

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

THIRTEENTH LEGISLATIVE DAY

FEBRUARY 13, 1973

12:00 O'CLOCK P.M.

THE HONORABLE L. J. KENNEDY, 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 Peter C. Granata - illness;

Representative Robert S. Juckett - death in family;

Representative Mary Lou Kent - no reason given;

Representative James G. Krause - illness;

Representative Robert E. Mann - no reason given;

Representative Frank P. North - no reason given;

Representative Peter Pappas - no reason given;

Representative Peter Piotrowicz - illness;

Representative Thomas C. Rose - no reason given;

Representative George E. Sangmeister - illness;

Representative Joseph G. Sevcik - illness;



Rep. L. J. Kennedy: "The House will please come to Order.

We'll have the Invocation by the HONorable Joseph Carey, of Seatonville, Illinois."

Mr. Joseph Carey: "Let us pray. Almighty and Eternal God, look upon your constituents here that they may deliberate that they will help their constituents in the various districts from which they come and may all who served here and now gone before Thee with the sign of Faith have Mercy on them. And bless our Speaker and our Leadership and all the Members. Amen."

Rep. L. J. Kennedy: "Introductions and First Reading of Bills."

Fredric B. Selcke: "Ah.. House Bill 281, Tipsword, a bill for an act to amend the Illinois Land Sales Act, First Reading of the Bill."

Rep. L. J. Kennedy: "Committee Reports."

Fredric B. Selcke: "Ah.. Mr. Washburn from the Committee on Appropriations to which House Bill 89 was referred reported same back with amendments thereto with the recommendation that the amendments be adopted and that the bill as amended, do pass."

Rep. L. J. Kennedy: "Agreed Resolutions other than Death Resolutions. Resolutions."

Fredric B. Selcke: "Ah.. House Joint Resolution, Constitutional Amendment No. 12, Bradley, resolved by the House of Representatives, 78th GEneral Assembly, State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this State at the General Election next

occurring at least six months after the adoption of this

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Resolution a proposition to amend Section 2, of Article IV, of the Constitution, to read as follows: 'Article IV, Section 2, Legislative Composition, A. One Senator shall be elected from each Legislative District. Immediately following each decennial redistricting the General Assembly, by law, shall divide the legislative districts as equally as possible into three groups. Senators from one group shall be elected for four years and two years, Senators from the second group for terms of fours years, two years and four years and Senators from the third group for terms of 2 years, four years and four years. The Legislative District in each group shall be distributed equally over the State. B. Three Representatives shall be elected from each Legislative District for a term of two years. In elections for Representatives, including those for nomination, each elector may cast three votes for one candidate or distribute them equally among no more than three candidates. The candidates highest in votes shall be declared elected. C. To be eligible to serve as a member of the General Assembly a person must be a United State's citizen, at least 21 years old, and for the two years preceeding his election or appointment a resident of the district which he is to represent. In the General Election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of redistricting and re-elected if a resident of the new district he represents for 18 months prior to the election. D. Within 30



days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than 28 months remaining in the term, the appointed Senator shall serve until the next General Election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds. E. No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly. No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.' First Reading of the Resolution."

Rep. L. J. Kennedy: "Mr. Clabaugh, the Gentleman from Champaign, moves that a Recess until 12:00 Noon." (Gavel)

Rep. A. Telcser: "The House will come to Order. The Invocation from Dr. Johnson."

Dr. Johnson: "All wise and all merciful God, judge of mankind and Lord of majesty, by your Word you called into existence things which were not. And by the same Word of Your power You uphold all things that now are. You brought



order out of chaos. You adorned our world with a majesty in which we can find delight and for which we can praise your goodness. In the troubled and chaotic world, in which we live today, a world which we have created for ourselves, give us a fresh sense of Your presence and a reminder of Your readiness once again to imprint Your order and purpose upon us. To that end, we pray in this session that what we say and finally resolve will become the medium of your transforming power. We pray also now upon the death of Mrs. Gladys Provst for her son, Representative Robert Juckett. Be a comfort and source of strength to him as You remind each one of us that we are to live daily by Your grace which flows from Your hand. We pray also for Representative and Mrs. Pete Granata in their respective illnesses. Be oh Lord to them a God who will turn their eyes to You as a source of all healing power and deal with them according to Your mercy. Hear us, oh God of Jacob, the God of our Father, whom we confess to be our ever present help in time of trouble. Amen."

A. Telcser: "Okay. Roll call for attendance and the switches are now ready... Reading of the Journals.."

Fredric B. Selcke: "Ah.. Friday, February 2, 1973, 9:30 o'clock a.m., the House met pursuant to adjournment, Journal ah.. wait a minute. Thursday, correction on this.. Thursday, February 1, 1973, 10:00 a.m., the House met pursuant to adjournment, Speaker in the Chair, prayer by Dr. John F. Johnson, Journal number 7. Ah.. Journal number 8, Friday.."



A. Telcser: "Gentleman from Cook, Representative Bill Walsh."

W. D. Walsh: "Mr. Speaker, I move the adoption of Journals 6 and 7."

Fredric B. Selcke: "No, 7 and 8. 7 and 8."

W. D. Walsh: "7 and 8."

A. Telcser: "Gentleman from Cook, Representative Shea."

J. Shea: "Ah.. could the, Mr. Speaker, could you tell me ah.. who on our side has checked the Journals? We usually have a committee and I don't know who's been appointed to it and I certainly don't want to approve any Journals until we've had a chance to go over them."

A. Telcser: "The Clerk informs me that ah.. the committee consists of Representative Londrigan, Tipsword, Borchers, Jones, who else.. and Representative Gibbs. And they have been approving Journals that the House has not been. Representative Shea for what purpose do you rise?"

J. Shea: "I've talked to Representative Londrigan and Tipsword and they tell me they have not approved any Journals yet."

A. Telcser: "Do you wish to take it out of the record?"

J. Shea: "I.. I would ask the Majority Leader if he would withdraw the motion at this point."

A. Telcser: "He indicates he will. All right there's no business on the order of petitions and messages, reports of Standing Committee, reports of Special Committees, Joint Committees and Commissions.. we'll now go to the order of introduction and First Reading of House Bills."

Fredric B. Selcke: "Ah.. House Bill 282, Hart et al. Appropriates



\$517.80 to the widow of William Shepherd Aken. First Reading of the Bill. House Bill 283, Hart et al. Amends the State Parks Act. First Reading of the Bill. House Bill 284, Jones. Amends the Local Mass Transit District Act. First Reading of the Bill. House Bill 285, Sharp. An Act making the Appropriation Department of Transportation to make an engineering examination survey in Madison County. First Reading of the Bill. House Bill 286, Ron Hoffman et al. Amends the Election Code. First Reading of the Bill. House Bill 287, Martin. Amends the Code of Criminal Procedure. Ah.. First Reading of the Bill. House Bill 288, Martin. Creates an Act in relation to Real Estate Installment Contracts. Ah.. First Reading of the Bill."

A. Telcser: "Ah.. Agreed Resolutions."

Fredric B. Selcke: "House Joint Resolution number 3. Walsh. Resolved by the House of Representatives of the 78th General Assembly, State of Illinois, the Senate concurring herein, that when the House of Representatives adjourns on Thursday, February 15, 1973, it stand adjourn until Tuesday, February 20, 1973, at 9:30 a.m. And when the Senate adjourns on Friday, February 16, 1973, it stand adjourned until Wednesday, February 21, 1973, at 11:30 a.m."

A. Telcser: "The Gentleman from Cook, Representative Bill Walsh."

W. D. Walsh: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House. This is the Adjournment Resolution. It says that when ah.. convene on February 20th, it will be at 9:30. Now,



this will be a perfunctory session and your attendance will not be required. However, I'm not able to tell you at what time we will convene in Regular Session.. whether at 11:00 o'clock or 12:00 o'clock. And we will make this announcement before we leave on Thursday. And I move, Mr. Speaker, the adoption of the Adjournment Resolution."

- A. Telcser: "Is there any discussion? Now, the Gentleman has moved the.." Gentleman from Union, Representative Choate."
- C. Choate: "I.. I... I.. don't mean to disagree with the Majority Leader at all, but I think it would be advisable prior to the adoption of the Resolution, to know whether it is going to the 11:00 or 12:00 o'clock."
- A. Telcser: "Gentleman from Cook, Representative B. B. Wolfe."
- B. B. Wolfe: "Ah.. will the Gentleman yield for one minute please?"
- A. Telcser: "He indicates he will."
- B. B. Wolfe: "Bill, in view of the fact that many of us, you know, come from Chicago and Cook County area and take the train which arrives at 11:30, I think that one hour you can accomodate many Members of the House on both sides of the aisle if we had a 12:00 convening."
- W. D. Walsh: "Yeah. Well, I've just been informed that we will convene at 12:00 o'clock on Tuesday, the 20th and I renew my motion, Mr. Speaker."
- A. Telcser: "Is there any question? Gentleman's moved the adoption of the Adjournemnt Resolution. All in favor signify by saying 'aye'."



Members: "Aye."

A. Telcser: "The opposed, 'no'. The Resolution is adopted. Okay. With leave, we'll go back to House Bills, First Reading."

Fredric B. Selcke: "House Bill 289, Deuster. Amends the Environmental Protection Act, First Reading of the Bill."

A. Telcser: "On the order of Motions, the Gentleman from McClain, Representative Deavers, wishes to table his motion which appears on the calendar. All those in favor of the Gentleman's motion to table, signify by saying 'aye'."

Members: "Aye."

A. Telcser: "The opposed 'no'."

Members: "No."

A. Telcser: "The Gentleman's motion prevails. Gentleman from Franklin, Representative Hart."

R. Hart: "Ah.. thank you, Mr. Speaker. If you could get a little order, I've got ah.. I've got one little thing I'd like to say which maybe some of them would be interested in. This morning ah.. I filed a bill with Representative Choate and McCormick who are my ah.. Representatives in the 59th District. The nature of the bill is to name a park in Franklin County, which is near Wren Lake. After one of our former members, Wayne Fitzgerald, who is a resident of Sesser, in Franklin County. This park is near his home. He was killed, many of you will remember who served with



him.. one night ah.. coming back from a political meeting south of Springfield, but we have introduced this bill, the members of the 59th District, to name this park, this State Park, Wayne Fitzgerald State Park. If any of you would like to be co-sponsors on that bill the bills on the Clerk's desk and I would ask you to go down and get your names on it. Ah.. secondly . . . I would like to have leave of the House to add the names of Representative Hunsicker and Waddell as co-sponsors on House Bill 128 which I am the chief sponsor."

A. Telcser: "All right. Hearing no objections the ah.. co-sponsors will be journalized. Okay. We're now down on the ah.. the order of announcements on the daily order of business. Is there a member who has an announcement they wish to make at this time? Okay, on the order of death resolutions..."

Fredric B. Selcke: "Ah.. House Resolution 37, Clabaugh. Whereas the House notes with deepest regret the passing of one of its former members, Tom M. Garman of Urbana; Whereas he was born in Urbana on October 23, 1901, and educated in the Urbana Public Schools and later at the University of Illinois; and whereas he was a successful athletic coach for two year and married the former Naomi Neerman of Champaign on March 9, 1974; and whereas he was a highly respected and successful member of the Champaign-Urbana Business Community as an insurance and bond salesman, and whereas being a civic minded and community oriented man, he



was a valued member of the Champaign Lodge No. 398 Benevolent and Protective Order of the Elks and a staunch member of the Loyal Order of Moose, and an otherwise active participant in the life of his community, therefore be it resolved by the House of Representatives 78th General Assembly, State of Illinois, that we wish to join the family and friends of Tom Garman in mourning his departure, that his personal presence and achievements will not be forgotten by us, and that our most profound sympathies lie with his widow, Naomi, and be it further resolved that a copy of this preamble and resolution be presented to her."

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

W. D. Walsh: "Mr. Speaker, I move the adoption of death resolution for a former Member of this House, Tom Garman."

A. Telcser: "The Gentleman has moved the adoption of House Resolution 37. All those in favor of adoption, signify by saying 'aye'."

Members: "Aye."

A. Telcser: "The opposed 'no'. The resolution is adopted. The Gentleman from Cook, Representative Bill Walsh."

W. D. Walsh: "Ah.. let me say Mr. Speaker, that we're getting ready to adjourn and if any Members, Committee Chairman, or others have an announcement to make, this is the time to do it and I'd like to lead off with this announcement.. that there will be a conference of Republican Members immediately after convening tomorrow at 10:00 o'clock."



- A. Telcser: "Gentleman from Union, Representative Choate."
- C. Choate: "I would like to ah.. advise the Democratic Members, Mr. Speaker, that with all probability there will be a Democratic Conference in the morning and I would urge them to be on time and be in attendance. Because there are, there is matters of great importance to the legislature as well as the people of the State that we will discuss."
- A. Telcser: "Gentleman from Franklin, Representative Hart."
- R. Hart: "I would like the members to ah.. ah.. recognize the wife of our Minority Leader, Clyde Choate, Mrs. Madonna Choate sitting in the back gallery."
- A. Telcser: "Gentleman from Cook, Representative R. Hoffman."
- R. Hoffman: "Thank you Mr. Speaker. Just an announcement to indicate that there'll be no meeting of the Cities and Villages Committee this week. There will be a meeting next week and it will be posted."
- A. Telcser: "Gentleman from Henderson, Representative Neff."
- C. Neff: "Ah.. Mr. Speaker, and Ladies and Gentlemen of the House. This is just a reminder that there will be a Transportation Committee Hearing this afternoon at 4 p.m."
- A. Telcser: "Are there further announcements? If not, the Gentleman from Cook, Representative Bill Walsh."
- W. D. Walsh: "And now Mr. Speaker, I move that the House adjourn to 9:30 a.m. tomorrow, at which time there'll be a Perfunctory Session and 10:00 a.m. tomorrow in Regular Session."
- A. Telcser: "The Gentleman from Union, Representative Choate."



C. Choate: "Ah.. yes Mr. Speaker. Only for a point of clarification. Many of the Members on my side asked me what time our conference was going to be. It will be sometime in the morning after we convene the House. I would assume that both parties would ah.. recess at approximately the same time. But, it would be after 10:00 o'clock in the morning."

A. Telcser: "The Gentleman has moved that the House stand adjourned until the hour of 9:30 Perfunct, 10:00 o'clock Session on Wednesday, February 14th. All in favor, signify by saying 'aye'."

Members: "Aye."

A. Telcser: "The opposed, 'no'. And the House stands adjourned."
(Gavel)

