute in its place a hearing officer appointed by the Illinois Superintendent of Public Instruction. It does not remove the School Board from anything except that it removes it from sitting in judgement on its own determination. What the School Board does now is to say to a teacher, 'You're fired.. if you want a hearing you'll have to come before us. It's our attorney who prepares a specification of charges. It's our attorney who prosecutes. It's our attorney to whom we look to for determinations of technical matters and the School Board is just determining whether or not they're going to uphold a decision they've already made.' Now what the School Board says is, 'We fired you. Now, if you want a hearing, you've got to come before us. And all we're going



to determine is whether or not we're right in the first place.' The fact is that the School Board, very seldom if ever, overruled themselves in these determinations and all that a teacher can do is make a good as record as he can and go on appeal under the Administrative Review Act of the Circuit Court. Ah.. this is something that a school board can do now too. You need an independent hearing officer appointed by the Superintendent of Public Instruction who has no interest in the case either way. The School Board's got an interest in whether or not they're going to uphold their own determination. I say again, this is the only place where this kind of a procedure is permitted where you have a civil service system. The Federal government dismissal cases are heard by the Civil Service Commission. You don't have the firing agency or department sitting in judgement on its own determination. But, here, the School Board which has already decided that the teacher is fired is going to sit as judge, jury and prosecutor in determining whether or not they're going to uphold their original decision to terminate. I say let a hearing officer who is independent hear this case and if any of the parties is dissatisfied with the decision then he can go.. then he can go to the circuit court for judicial review. The School Board, if it doesn't like what the hearing officer does, can take an appeal. So can the teacher. This bill incidentally was approved by the School Problems Commission. The only reason I've introduced it is because I've had it

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the first few years. And the School Problems Commission is in entire accord and sympathy with this bill. So this doesn't supplant any school board from doing anything except to affirm its own decisions. It ought to be done independently by somebody who has not an interest in the case. So I ask that you support an override a total veto of this bill."

W. Robert Blair: "The ah.. Gentleman from Cook, Mr. William Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House. First of all I think we ought to question the last statement of the Gentlemen that this is a School Problems Commission bill. It is not. It does not have the sponsorship of the members of the School Problems Commission. Now, I've talked personally with at least one member of the Commission just recently and he is in opposition to it. Now what this bill would propose to do, is to remove from the School Board one of their most important functions in the.. and probably the function for which they are elected by the people in their district. And that is the hiring of teachers. Nothing is more important than this. Nothing is for which they should be more responsive to their electorate. Now what this bill proposes to do is to have the Superintendent of Public Instruction who will soon be an appointed authority really be the determining factor in whether or not a teacher should be retained by a School Board that is elected locally. Now this veto it seems to



me, Mr. Speaker and Members of the House is entirely justified and the veto should be sustained. And I urge you to vote 'no' on the gentleman's motion to override."

W. Robert Blair: "The Gentleman from Cook, Mr. Glass."

Glass: "Thank you Mr. Speaker and Ladies and Gentlemen. I would add only one or two comments to ah.. Representative Walsh's statement in opposition to the motion to override. Ah.. I think it's noteworthy that ah.. a practically identical bill was vetoed by Governor Kerner and that Governor Ogilvie's veto message adopts the.. the veto message of Governor Kerner. So, this is in effect a second try at a bill that was vetoed and that veto was sustained in previous years. Ah.. I think that ah.. like me that most of you have heard from a number of school boards ah.. around the state about this bill. They are very concerned with the erosion of what is essentially a local prerogative and a local function.. the hiring and firing of teachers. That ah.. authority would be supplanted by a hearing officer appointed by the Superintendent of Public Instruction. The bill does not provide any qualifications whatever for that hearing officer and it would place in that individuals hands what is essentially ah.. malfunction of the local elected officials. The teachers who are discharged have recourse ah.. to the courts as they always have to have a fair hearing on the decision of the board and I think we should leave it that way and therefore urge your opposition to this motion."



W. Robert Blair: "Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker, I wonder if the Gentleman would yield for a question on his motion."

W. Robert Blair: "He indicates he will."

Hanahan: "Representative Scariano, I notice in IPASE, ah.. the Illinois Journal that's ah.. published for the Illinois Education Association that you were not endorsed by their organization for re-election. Is this true? I know I wasn't either and I was just wondering if you were ah.. endorsed for re-election."

Scariano: "AH.. I was told that I was endorsed over my opponent but they gave me a preferred rating over my opponent instead of endorsement. I understand the difference between endorsed and preferred is that you get no money from IPACE. I got no money from IPACE."

Hanahan: "Well, Mr. Speaker and Members of the House. You talk about conflicts of interest that sometimes we all get in to. I'd like to report to the membership of this House and to the press if they want to take the time of listening to one candidate's observation of vote purchasing and vote buying that I observed in the last election. I noticed all over Illinois, IPACE, the Illinois Political Action Committee for Education for the Illinois Education Association. Either endorsed candidates either to preferred lists or through some form of ah.. actual contributions. Well, in the 33rd District they didn't do this. In the 33rd District, they contributed in behalf of another candidate



for the General Assembly in the way of not only straight monetary contributions, one check of \$1,000 other checks of \$500 other straight contributions to radio stations, newspapers that were directly made by the Illinois Education Association in behalf of a member's candidacy for the General Assembly. I say to you Tony, that I wouldn't touch this bill with a ten-foot pole. Because the Illinois Education Association should be.. and its leadership.. should be brought before a grand jury. And should be brought before and charges made of whether or not they tried to influence member's votes in behalf of their legislative program here in the General Assembly. Not only today but in the next General Assembly, the next session of the General Assembly on their program. Because in writing, not in a personal letter but in a newsletter, they said that if they could beat Tom Hanahan as a member of the General Assembly, they could go to any member of this General Assembly in the next session and waive that in their face and say that if they can beat Hanahan they could beat any member seated in this General Assembly in the next election unless you followed their dictates of their educational programs. And I say to you, Tony, that it would be best if this bill just died. I was the co-sponsor of it and I.. I'm just ashamed that the Illinois Education Association has stooped to the steps of depravity that they have in trying to influence member's votes here in this General Assembly. And this is only a start. Wait til the next



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session when every bill comes up that the Illinois Education Association has in its favor. You know, I'd like to hear who received contributions and how much. Because I know what they did in the 33rd District and I'm glad I'm back here to expose this kind of phony leadership with white-hats in the IEA."

W. Robert Blair: "Why don't you wait and get them all in one fell swoop. The Gentleman from ah.. Kane. Mr. Waddell."

Waddell: "Ah.. would you yield to a question?"

W. Robert Blair: "He indicates he will."

Waddell: "Would you think that as a member who has suffered on the other side of this that ah.. we should just go along with it? Try to expose it? Let it die? Which do you think is the appropriate thing? Because all I can say to Tom Hanahan and being a member of the 33rd District is 'amen'. I'd like to know how you feel about it."

Scariano: "Well, I can tell you this. If it's unfair for the IEA to do anything like that, it's unfair for the AF of LCIO to do the same thing. This bill is also sponsored by the Illinois Federation of Teachers. I've talked with Oscar Wyle about this.. the Director, and ah.. he.. he tells me that the IFT.. the Illinois Federation of Teachers has always been for this bill and they'd like to see the veto overridden. The Chicago Teacher's Union which is a part of the AF of LCIO ah.. supports this bill. If anybody.. if anybody ought not to have anything to do with it, it's I. Because I represent School Boards and



they're opposed to this. They're opposed to it because they believe like some of the members on the other side and two Governors that it supplants the School Board functions. It doesn't do anything of the kind. The School Board still fires. It just says you're not going to be judged of your own determination. I think it's rather unfortunate that the charge is brought up that the IEA is trying to buy its way. I say that you've got to consider this bill on the merits. You know, if anybody.. if anybody in this State has an ax to grind.. if any of the teachers have an ax to grind, they've got an ax to grind to me. Because I'm an attorney for school boards. I don't represent teacher organizations. But, all the teacher organizations are for this. And the Illinois Association of School Boards is against it. And I say it doesn't make any difference who's for or against it. It still constitutes that the denial of procedural due process nobody, but nobody should sit in judgement on his own determination and say I fired you. Now if you want a hearing, you've got to come before me. You interpret. You interpret your own dismissal when nobody in civil service or on a tenure system or a merit system has to suffer that indignity. And I think it's a terrible tragedy to visit our teachers of all people."

W. Robert Blair: "Ah.. Gentleman from ah.. Sangamon, Mr. Gibbs."

Gibbs: "Well, Mr. Speaker and Ladies and Gentlemen of the House. Very briefly in all deference to Tom Hanahan. I think we



ought to look at this bill on its merits and forget about the IEA. They also opposed me and contrary to what Tom Hanahan says if they can't beat me, they can't beat anyone. So I don't think they've got the clout that ah.. they think that they have. So I think we ought to vote on this issue on its merits and forget about who supported which candidate."

W. Robert Blair: "All right. Did you ah.. close Tony?"

Scariano: "Ah.. yeah. I would say only briefly, Mr. Speaker, in closing that Governor Kerner didn't understand this bill any more than Governor Ogilvie did and I think that the misunderstanding is bi-partisan. They ah.. and it's interesting to me that ah.. an astute like Bradley Glass and an astute legislator like Representative Walsh would also misconstrue it in saying that this takes away hiring from School Boards. It's got nothing to do with hiring at all. It just says that you know, I get a little bit didactic in ah.. stressing it so much. It just says that the School Board can go ahead and fire. The School Board can do that. It doesn't take away that power. It just says that the School Board isn't going to be judged of its own determination to dismiss. That if the teacher wants a hearing, it's got to be done by an independent, disinterested hearing officer and in this case appointed by the Superintendent of Public Instruction. Now the fact that the Superintendent of Public Instruction will be supplanted in a few years doesn't detract from the fact that



he ought to do it. That power will automatically go with a new state Board of Education when and if we ever create one. We should have done it before we adjourned last year. But the fact is that the School Board is not giving up one single thing except to be the judge of its own decision. That is contrary to fundamental principles of American fairplay. It's contrary to fundamental American tradition on due process. The Supreme Court of the State of Illinois has already indicated that they may do something about this if the legislature doesn't. This case was involved in a matter that went to the Supreme Court of the United States. But they chose.. they chose another ground. They chose freedom of speech in the Pickering case to get around the multiple functions of the School Board. You're doing nothing but to uphold fairplay in determining whether or not that teacher is going to get hearing by somebody who's disinterested. But to say that first I'm going to fire you and then I'm going to determine whether or not that determination is going to be upheld or whether it's going to be overruled simply doesn't comport with American constitutional safeguards. That's all you're doing. And I repeat again. That if anybody.. if anybody's got a right to complain it's the fact the teachers haven't.. they claim they haven't done too well by my hands because I represent School Boards as an attorney. But I think that I can read law. And I think that I can understand it. And I can say that if you are tired of having



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judge-made law. If you're tired of having courts say we're going to step into the legislative function, then by-God, you ought to assert your legislative function and create rules that are going to be fair. And in contenance with the American constitutional principles of procedural due process. Now get up and do something about it instead of complaining about an act of this court. If you want to stop activism in the courts, do something about it at the legislative level and assert that you believe in constitutional principles."

W. Robert Blair: "All right. The question is shall the bill pass over the veto of the Governor? All those in favor will vote 'aye' and the opposed 'no'. Hanahan, 'present'. Have all voted who wished? Ah.. Ed Madigan, 'present'. Ah.. Bradley, 'present'. Take the record. On this question, there are 72 'ayes', 31 'nays', three 'present'. And the gentleman's motion does not prevail. Boyle, 'aye'. Ah.. Agreed Resolutions." Hous

F. B. Selcke: "House Resolution 828. Arrigo, et al. House Resolution 829. Kennedy, et al. House Resolution 830. Hart, et al. Ah.. House Resolution 831, Hart. House Resolution 832. Simms, et al. House Resolution 833. McPartlin, et al. House Resolution 834. Jucket, et al. House Resolution 835. Juckett, et al. House Resolution 836. Philip, et al. House Resolution 837. Lechowicz, et al. House Resolution 838. Washington, et al. House Resolution 839. DiPrima, et al. House Resolution 840.



Londrigan, et al. House Resolution 841. Caparelli, et al. House Resolution 842. Day, et al. House Resolution 844. Maragos, et al. Ah.. House Resolution 845. Lechowicz, et al. House Resolution 846. Lechowicz, et al."

W. Robert Blair: "Gentleman from Cook, Mr. Hyde."

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

The Agreed Resolution 828 is a death resolution ah.. memorializing Mr. John G. Rovetto. Ah.. House Resolution 829 is a congratulatory resolution ah.. congratulating Mary Elizabeth Logan on her birthday. House Resolution 830 is a death resolution memorializing Gordon Franklin. House Resolution 831 ah.. salutes Doug Collins for his Olympic preface. House Resolution 832 mourns the untimely passing of ah.. a great sports writer and crusader for human dignity, Mr. Wendell Smith, sports columnists for the Chicago Sun-Times. House Resolution 833 ah.. honors John J. Kelly, Deputy Commissioner of Streets, for Chicago after 45 years of distinguished civic service. House Resolution 834 also memorializes Wendell Smith who recently passed away. House Resolution 835 honors Dr. H. H. Connolly upon his retirement of 48 as an active doctor. House Resolution 836 honors Miss Carolyn Pollis who was selected Miss Illinois. House Resolution 839 expresses the sorrow and sincere sympathy to the families of all persons who lost their lives in the tragic Illinois Central ah.. Railroad crash. Ah.. House Resolution 838 is a resolution introduced by Representative Harold Washington, Lewis Caldwell and ah..



Gene Barnes commending Governor Ogilvie for his consistency and genuine commitment to the creation of the Illinois Public Contracts Program and urges him to issue an appropriate executive order to record permanently the achievements under this program and to assure the success of this new program born under Governor Ogilvie's stewardship. House Resolution 839 ah.. honors the 50th Anniversary of John and Josephine Zimbicci. House ah.. Resolution 840 mourns the untimely passing of Chief Circuit Judge William H. Chamberlain. House Resolution 841 congratulates Mario and Audrey Canti. for 10 years of community service ah.. the host and hostess of Farara Manor in Chicago. House Resolution 842 ah.. I would yield to Representative Day. Do you have a copy? Ah.. if he would read House Resolution 842."

Day: "The Resolution is as follows: 'Whereas our respected and very knowledgeable colleague, Wilbur Lotterbauch, is retiring from this body. And Whereas during a long and illustrious career in public service beginning as President of the Bartonville, Illinois Board of Education and continuing with physicians as a Member of the Bartonville Board of Trustees, Mayor of Bartonville for 16 years, Fire Chief and Assistant Fire Chief of the Bartonville Fire Department, Chairman of Peoria County Housing Authority for 22 years and President of the Tazewell Cripple Children's Center and whereas he has long been a respected member



of the Illinois business community as the manager of H. E. Lauterbauch Lumber Company for 25 years, Member of the Board of Directors, Madison Park Bank in Peoria, Member of the National Association of Retail Lumber Dealers. And whereas he has received the Peoria Junior Chamber of Commerce Good Government Award for his outstanding public service to his community and has devoted himself equally to his faith. Therefore, be it resolved by the House of Representatives of the 77th General Assembly of the State of Illinois that this body will sorrowfully miss the wise and experienced counsel of Wilbur Lauterbauch and we extend him our heartiest congratulations on his retirement. And be it further resolved that a copy of this resolution be presented to Lauterbauch."

Hyde: "House Resolution 844 ah.. and I would like to yield to Representative Sam Maragos."

Maragos: "Mr. Speaker. House Resolution 844. And I'm joined in this Resolution by Representative Collins from the 30th District. Whereas it was such an irreparable loss to witness the retirement from this House of Representatives of one of our most esteemed and most highly respected colleagues, the Honorable Henry M. Leonard of the 30th Representative District after 10 consecutive terms of distinguished legislative service. And whereas we know there will not be his like here again, he is a dedicated and tireless champion of human dignity. A fearless and



respected adversary and a man well-respected and widely admired by his legislative colleagues on both sides of the aisle and of both Houses of the General Assembly. And whereas with iron will was forged from the crucible of Chicago's South Side in an age when times and people were rougher where not infrequently he was compelled to rise in the defense of his younger brother, George and younger sister, Irene. And from this beginning grew a career of professional boxing. He fought 150 pounds (Featherweight) and defeated the Canadian and French Champions as well as the World's Champion, Benny Bass. And whereas here at this gathering of his friends and colleagues, we pause to say good-bye to our distinguished colleague whose imminent departure from our midst is felt most keenly by those who are fortunate enough to have worked and struggled with him and who will cherish the memories of these years together. Therefore, be it resolved by the House of Representatives of the 77th General Assembly, the State of Illinois on the occasion of his retirement from the House of Representatives, we bid a hearty farewell to our esteemed colleague, the Honorable Henry M. Leonard and that we wish him well in all his future endeavors. And be it further resolved that a suitable copy of this preamble and resolution be presented to the Honorable Henry M. Leonard with our best wishes for a long life, good health and happiness. At this time, I'd like to have leave that all members of the House join in

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this resolution because we want to present it to him on December 8th. Thank you very much."

Hyde: "House Resolution 845 ah.. expresses our sadness at the passing of Mr. Henry J. Hagayapan, the Chief Investigator for the Department of Revenue and Chief Deputy Sheriff of Cook County. House Resolution 846 expresses our sadness at the passing of Orlando W. Wilson, former Superintendent of the Chicago Police Department. I know move, Mr. Speaker, adoption of the Agreed Resolutions."

W. Robert Blair: "All those in favor of the adoption of Agreed Resolutions say 'aye'."

Members: "Aye."

W. Robert Blair: "Opposed, 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. Further resolutions."

F. B. Selcke: "House Resolution 843. Mann et al."

W. Robert Blair: "Gentleman from Cook, Mr. Mann."

Mann: "Mr. Speaker, would the Clerk please read the resolution?"

F. B. Selcke: "Whereas ah.. House Resolution 843. Whereas the tragic crash on October 30, 1972, in Chicago, Illinois between two Illinois Central Commuter Trains killing 44 people and injuring some 320 people is a matter of vital concern to the General Assembly as to the cause of the factors of such tragedy in order that safety legislation if necessary may be enacted. And whereas the Illinois Legislative Investigating Commission is amended authorizing the Commission created therein to investigate pursuant to resolution adopted by either House of the General Assembly



any matter upon which the General Assembly may legislate. Therefore, be it resolved by the House of Representatives of the 77th General Assembly, the State of Illinois, that we direct the Illinois Legislative Investigating Commission pursuant to their powers under the Illinois Legislative Investigating Act to thoroughly investigate the causing factors of the two Illinois Central Commuter trains at or near the 27th Street passenger station of such railroad company in Chicago, Illinois which occurred about 7:27 a. m. Central Standard Time on October 30, 1972, killing 44 persons and injuring some 320 persons. That their investigation of such crash include a thorough and comprehensive review of the investigations made by the railroad, the Federal.. the Federal and State Government Transportation Departments, the Illinois Commerce Commission, the Cook County Coroner's Office and any other agency that it finds has made an investigation into the facts of such tragic crash. And be it further resolved that the Illinois Legislative Investigating Commission shall present its reports, findings, and recommendations for the legislative action to the House of Representatives not later than March 1, 1973."

W. Robert Blair: "Gentleman from Cook, Mr. Mann."

Mann: "Ah.. Mr. Speaker, ah.. I move for a suspension of Rule 53a in the appropriate rules and for the immediate consideration and adoption of this resolution. And with your leave, Mr. Speaker, I'd like to be heard ah.. on this resolution."



W. Robert Blair: "Ah.. the Gentleman from Cook, Mr. Juckett."

Juckett: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House. Under the rules ah.. this resolution should go to the Executive Committee and the gentleman is asking for suspension of the rule and because of the fact that we will be in session on the 14th of December, I would object to the suspension of the rule. The procedure has always been for any resolution requesting the assistance of the Investigating Commission that it do go to the Executive Committee. So I would earnestly appeal to all of you to turn down this request and if the request is turned down, when it is turned down, the Executive Committee will meet at 10 a.m. on Thursday, December 14th for the purpose of hearing the resolution of the gentleman from Cook."

W. Robert Blair: "Gentleman from Cook, Mr. Mann."

Mann: "Mr. Speaker, there seems to be something wrong with this mike. May I switch to Representative Boyles'?"

W. Robert Blair: "Sure."

Mann: "Mr. Speaker and Members of the House. On October 30, the crash of two Illinois Central Commuter Trains killed 45 people and injured 320 people in the most devastating train crash in the history of this country. The IC serves my district and many districts of people in this House. As a matter of fact we have over 52 co-sponsors on this resolution. Now because of the nature of the crash, I was at the scene. I saw the smashed and tattered bodies. I saw the new trains crumbled like accordians. I saw the beautiful job



which ah.. Michael Reese Hospital and Mercy Hospital did. I think it's perfectly reasonable, Mr. Speaker, and Members of this House.."

W. Robert Blair: "Ah.. just a moment please. Gentleman from Cook, Mr. Juckett. For what purpose do you rise?"

Juckett: "Well, Mr. Speaker. I know the gentleman is deeply moved by the problem of this crash as are all the investigations that are now going on. But I believe he's talking to the resolution and not to the motion to suspend."

W. Robert Blair: "Your point is well-taken. And the motion to suspend is not debatable.. Gentleman from Cook, Mr. Mann."

Mann: "Mr. Speaker I would be.. I would appreciate it if you would permit me to explain why I think an immediate investigation is important."

W. Robert Blair: "Well, the gentleman's raised a point of order. And I've ruled on that point of order and I can't do more than that ah.. The resolution's been read ah.. you've been allowed two or three minutes of explanation time and the issue's very simple now. It's whether to suspend the rule ah.. that specifically provides that when resolutions are introduced that they shall be immediately referred to committee by the Speaker for consideration by the Committee process. Now you're asking to suspend that rule. And we're going to put that to a vote for you. Ah.. you can talk on an explanation of vote."

Mann: "And Mr. Speaker, I would appreciate adequate time to



explain my vote."

W. Robert Blair: "Well, there's a rule with regard to that, too. All right. The question's on the gentleman's motion to suspend the provisions of Rule 53a so that on this resolution there may be ah.. considered at the present time without referral to committee. All those in favor will vote 'aye', the opposed 'no' and this requires 89 votes or two-thirds of those voting on the issue. Have all voted who wished? Oh, the Gentleman from Cook, Mr. Mann."

Mann: "Mr. Speaker. I think it's clearly within the domain of this General Assembly to find out the cause of the factors. Whether they were human or mechanical for that accident. There are no substantive statutes on our books with regard to safety. It's all under the regulation of the Illinois Commerce Commission which is one of the investigating commissions. Now this was an intra-state commuter train. And as such the General Assembly is a strong responsibility in insuring that such a train operate under appropriate state government safety regulations. We want to make sure, Mr. Speaker, that this never happens again. The only way we can do it, I think, is to designate the Illinois Investigation.. Legislative Investigating Commission to review the supervisory and safety regulations of the Illinois Commerce Commission. And to digest for us the findings of the on going investigations of the Illinois Commerce Commission and the State Department of Transportation



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and the National Transportation Safety Board. Now, Mr. Chairman.. Mr. Speaker, this was a fantastically severe crash and collision. Not only disabling hundreds but killing over 45 people. And I would suggest, Mr. Speaker, that it is not only incumbent upon us but is our duty to formulate legislation immediately which will make sure that when flagmen are required, flagmen are required. When radio communications between trains are required, that they be required. That schedules be reviewed. The Illinois Commerce Commission is not apt to criticize its own policies. I think this is within the legitimate domain of the Illinois General Assembly. We are the ones who are charged with the responsibility of promulgating laws which will insure that this never happen again. Mr. Speaker, now Mr. Speaker, you may recall when the Chicago and Southern crash resulted in the death of many of our esteemed citizens of this state. The Illinois Legislative Commission did a thorough and competent job of investigating the causes of that particular accident. I realize that there are ongoing investigations. But I also realize that the Illinois Central services hundreds of thousands of commuters on the south side of Chicago. And I would appreciate your support.. all of you. So that we can get to the bottom of this so such a tragedy never occurs again."

W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question there are 74 'ayes', and



47 'nays'.. all right. And the gentleman's motion to suspend fails. Now I'll refer that to the gentleman from Cook, Mr. Mann. Gentleman from Cook, Mr. Mann."

Mann: "Weren't there two-thirds, Mr. Speaker?"

W. Robert Blair: "There were not. We were calculating that and you would needed ah.. needed 80.6 and you had 74."

Mann: "Mr. Speaker, I'd like to poll the absentees."

W. Robert Blair: "All right. The gentleman's requested a poll of the absentees."

F. B. Selcke: "Arrigo. Bartulis. Boyle. Brenne. Brummet. Burditt. Caldwell. Calvo. Chapman. Otis Collins. Conolly."

W. Robert Blair: "All right. Just a moment. The Gentleman from Cook, Mr. Mann. For what purpose do you rise?"

Mann: "Mr. Speaker, I'll let the score stand."

W. Robert Blair: "All right. And I'll refer that to the Executive Committee right now and the Chairman of the Committee's indicated that he will set that for hearing when we return here on the 14th. Further resolutions. What purpose does the Gentleman from Christian, Mr. Tipsword rise?"

Tipsword: "Mr. Speaker. Regrettably, I failed to have a resolution prepared in time but I wondered if I just might ask the body to join with me in wishing 'Happy Birthday' to one of our esteemed members and my district colleague who's celebrating his 39th birthday today, Representative John Alsup."



W. Robert Blair: "All right. For what purpose does the Gentleman from Cook, Mr. Fleck rise?"

Fleck: "Mr. Speaker with leave of the House I would ask that the appropriate rules be suspended so that House Joint Resolution 11 may be taken from the table and that the Executive Committee be discharged from further consideration of that resolution. It had a hearing last spring in committee and it was reposing there with a tie vote. It has to do with limitation of the Governor's amendatory veto."

W. Robert Blair: "All right. Now the gentleman is moving to take from the table a.. HJR 11. Ah.. and then he's going to move to do something else after that. So, the gentleman's question is to take from the table. All right. All those in favor say 'aye'. Opposed 'no'. The 'ayes' have it. And the gentleman's motion to take from the table prevails. Gentleman from Cook, Mr. Fleck."

Fleck: "At this time, Mr. Speaker, I'd ask leave of the House that the Executive Committee be discharged from further consideration of House Joint Resolution 11."

W. Robert Blair: "All right. The gentleman now has moved to discharge ah.. from ah.. consideration the Executive Committee with regard to HJR 11. Gentleman from Cook, Mr. Shea."

Shea: "Ah.. this joint resolution is reposing in the Committee that is going to meet the day that the House comes back in session. Is that correct?"



W. Robert Blair: "It is in the .. yes. We.. we have.. up to now, what we have done is to take from the table, HJR 11 which is in the House Executive Committee."

Shea: "So that the Executive Committee could hear that resolution then at the same time it hears the other resolution?"

W. Robert Blair: "Now, ah.. the Gentleman from Cook, Mr. Fleck."

Fleck: "Well, ah.. Mr. Speaker, I can understand Representative Shea's concern. If people remember quite clearly that this resolution had a full and complete hearing. As a matter of fact, he voted for it."

W. Robert Blair: "All right. Is there objection to ah.. the Gentleman's request to discharge the Committee? Oh, ah.. All right. Hearing none, the.. unanimous consent, the ah.. Committee's been discharged of HJR 11 and ah.. it will be placed on the calendar on the order of.. Okay, Consitutional Amendments, Second Reading. The Gentleman from Cook, Mr. Jackett, Mr. Juckett with regard to an announcement."

Juckett: "Mr. Speaker and Ladies and Gentlemen of the House. In regard to the resolution on the IC, the Executive Committee will meet on the 14th at 11:00 a. m. which is one hour prior to the convening of the House. Be at 11:00 o'clock in M-5 on Thursday, the 14th."

W. Robert Blair: "Ah.. messages from the Senate."

F. B. Selcke: "Ah.. message from the Senate by Mr. Wright,



Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following Joint Resolution: House Joint Resolution No. 3, together with the following Amendment. Amendment to House Joint Resolution No. 3. Amend House Joint Resolution No. 3 by striking December 11, 1972; inserting in lieu thereof December 14, 1972."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Hyde."

Hyde: "Mr. Speaker, ah.... Ladies and Gentlemen of the House. This is an Amendment that the Senate has put on House Joint Resolution No. 3 and what it does, it changes the date of reporting from the Revenue Committee both of the House and the Senate, which are to hold joint hearings on the tax program and the tax freeze from December 11 to December 14, 1972. So the Committees will have the extended date to report their findings from the hearings, from the 11th to the 14th. So I now move that the House concur in the Amendment ah.... first amendment, Amendment No. 1 to House Joint Resolution 3."

Hon. W. Robert Blair: "Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker, are we amending the Adjournment Resolution to the 14th now in this Resolution. If we adopt this Amendment, are we also amending the Resolution that we're not going to come back on the 11th."

Hon. W. Robert Blair: "No." Alright, all those in favor of the gentleman's mo.... Gentleman from Cook, Mr. Shea."



Shea: "Mr. Speaker, this is House Joint Resolution No. 3 of the First Special Session, is it not?"

Hon. W. Robert Blair: "That's right. That point is well taken. Ah.... we will have that message come back tomorrow at our special, which will be perfuncted, but we will receive...."

Shea: "Well, Mr. Speaker, I think if we see what we do on the Adjournment Resolution, I think that ah.... we could then see what we wanted to do with that one, could we not?"

Hon. W. Robert Blair: "All right. We'll take.... That message went to the Special Session, so we inadvertently referred to it, so it's taken out of the record now in the Regular Session. Ah.... for what purpose does the gentleman from Cook, Mr. Lechowicz, rise?"

Lechowicz: "Thank you, Mr. Speaker. A point of information. How could you adopt an Amendment to that House Special Resolution No. 3 in a perfunctory session?"

Hon. W. Robert Blair: "We're not. No, it will be read as a message and lay on the Speaker's table tomorrow until we come back in in the Special and at that time, whatever action the House desires to take, will be taken. I know. What purpose does the gentleman from Cook, Mr. Hanahan rise?"

Hanahan: "The question is, Mr. Speaker, right now the Special Session is adjourned according to our Resolution that we have passed December 11th. If we don't adopt...."



Hon. W. Robert Blair: "No, we haven't done that."

Hanahan: "Till when?"

Hon. W. Robert Blair: "We haven't done that yet. We haven't adjourned the Regular Session yet. We adjourned the Special this morning."

Hanahan: "Till what date?"

Hon. W. Robert Blair: "Till tomorrow at 10:00 AM. All right, let's read the Adjournment message for the Regular Session, which came over from the Senate's Regular Session."

F. Selcke: "Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution and the adoption of which I am instructed to ask concurrence of the House of Representatives to wit. Senate Joint Resolution No. 81. Resolved by the Senate of the 77th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn today they stand adjourned until Thursday, December 14, 1972 at 12:00 Noon. Adopted by the Senate, November 28, 1972, Kenneth Wright, Secretary."

Hon. W. Robert Blair: "All right, well, let's get to the Sponsor of the Resolution first. Mr. Hyde."

Hyde: "Mr. Speaker, ah.... I move that the House concur in Senate Joint Resolution No. 81, which means that when we do adjourn today in the General Session, we will return on the 14th of December at 12:00 Noon."



Hon. W. Robert Blair: "Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker, Members of the House. I'm sick and tired of being the stepchild of the Senate. Arbitrarily they set the date of December 14 for us to ratify. I think it is about time we tell the Senate when we'd like to adjourn to. I'd like to see this motion defeated in concurrence and let the Senate come back here in a couple of days and go to work. Maybe they don't think we earn our pay around here because they can leave any damn time they please and tell the House when to leave. But I think if we turn this Resolution down right now, the Senate should be commanded back into Session according to our Rules, our Joint Rules and then we'll come to a conclusion together of when we will adjourn to. The date of December 14, is not an acceptable date to many members of this side of the aisle, and I'm sure on the other side of the aisle to do the People's business. We have many things before this General Assembly, and arbitrarily they decide not the 12th, not the 11th, but December 14, on a Thursday, that if we have any business that will take five legislative days, it will take it Thursday, Friday, Saturday, Sunday and Monday before Christmas to do the People's business. I think the Senate should be told once and for all that we are not their stepchildren. That we are an equal branch of this General Assembly and we turned down their resolution of saying when we come back and I urge a roll call vote and I urge that it does not get adopted. I'd like to



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amend that Motion to the 11th or the 12th of December for us returning in this General Assembly."

Hon. W. Robert Blair: "Well, just hold that a minute, Tom. The gentleman from ah.... Cook, Mr. Hyde."

Hyde: "Well, Mr. Speaker, Ladies and Gentlemen of the House. I think it should be pointed out that this is not a unilateral decision of the Senate. That this adjournment date was fully discussed by the Leaders of both sides of the rotunda, as well as the aisle, and it is necessary to give the Revenue Committees enough time so that they may hear all parties who are interested in the tax freeze program, which as we all know, has infinite complexities involved and many, many segments of the economy of the State have a right to be heard and we do not wish to be in a posture of stampeding through such far-reaching legislation, and so it has been determined that by both Houses and by the Leadership in both Houses that this date will afford adequate time for adequate hearings, and so the Senate is not cracking the whip on the House by any means."

Hon. W. Robert Blair: "Gentleman from Kane, Mr. Hill."

Hill: "Mr. Speaker, ah.... point of inquiry. Didn't we pass a Joint Resolution, House Joint Resolution, adjourning until December 11th?"

Hon. W. Robert Blair: "No. No... We passed that in the Special Session. In the Special Session, we did pass the HJR, setting up joint hearings by the ah.... House and



Senate Revenue Committees, for them to report back with recommendations on December 11, and then they amended that resolution in Special Session over there to provide that the Revenue Committees would report back on December 14th. We started to consider that here, but then we couldn't because we were in Regular Session, so it's just on a message now and will be journalized tomorrow in our Special Session at 10:00 O'Clock."

Hill: "When we did pass that Resolution, wasn't it the intent of the House ah.... sending it ah.... the Date of December 11th that we would come back on December 11th, also? Wasn't that the intent?"

Hon. W. Robert Blair: "Yeow, it was felt....."

Hill: "Without no notification to the House as far as I know the Senate just took it upon themselves to set the 14th and let us hang again."

Hon. W. Robert Blair: "Well, the gentleman...."

Hill: "I just don't want to spend Christmas down here, and it seems to me that for quite some time now, we've had to put up with the Senate in such a way that they lay the law to us and that's the way it's going to be come hell or high water and I'm getting just a little fed up by it, and as far as I'm concerned, I certainly would like to see this Resolution amended, that we come back the 12th. In fact, I would like to come back the 11th and get it over with. We're elected to come down here and work and as far as I'm concerned, I'm willing to work. Now maybe those



People over there can take extended vacations, but I can't take those extended vacations. It seems to me we should represent the People and we should be down here representing them and I'm against this idea of adjourning until the 14th."

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

Choate: "Well, Mr. Speaker, inasmuch as the Majority Leader talked about the Leadership agreeing, as far as a particular date is concerned, I might point out that the dates to reconvene the Sessions was discussed, and it was the thinking of the Speaker and myself that we would come back on the 11th. The Senate asked.... brought to our attention rather that the contractors throughout the State of Illinois would be in the City on the 11th for the purpose of bid letting, so we suggested at that time, if I recall correctly, of convening on the 12th. The Senate Leadership suggested the 14th. I don't think that there was any firm commitment of any nature, as far as the Leadership is concerned. When coming back to the House, it was brought to my attention, and I will be quite frank with you, had forgotten that this was the weekend preceding the Christmas holiday season, and it was brought to my attention that many members who have children in school would be getting out of school on that weekend, and it would be the opportunity for them to take their children and enjoy the holiday season for of a period of at least a week or so, while the children were out of school, at which time then, from the



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Speaker's office, I called the Leadership in the Senate and requested that they make... that they give this attention and requested them to use the date of the 12th. This is what I know about it."

Hon. W. Robert Blair: "Gentleman from Madison, Mr. Kennedy."

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

It's obvious December the 14th is an outrageous date for this House to recess to. To keep us here over that weekend, you won't have a handful of people, and it's probably a cheap trick to delay some important legislation. And I believe once and for all, Mr. Speaker, I read in today's paper where you had mellowed, and I would like to see you, I say that respectfully, I would like to see you and Clyde Choate go over to the Senate and tell them we're coming back December the 12th to transact the business of this State. If they want to go home, let them go home."

Hon. W. Robert Blair: "We're checking with the Senate. We're not sure if they are still there. They're apparently closed for business over there. They're apparently closed. All right, the.... the gentleman from McHenry, Mr. Hanahan."

Hanahan: "Well, Mr. Speaker, Members of the House, you know after all these years serving the General Assembly, I hate to call the other side of that Rotunday my step father, but it seems in reviewing what position we're in, leaves us all in a real box as usual. The Senate out maneuvers and out flanks us, not because they're wiser, but because they have a lot less to do with their time, except to scheme



on how to beat the House, I think. I don't even know whether or not the Members of the Senate even understand. I know there are a lot of Jewish members over in the Senate. I know some of their leadership is Jewish, that Hanekkah is December 14. It didn't seem to bother them to call it back on a Holiday. It seems that kids are getting out of School on December 14th, but that didn't bother them. They just arbitrarily once again say to the House, 'You come back when we tell you to and then they adjourn and leave. We are in a real back position right now, because if we don't accept this Resolution that I'm objecting to originally, we have to come back in three days, and I know that many of us have planned vacations and short trips in the next few days, that we just can't do that, but I'm going to tell you, someday, somehow, I said this before, but someday and somehow this House is going to do something like this to the Senate and let them squirm a little bit. I promise you one thing. They might win a little battle every now and then, but they are not going to win the war this time. December 14th, we'll be back here. I hope everyone will and December 14th, let the Senate make it moves. Let the Senate tell the People of Illinois why they deserve whatever they think they deserve in the way of attributions of State Senators. Let them go back to the People and tell them why they weren't in Session the week before. Let them explain to the press and to the news media that they're too busy to be handling

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the People's business, that the House wanted to, but the Senate didn't have to. Well, I'm going to withdraw my objection to ah.... concurring, but not with a lot of bad taste in my mouth to those Senate Members, and I just hope that these new Senate Members elected out of this House remember that when they go over there, that we're not going to accept.... I know Harber Hall is not going to be one of those terrible guys over there and Howie Carroll, but I just hope they understand that we're not going to accept this laying down in the future."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Granata."

Granata: "Mr. Speaker, Members of the House. I'm not going to make a motion. I'm just going to... throw out a suggestion for everybody to mull over it, and when we come back here the 14th, work the 14th and 15th and then we members of the House, pass the adjournment Resolution, instead of coming back the following week, which will be close to the Holidays, come back on January 3 and we've got a whole damn week to work. Think that over and let them smell that one."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Simmons."

Simmons: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "All those in favor of the gentleman's motion, say 'aye'."

Members: "Aye."

Hon. W. Robert Blair: "Opposed 'no'. The 'ayes' have it. The previous question has been moved. The gentleman from



Cook, Mr. Hyde, now renews his motion."

Hyde: "I do, Mr. Speaker, renew this motion that we concur in Senate Joint Resolution 81, which ah... sets the time of adjournment Thursday, December 14, 1972 at 12:00 Noon."

Hon. W. Robert Blair: "All those in favor of the Resolution, say 'aye'."

Members: "Aye."

Hon. W. Robert Blair: "Opposed 'no'. The 'ayes' have it and the Resolution is adopted. All right, now, pursuant to the Resolution, the gentleman from Cook, Mr. Hyde."

Hyde: "I now move, Mr. Speaker, that this House, this General Session ah... do stand adjourned until the hours of 12:00 Noon, December 14, 1972."

Hon. W. Robert Blair: "All right, all those in favor of the gentleman's motion, say 'aye'."

Members: "Aye."

Hon. W. Robert Blair: "Opposed 'no'. The 'ayes' have it and the Resolution is adopted. "

