

HOUSE OF REPRESENTATIVES

SEVENTY EIGHTH GENERAL ASSEMBLY

FORTY-THIRD LEGISLATIVE DAY

APRIL 26, 1973

9:30 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 Victor A. Arrigo - illness;

Representative Charles J. Fleck - illness;

Representative Peter C. Granata - illness;

Representative Virginia B. Macdonald - illness in family.



1.

Honorable W. Robert Blair: "The House will be in order. The prayer by Mr. Cary."

Cary: "Let us pray. Like a deer that looks for the running stream, my soul looks for the face of God. Amen."

Hon. W. Robert Blair: "Messages from the Senate."

F. B. Selcke: "Message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I am directed to inform the House of Representatives, the Senate has adopted the following Senate Joint Resolution, the adoption of which I am instructed to ask concurrent of the House. Senate Joint Resolution 34. Adopted by the Senate, April 24, 1973. Edward E. Fernandes, Secretary. Mr. Speaker, I am directed to inform the House of Representatives, the Senate has adopted the following Senate Joint Resolution, the adoption of which I am instructed to ask concurrence of the House. Senate Joint Resolution 35. Adopted by the Senate, April 25, 1975. Edward Fernandes, Secretary. Mr. Speaker, I am directed to inform the House of Representatives, the Senate has passed a Bill with the following title, to which I am instructed to ask concurrence of the House. Senate Bills 137, 152 and 156. Passed the Senate April 25, 1975. Edward E. Fernandes, Secretary."

Hon. W. Robert Blair: "Committee Reports."

F. B. Selcke: "Mr. Bluthardt from Elections, to which House Bill 476 was referred, reported sending back pursuant to Rule 23d. The Bill was ordered tabled. Mr. Randolph from Revenue, to which House Bill 415 was referred, reported



sending back pursuant to Rule 23d, the Bill was ordered Tabled."

Hon. W. Robert Blair: "Introduction, First Reading, House Bills."

F. B. Selcke: "House Bill 1533. Garmisa. Amends Act relating to Coroners. First Reading of the Bill. 1534. Kosinski. Amends the Highway Code. First Reading of the Bill. 1535. Giglio. Amends the Civil Administrative Code. First Reading of the Bill. 1536. Giglio. Amends the Civil Administrative Code. First Reading of the Bill. 1537. Matijevich. Creates an Act in relation to protection of hi-rise buildings. First Reading of the Bill. 1538. Matijevich. Amends the Revenue Act. First Reading of the Bill. 1538. LaFleur. Amends the Civil Administrative Code. First Reading of the Bill. 1540. Palmer. Amends the Policemen's Pension Fund Article. First Reading of the Bill. 1541. Palmer. Amends the Revenue Act. First Reading of the Act. 1542. Krause. Appropriates eleven million, 580 thousand, 600 dollars to Highway Safety fund, First Reading of the Bill. 1543. Krause. Provides that all projects for restoration, reconstruction, refurbishment of State historic sites shall be under the planning and supervision of the State Historian. First Reading of the Bill. 1544. Berman. Amends an Act in relation to communications to clergymen and practitioners of religious denominations. First Reading of the Bill. 1545. Palmer. An Act in relation to actions commended against the State



of Illinois. First Reading of the Bill. 1546. Lundy. Amends Municipal Code. First Reading of the Bill. 1547. Matijevich. Amends Vehicle Code. First Reading of the Bill. 1548. Telcser. Amends Consumer Fraud Act. First Reading of the Bill. 1549. Telcser. Amends Consumer Fraud Act. First Reading of the Bill. 1550. North. Amends Consumer Fraud Act. First Reading of the Bill. 1551. Martin. Amends the Viet Nam Veterans Compensation Act. First Reading of the Bill. 1552. Martin. Amends the Illinois Municipal Code. First Reading of the Bill. 1553. Martin. Creates the Alternative Education Study Commission. First Reading of the Bill. 1554. Martin. Appropriates \$100,000 to the Alternative Education Study Commission. First Reading of the Bill. 1555. Martin. Amends the Illinois Public Aid Code. First Reading of the Bill. 1556. Lundy. Amends the Senior Citizens and Disabled Persons Property Tax Relief Act. First Reading of the Bill. 1557. Lauer. Amends the Vehicle Code. First Reading of the Bill. 1558. Deuster. Appropriates 200 thousand dollars to the Illinois State Toll Highway Authority. First Reading of the Bill. 1559. Kozubowski. Amends Election Code. First Reading of the Bill. 1560. Hirschfeld. Amends the School Code. First Reading of the Bill. 1561. Hirschfeld. Amends the County Zoning Act. First Reading of the Bill. 1562. Yourell et al. Amends Civil Administrative Code. First Reading of the Bill. 1563. Yourell. Amends Vehicle Code. First Reading



of the Bill. 1564. Choate. Amends the State Comptroller Act. First Reading of the Bill. 1565. Berman. Amends School Code. First Reading of the Bill. 1566. Wall. Amends the School Code. First Reading of the Bill. 1567. Williams. Amends the Vehicle Code. First Reading of the Bill. 1568. Hanahan. Creates an Act to require the installation of windows made of safety glazing materials on railroad cabooses and locomotives. First Reading of the Bill. 1569. McPartlin. The Illinois Underground Utility Facilities Damage Prevention Act. First Reading of the Bill. 1570. Barry. Appropriates to the Department of Finance. First Reading of the Bill. 1571. Fary. Amends Vehicle Code. First Reading of the Bill. 1572. Fary. Amends Civil Administrative Code. First Reading of the Bill. 1573. J. J. Wolf. Amends Private Employment Agencies Act. First Reading of the Bill. 1574. J. J. Wolf. Amends Private Employment Agencies Act. First Reading of the Bill. 1575. J. J. Wolf. Creates the Law Enforcement Personnel Employment Relations Act. First Reading of the Bill. 1576. Hyde. Amends the Illinois Savings and Loan Act. First Reading of the Bill. 1577. Lemke. Amends the Mechanics Lien Act. First Reading of the Bill. 1578. Giglio. Appropriates \$380,000 to the Department of Transportation. First Reading of the Bill. 1579. Kempiners. Amends the Teachers Retirement System Article. First Reading of the Bill. 1580. Amends Vehicle Code. First Reading of the Bill. 1581. Beatty. Amends



Vehicle Code. First Reading of the Bill. 1582. MacDonald.  
Amends Rivers, Lakes and Streams Act. First Reading of  
the Bill. 1583. MacDonald. Amends the Township Zoning  
Act. First Reading of the Bill. 1584. Matijevich.  
Amends the Pension Code. First Reading of the Bill. 1585.  
Getty. Amends the Environmental Protection Act. First  
Reading of the Bill. 1586. R. L. Dunne. Appropriates  
\$748,000 to the City of Chicago. First Reading of the  
Bill. 1587. Lundy. Amends the Insurance Code. First  
Reading of the Bill. 1588. Murphy. Amends Revenue Act.  
First Reading of the Bill. 1589. Alsup. Amends the  
Pension Code. First Reading of the Bill. 1590. McLendon.  
Amends the School Code. First Reading of the Bill. 1591.  
McLendon. Amends the Criminal Code. First Reading of the  
Bill. 1592. Schneider. Amends the School Code. First  
Reading of the Bill. 1593. Jacobs. Appropriates five  
million dollars to the Department of Transportation. First  
Reading of the Bill. 1594. Schraeder. Amends Fish Code.  
First Reading of the Bill. 1595. Madigan. Amends the  
State Finance Act. First Reading of the Bill. 1596.  
Carter. Amends law in relation to banks and banking re-  
lating and so forth. First Reading of the Bill. 1597.  
Carter. Amends the Illinois Banking Act. First REading of  
the Bill. 1598. Philip. An Act implementing the  
Constitutional provision for Comptroller and Executive  
branch and so forth. First Reading of the Bill. 1599.  
Skinner. Amends the Northeastern Illinois Planning Act.



First Reading of the Bill. 1600. Skinner. Amends the Township Act. First Reading of the Bill. 1601. Cunningham. Amends the Illinois Insurance Code. First Reading of the Bill. 1602. McLendon. Creates an Act regulating the leasing of residential real property. First Reading of the Bill. 1603. Hill. Amends Teachers' Retirement System Article. First Reading of the Bill. 1604. Hill. Amends the Pension Code. First Reading of the Bill. 1605. Hill. Amends the Teacher Retirement System Article of the Pension Code. First Reading of the Bill. 1606. Hill. Amends the Teacher Retirement System Article. First Reading of the Bill. 1607. Hill. Amends Pension Code. First Reading of the Bill. 1608. Cunningham. Appropriates \$50,000,000 to the Department of Transportation. First Reading of the Bill. 1609. Cunningham. Appropriates \$500,000 to Department of Transportation. First Reading of the Bill. 1610. Tuerk. Amends an Act concerning fees and salaries. First Reading of the Bill. 1611. Tuerk. Appropriates \$72,000 to the State Comptroller. First Reading of the Bill. 1612. Duff. Amends State Appellate Defender Act. First Reading of the Act. 1613. Gene L. Hoffman. Amends Revenue Act. First Reading of the Bill. 1614. Gene L. Hoffman. Amends Revenue Act. First Reading of the Bill. 1615. Cunningham. Amends the Illinois Banking Act. First Reading of the Bill. 1616. Brinkemier. Amends School Study and Survey Commission Act. First Reading of the Bill. 1617. Douglas.





Amends Humane Care for Animals Act. First Reading of the Bill. 1618. Borchers et al. Amends the Juvenile Court Act. First Reading of the Bill. 1619. Blair et al. Appropriates \$75,000 for administration of the Illinois Election Campaign Act. First Reading of the Bill. 1620. Blair et al. New Act to be known as Illinois Election Campaign Act. First Reading of the Bill. 1621. Appropriates \$50,000 to the Department of Transportation. First Reading of the Bill. 1622. Cunningham. New Act. Prohibits the holding of any other compensated public employment by a member of the General Assembly during his term of office. First Reading of the Bill. 1623. Cunningham. Prohibits the holding of more than one compensated elective public office at the same time. First Reading of the Bill. 1624. Bradley. Amends the School Code. First Reading of the Bill. 1625. Bradley. Amends School Code. First Reading of the Bill. 1626. Bradley. Amends School Code. First Reading of the Bill. 1627. Kozubowski. Amends Civil Administrative Code. First Reading of the Bill. 1628. Dyer-Blair et al. Amends Acts relating to several governing boards of public junior colleges, colleges and so forth. First Reading of the Bill. 1629. Giorgi et al. An Act to provide means by which Department of Labor may review labor agreements and so forth. First Reading of the Bill. 1630. Giorgi. Appropriates \$100,000 or so much to Department of Labor. First Reading of the Bill. 1631. Giorgi et al. Amends



the Unemployment Compensation Act. First Reading of the Bill. 1632. R. L. Dunne et al. Amends School Code. First Reading of the Bill. 1633. Emil Jones et al. Amends the Illinois Small Business Purchasing Act. First Reading of the Bill. 1634. Brummet. Amends an Act relating to the designation of certain areas as State parks, parkways and so forth. First Reading of the Bill. 1635. Philip et al. Amends Act relating to fire protection districts. First Reading of the Bill. 1636. Kurcharski. Amends the Chicago Employees' Retirement Fund Article Pension Code. First Reading of the Bill. 1637. Kucharski et al. Amends Vehicle Code. First Reading of the Bill. 1638. Redmond et al. Amends Election Code. First Reading of the Bill. 1639. Philip et al. An Act regulating franchise offerings. First Reading of the Bill. 1640. Schoeberlein. Amends an Act to promote the public health and comfort of persons employed by providing for one day rest in seven. First Reading of the Bill. 1641. Rigney et al. Amends an Act in relation to licensing dogs and disposal of licensing fees. First Reading of the Bill. 1642. DiPrima et al. Amends an Act to revise the law in relation to private employment agencies. First Reading of the Bill. 1643. Springer et al. Appropriates \$2,000,000 to Division of Water Resources Management. First Reading of the Bill. 1644. Sprinter. Appropriates \$2,000,000 to the Department of Local Government Affairs. First Reading of the Bill. 1645. Ebbesen. Amends Credit Cards



Act. First Reading of the Bill. 1646. Laurino. Amends Illinois Vehicle Code. First Reading of the Bill. 1647. Telcser. Appropriates \$805,331 for the ordinary and contingent expenses of the Office of the State Appellate Defener. First Reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. McLendon, now moves that the House stand recessed until 9:30." So ordered.

Hon. W. Robert Blair: "All right, the House will be in order. The invocation this morning will be by Mr. Davis."

Davis: "Let us pray. As the holy spirit leads me, he that dwelleth in the secret place of the most high shall abide under the shaddows of the almighty. I will serve the Lord here, my God, my fortress, in him will I trust. Surely he shall deliver me from the snare of the fowl and from the noise and petulance. He will cover his children with his feather, and under his wings shall we trust. Let the Lord's truth be your shield and buckler. For all of your goodness and all your loving kindness, we're thankful, and for your word for heaven and earth will pass away, but your word will never fail. Hear us, oh Lord, as we plead, not only for ourselves but for this Nation. We do not claim perfection, but rather we say perfection



will never be obtained. But here us because we struggle for perfection. Every sin we've committed is grievous unto us. Hear us now and save us as a Nation, save us as individuals and lead us in thy way, we pray in the name of Jesus, Amen."

Hon. W. Robert Blair: "Roll Call for Attendance. The gentleman from Will, Mr. Leinenweber."

Leinenweber: "Mr. Speaker, it is my pleasure this morning to introduce to the House the lovely wife and family of our colleague from the 42nd district, Representative Sangmeister. In the gallery to the rear is Doris Sangmeister, their daughter, Kim, and I think their son, Kirk, is maybe down on the floor. I would like them to stand and give them a hand."

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

Walsh: "Mr. Speaker, Will the Journal show that Representatives Granata and Fleck are absent because of illness and Representative MacDonald is absent because of an injury to a Member of her family."

Hon. W. Robert Blair: "The Journal will so indicate. Agreed Resolutions."

F. B. Selcke: "House Resolution 223. Kempiners et al. House Resolution 224. Neff et al. House Resolution 225. McAvoy et al. House Resolution 226. Hyde et al. House Resolution 227. Choate et al. House Resolution 228. Choate et al. House Resoltuion 229. J. J. Wolf et al. House Resolution 230.. Springer et al. House Resolution 231.



Madigan et al. House Resolution 232. Kucharski et al.  
House Resolution 233. Grotberg et al."

Hon. W. Robert Blair: "All right, now before the majority leader starts on those, I see a former colleague of our's is sitting over there in the far left-hand corner, former Representative Norm Shea, from Pekin. All right, gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, these are the agreed resolutions. House Resolution 223, congratulates Mr. Ellsworth B. Nebb Workman, on the celebration of his 75th birthday. House Resolution 224 congratulates Mr. Lester S. Munich on completing 30 years with School District 38 on Monmouth. House Resolution 225, by Representative McAvoy, congratulates the Weber Council 2789 of the Knights of Columbus on their 35th anniversary. House Resolution 226 commends Francis J. Perkins of Oak Park River Forest High School, who has been chosen as their semi-finalist in the Athletic Director of the Year contest. House Resolution 227 congratulates our colleague, Bud Krause, on obtaining his 57th birthday April 12th, 1973, and for the same date, April 12, 1973, House Resolution 228, congratulates Toby Barry on his 49th Birthday. House Resolution 229 by Representative Jake Wolf congratulates Reverend Edward M. Jarginski on the 25th anniversary of his ordination and House Resolution 230 by Representative Springer congratulates Mr. John Kaylor, President of the Student Body of Southern Illinois University and all the



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students at Southern Illinois for the tremendous work they did in ah.... helping in the flood crisis. House Resolution 231, by Representative Madigan, commends Mr. Virgil R. Wheatley, Superintendent of Schools of District 111, South Stickney, who will retire in June, 1973. House Resolution 232 congratulates.... or notes the anniversary of Calvary Lutheran Church, which is 50 years old this month. House Resolution 233, ah.... commends Robert White, who is ah.... a captain in the United States Army and he is coming back to St. Charles and House Resolution 234 congratulates the Temple Brith Sholem and its Members upon the completion of 115 years of service to its community and the Community of Springfield. Mr. Speaker, I move the adoption of the Agreed Resolutions. All right, is there any discussion on the Agreed Resolutions? Question is, all those in favor say 'aye', on the adoption. Opposed 'no' and the 'ayes' have it and the Agreed Resolutions are adopted. House Bills, Third Reading. Now, we're going to go out of order today, because we have bills that are final 30th day, and we'll have to call those. First one that appears on the calendar is ah.... is 260. Mr. Yourell. Is he here. All right, we'll come back to it, when he gets here. 264."

F. B. Selcke: "House Bill 264. Redmond. Bill for an Act to amend Section 1 of an Act appropriating funds to the Department of Transportation and so forth. Third Reading of the Bill."



Hon. W. Robert Blair: "Is there any discussion? Gentleman from DuPage, Mr. Redmond."

Redmond: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 264 is merely a realllocation of funds that have previously been appropriated to the Division of Water Resources Management. It is approved by the Administration and I would concur with your support."

Hon. W. Robert Blair: "Gentleman from Coles, Mr. Cox."

Cox: "Mr. Speaker and Members of the House, I wonder if the ah.... sponsor will respond to a question or two?"

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

Cox: "Representative Redmond, will you explain where this money is coming from and also how it is going to be ah.... spent?"

Redmond: "Well, as I understand it, the monies that have been previously appropriated for the ah.... I don't remember the name of the Creek in Coles County, but the Division was unable to expend during this biennium, as being re-allocated in order to begin some construction work on Salt Creek, in conjunction with plans that had been prepared pursuant to a special bill which we had passed in the special session prior to the first of the year. And we authorize the plans in the special session of the 77th session and this is the allocation so that construction work can begin prior to July the first. This is no new appropriation. It's an allocation of funds and it's done at the request of the Division of Water Resources."



Cox: "One other question. Isn't it a little unusual to ah.... take money that has been appropriated for one project to and use it for another project. Why wasn't there new money appropriate for this project of your's?"

Redmond: "Well, the reason is, that this money would have elapsed had it not been reallocated. I understand that the project that you're talking about has an appropriation to the 78th session of the General Assembly, and if the funds wasn't used in a project where the constuction could go forward, it would have lapsed, and the Division of Water Resources is the one that made the decision to do it. I don't really don't know why they did it, but they said they couldn't spend it in the other place, but they could spend it here."

Cox: "Well, I'm not opposed to ah.... of your project, Representative Redmond, but I do oppose the fact of taking monies from another project in our water problems downstate and so on and using it for some other project of this type, so I just want the members to ah.... to realize that ah... this is the first time that this has occurred since I have been in this.... four terms in this general assembly, and I just think it's a little bit unusual to ah.... rob Peter to pay Paul."

Redmond: "Well, of course, in response to that, it would seem to me that if you're unable to use the funds, which is the situation here, that it doesn't make very good sense to let it lapse. And if it wasn't reallocated, it would





lapse. And if it wasn't reallocated, it would lapse. If it is reallocated, it will not lapse and construction will go forward, and I may say that the plans that are going to be utilized here are those that were prepared at the request of Former Governor Ogilvie of the Special Session of the 77th Session of the General Assembly."

Hon. W. Robert Blair: "Any further discussion? Gentleman care to close? Mr. Redmond care to close?"

Redmond: "No, I just say that this is within the preview of the Division of Water Resources. It's the way they want to spend the money and it would seem to me that the gentleman from General Assembly should affirmatively permit them to do it. All right, the question is, shall House Bill 264 pass? All those in favor will vote 'aye'. The opposed 'no'. Have all voted who wished? Clerk will take the Record. On this question, there are 95 'ayes', Richard Walsh 'aye', 96 and ah.... 10 'nays', Sevcik 'aye' and Deavers 'aye'. Deavers 'aye'. Grotberg 'aye'. This Bill, having received the Constitutional Majority, is hereby declared passed. All right, no, go back to 260 now."

F. B. Selcke: "House Bill 260. An Act to prohibit the sale of confidential financial information. Third Reading of the Bill."

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

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, ah..... House Bill 260 is a Bill designed to create



an Act to prohibit the sale of mailing lists except as otherwise provided by law. And it prescribes a penalty for this violation. Now this effort came about mainly because of many inquiries and suggestions by not only my constituency, but by the constituency by many Members of the House. Where they have felt that in the past, their personal financial information as applied to a credit slip or a credit application had been violated in that that information had been sold or rented to people who had no business with it. Now I've had numerous meetings with individuals who represent this industry, and I must tell you that it is a multi-million dollar industry, and it's an industry that I certainly would not want to jeopardize as far as employment or anyother way is concerned. So after meeting with the interested individuals and companies and representatives of those corporations that make this their livelihood, we have come to somewhat of an agreement and I know that many of you have much communications from these organizations and companies, asking you to vote against this Bill. So in light of all this opposition, I have, as I have mentioned, ah.... we adopted yesterday Amendment Number 3, which completely changes the Bill, and allows them to do what they've always done according to their own admissions, and that is to sell or rent mailing lists containing just names, addresses and zip codes. They have no objection, no meaningful objection to the confidential financial information such



as the income, the assets, the net worth and debt information that identifies or purports to identify quantitatively such aspects of a specific person's financial status and includes among other things, deposit boxes, trust accounts, beneficial or legal interests and trust estates and causes of action. So we've done this by amendment to make the Bill more palatable to them and I have correspondence dated April 3 from the Mail Advertising Club of Chicago, one of the main objectors to the Bill in its original form, which indicates and I quote 'we will have a suggested amendment in your hands the week of April 9. We strongly urge you to hold up any further action on this Bill until you've had a opportunity to receive and consider this Amendment'. Now, the Amendment that we adopted yesterday, Amendment Number 3, is basically the amendment that we agreed on in meetings with these individuals who are affected by the legislation. So this is what it does, Ladies and Gentlemen; I think you'll find that with Amendment Number 3, changing the Bill in its entirety, will be palatable not only to yourselves but those who have written to you in opposition to the Bill. So ah.... if there's any questions I'd be delighted to try to answer them for you, and if not, I would appreciate your support of House Bill 260."

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

Walsh: "Well, if the gentleman would yield. I've had ah... considerable correspondence on this Bill. Ah.... the objections have been, as you pretty well outlined, that



ah.... direct mail advertisers will leave this State and will do business in a neighboring or other state, and it will solve nothing in that the Bill will cause ah.... us to lose in Illinois a considerable number of jobs. Now, you say that this Amendment removes that objection absolutely. Ah..... how does the Bill, as now constituted, change the present situation?"

Yourell: "Well, in conversations with those individuals affected by the Bill, as I've mentioned, they indicated to me at my questions to them, that they had at no time or do they ever desire to, to use any information other than the name, address and zip code, and my concern naturally was with that information that I thought they were using, information, of course, is relative to an application for credit. And they indicated to me, quite strongly, that they did not use this information and may I quote from a letter dated April 10 from again the Mail Advertising Club of Chicago, 'However, if necessary, we believe Members of our industry can live with the proposed Amendment without severely hurting their present operations'. So what we're doing, Bill, briefly is taking out anything that would prohibit in any way, their use of mailing lists as it constitutes their use of a mailing list; namely, the name, address and zip code."

Hon. W. Robert Blair: "The gentleman from Winnebago, Mr. Anderson."



Anderson: "Mr. Speaker, Ladies and Gentlemen of the House, I, too, have received considerable mail on this one bill, asking me to oppose it and do everything I can. We have several big companies in my district that said they would be out of business, put them out of work. Now, I know you've put on some Amendments, but I never saw amendments enough on a Bill that would do a lot of good like this one will have to do. I can't afford to have people moving out of our District, big businesses and employ hundreds of People and this is what this bill will do, I think, eventually, even though there isn't an amendment on it. I would say that we should vote this Bill down."

Hon. W. Robert Blair: "Further discussion? The lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I talked with the Sponsor and I saw his Amendment. I still feel it is a bad bill. It's restrictive on free enterprise. It will create more problems than if they were not passed. I desperately hope that everyone will vote against it. We don't really need it and therefore, I would like to be against the Bill."

Hon. W. Robert Blair: "The gentleman from Macon, Mr. Alsup."

Alsup: "Well, I haven't read the Bill, unfortunately, but when I was County Treasurer, I was approached on a few occasions for a list of the names of homeowners who lived in the residents. Now this would be a valuable list for mailing lists of various kinds, and I always refused to



do so, and if this Bill applies to that type of thing, I think it's probably a good Bill. I don't know whether the Sponsor has something like this in mind or not, but I can just feature ah.... selling a voter, homeowner type of thing, the people who pay taxes on a home they live in, they.... it would be a very, very valuable list to a lot of people that have mailing lists, and if this is what it is to prevent, I think it is an excellent bill."

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

Lundy: "Mr. Speaker. Ladies and Gentlemen of the House, I think it's important to point out that Amendment Number 3, which is added by the sponsor, and which meets the approval of the mail advertising club, really completely changes this Bill. The Bill, in its present form, in my mind, is really a civil liberties bill. It is to protect the privacy of people who make applications for credit. The Bill now in its present form, with Amendment Number 3, puts no restriction on the sale or rental of lists containing those peoples names and addresses and zip codes. What it does prevent is the credit grantor from disclosing confidential financial information submitted by that person. Now I think we ought to protect that type of information."

Yourell: "I think when you submit an application to American Express or to Fields or to some other grantor of credit, you don't submit that application with the understanding that they're going to sell that financial data to other people who may want to send you mail. If they want to



sell your name and address, that's fine, but financial information is provided, I think, in most peoples mind, in confidence to the grantor of credit, and I think we ought to make that protection of financial information a legal protection, and that's all that this Bill does. It implaces no restriction on the sale or rental of the name or address of the person, but only on his.... on dessimination of confidential financial information. I think it ought to be protected. I had problems with the Bill in its original form, but in its amended form, I think it's an important Bill. I think it will provide protection which is needed by all of our constituents."

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

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

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

Totten: "Buzz, if your objection to the use of these mailing lists was the use of credit information, which you have since found out is not being used, why, then, do we need the Bill?"

Yourell: "Yes, the question of that is rather obvious, because in some instances, this information has been used. And what the Bill is going to attempt to do, is prevent that in the future. Now I asked in a meeting with the marketing vice president of the Playboy Club, who sells and rents lists to other individuals, and to other corporations and companies if their members are advised in the lengthy credit application that they fill out, that that information



is confidential and private. And he said absolutely not. I said then to him, do you notify the applicants for Membership in the Playbody Club and all that entails, if they are advised at that time, that that information is sold to other people without their knowledge, and he said no, that is part of our business. So what I'm attempting to do simply, Representative Totten, is to prevent the sale of private or the rental or sale of private, confidential information to anybody, and I think that's an invasion of privacy. It should be protected as Representative Lundy says. Now if these people tell me they don't use this information, some of them will use it. You know if it is available to them, and this Bill will prevent that from happening."

Totten: "If I could yield for one more question. Why in the Bill do you exclude charitable institutions?"

Yourell: "An.... that was changed, I believe, in Amendment Number 3. It says now, a person means an individual firm, partnership, association or corporation and includes officers, agents and officials thereof. So we're not excluding anybody, because we don't think there's anything wrong, for example, the Heart Association from mailing people with names, addresses and zip codes for donations or things like that. So we're not excluding them. They're in the Bill."

Totten: "In Section 4, though, there is an affirmative defense."





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

Walsh: "Well, Mr. Speaker, Ladies and Gentlemen of the House, ah.... it has been indicated that this is a brand new bill. If you look on the Calendar...."

Hon. W. Robert Blair: "Wait just a moment. What purpose does the gentleman from DuPage, Mr. Schneider, arise?"

Schneider: "I think, Mr. Totten didn't get an answer and I was waiting for the answer to the question that he asked."

Hon. W. Robert Blair: "I'm sorry. I'm sorry. Wait just a moment."

Totten: "I ask your pardon on that because I see you're absolutely right that this information can be furnished to a charitable institution as a donation only."

Walsh: "Mr. Speaker, Ladies and Gentlemen of the House, once again, it has been noted, this is a brand new Bill by Amendment Number 3. The Calendar indicates its an Act to prohibit the sale of mailing lists. Well, it is not that any longer. And ah.... I'm just wondering, Mr. Speaker, if the gentleman would yield for a question?"

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

Walsh: "Buzz, in view of that fact, that it is a brand new Bill, you've indicated that it meets the objections of some of the people who oppose House Bill 260, as originally introduced. I'm wondering if maybe we ah.... aren't creating some potential objectors with this Amendment. Would you agree if we can obtain the consent of the House to extend the deadline on this Bill? Some of the gentlemen



around me feel that that's a reasonable request. The Majority Leader has indicated that he would agree to that, and in that way, we might be able to check with those who originally were opposed to the Bill, and maybe any potential objectors."

Yourell: "I have no objections."

Walsh: "Well, Mr. Speaker...."

Yourell: "Yeow, we need 107 votes to do that."

Walsh: "The suggestion has been made that we extend the deadline on this Bill because of the importance of the subject matter and the ah.... fact that it's a brand new concept with the amendment, which was adopted yesterday. The Majority Leader has indicated that he would agree to that and the Sponsor has agreed."

Hon. W. Robert Blair: "Well, let's ah.... are you going to extend it to a date certain, or just an unlimited extension."

Walsh: "I would suggest that we extend it for a ah.... date certain ah.... to... would two weeks be ah.... two week period, Buzz?"

Yourell: "Representative Walsh, you can do whatever you want. I'm amiable to anything that you want to do with the Bill so that everybody will have an opportunity to look at it and decide that its really an excellent Bill, so whatever date you want to determine will be fine."

Walsh: "Well, then, Mr. Speaker, I would suggest that the deadline be extended for a two week period on this Bill."



Hon. W. Robert Blair: "All right, the motion would be to extend it through May 10."

Walsh: "Yes, Sir."

Hon. W. Robert Blair: "All right, this will take 107, so ah... all those in favor of the gentleman's motion to extend the time ah... to May 10, to which House Bill 260 may be considered, will vote 'aye' and the opposed 'no'. All right, the Clerk will take the Record." On this question, there are 123 'ayes', 8 'nays' and the time limit on the Bill for consideration on Third Reading is extended to May 10. 269. Take 260 out of the Record."

F. B. Selcke: "House Bill 269. Rayson. An Act in relation to the compensation of victims of crime, violence or of the dependence of such victims and expand the jurisdiction of Court of Claims to handle such matters. Third Reading of the Bill."

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

Rayson: "Mr. Speaker and Members of the House, I would ask leave of the House to hear House Bill 269, 270, 271 as a series, as they all relate to the same subject matter."

Hon. W. Robert Blair: "All right, is there objection? Hearing none, ah... the Bills may be considered together. The Clerk will read 270 and 271."

F. B. Selcke: "House Bil 270. An Act to create the Court of Claims. Third Reading of the Bill. House Bill 271. An Act to amend Section 2 of an Act in relation to meetings. Third Reading of the Bill."



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

Rayson: "Thank you, Mr. Speaker. These series of Bills are a series relating to victims of crimes legislation. We've heard talk before the Easter Vacation about bills that groups should tickle themselves in favor of the victims of crimes and away from the transgressor of the crimes, and this series of Bills does that. This has been a product of a thoughtful commission study and has been up to the House for consideration before and has been passed by this House before. The House Bill 269 is designed to allow certain victims who have been ah.... either killed or maimed due to ah... being mugged in the park or what have you on a crime or who have assisted law enforcement officers or who have assisted others trying to stop the commission of a crime. To be eligible as a claimant, one has to exhaust all of his redrafts whatsoever and he must show out of pocket loss before the U.S. Court of Claims and that no claimant can go before the Court unless his out of pocket loss exceeds \$500. Crimes of violence are defined in the criminal code and relate only to homicide, kidnapping, rape, devious sexual assault, aggravated assault, battery, arson, and resisting or obstructing a police officer. Another Bill expands the jurisdiction of the Court of Claims. This legislation is met with success in California, New York, Massachusetts, New Jersey and Hawaii. In house Judiciary II Committee, with the suggestions of Representative Washington, Representative Kempiners,



GENERAL ASSEMBLY

STATE OF ILLINOIS

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Representative Gibbs, Representative Catania, and Representative Fleck, amendments have been put on this Bill to make it very moderate and to make it applicable to those people who have been shot or killed under certain limited circumstances, who have no redress whatsoever. The Bill also says that the Attorney General is subrogated to any rights against a claimant, whether he has life insurance, hospitalization, workmen's comp benefits, occupational disease comp benefits or what have you, so that the awarding question can only be applicable for out-of-pocket loss. Such loss not to exceed ten thousand dollars under any circumstances." Mr. Speaker, I consider this a good series of Bills. It has the support of Bernard Cary, the States Attorney of Cook County, Mr. Donald Page Moore, of the Illinois Law Enforcement Commission, the Department of Corrections and other worthy civic organizations. I urge a favorable vote."

Hon. W. Robert Blair: "Further discussion? Gentleman from Cook, Mr. Juckett."

Juckett: "Mr. Speaker, would the Sponsor yield for a question or two?"

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

Juckett: "Could you renumerate the ah... specific situations where this Act is passed would apply?"

Rayson: "Yes, Sir. Ah... first it says its only applicable to a crime of violence under certain sections of the criminal code and I enumerated what they referred to, such



as rape, homicide, etc. Now, the victim means, and here I'll quote from the Act. '(1) A kill or injured in this State as a result of a crime of violence; again referring to those limitations under the Code, perpetrated or attempted against; (2) Killed or injured in this State while attempting to assist a person against whom a crime of violence is being perpetrated or attempted, if that attempt of assistance would be expected of a reasonable man under the circumstances; (3) Killed or injured in this State while assisting a law enforcement official to apprehend a person who has perpetrated a crime of violence or to prevent the perpetration of any such crime, if that assistance was in response to the express request of the law enforcement official.' Now that is the circumscribed area in which this kind of claim could possible follow."

Juckett: "O'kay, now, let's take a specific example. Let's suppose a young lady is raped. Would she qualify under this Act if passed for compensation?"

Rayson: "First, under the Law, she has to report the action immediately. This is an important aspect of it. And it would have to be appropriate investigation, and she would have to have out-of-pocket injuries of over \$500 and show proof of no other way of ah.... redress, such as insurance benefits or what-have-you and if she were to identify the assailant, she would have to take action against him, and would have to notify the Attorney General of her rights under this Act."



Juckett: "O'kay, now, I understand that your third bill is amending the public meetings act. Now, presumably some of these or most of these crimes will be of public record. Is that correct?"

Rayson: "Yes."

Juckett: "Either by a trial, against the individual who perpetrated the crime, ah... or a public investigation. If that is so, what is the purpose for closing the doors of the public to award, which are being made out of public tax monies for these kinds of so-called crimes?"

Rayson: "All right, the purpose of House Bill 271 to say at the discretion of the Court they can have a closed section hearing for that portion alone, which describes the crime of violence relating to the anatomy of the person. In other words, that aspect alone could be closed and only that aspect, so that it doesn't apply to the open meetings need that we have under the law and the need for the public recordation of crimes and all aspects of open meetings. Now that was the purpose, strictly of that limited discretionary record of the Court."

Juckett: "In other words, the portion where they would be discussing the amount of compensation would not under any circumstance be allowed to be closed."

Rayson: "That's right."

Juckett: "And it would be a free and open discussion as to how much that particular crime was worth to the individual who was victimized. "



Rayson: "Yes, it would only apply to say if somebody were carved up and gets a little bizarre, and only in that area."

Juckett: "Now, would they be able to close that Section of the hearing even though in a criminal trial, that particular portion would have been opened to the public?"

Rayson: "Ah.... well, that would be the purpose of the Bill to suggest that possibility. Yes."

Juckett: "O'kay, now, ah.... would... let's suppose there was a trial...."

Rayson: "Excuse me, Mr. Juckett. The fact that it might be closed does not mean the transcript, the record, is closed. And that that would be readily available in a criminal trial."

Juckett: "O'kay, now, you're talking about victims of crime or people who have assisted police officers and the victims of crime and thwarting of crimes, would an individual have to be convicted of a crime, in order for the victim to be compensated?"

Rayson: "Not necessarily, if the proof were there, because people, as you know, who really are the criminal, could well get off in court, or quite often, the assailant is known, or quite often he's incarcerated. In other words, you have to follow through in diligence and if the assailant is known, take your step to ah.... to get redressed from that assailant."

Juckett: "So in other words, a victim might bring, or go to the police and say 'I have been victimized', whatever





manner, and the police investigate and they bring charges against an individual who's indicted and tried and a jury or a court frees the defendant and states that the defendant did not, in fact, commit the crime. The victim of that crime could then, could still be compensated?"

Rayson: "Yes, except the victim of that crime would have to take steps against that assailant, whether it sues him or what, and let us assume he sues them and then he makes application within the year under the Court of Claims and gets an limited award and he has to show, you know, out of pocket expenses of more than \$500. He still has to pursue that case, because the Court of Claims could well delay the allowance award or the Attorney General has subrogation rates anyway. And lein rights. So that, let's assume that there's an award allowance first, and subsequently a judgement against the assailant, it's well possible that recovery could be had against the assailant, which would be deductible against the award."

Juckett: "So in other words, you're stating that a defendant could be acquitted, but in a civil suit, he could be ah... liable for damages?"

Rayson: "Yes, that's right."

Juckett: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I think the intent of the individual, the Sponsor of this Bill, is probably most noble. But from the answers to the various questions which have been posed, I think we're opening a can of worms. And the problem is that he's



indicated that the defendent, when charged, and also when found innocent, the victim can still be compensated. He's indicated that ah... we might not have to know who the defendent is and we're getting into a whole new area of criminal justice. I think we're going the wrong way. I think what the sponsor of the Bill is saying, let's compensate anybody who might be victimized and I use the word 'might' very guardedly and at the same time, we're reducing penalties. We are eliminating penalties. We are putting people on probation and all and then we say, while they're out and while they're doing these things, we are going to compensate you for your injuries. I just can't understand it. I think this is the wrong way to go. As the Sponsor has indicated, this has been up. It's been up for the four sessions which I've been in the General Assembly. Each time they start doing some refinements on it, but I don't think the refinement goes to the core of the matter. The core of the matter is to reduce crime. And I don't think we're going to reduce crime by starting paying everybody who might be injured. As I say, I think the Sponsor has a noble intent, but I don't think it is to reduce crime. And the People in my district, as I believe in all districts, are sick and tired of the criminals and the defendents being molly-coddled by the judges who give out lenient sentences either for crimes of violence or for crimes of death, and they're sick and tired of people getting off shall we say, scot-free, for either stealing



millions of dollars or making deals of millions of dollars or murdering or raping and maiming. They aren't looking for compensation. What they're looking for is justice to the people who have committed the crimes, and this will not do it and I don't think it's the method and I think we ought to lay it to rest."

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

Grotberg: "Mr. Speaker, Ladies and Gentlemen of the House, will the Sponsor yield to a further question?"

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

Grotberg: "Representative Rayson, regarding three things of this Bill. The Court of Claims ah.... one of your Bills ah.... it doesn't create a second court of claims. It expands the jurisdiction of an existing one."

Rayson: "Exactly, yes."

Grotberg: "Ah..... you are known for your homework. I would presume that you have done some homework on the case load involved in this. Ah.... what are we talking about on a case load basis, for instance, your best guess?"

Rayson: "The Court of Claims is one Court that is not over-worked and they can well-handle this load. Now bear in mind that by increasing the jurisdiction to a claimant who has no right of redress, but must show out-of-pocket loss beyond the initial \$500, it's going to root out many, many cases and that we would ask the total award amount per year, not to exceed 200 thousand dollars. A very



modest amount."

Grotberg: "\$400 thousand?"

Rayson: "\$200 thousand.

Grotberg: "\$200 thousand."

Rayson: "Now, let me give you the California experience. In a seven year period, the California Court has awarded allowances under victims of crimes of legislation similar to this, \$1.9 million, with a average claimant award of little over \$500. Now, but they have no limitation on the amount the Claimiant can file for. We put a very modest \$500 limitation, so we expect we're going to root out many cases and only here in a very limited way, those agregious kinds of situations where it seems like its appropriate that some out of pocket compensation should be awarded."

Grotberg: "Thank you. That's very helpful. My second question, and you got to it very quickly was that the claims court is not overloaded. I see a two-trial system here for every crime. One for the victim and one, of course, for an offender, and the lag of the criminal court being so great, in the crowded areas of our State, would put the victim way out ahead on a time cycle only, if the Court of Claims is current in its calendar."

Rayson: "Yeow, first this has nothing to do with a criminal process, insofar as prosecutions goes. What it does require is immediate reporting, which is a good boon for the States Attorneys Office and all the States Attorneys of Cook heretofore have supported this legislation. What it



does mean in its limitation, it means that maybe ah....  
 300 to 450 awards would be filed per year, which is  
 a very modest amount. Bear in mind, one has to be totally  
 desperate without any kind of compensation. Ah.... which  
 even applies to Federal benefits, I might add. Now let  
 me give you an example..... "

Hon. W. Robert Blair: "All right, now, one moment, please.  
 For what purpose does the gentlemen from DuPage, Mr.  
 Hudson, arise?"

Hudson: "Mr. Speaker, and Ladies and Gentlemen of the House,  
 this particular subject in my opinion is an extremely  
 important one. I think you all will agree. Also, you will  
 agree that the Speaker has tried on several occasions to  
 bring order into the chambers. The noise level has risen  
 to the point where it's very difficult to hear what is  
 going on, what is being said, and ah.... I feel that ah....  
 we owe it to ourselves, if not to our constituents, to  
 bring the noise level down, so we can understand the argu-  
 ment."

Hon. W. Robert Blair: "Your point is very well taken, Mr.  
 Hudson. Could we ah.... please ah... respond to the gentle-  
 man's suggestion. I'm going to appoint Mr. Stone, now, the  
 temporary speaker."

"Thank you, Mr. Speaker, and to Mr. Hudson for getting  
 the attention of the House. Mr. Rayson, you have cleared  
 up some very important questions, and now Ladies and  
 Gentlemen of the House, would the fiscal note attachment



to this in the neighborhood of two hundred thousand dollars expense, the tremendous adventure into doing something for the victims of crime, I would heartedly endorse this Bill and vote 'yes' on it."

Stone: "The gentleman from Champaign, Representative Clabaugh."

Clabaugh: "I wonder if the ah.... Sponsor would answer another question?"

Stone: "He indicates he will yield."

Clabaugh: "Representative, suppose two men get into a fight, one of them gets seriously injured or killed. Is the victim in this case, ah.... a subject for remuneration by the State?"

Rayson: "Ah.... that's a good question and we labored over that quite thoroughly, and decided that they have to prove that they were virtually not totally, but virtually innocent of that particular provocation, and it then becomes a question of fact in court. In other words, if a fellow was abrasive at the bar, just slightly, and the other one took a knife at him and killed him, that could well be a possible area of compensation, but if he contributed in any kind of way beyond a very, very irreducible minimum, he would not qualify for claim benefits. Then there's other restrictions, such as ah.... there can't be family members and friends and other kinds of strictures here, and then, too, in this particular case, he would know the assailant, he would have to show that he has no other kind of benefits, such as hospitalization or Medicare or



what have you, and that he took redress against this assailant, and that in the case you described, he would have to know the assailant and so I would suggest that you've got a good question, but I would think it would cause very little trouble before the court, as it claims, by reason of our understanding of this problem, and by its strictures, pretty much resolving that issue."

Clabaugh: "Mr. Speaker, I was rather set to support this measure as I thought it was the so-called 'good samaritan' bill but now when the answer that the Sponsor gave to Representative Juckett, when he said that this woman that had been raped would be subject to compensation, even though the offender was cleared in Court. Now are we going to say that the Court of Claims supersedes that the opinion of the Court of Claims supersedes the Circuit Court or the criminal court that is handling this case. I think this has just opened up grounds for all kinds of conspiracies, all kinds of collusion, and when I read my Sunday morning paper and find that almost invariably, somebody has over Saturday night, has been killed or seriously injured in my town, I would say that 200 thousand dollars wouldn't even touch this case when criminal.... ah..... your guilt is not proven."

Stone: "The gentleman from Cook, Representative Hoffman."

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

Stone: "He indicates he will yield."



Hoffman: "Representative, I may be repeating some of the questions here, but the noise level is such at this end that you can varily hear the discourse or the answers."

Stone: "Your point is very well taken. May we please have a little quiet. This is important to the ah.... People of this Assembly and to the People of the State of Illinois. Please may we ah.... cut down the noise level just a little."

Hoffman: "Thank you, Mr. Speaker, Representative, if I am correct, you've indicated that the appropriation or fiscal note would be in the neighborhood of \$200 thousand?"

Rayson: "I indicated that the awards per year, that the Court of Claims would have to make appropriations for, would be about \$200 thousand. The Attorney General's fiscal note application for ah.... coming in with Attorneys on subrogation may estimate... first they estimated a \$133 thousand a year. Then with the Amendments that says a claimant can't even qualify unless it's \$500, that he incurs first, they change their subrogation amount of \$75 thousand as year as administrative costs to administer the Act."

Hoffman: "What would be the total appropriation for the ah.... operation of this Act?"

Rayson: "The total appropriation would be \$75,000 per year." Because the Court of Claims award, you see they operate differently. Whenever, an award is entered, at some appropriate time, they come in for ah.... special appropriations on court of claims awards."





Hoffman: "Do you happen to know at this time ah.... the case load in Cook County alone and the ah... appropriate Court now for handling these claims?"

Rayson: "Ah.... these claims are not handled now."

Hoffman: "The Court of Claims. What is there workload?"

Rayson: "What is there workload?"

Hoffman: "How far behind are they?"

Rayson: "Ah.... the Court of Claims, as I said earlier, is one of the few courts that's up-to-date, and ah... for example, if you had a personal injury case involving the State and went to the Court of Claims, you could have it heard in three to six months, an award entered and got your settlement money. That's how 1) they operate and 2) because of limited jurisdiction, they have a limited case load."

Hoffman: "Are you indicating, then, that they ah.... exclude the appropriate cases on a day to day basis or a week to week basis. Are they that caught up?"

Rayson: "Oh, yes."

Hoffman: "And also, do you have the figure of the amount of violent crime perpetrated in Cook County on a day to day basis?"

Rayson: "Ah.... you know, these figures vary because the State's Attorney tells me for each crime committed, there's also a crime unreported. So we have much difficulty in knowing, but you and I know crime is rather rampid in Chicago and in most places and that with the limitations in this Bill,



it only refers to adapt of the claimant or a death or injury if he's assisting another or the law enforcement man and he has no redress. And he has out-of-pocket losses himself over \$500, so we're only talking in terms of a very limited amount of cases that might come before the Court per year, no more than 500 per year, that I could imagine, and it is a good samaritan bill, the kind of bills we passed before." It's very encouraging to crime reporting and crime assistance, I would think."

Hoffman: "Mr. Speaker, I would like to speak to the Bill."

Stone: "Proceed."

Hoffman: "In 1969, I was first appraised of this concept and we were informed in testimony in committee that it has been executed and found very substantial, as far as the amount of cases that would be brought before the court. We have found that the Representative is correct. There are many cases that go unrecorded, and I think what we're talking about here, is not a \$200 thousand appropriation or a \$300 thousand appropriation. 1969, the appropriation related to this concept was \$2 million to start. Now I think the concept of the State being responsible for all aspects of the residents life, I think goes a bit far afield in this concept. We certainly are concerned and are grieved when we hear that some of the victims are put in the House bill as a result of the crimes and we certainly take steps to increase law enforcement so this would not happen. However, I can appreciate the fact that the case load that the Court



would have to sustain, and I agree that many of the States Attorneys would encourage this, because they're interested in expanding their individual departments. So they really could care less, as far as what their workload is. They will receive a higher appropriation to expand their staff, and the unreported crimes I think will far overway the ah... the figures that are being quoted to us at this time. I think this is a poor Bill. I think the concept is one that started many, many terms ago, and if I stand corrected, Representative Juckett indicated he has heard this concept debate in his four terms. I've heard it in my three, and again, I will be compelled to vote against it."

Stone: "The gentleman from Livingston, Representative Hunsicker."

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

Stone: "The previous question has been moved. All those in favor, vote 'aye', opposed. The Motion is carried and we recognize Representative Rayson to close the debate."

Rayson: "Well, thank you, Mr. Speaker and Members of the House, I would like to devote these few minutes to rebutting some of the things that have been said here, this morning. The last Speaker talked in terms of \$2 million dollars and I want to correct mis-impression. First, when the Commission studied this problem, that's true, in 1969, the original recommendation was on a biennial basis \$1,750,000 and \$250,000 for administrative costs. But at that time, the



recommendation was for a 15 man commission to draw salaries of \$15,000 a piece as hearing officers. That's all thrown out, and now, when I say \$2 hundred thousand on a yearly basis, is based on a claimant first must show an out-of-pocket loss beyond \$500 to claim, whereas the old recommendation was \$100. So that it gets back down to our \$200 thousand per year estimate. And even that may be too much. It's a very modest bill. Let me give you two recent examples of crime situations. One, in January of this year, a friend of mine's mother, who's 79 years old, and on public welfare, her purse was snatched and she was shot and killed and she had \$3.71 in her purse. She got a public aid burial that cost \$224. She, if this Bill were passed, couldn't qualify because you need at least \$500 out-of-pocket just to start. That's an example of the moderation and the limitations of this Bill. Another example, a taxi driver took a woman in south Chicago in the middle of night to her destination, let her out of the cab. once she got out of the car, she screamed. He went to her assistance, and he was shot in the back and became paralyzed from the waist and became a paraplegic. He did not know his assailant, he made application for workmen comp benefits, and the Industrial Commission through the case out, saying it was not in the scope of his employment being a good samaritan, so that this gentleman is a helpless paraplegic now and this would be an example of where I would think he would be compensated. Insofar as the



the question goes if a person was not convicted, could a claimant get an award, and I would say 'yes' under certain circumstances. You and I know of cases where a criminal is a criminal, but either due to his clever lawyer or a motion to scrap or some technicality, his case may be thrown out. The point is, is that this is an independent determination and a limited way and I say we should do something about the victims of crimes. And I say crime is damaging our society and is only proper for society so organized that we should share the burden with some of those misguided and misfortunate people who are victimized. So I would ask, Mr. Speaker, for a favorable vote, on these Bills."

Stone: "The question is on the passage of House Bill 269, 270 and 271. Those in favor will vote 'aye' and opposed 'no' and the Clerk will take three Records. The gentleman from Peoria, Representative Day."

Day: "Well, Mr. Speaker and Ladies and Gentlemen of the House, throughout the discussion on this Bill, there's been constant reference made to the fact that we're doing something for criminals. We're not. I think this is a good, crime prevention bill. I think that this Bill will encourage the victim to cooperate with the prosecuting authorities. Now at the present time, there is always the temptation on the part of the victim that if he gets compensated by the criminal, by the culprit, he is not expected to cooperate with the prosecuting authorities."



This Bill will encourage the victim to cooperate to the fullest extent, so the Bill isn't designed to help the criminal. It's designed to help the victim and to encourage the victim to cooperate in the prosecution. Now reference has been made to unreported crimes. If this Bill will help to report crimes that otherwise would be unreported, then it's a good bill, because all crimes should be reported to the prosecuting authorities. That's another good feature about this Bill, and that is, that it relieves the victim from the burden of collecting his damages from the culprit. If the State ah.... pays the victim some compensation, then the State is going to be in the position where it can go against the culprit and on a subrogation basis and collect back, if possible, the ah.... damage that it has paid to the victims. We say so many times that when a person has been convicted of an offense, he serves a term in prison and when his term is up, he's paid his debt to society. This may be, but the one person who hasn't been paid, is the person who has been victimized by the crime. He's still out. He's still the victim. He's suffered financial loss, and ah.... in all fairness to him, ah.... he should be compensated to the limited extent provided for by this Bill for the loss that he's suffered. I think this is a good Bill."

Stone: "The Gentleman from Cook, Representative Washington."

Washington: "Mr. Speaker, I see the House Bill has the necessary votes. I just concur with Representative Day."



Stone: "The Representative from Lake, Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I fully agree with Representative Day and Representative Washington, and I rise in being in favor of the Bill and I vote 'aye'."

Stone: "The gentleman from Cook, Representative Palmer."

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

I disagree with Representative Day and Representative Washington, insofar as intending to minimize crimes in this State. A person who might be a victim of a crime might have no hesitancy in going before the Court of Claims to get some money. Once he's got that money, there's hardly any compunction for him to go before a Grand Jury or testify in some case as to what the outcome of the.... or what actually happened in this situation. I can see cases of collusion. I can see a lot of crimes that have never been committed being reported or claims for this and the whole thing. I terribly dislike the situation of having a closed meeting before the Court of Claims where the money of the people of the State of Illinois is involved. I think it should be open. Let's find out whether or not an offense has really been committed. Let's find out if that person was really a victim of the crime. Let's get something more, so that if, in fact, a compensation is paid to a victim of crime, we have assurance that that person will testify before proper authorities to see that the perpetrator of the crime is convicted. Only in this



way can be insure the public's safety of the People of this State. Not by subsidizing the victims of crimes, but taking a little bit more militant attitude insofar as law enforcement is concerned. I think this is a terribly bad bill. I think the \$200 thousand wouldn't be anything. If you take arson alone, which is part of this thing, one of the ah.... offenses that's listed here, this alone for People who have lost money, personal injuries, perhaps even some property damage that's been testified to, \$200 thousand won't make a bit of difference. I think it's a bad bill. I think it's philosophically bad and I think the Bill should be defeated."

Stone: "Have all voted who wished? The gentleman from Lake, Representative Griesheimer."

Griesheimer: "Mr. Speaker, I would like to concur in the comments of Representative Palmer and further add a few comments on this. I see that the Bill already has the number of votes, but I definitely want to be recorded as against this. I think this is one of the most substantial steps toward socialism our State has ever taken. I don't think the Sponsor has scratched the surface when we talk about what this is going to cost the State of Illinois. I would venture the opinion that \$200 thousand, if that's his appropriation, might cover Lake County, Illinois in the forthcoming year. I doubt that it would cover one ward in the City of Chicago for the forthcoming year, unless he's planning to spend only about \$5 per criminal ah....





witness in this case. If he truly means to give a person that has been injured any money whatsoever, then he better get a little bit realistic in what this is going to cost the State of Illinois. It's not going to come from an insurance company like Workmen's Compensation. It's going to come directly from General Revenues and whoever made up the fiscal notes on this, must have had his head in the sand, because he's just not looking at the court calendar and what people are getting in court cases today. After all, everyone who has a right before the courts can go into the civil courts and attempt to collect from a defendant in a criminal action. We know the problem that stands there is that no criminal has any money to pay them generally, but I do not feel that the State of Illinois should become an insurer of all claims and actually promote the commission of criminal offenses. In a certain sense, the person might not lose anything if you carry his bill to its optimum end, and I hope that we never get to that point, so for these reasons, I'm certainly voting against it. I think it's philosophically the worst bill I've seen in this house."

Stone: "The gentleman from Cook, Representative J. J. Wolf, to explain his vote."

Wolf: "Well, Mr. Speaker, Members of the House, I have to concur with the two gentlemen who spoke prior and before the Record is taken of the vote, I'd just like those who are voting 'yes' to consider that we're going to end up with



a bounty on crime and consider two drunks fighting over a bar stool in a tavern and one hits another over the head with a bottle. We're going to end up paying his bills, and if you want that to happen, well vote for it, but I would hope that you would give consideration to those types of cases before you vote for this Bill."

Stone: "Have all voted who wished? The Clerk will take three records." On these questions, there are 105 'ayes', 49 'nays' and these Bills, having received the Constitutional Majority, are hereby declared passed. House Bill 300. Representative Schlickman."

F. B. Selcke: "House Bill 300. An Act to exempt prescription, nonprescription medicine drugs from medical supplies and common household remedies for human consumption from certain taxes. Third Reading of the Bill."

Schlickman: "Mr. Speaker, Members of the House, House Bill 300 amends the Retailers Occupational Tax, the Use Tax, the Service Occupation Tax and the Service Use Tax Act by exempting prescription and nonprescription medicine, drugs, medical supplies and common household medicinal remedies for human consumption from these Acts. During the great depression, President Franklin Delone Roosevelt urged Governor Henry Horner to enact an Illinois Sales Tax to raise revenue for assistance to the poor. After some difficulty, Illinois acquired the Retailers Occupation on related taxes, commonly known as the sales tax. It's common knowledge that the Sales Tax is regressive and



burdens low income persons the most. Fortunately, the new 1970 Constitution, allows the Legislature to reduce the regressive nature of the Sales Tax by exemption. House Bill 300 implements the new Constitution by exempting prescription and nonprescription drugs and other supplies from the Sales Tax and the related taxes. These exemptions would give relief to the citizens of the State of Illinois in the amount of approximately \$30 million. Almost forty years after the Illinois Sales Tax is instituted for the benefit of the poor, we would be removing by the passage of House Bill 300, some of its regressive nature, and more directly benefiting the poor, the needy and others. The framers of our new Constitution and the voters who approved it anticipated that the Legislature would provide reasonable exemptions to the Sales Tax. Well House Bill 300 does not fully satisfy this anticipation, but it certainly leads in the right direction. A few weeks ago, Mr. Speaker, and Members of the House, Mr. Morey Scott, of the Illinois Taxpayers Federation, was quoted as saying that one good guideline on whether to adopt a proposal to relieve sales and income tax payers, was whether it began on a modest level. Modest beginning relief, he said, would permit testing of the release machinery with the least damaging impact on State finances if calculations should prove faulty. After reviewing the existing and then pending proposals, he gave the highest ranking rating to House Bill 300 now under consideration. This Bill was reported



out of the Revenue Committee by a vote of 23 for, none against and one voting present. I solicit your support."

Stone: "The gentleman from Cook, Representative William Walsh."

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, it's with a great deal of reluctance that I arise to oppose this Bill just as it's with reluctance I arise to oppose any so-called tax reform Bill. I might point out initially that the Republican party is on record as favoring tax relief, tax reform and we have passed a Bill in this House and sent it over to the Senate for their action. On this particular proposal, ah.... there are a couple of things that it seems to me ah.... ought to be brought to the attention of the Membership. First of all, the ah.... significance is really unknown and is probably relatively small. That is, the effect on ah.... State Revenue ah... we really don't know what it is, because with prescription drugs, as I understand it, they are subject to the service occupation tax and the retailer or druggist in those instances pays the tax to his supplier and pays it, of course, on a substantially lower amount of money than the prescription buyer, so that the effect of this, I'm told by some of my favorite druggists, some of which are here serving with us, that ah.... they don't charge a service occupation tax, or they don't pass the tax onto their consumer because the fact is that they're paying tax on about 25% of the sale price to the ultimate consumer. So



we're really not saving the ultimate consumer any money. There thought was that the druggist isn't going to change his price, because it's two or three cents ah.... less and it would cost him more bookkeeping than it would help. The other thing is, that this Bill unlike the Republican passed Bill, ah.... effects the Revenue of municipal governments. They will lose money on this and it's difficult again to estimate how much, but this removes the tax from ah.... prescription drugs and proprietary drugs, but it does it across the board, both for the State and for municipal governments, so I think we ought to think for a while what effect this is going to have on the municipal governments that are hard-pressed, as well as the State government which is going to be hard-pressed if the ah.... Senate accepts the Republican passed Bill. So I would urge you to vote against this Bill, ah.... on a couple of grounds. One is that ah... it isn't really going to benefit the consumer all that much and secondly, that ah.... it's a kind of a irresponsible addition to the ah.... loss of Revenue that the State is going to sustain and ah... so I would urge you to vote 'no'."

Stone: "For what purpose does the Lady from Lake, Representative Geo-Karis, arise?"

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, if I may just be a little bit, shall I say, out of order, but in good taste, I hope. We have visiting with us today, the Illinois Nursing Association. They're in the galleries."



They're here for a legislative seminar. They have to go back to their classes and I would like for you to meet them, particularly the four who are from my district, so we're glad to have you with us."

Stone: "The gentleman from Livingston, Representative Hunsicker."

Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in favor of this Bill. I think it's bad enough that a person is sick and he has to lay in bed when you can't work, let alone have to pay taxes to get well, and for this reason, I'm going to support this legislation. I think this is a step in the right direction. When you have to pay taxes to be sick, I think that's the height of folly."

Stone: "The gentleman from Cook, Mr. Maragos."

Maragos: "Mr. Speaker, Members of the House, as I've expressed time and again, in the Revenue Committee and also on the Floor of the House and also in the discussions of the Revenue Committee concerned this particular measure, that we have to allow every Bill of this nature to be out of the General Assembly to give the Governor an opportunity to select according to what the budget is going to be, the best form of relief and tax reform, especially in the area of sales tax or what we call Retailors Occupation Tax. This does.... covers only one facit of the drug and food section, but it does in some ways deal with the problems better than some of the other bills. And therefore I ask



that you endorse this Bill and support it and have another vehicle upon which the Governor can give us two tax reforms in the State of Illinois in the area of sales tax. Thank you."

Stone: "The gentleman from Winnebago, Mr. Sims."

Sims: "Mr. Speaker, Ladies and Gentlemen of the House, the People of Illinois for a long time have been asking for relief in the area of tax on prescription, both drugs and a prescription and nonprescription. Those of us that campaigned for election or re-election in the past, have promised the people of the State of Illinois, meaningful tax relief in this area. I think this Bill is a step in the right direction, as the previous speaker has indicated. That this is an opportunity for the legislature to present another type of reform in order to give the People some real everlasting relief from the tax on prescription and nonprescription medicine. For those people who can least afford to pay, those that are the poor, the old, those with unlimited incomes, many of those people are individuals that need a great deal of medication, and we have to do something to help these people, and I feel that this is a step in the right direction and I rise in total support of Representative Schlickman's Bill, and I urge others to give this a favorable vote."

Stone: "Any further discussion? If not, we recognize Representative Schlickman to close debate. Representative Williams."



Williams: "Thank you, Mr. Speaker, Members of the House, ah...

I heard our distinguished Majority Leader speak on this. I'm speaking as a pharmacist and a retailer. At the present time, there is no tax on a prescription item, to the consumer. I'm in favor of all the tax relief to the consumer when it comes to ah.... prescription and non-prescription items, but the way the law is now, the tax is on the items that go into a prescription, and there is no tax at the retail level, through the consumer. I don't believe that this bill is going to give any kind of tax relief to the consumer. I believe it will be a hard bill to ah.... on the part of the retailers, actually, unless this would go on the manufacturer, because the tax that we have in the retail business is that the tax is on the items that go into making up a prescription and this tax is not passed on to the consumer, so while I would like to see any kind of tax benefit that we can give to the consumer, I don't believe that this is the Bill that is going to do it, and I'm going to have to oppose it on that basis."

Stone: "The gentleman from Cook, Representative Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to address the Bill if I may."

Stone: "Proceed."

Kosinski: "First of all, I think Mr. Schlickman is well-motivated. I think he is trying to give some type of relief to the taxpayer. At the same time, I don't feel Mr.





Schlickman is naive. No matter what bills we pass, this will not be a passed down refuge for the taxpayer. The pharmacist, as my friend on this side of the aisle indicated, does not pass down the cost of this tax. He absorbs it as a part of doing business. And if we presume if we pass this legislation that it will give relief to the taxpayer, we are being naive. I'm going to vote for this Bill, but I don't think it's realistic."

Stone: "Any further discussion? If not, we recognize Representative Schlickman to close the debate."

Schlickman: "Mr. Speaker, Members of the House, at the very outset, I read to you the synopsis of this Bill. I should like to repeat it. House Bill 300 amends the Retailers Occupation Tax, Use Tax, Service Occupation Tax and Service Use Tax Act by exempting prescriptions and nonprescription medicines, drugs, medical supplies, and common household medicinal remedies for human consumption from each Act. Previously in this House, during this Session, we passed a Bill - I voted for it - which reduced from five cents to three cents the tax on foods and prescription drugs only. This Bill covers all drugs and medicines, whether they're covered by the Use Tax or the Retailers Occupational Tax. Now I have here, Mr. Speaker, Members of the House, a fiscal note, and according to the fiscal note, based on data from the Bureau of the Budget, by the passage of House Bill 300, the taxpayers, the retailers of the State of Illinois, will benefit by 30 million dollars. That's



30 million dollars of tax relief to the sick, to the poor, to the needy, of the State of Illinois. As I quoted, Mr. Scott, of the Taxpayers Federation, he scores this Bill the highest, because it is responsible and it is responsive to the needs of the State without jeopardizing our fiscal situation. I respectfully solicit, Mr. Speaker, Members of the House, your favorable consideration, the passage of House Bill 300."

Stone: "The question is on the passage of House Bill 300. All those in favor will vote 'aye'. All those opposed 'no'. Have all voted who wish? The Clerk will take the record. On this question, there are 135 'ayes', 5 'nays', and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 323. Representative Hart 'aye'. The Chair recognizes Representative Douglas."

Jack O'Brien: "House Bill 323. A Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Douglas: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill is a very simple Bill. It's a result of information that was brought to my attention starting approximately a year ago about the dangers of the misuse of these little toys that are commonly called sling-shots. In checking this matter with the Legislative Council, I found that there was some difference of opinion, about whether or not sling-shots were already illegal in Illinois, because in the statutes, there were references to something called slung-shots. This matter has been discussed with



various people. I don't pretend that this is a monumental piece of legislation. I think it's a house-cleaning matter in one sense, because of differences in the statutes in regards to these devices called sling-shots. The initial Bill has been amended and we have eliminated any penalties for the possession of a sling-shot. It is certainly not my intention to infer that the possession of a small device, that someone breaks off a tree, and usages as a sling-shot is a criminal offense. The Bill as it now stands, which passed out of Committee with little opposition, would simply state that the sale of devices commonly referred to as sling-shots, would be illegal. There would be no penalties whatsoever for the possession of one or of kids using them for hitting cans off fences or whatever device or mechanism that youngsters chose to use them for. And I ask for the favorable consideration of the House on this very simple matter. Thank you."

Stone: "The gentleman from Cook, Representative Hart."

Hart: "Thank you, Mr. Speaker, I'm from Franklin. Mr. Speaker, I'm from Franklin, not Cook. I'm from the same county that your wife is from, and she's not from Cook, either."

Stone: "The gentleman from Franklin, Mr. Hart."

Hart: "Thank you, very much. Will the sponsor yield? Ah.... what kind of sling-shots does this exempt. I've got a company in my county in the town of Valeer, called the Dead-eye Manufacturing Company, which makes sling-shots. They employ a few people and that is there principal, you



know, occupation over there. Ah.... who initiated this Bill, if anybody, besides yourself and ah.... what kind of a sling-shot is exempt? This company, for instance, makes a manufactured wooden sling shot, in the shape of a 'Y', or a horseshoe with a tail on it, and ah.... rubber bands, the same kind you can make out of a tree. Ah.... what would it do to that Company?"

Schlickman: "Well, Representative Hart, ah.... to answer your first question, the Bill was initiated approximately a year and a half ago when there was some publicity in my own district, where a little girl had a sling-shot... a sling-shot was used and inadvertently, a little girl's eye was very badly damaged, and ah.... a Mother at that time brought this to the attention of the local police authorities and later, someone came to me directly and raised the questions of the dangers of these devices being on sale in local toy shops and souvineer shops. Not too long after that, the question arose when a youngstar right here in Springfield, who was down here on a bus touring Springfield, purchased a slingshot across the Street from Lincoln's home at a little souviner shop. Now if my impression in having discussed this with toy manufacturers, that this is a very small business and that there would have been very little impact on the industry that manufactures toys, because these are generally thought of as being toys. Quite frankly, I was not aware of the fact that any business specialized in the manufacturer of these



little devices, and I would imagine if someone just manufactured sling-shots, that ah..... yes, there would be a rather profound impact on that business if this Bill passed because it would....."

Stone: "Excuse me ah.... Representative Douglas, for what purpose does the gentleman from ah.... Rock Island, Representative Pappas arise?"

Pappas: "Mr. Speaker and Ladies and Gentlemen of the House, I rise on a point of personal privilege, and this is the first time in my seven years down here that I've asked for this, but we do have in the gallery a group from Washington Junior High School in Rock Island visitors of Representative Polk, Representative Jacobs and myself in our district, and I would like to introduce them to you. They're in charge with Mr. Slattery, who is a civics teacher and it is the Senate from Washington Junior High School in Rock Island. They're up in the rear gallery."

Stone: "Proceed, Mr. Douglas."

Douglas: "Well, Representative Hart, have I adequately answered your question?"

Hart: "Yes, ah.... I'd like to speak on the Bill, please."

Stone: "Proceed."

Hart: "I ah.... I didn't know that this Bill was here until just now, but I think it's way over killing the problem. In other words, I'm not of course, encouraging the accidental or otherwise damage or injury to anyone, but ah.... a person could be injured inadvertently by many means



through toys, sticks that you pick up on the street and so forth. Now, ah.... the manufacturer of sling-shots, there's a lot of people in my district that ah... buy them and require some skill in the use of them. It's a legitimate sport. As I've said before, the Dead-eye Manufacturing Company of Valer, Illinois, there's some people over there who's sole income is through the sale, the manufacture and sale of sling-shots. It may well, and very well and good in a large toy manufacturer wouldn't care whether or not one of his incidental toys was prohibited, and it may not have any great financial impact on those companies, but it would mean a great deal to the Dead-eye Manufacturing Company, and I think ah.... this Bill goes much too far. There are not, anyway that I know of, practically, that we can prevent certain amount of injuries happening in a period of a year, but I think the use of sling-shots prohibiting them like they were a gun or some dangerous weapon is impractical and unnecessary and goes too far, and I would urge the defeat of this Bill."

Stone: "The gentleman from Macon, Representative Borchers."

Borchers: "Ah..... Mr. Speaker, fellow members of the House, may I ask a couple of questions of the Sponsor?"

Stone: "He indicates he will yield."

Borchers: "I want to make it perfectly clear in my mind what this Bill does. Now I have no objection to sling-shots, et cetera, but is this Bill specifically makes it illegal in case and punishable as a criminal offense if they are



used as a weapon, in which to hold up or robbery or destruction of property? Is it just that only that this Bill covers or more?"

Douglas: "Representative Borchers, it's very important that if anyone is to take this Bill seriously, that I repeat what I said in my introductory statement and in answer to your question. The use of a sling-shot would not be a criminal offense. That would be a a ludicrous idea, because we all know we could never enforce that kind of thing. The only intent here is to limit the availability of these weapons, and they are weapons, because they can seriously hurt people through the mechanism of manufacture and the sale in the State of Illinois. A kid could have one, could use it for knocking cans off fences, and I certainly would not pretend to get involved with that being any kind of criminal offense. It's not a question of use. It's a question of trying to limit their distribution. Sling-shots have become very dangerous, because in recent years, they've been manufactured in a much more effective style, with handgrips, with much more powerful rubber devices on them and we're simply trying to limit their availability so that if kids are going to use them, they'll use branches off trees, and not have to use them as they are manufactured by well intention, but I think harmful sources of supply."

Borchers: "May I speak to the Bill, Mr. Speaker?"

Stone: "Proceed."



Borchers: "In the 1970 riots at the University of Illinois, I have in my possession, I would have brought it if I would have know this was coming up. I have in my possession part of the brochure of the underground that was put out, showing how to use a sling-shot in relation to police and windows. They recommended a half inch bow. Ah.... this is also distributed at Southern Illinois University and possibly elsewhere. Then a year ago, at that time, as I see I recollect, there were 40,000 dollars worth of plate glass windows were broken on Green Street alone. Now last year as I recollect, or the year before, I'm not sure now without looking at my records, there was another riot, which the same amongst were used sling-shots. This was \$30,000 on Green Street, as I recollect, and most of the windows in the Armory were broken out. Now I'm not sure exactly what to think about this, because I'm just ordinarily opposed to the confiscation of any weapons of any sort. But if .... But I'm halfway inclined to agree that this could be a dangerous weapon. In fact, as I used it as a boy myself, I well remember cold cocking another boy when I hit him square in the forehead with a rock, and frankly scared the devil out of me. But they could be a dangerous weapon. I just want to tell you so you can all make up your own minds that they contributed to \$40,000 worth of damage in 1970. They contributed to \$30,000 worth of damage a year or so ago at the University of Illinois. They were used at Southern Illinois University and they can be highly dangerous





weapons, so use your own judgement."

Stone: "The gentleman from Will, Mr. Kempiners."

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

Stone: "The previous question has been moved. The question is on the previous question. All those in favor will say 'aye'. Opposed 'no'. The 'ayes' have it. Representative Douglas to close debate."

Douglas: "Thank you, Mr. Speaker. Just as a final statement, so that there will be no misunderstanding about the synopsis in your booklet. No kid would be prevented from using or breaking wood off trees to use as sling-shots. We're just attempting in line with the comments made by Representative Borchers to prevent the manufacture or sale of a toy which has caused a great deal of damage and harm both in physical well being and also in monetary loss and I would appreciate your 'aye' vote."

Stone: "The question is on the passage of House Bill 323. All those in favor will vote 'aye'. All those opposed 'no'. Gentleman from Cook, Representative Rayson, is recognized to explain his vote."

Rayson: "Thank you, Mr. Speaker. I'd like to explain my vote by saying I was serious about putting an amendment on this Bill to make it applicable to handguns. Somehow, we got crossed up administratively on that amendment and I have no objection of disarming the populace as to sling-shots, but I suggest priority says we should disarm the population



as to handguns first and until such time, as we do, I will vote 'no'."

Stone: "The gentleman from Cook, Mr. Hyde."

Hyde: "Well, Mr. Speaker, Ladies and Gentlemen of the House, this Bill is a simple bill and it simply outlaws the sling-shot and I'd like to inform those gentlemen that are voting red up there, contrary to what they might think, the athletic supporter will still be legal."

Stone: "The gentleman from Randolph, Mr. Springer."

Springer: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to explain my 'no' vote. If this Bill passes, I'm sure that in the next session, there will be a sling-shot owners registration act and that's why I'm voting 'no'."

Stone: "Have all voted who wished? Gentleman from Macon, Mr. Borchers. "

Borchers: "Mr. Speaker, seeing how the votes going and what I said, and in anticipation of the registration of sling-shots, I'm just going, for the fun of it, give him an 'aye' vote."

Stone: "Have all voted who wished. Take the Record. The gentleman from Cook, Mr. Douglas."

Douglas: "Mr. Speaker, Members of the House, I thank you on behalf of Mrs. Helen O'Connell, who first brought this Bill to my attention. I feel that I fulfilled my responsibility to her, which I think was important to her and other people, but I hope in all seriousness, despite the fact that this Bill is obviously going down to defeat, that we will



efforts to recognize the dangers of some toys and I think this is one that could stand some re-examination. I will not propose any licensure law in this area, I assure you. Thank you."

Stone: "On this question, there are 47 'ayes', 54 'nays' and this Bill having failed to receive a Constitutional Majority, is hereby declared lost. Representative Mann 'aye'. Representative Skinner 'present'. House Bill 388."

Jack O'Brien: "House Bill 388. A Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Stone: "Representative B. B. Wolfe."

Wolfe: "Thank you, Mr. Speaker. And you're doing a good job, Mr. Speaker, in view of the condition of the Floor. House Bill 388, Ladies and Gentlemen of the House, is a Bill designed to carry out the intent of the General Assembly in the passage of a Bill last session to replace the income lost from the Amendments to.... well, one was the ah.... the loss that was occasioned by the exclusion of Agricultural products and equipment, which was removed from the advolorem taxation by one of our Bills and in view of that situation, it became necessary to replace that lost income. Now the Supreme Court in two decisions and more recently, in a decision within the last 48 hours, has created some problems with respect to this Bill exclusion which we voted in the last session. Particularly with reference to the personal exemption which the United States Supreme Court says was in effect, but which our Courts did not know whether or



not it included ah.... joint ventures, partnerships, and other personal and other personal entities which are operating in the State of Illinois. Now the Amendment to the Bill only referred to a corporate farms because of the United States Supreme Court Decision. In view of what's happened in the last 48 hours, in a supplemental opinion, by the Supreme Court of Illinois, in Case Number 44199, in the Lake Shore Auto Parts Company Case, in which the Court said that 'the personal property' thus left subject to taxation under Article 9a' includes the following categories of ownership: partnerships, limited partnerships, joint ventures, professional associations and professional service corporations'. So House Bill 388, in order to protect the assessors and the direction of the Department of Local Government Affairs, which in effect told the assessors to include the personal property in their assessments, would not substantiate that direction and make legal what has already been done by the exemptors of the various counties throughout the State of Illinois and I would ask you to support House Bill 388."

Stone: "For what purpose does the gentleman from Cook, Mr. Shea, arise?"

Shea: "I wonder if the Sponsor would yield to a question?"

Stone: "He indicates he will."

Wolfe: "If it's an easy one, Jerry, I'll yield. If not...."

Shea: "They're all easy, it's just the answers that are hard."

Wolfe: "Thank you."



Shea: "The Court's decision yesterday, and I'm reading from Page 2 of it, 'we conclude the meaning of Article 9, sub a is that the Ad Volorem Taxation of personal property owned by a natural person or two or more natural persons as joint tenants or tenants in common, is prohibited', which in effect says that the corporate farm will pay personal property tax. Is that right?"

Wolfe: "Right, yeow."

Shea: "So, why the Bill, Bern?"

Wolfe: "The Bill is necessary because in the reimbursement Bill that we passed, all of this property was excluded including corporate farm property. Now there's a question as to whether or not our Supreme Court is going to hold that exclusion constitutional and all we're asking the assessors under this Bill to do is to include it in determining their extensions."

Shea: "All right, now, last year we passed a Bill aside from this Bill, excluding all agricultural ah.... personal property from paying tax, right?"

Wolfe: "Right."

Shea: "All right, now you're saying we exclude...."

Wolfe: "There's a question what I'm saying, is that there's a question, the Supreme Court has already said that individual.... this will include farm property. Individual personal property taxes are unconstitutional, but according to the State Illinois Supreme Court's recent supplemental decision, this only includes now ah..."



Shea: "Natural persons."

Wolfe: "Natural.... that's right, natural persons, either jointly held or individually held. And all other individual persons, like partnerships, joint ventures and professional corporations, are now included. We don't know what the Supreme Court is now going to say with respect to the exclusion that we voted last year with respect to Corporate farm ah.... equipment and personal property. The Court may well say that this is not a reasonable classification because if you did it for corporate farms, you better do it for all corporations, so this is a sort of backup bill to protect the assessors and protect the extension of that personal property which might be involved if our State Supreme Court rules contrary."

Shea: "Thank you."

Stone: "Any further discussion?" The gentleman from Kane, Mr. Waddell."

Waddell: "Question of the Sponsor?"

Stone: "He indicates he will yield."

Waddell: "Have you made any differentiation in your determination of a corporation as to whether a family who sets up on a corporate basis for means of inheritance, whether they would be under the same classification as a true corporation such as California Packing Company, etc.?"

Wolfe: "Representative Waddell, I have not redefined nor changed the definition quote 'a corporation' in this Bill."



This is up to the Court to make this determination and apparently, the Illinois Supreme Court has now made a declaration that ah.... I don't quite agree with it, but it's the law and I'm afraid we've got to follow what the Supreme Court has said until ah.... they are over-ruled. This case may well be taken to the United States Supreme Court to test whether or not the definition of our Illinois Court is one that ah... is a reasonable definition, and I think that what you're talking about is included in what the ah.... Supreme Court has just said."

Stone: "Any further discussion? The gentleman is.... from Cook, Mr. Wolfe, is recognized, to close the debate."

Wolfe: "I don't think any further discussion is necessary. This is a protective bill, and I solicit the support of the House."

Stone: The question is on the passage of House Bill 388. All those in favor will vote 'aye'. All those opposed 'no'. The gentleman from..... Did the gentleman from Cook, Mr. Peters desire recognition?"

Peters: "Mr. Speaker, I sought recognition before the ah.... call for the vote, and I don't know whether I'd be in order now to ask the Sponsor of the Bill a question."

Stone: "The gentleman indicates he will yield."

Peters: "Bernie, if I understand this right, what you're saying in this Bill, is that in view of what the Legislature did last year, last session in terms of removing farm equipment from the personal property tax, what you're saying here



is that the local assessors in drawing up the new rates, must take into consideration the amount of money that was lost to that county by taking that tax off farmers and include that amount in...."

Wolfe: "That was law."

Peters: "In the tax on the corporate farms in the area or in other words, to make up the lost revenue."

Wolfe: "Right." That's exactly what the Bill does. It protects ..... the assessors are doing it. We not only voted the exclusion, but we voted a bill out for five million dollars to replace that lost income and in order to have a orderly reimbursement of that money to the various counties, this Bill is necessary and it is further necessary to protect what this General Assembly did in the last session, and I really don't see what the hesitation is this morning in voting the Bill."

Peters: "Mr. Speaker, Pernie, if you would, one more question?"

Wolfe: "Go ahead."

Peters: "So then, what is happening in the counties, and in view of the Supreme Court Decision of yesterday or the day before, what you're saying here is that the amount of Revenue lost to the State by last year's action of this Assembly is to be make up by increasing the personal property tax on corporate farm or farms held in joint venture, etc., etc., etc.? Am I about right on that?"

Wolfe: "No, not quite. It's not to increase it, but it's only to take into consideration this so-called excluded property





so that the extensions by the assessor will include the excluded property particularly if the Supreme Court rules what we did last session unconstitutional. So nobody will be hurt by this Bill if we carry out its intent."

Peters: "O'kay."

Stone: "Have all voted who wished?" The Clerk will take the Record. Maragos 'aye'. McClain 'no'. Representative Wolfe, for what purpose do you seek recognition?"

Wolfe: "Is it too late to put.... today's the last day of the Bill, right?"

Stone: "Yes, Sir."

Wolfe: "So, if it goes on postponed calendar, it's too late to reconsider it."

Stone: "Yes, Sir."

Wolfe: "Is that correct? O'kay, take your vote."

Stone: "On this Question, there are 56 'ayes', 59 'nos' and this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. Representative Geo-Karis 'present'. House Bill 392."

Jack O'Brien: "House Bill 392. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

Stone: Representative Pierce."

Pierce: "Mr. Speaker, House Bill 392, is an Amendment to the Electronic Voting Act. It only affects those counties that have electronic voting, so it would have no effect in Cook County, which has mechanical voting machines and no effect where you have paper ballots. What the Bill



does on a permissive basis, is authorizes the ah... counties not to split a precinct until the maximum is 1200 voters rather than 800 voters. The reason for this is, electronic voting was sold to these counties on the grounds that it would be a savings in money because when the ballots were no longer counted in the precinct by the judges, but were counted in the central accounting station by a computer, you could have more people voting in a precinct, therefore, have less precincts, therefore have less election judges and less places of election where you pay rent. Now the Lake County Board of Supervisors, which is Republican, and the Lake County Clerk, who happens to be a Democratic lady, have both requested this Bill because they feel it will result in a savings of election expenses to our county and to the other counties in the State using electronic voting. They feel that up to a maximum of 1200 voters could be accommodated in a precinct with electronic voting devices. The Bill is strictly permissive. The Clerks or County Boards could split the precinct when they get over 600. Under present law, they must split them at 800. Under this law, they must split them at 1200. It's optional. The counties that want to split at 800 still could under this Bill. Those that want to try a little larger precinct and save some money could have a precinct as high as high as 1200 before being required to split that precinct. Now we do have difficulty in our county in many areas finding polling places, because we have completely residential



subdivisions. We do have some trouble obtaining ah.... judges, and that's another reason why the Bill is good on a permissive basis. I therefore am ready to answer any questions. We always get them on election bills. The Bill was approved by the House Elections Committee. It's permissive. It affects only electronic voting device areas and no other areas of the State."

Stone: "The gentleman from Madison, Mr. Kennedy."

Kennedy: "Hit that thing good. Go ahead. Hit it good."

Stone: "Representative Kennedy wants me to hit the gavel good. He desires a little order. I think he's entitled to it. May we please quiet down just a little."

Kennedy: "I wonder if the gentleman will yield to a question?"

Stone: "He indicates he will."

Kennedy: "Representative Pierce, will you define 'electronic voting' to me. I mean, this is a substantial change in election procedure and I believe that ah.... the Members of the General Assembly should be entitled to know ah.... are you going to eliminate a number of precincts. Is that your objective?"

Pierce: "Representative Kennedy, the Bill amends the ah.... electronic voting system's part of the Election Code. All it does is change the maximum size that a precinct can be from 800 to 1200 registered voters. It allows the county, if it desires, to have larger precincts before being required to split them. It doesn't force anybody to have larger precincts. It allows them to have larger precincts



if they want to save money and ah.... in the rapidly expanding areas, like in our county, every two years, we have to create 20 or 30 new precincts, and this way, they could create less number of new precincts by having slightly larger precincts if the county board wants it to be that way, and ah.... it's permissive and affects only.... It's an Amendment, Lee, to the electronic voting section of the Election Code. It doesn't amend the paper ballot section or the mechanical voting machine section. I don't think in Madison County, you have electronic voting devices, if I'm correct." I mean, you have the mechanical voting devices, which wouldn't be affected by this Bill. This is an Amendment to the Electronic Voting Systems...."

Kennedy: "That's what I wanted you to do is, define that word electronic, because....."

Pierce: "It's right in Chapter 24. I don't have the Election Code here, but we are only amending Chapter 24, which deals only with Electronic Voting Devices. Those are devices where you're counted at a central accounting station by a computer. They're not devices, mechanical devices, where they are counted in the precinct by the judges. That's the principal difference, Lee."

Kennedy: "All right, thank you, Sir."

Stone: "The gentleman from Cook, Mr. Totten."

Totten: "Thank you, Mr. Speaker. I'd like to speak in opposition to this Bill for two reasons. One, although it applies only to those electronic ah.... or those counties that may



have electronic voting devices now, it will apply to those counties that may go to it in the future. And I think one of the dangers that's involved with this Bill, allowing for the permissive allowance in this Bill to increase the precinct size to 1200, is the possible discouragement, the possible discouragement of obtaining volunteers to work in the political process, should we have precincts of that size. It is unwilling today, for a volunteer to take over the assignment of encouraging people not only to vote, but to get active in our political process with precincts that only may be 600 or 700. If we allow precincts to go to the size of 1200, we will discourage and probably eliminate volunteers becoming active in the political process. For this reason, I think this is a bad bill."

~~Speaker~~: "The gentleman from DuPage, Mr. Philip. Did the gentleman from DuPage, Mr. Philip, desire recognition? The gentleman from DuPage, Mr. Philip."

~~Speaker~~: "Yeow, Mr. Speaker, Ladies and Gentlemen of the House, regarding House Bill 392. As you know, under the present law now, the county board can split precincts at 600. They were mandated to split them at 800. Let me tell you, the last time, two years ago, that they split precincts in the State of Illinois, there are only two counties that split precincts in the whole State of Illinois, out of 102 counties. There are many precincts downstate and in Sangamon County that right now have 15 to 1800 registered voters. And if you've ever worked in the political scene, you'll realize



it's very difficult to work big precincts, and when you let people to have precincts of 1200 registered voters, is ridiculous. If anything, we ought to cut it back, instead of increasing it, and I would suggest that ah.... the people on the Floor of this House, vote 'no' on this Bill. It's a bad bill."

Stone: "Is there any further discussion? If not, the ah....

Gentleman from Lake, Mr. Pierce, is recognized to close debate."

Pierce: "Mr. Speaker, I couldn't agree more with Representative Philip and the gentleman from Cook, Mr. Totten, that it is very, very difficult for one person to work a precinct of 800 voters or 900, and that's especially true of 1200. I think what you would have to do, if your County had precincts of this size would be, and remember 1200 is the maximum, it must be split when it reaches 1200, down to two 600 precincts. So you would never be working a precinct of 1200. You'd always be working a precinct of under 1200 under this Bill, even under the maximum, but what you'd have to do, you'd have two volunteers, Mr. Totten. You just couldn't have one volunteer. You could have one volunteer for a precinct of 5 to 600. If you had a precinct of 11 to 1200, you'd have to have two or three volunteers at least working that precinct. That's a problem, but the same registered voters are voting somewhere. Someone is going to have to be calling on their door, whether they're in two precincts or in one precinct. Someone is



going to have to physically knock on their door, so if you have extra large precincts, you have co-captains working the precincts, instead of just one man working the precinct, and I don't really think that's a major problem. To be frank with you, this Electronic Voting Devices were sold to the counties on the basis that they could save some election expenses, and I'm sure, Mr. Philip and Mr. Totten, would both like to save election expenses, especially last year when we had separate elections outside of Cook County for the County Board, then we did for the regular elections. We had separate primaries and general elections. It was very expensive. One way we can save election expenses by the use of electronic voting devices is to allow the precincts to be a little larger, so we don't have quite as many precincts and we save the recent on the voting place and we save hiring additional judges, and this is especially good and true in the expanding areas where it's hard to find a polling place in many residential areas in big subdivisions and it's hard to find judges in some of these new areas. It's permissive. The County Board of Lake County petitioned me. They passed a Resolution. They want the Bill. They are Republican. My County Clerk, who happens to be a Democrat, agrees with them, and he wants the Bill, and so I'm presenting the Bill to try to save some election expenses. It will still be mandatory to split a precinct when it reaches the size of 1200. Twelve hundred is not the minimum. It would be the maximum under



this. You have to split a precinct at 1200. Now Mr. Philip, is correct. Some counties aren't splitting precincts at 800, like they are required to do, but they're violating the law. We can't help that. If they are violating the law at 800, they'll violate the law at 1200. That's true. But those that want to conform to the law, would have to split a precinct at 1200 into two units of 600 a piece, if this Bill is passed. It would be a little inconvenient for perhaps for the precinct committeeman. He might need an assistant or two to work the precinct, but really the saving of money to the county and the taxpayers is worth it and I ask your support on House Bill 392 which affects only those areas that have adopted electronic voting devices as it amends that section of the Election Code."

Stone: "For what purpose does the gentleman from DuPage, Representative Hanahan, arise?"

Hanahan: "Mr. Speaker, will this Bill affect homerule units and therefore, wouldn't this bill need a 3/5th vote for passage? I'd like a ruling on that, Mr. Speaker."

Stone: "It will take 89 votes to pass this Bill." Mr. Hanahan."

Hanahan: "On a point of order, Mr. Speaker. I asked a question. Does this Bill pre-empt homerule units? And I suggest in Lake County, a homerule unit areas in Lake County and many other counties around this State, that this would pre-empt, and I'd like to know on the specific answer





whether or not this pre-empts homerule units?"

Stone: "This does not pre-empt homerule units, because elections are not under that Section of the Constitution."

Hanahan: "Pardon me, Sir."

Stone: "This does not pre-empt homerule units, because elections are not under the Homerule unit."

Hanahan: "Under what circumstances, elections excluded, from the homerule provision of the State Constitution? Will the parliamentarian read the State Constitution to the House of Representatives, where it says it exempts elections from the State Constitution."

Stone: "They are exempt under Article 3 of the Constitution."

Hanahan: "It specifically exempts elections? I think there's a lot to say on that issue, Mr. Speaker. I think that ruling is in error."

Stone: "Elections are a state power under Article 3 of the Constitution of the State of Illinois. This Bill will take 89 votes to pass." The question is on the passage of House Bill 392. All those in favor vote 'aye'. Opposed 'no'. For what purpose does the gentleman from Cook, Representative Lechowicz, arise?"

Lechowicz: "Point of information, Mr. Speaker. I'm wondering if your determination in reference to Representative Hanahan's ah... statement or his question is correct, if this Bill would pass, would it affect the Chicago Board of Election Commissioners? Maybe the Sponsor can reply to that answer... that question."



Pierce: "At present, the ah.... the present law requires all units, including the Chicago Board of Election Commissioners, which you all know is not a homerule unit, but the Courts have upheld that, that's why the judge still appoints the Members. Right now, the law would require them to split a precinct at 800 under this Bill. They could have discretion to split it at 1200, so this gives them more power than they have now. But it would affect them. It would affect all election units in the State."

Lechowicz: "Well, Mr. Speaker, if I can address myself to the Bill."

Stone: "Proceed."

Lechowicz: "Mr. Speaker, Ladies and Gentlemen of the House, I have to concur with Representative Philip's comments in reference to the number of people registered within a precinct. I think that his comments, as far as this statement, that the DuPage and Cook County were probably the only counties within the State of Illinois that address themselves to this issue. In fact there is a ruling or actually it's a rule of thumb that the Chicago Board of Election Commissioner uses, as far as if there precinct reaches 650 people, registered voters, that at that time, they try to split their precinct, and I think this is a pretty bad precedent to follow, as far as increasing the number of registered voters, within their respective precincts, because as we all know, that the precincts are open from six to six on Election Day, but in reality, that



the main influx of voters is in the early mornings, or maybe in the late afternoons, when they are going to and from work. And I think it should be our responsibility to make the privilege of voting as easy as possible, and having it take the least amount of time as possible for the person casting his vote. If this was the case as far as whether it's electronic voting machines or voting machines period, a person is still spending a certain amount of time in determining his vote. If we increase it to 1200 people, people can be waiting in line for a long period of time in order to have their right to cast their vote. I would ask that the Members of this General Assembly look closely and see the impact of this Bill. I would recommend a 'no' vote."

Stone: "For what purpose does the representative from Lake, Mr. Murphy, arise?"

Murphy: "I'd like to ask the Sponsor a question, Mr. Speaker."

Stone: "He indicates he will yield."

Murphy: "Dan....."

Pierce: "Mr. Speaker, I'd like to point this out first, though. We closed, and I closed the debate...."

Stone: "Excuse me, one moment, for what purpose....."

Pierce: "I'll answer this question, but...."

Stone: Excuse me, one moment, please. For what purpose does the gentleman from Coles, Representative Cox, arise?"

Cox: "Well, Mr. Speaker, I believe ah.... Representative

Pierce has already closed his argument and I think that ah...



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these people that are now talking on this Bill, should wait and do it on their votes."

Stone: "Your point is well taken. Can.... One question from Mr. Murphy."

Murphy: "I'll ask the Chair, maybe you can tell me. Ah.... I just want to know if ah.... a voting machine is considered electronic voting?"

Stone: "Mr. Pierce."

Pierce: "Ah.... no, Mr. Murphy, I thought I explained that earlier. We're only amending the electronic voting systems Article 24 of the Election Code, and we in no way affect the mechanical voting machines in Cook County, Rock Island, Madison, St. Clair, wherever else they may be in the State."

Stone: "The question is on the passage of House Bill 392. All those in favor, vote 'aye'. Opposed 'no'. For what purpose does the gentleman from Cook, Mr. William Walsh, arise?"

Walsh: "Well, Mr. Speaker, I'd like to introduce Representative former Representative, Larry Pusatari, a colleague of me and an outstanding member. He is here today with his lovely wife and his family. I don't know where he is, but wherever....."

Stone: "Mr. Pierce to explain his vote."

Pierce: "Mr. Speaker, I would like to explain my vote, only because one Member did speak after I closed and I didn't have a chance to reply. This in no way stops an election authority from splitting precincts at 550, by rule of



thumb, if they want. They can split anytime a precinct is 550, 600, 700, whatever they wish. All it does is allow those counties that desire to have larger precincts to have them. There's no waitings in line. That was a silly argument, because you put more mechanical device voting booths, if the precinct is larger, so there's no more waiting. If you have 1200 people in a precinct rather than 800, that's 50 percent more people then you put in 50 percent more polling booths, and there's no wait. So it really, although it sounded good, it really isn't as meaningful as it sounded, because in a larger precinct, they would just have more voting booths, and that's what we do now in Lake County and larger precincts, we have an extra booth or two, and in our smaller precincts we have a booth or two less. And the law allows that, and there's no problem. What this really is, is the opposition is coming from Cook County, and Cook County is trying to dictate to Lake County how we should run our elections and that's very interesting. I've never tried to dictate to Cook County how they should run their elections. But if asked you to desire here, then maybe some of us from down-state should make.... take more interest in how the Chicago Board of Elections Commissioners run their elections. We try to leave them alone, at least I have, but if they won't let us do something very simply, that our County Board, which is Republican, and our County Clerk, which is Democrat, want to do, on a permissive basis, I think



that's unfair, and I think maybe we ought to take a little more interest in what they do in the City of Chicago and the County of Cook, which I've tried to keep my hands off of in the past."

Stone: "The gentleman from Lake, Mr. Murphy."

Murphy: "Mr. Speaker and Ladies and Gentlemen of the House, now I understood that answer correctly, I have to repeat what Representative Pierce just said, this is not affecting the City of Chicago and for once, we are... we have something here, where like out of 150 precincts, it can even save 50 sets of election judges. We have something finally that will directly save some money and I'm absolutely amazed to see those red lights up on the board. I think we should have 89 green lights up there and pass this, that would make it permissive for us to have some larger precincts in the country and to actually save some money for the county boards that are all so desperately in need of money now, and this Bill would certainly save money. I'd like to see a lot of green lights up on that board."

Stone: "The gentleman from Lake, Mr. Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, I, too, would like to join in support of this Bill and urge some of those red lights to think again about it, because actually it only affects Lake County, and if there are any Democrats who are thinking about this in partisan terms, I can tell you this, Lake County is substantially



and essentially Republican area, and the result of this Bill will be that we will restrain the number of the precincts, and actually we'll have less Republican precinct committeemen out there. That's one side effect of it, but actually, we bought our voting equipment up there. It's electronic. It's not mechanical, like you have in Cook County. There are electronic devices. We come in and we punch some cards and they go into a computer over at the courthouse at Waukegan and that's the way we handle our vote counting out in Lake County. We bought these machines thinking that they would allow us....."

Stone: "One moment please. For what purpose does the gentleman from Kane, Mr. Hill, arise?"

Hill: "Point of order, Mr. Speaker."

Stone: "State your point."

Hill: "Gentlemen of the House. This is not the first time that this gentleman has not studied the legislation thoroughly and has gotten up and made mis-statements. He has said that this Bill only affects Lake County. That is not a fact. It affects every county that has the vote-o-matic election machine in their county. So I would appreciate from now on, if you would read the legislation and know what you're saying when you get up on this Floor."

Stone: "Proceed, Mr. Deuster."

Deuster: "Yes, I appreciate very much the kindly fatherly advice of the gentleman from the other side of the aisle, and ah.... I have read the bill. I was the co-sponsor of



the Bill, and I know what's in it, and ah... the Bill principally was designed as the gentleman stated, and as I thought I had stated, to handle the situation where you have the electronic vote-o-matic machines. And these were acquired by Lake County and anyone else who has them, I presume, thinking that they would be flexible and they would allow the local governments there to respond and to have precincts that might go up to the size of 1200 and I hope that some of those red lights will think again and allow us to save the taxpayers some money."

Stone: "The Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, I have studied the Bill. I'm one of the co-sponsors and I'd like to point out, in explaining my vote, that all this Bill does, is simply gives the option to the County Board or Board of Election Commissioners, or governing body, or Board of any other governmental unit, the jurisdiction in charge of the election, to keep the precincts that they have at 1200 or not change them before the law and it will save a lot of money for the taxpayers. It will save a lot of money for judges, because not only that, you can't get judges very often, and I'm sure wherever the vote-o-matic applies, this bill will apply and I urge a 'yes' vote and I vote for it."

Stone: "The gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, my county also has electronic voting machines and I am afraid that the argument about recruiting





precinct committeemen and precinct workers has to weigh more heavily on my mind than the argument about increased costs. I would suggest to the people who are worried about increased cost of elections, a suggestion that was made to me by some election judges in my county recently, and that is, instead of having five judges, have only three judges. I think that would save the State more money than this Bill would."

Stone: "Have all voted who wished? The Clerk will take the Record. Maragos 'present'. For what purpose does the gentleman from Bloomington, Mr. Bradley, arise?" On this question, there are 45 'ayes', 85 'nays', two present and this Bill, having failed to receive the Constitutional Majority, is hereby declared lost." We will now proceed to the Order of Motions and the Chair will recognize Mr. Porter."

Porter: "Mr. Speaker and Ladies and Gentlemen of the House, I again ah.... have to apologize to all of you for asking special consideration but it is necessary that I move to suspend the provisions of Rule 26B to allow a Bill, which we are introducing today to be assigned to Committee for Hearing and be heard as soon as possible. The Bill is an emergency matter, since, as I am sure you are aware, and have been reading the Evanston Bus Company is about to go out of business. The purpose of the Bill is to channel funds to the bus company in accordance with the



provisions of House Bill 89, which we passed earlier so that the Company can stay in existence until we can form a Regional Transportation Authority. Under the definitions as interpreted by the Department of Transportation, the funds that were originally designed....."

Stone: "Excuse me, one moment, can you tell us the number of the Bill?"

Porter: "It has not yet been introduced. We want to move to suspend the provisions of Rule 26b, so we can have the bill assigned to Committee and heard."

Stone: "But there's no Bill yet. We must have a Bill. You're asking to... for permission to introduce the Bill?"

Porter: "No, I'm asking for permission to have Rule 26b suspended. I'll introduce the Bill right now, if you'd like. I have it prepared."

Stone: "For what purpose does the gentleman from Cook, Mr. Shea, arise?"

Shea: "Mr. Speaker, I think you're going to have to go to the Order of Introduction. The Bill will have to be introduced. I think our rules require that any Bill introduced after the 14th of April will lie on the Speaker's Table and not be assigned until sometime in June. The gentleman's motion after the introduction, I believe, would be that he would like to suspend that portion of the rule and have the assignment committee assigned the Bill."

Stone: "Yes, I think that's correct. He was talking to one Motion and doing another thing. For what purpose does the



gentleman, Mr. Soderstrom, arise?"

Soderstrom: "Mr. Speaker, I rise to make a Motion, if I may. As Chairman of the House Education Committee, Elementary and Secondary Division, Representative Pierce had introduced House Bill 685 on March 14th. This Bill was set two weeks ago for a hearing, and then was continued because of an amendment Mr. Pierce and the Committee wanted to make. Inadvertently, the Bill was not posted yesterday, so that we could continue this hearing, and now the time will expire, so I'm asking.... making a motion to suspend the provisions of Rule 23 to have House Bill 685 heard on Tuesday, May 1, voted upon and reported out by Committee. That's my Motion, Sir. It takes 107 votes, I guess, and I'd sure like to have them."

Stone: "You've heard the Motion. The question is on the Motion. All those in favor will vote 'aye'. Those opposed 'no'. It will take 107 votes. Have all voted who wished? The Clerk will take the Record. McGrew 'aye'. Leon 'aye'. On this question, the 'ayes' are 146 and the 'nays' none, and the Motion is carried. Mann 'aye'. Hart 'aye'. Martin 'aye'. For what purpose does the gentleman from Lake, Mr. Murphy, arise?"

Murphy: "Mr. Speaker, I would ask leave of the House to take House Bill 653 from the Order of Third Reading and have it reassigned to the Committee on Reassignment of Bills. The purpose of this is to let it go back and be with its Appropriation Bill that is setting in Appropriations."



Stone: "Are there any objections? Hearing none, the Bill will be so referred. We will now proceed to Introduction and First Reading of Bills."

F. B. Selcke: "House Bill 1648. Terzich. Amends... Provides for law in relation to clerks, courts. First Reading of the Bill. House Bill 1649. Tipword. Amends Township Act. First Reading of the Bill. House Bill 1650. Tipword. Amends RealEstate Transfer Tax Act. First Reading of the the Bill. House 1651. Tipword. Amends School Code. First Reading of the Bill. House Bill 1652. Hill et al. An Act to establish the right of public school employees to organize and bargain collectively. First Reading of the Bill. House Bill 1653. Hart. Amends Election Code. First Reading of the Bill. House Bill 1654. Hart. Amends the School Code. First Reading of the Bill. House Bill 1655. Amends the Coal Mining Act. First Reading of the Bill. House Bill 1656. Polk et al. Amends the Teachers Retirement System Article. First Reading of the Bill. House Bill 1657. Fleck et al. An Act making it illegal to seel or offer to sell a participation in a pyramid or other chain distribution scheme. First Reading of the Bill. House 1658. Barry. Amends the Workmen's Compensation Act. First Reading of the Bill. House Bill 1659. Barry. Amends the Workmen's Occupational Diseases Act. First Reading of the Bill. House Bill 1660. Cunningham. Amends School Code. First Reading of the Bill. House Bill 1661. Gene Hoffman. Amends School Code. First Reading of the



Bill. House Bill 1662. Bluthardt. Authorizes the Cook County Forest Preserve to convey certain property to Peter Bamberger. First Reading of the Bill. House Bill 1663. Washington et al. Amends the Illinois Municipal Code. First Reading of the Bill. House Bill 1664. Washington. Amends the Downstate and Chicago Police Pension Fund Articles. First Reading of the Bill. House Bill 1665. R. L. Dunne. Amends the Military and Naval Code. First Reading of the Bill. House Bill 1666. Jaffe et al. Creates an Act authorizing the Department of Public Health and so forth. First Reading of the Bill. House Bill 1667. Schoeberlein. An Act in relation to contract labor agencies. First Reading of the Bill. 1668. Tom Miller et al. Appropriates \$120,000 to the Department of Transportation. First Reading of the Bill. 1669. Tom Miller. Requires that a business entity held in trust must disclose all beneficiaries. First Reading of the Bill. 1670. Miller. Amends the Cook County Employees' Retirement Fund Article. First Reading of the Bill. 1671. Getty et al. Amends the Public Junior College Act. First Reading of the Bill. 1672. Sangmeister. Authorizes Department of Children & Family Services to convey certain cemetery lots to the Oakwood Cemetery Association. First Reading of the Bill. 1673. Sangmeister. Creates new Water Well construction and Water Well Pump Installation Act. First Reading of the Bill. 1674. Sangmeister. Amends an Act concerning fees and salaries. First Reading of the Bill. 1675.



Sangmeister. Amends School Code. First Reading of the Bill. 1676. Stiehl. Appropriates \$2,250,000 to the Department of Transportation. First Reading of the Bill. 1677. Caldwell et al. Amends an Act to revise the law of marriages. First Reading of the Bill. 1678. Dyer. Permits sale, delivery and consumption of beer in any dormitory or student union building. First Reading of the Bill. 1679. Ewell et al. Act permitting registered nurses to confirm a person's diagnosis that he has a cold, and to treat the cold with any drugs recognized for the treatment and so forth. First Reading of the Bill. Is this the one he's talking about? Is Porter here? Now, does he want to move on it? 1680. Porter et al. Amends Transportation Assistance Act. First Reading of the Bill."

Stone: "The Chair recognizes the gentleman from Cook, Mr. Porter."

Porter: "Now, back on the Order of Motions, then, with the help of the....."

Stone: "No, Sir, you're on the Motion of Introduction of Bills in First Reading."

Porter: "We're not on the Order of Motions?"

Stone: "Make the Motion."

Porter: "All right, with the help of the distinguished minority leader, I would like to move to suspend Rule 26b in reference to House Bill 1680 to allow that Bill to be assigned for hearing."



Stone: "This Motion will take 107 votes. Is there any discussion? The gentleman from Cook, B. B. Wolfe."

Wolfe: "Point of parliamentary inquiry."

Stone: "State your point."

Wolfe: "The motion states that it is to be assigned to a Committee and to be heard. When? In its regular order?"

Porter: "As soon as possible. I'm not asking for leave to bypass the Committee."

Wolfe: "It's immediate assignment, then, to a Committee for hearing next week?"

Porter: "Yes, Sir."

Wolfe: "All right, fine."

Stone: "Any further discussion? If not, the question is on the Motion to suspend Rule 26b. It will take 107 votes. All those in favor, vote 'aye'. Those opposed 'no'. Kozubowski 'aye'. Skinner 'aye'. Have all voted who wish? Take the Record: On this question, there are 145 'ayes', no 'nays', and the Motion is carried. For what purpose does the gentleman from Cook, Mr. Shea, arise?"

Shea: "Mr. Speaker, ah.... I just want to tell the Clerk that the Committee on Assignment just met and assigned House Bill 1680 to the Transportation Committee."

Stone: "Now, for what purpose does the gentleman from Cook, Mr. Berman, arise?"

Berman: "On the same bill, 1680, I believe that we may be ah.... if I can get the attention of the principal sponsor, Mr. Porter?"



Stone: "The gentleman from Cook, Mr. Porter."

Berman: "The reason I rise, Mr. Speaker, is to ask that the appropriate rule be waived regarding posting, I think, even with the 5-1/2 day allotment, we might be a little late. To waive the requirement of posting, regarding House Bill 1680, for next Tuesday in the Transportation Committee, so I would ask that the appropriate rule be waived so that House Bill 1680 could be heard next week in the Transportation Committee. The Motion is to suspend Rule 118 for the purpose, Rule 18 for the purpose of posting this Bill now to be heard next Tuesday. All.... this will take 107 votes. All in favor will vote 'aye'. Opposed 'no'. Have all voted who wished? Take the Record. On this question, there are 149 'ayes', no 'nays', and the Motion carries. We now return to Third Reading, back to First Reading, just a few more to introduce, then we will go directly to Third Reading again."

F. B. Selcke: "House Bill 1681. Ewell. Amends the Criminal Code of 1961. First Reading of the Bill. House Bill 1682. Chapman. Creates the Residential Housing Disclosure Act. First Reading of the Bill. House Bill 1683. Polk. Amends Illinois Inheritance Tax Act. First Reading of the Bill. House Bill 1684. Polk. Amends the Probate Act. First Reading of the Bill. House Bill 1685. Polk. Amends the Divorce Act. First Reading of the Bill. 1686. Polk. Amends an Act in relation to adoption of persons. First Reading of the Bill. 1687. Polk. Amends the





Parental Responsibility Law. First Reading of the Bill. 1688. Polk: Creates an Act concerning the rights and duties arising from a stepparent-stepchild relationship. First Reading of the Bill. 1689. Polk. Defines stepparent. First Reading of the Bill. 1690. Polk. Defines stepparent. First Reading of the Bill. 1691. Polk. Amends the Criminal Code. First Reading of the Bill. 1692 Rayson. Amends Public Utilities Act. First Reading of the bill. 1693. McGrew. Amends Vehicle Code. First Reading of the Bill. 1694. McGrew. Amends the State Employees' Retirement System Article. First Reading of the Bill. 1695. McGrew. Amends the Teachers' Retirement System Article. First Reading of the Bill. 1696. Rayson Amends Real Estate Brokers and Salesmen's Act. First Reading of the Bill."

Stone: "We'll now proceed with Third Reading. House Bill 404."

F. B. Selcke: "House Bill 404. Bill for an Act to amend the Paternity Act. Third Reading of the Bill."

Stone: "The gentleman from Cook, B. B. Wolfe."

Wolfe: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, this is the third time for this particular bill. Two sessions ago, we passed this Bill and the Senate passed it. It was sent to the Governor's desk for signature and on objection of the Department of Public Health, the Governor then vetoed the Bill. Last session, the Department of Public Aid, not Public Health, I'm sorry.



The Department of Public Aid withdrew its objection and I again reintroduced the Bill and it passed both the Committee and this House overwhelmingly. It was sent to the Senate and was locked up in Judiciary Committee in the Senate's last session, and ah.... died in that Committee without a vote. The Bill essentially amends the Paternity Law in these five following respects. 1. It requires a civil summons to be issued instead of arresting the defendant in the first instance. The judge is to advise the defendant of all of his rights and liabilities under the Paternity law. The defendant has the right, number 3, to be represented by counsel, and that perhaps is the most important aspect of House Bill 404. Fourth point is that the defendant is entitled to a blood test and 5th, only one bond is required instead of two bonds. Now this is a very technical proceeding and one of the professors at the University of Chicago in the first instance, when the Bill was introduced, who did an exhaustive study on the subject of the enforcement of the Paternity Law, Professor Melvin V. Goldberg, said in summarizing his support of this Bill, In summary, and I'm quoting from his letter, 'I feel that this House still goes a long way towards alleviating the injustice inherent in the implementation of the Paternity Act. It does much to restore justice to our sometimes confused system of law. It is precisely this quality of justice that our system must have in order to command the respect necessary to survive'. And I would respectfully



ask the Members of the House to support House Bill 404'."

Stone: "Is there any further discussion? Representative Wolfe is recognized to close the debate."

Wolfe: "I ask for a favorable support on House Bill 404."

Stone: "The question is, shall House Bill 404 pass? All those in favor will vote 'aye'. Those opposed 'no'. Have all voted who wished? The Clerk will take the Record. Shea 'aye'. Duff 'aye'. Soderstrom 'aye'. Cox 'aye'. Ebbesen 'aye'. Collins 'aye'. Shall we take a new.... Everyone get on their toes now, and we'll take a new roll call. All those in favor vote 'aye'. Those opposed 'no'. Have all voted who wished? Shea 'aye'. The Clerk will take the Record. J. J. Wolfe 'aye'. The Clerk will take the Record. On this question, the 'ayes' are 124, the nays none, and this Bill, having received the Constitutional Majority, is hereby declared passed." House Bill 424."

F. B. Selcke: "House Bill 424. Day. Bill for an Act to amend the Public Building Commission Act. Third Reading of the Bill."

Day: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 424 simply amends the Public Building Commission Act, to permit local public building commissions to construct buildings for county purposes only outside the area of the county seat. I'd be happy to answer any questions and I would appreciate your support."

Stone: "Is there any further discussion? The gentleman from Cook, Representative William Walsh."



Walsh: "Well, as a Republican from Cook County, I'm a little bit disturbed with the ah.... gentleman's discription of the Bill, and ah.... which is borne out pretty much by what the digest says. Ah.... do you mean that now the county government may not ah.... use public building commission money to construct facilities outside of the county seat. Is that correct?"

Stone: "Is that in the form of a question?"

Walsh: "Yes."

Stone: "The gentleman indicates he will yield."

Day: "As the law now stands, ah.... the public building commission is limited to the construction of buildings within the confines of the county seat."

Walsh: "Well, ah.... I am a little bit concerned about this, although I'm not well enough informed on it to talk about it. My concern is that the ah.... there has been some talk in recent years about the Cook County government ah... building offices and buildings in these suburban towns for the purpose of collecting taxes and doing many other things. So ah.... with that, I think that ah.... that is all I have to say."

Day: "Well, thank you, Mr. ...."

Stone: "Is there any further discussion? If not, the question is on the passage of House Bill 424. The gentleman from Lake, Mr. Matijevich."

Matijevich: "Ah.... would the sponsor yield to a question?"



Stone: "He indicates he will."

Matijevich: "In my area, we had a referendum relating to a courthouse where the people voted down the referendum to build a courthouse, and they are after the public building commission.... the public building commission went ahead and built this courthouse. And ah.... there's been throughout my county, some criticism by the Public with relation to the public building commission, and I'm concerned whether this Bill will ah.... really create more problems and will mean that Public Building Commission will go throughout the counties in the State where there are public building commissions and the ah.... the will of the people notwithstanding, build institutions. Am I right about this, or what are the restrictions that the Public Taxpayer has against such building commissions?"

Day: "Well, those restrictions are in the present law. And this Bill doesn't change the present law in any way. All this Bill provides for is permission to construct buildings outside of the County Seat, and it doesn't change the law in any other respect. Now the reason why the Bill was introduced, is because there are some downstate counties that are ah.... in county nursing home projects, ah.... and they want to ah.... construct a county nursing home outside of the city limits of the county seat. Ah.... there are some counties that are considering new correctional facilities, and they can't... they feel they shouldn't



attempt to ah.... locate them within the County seat. The same is true of county highway department maintenance sheds and this sort of thing, where they would be much, much more useful if they could locate them outside of the area of the cities. So that's the only purpose for the Bill. It doesn't change anything else, in the ah..... Public Building Commission Act."

Matijevich: "Well, Mr. Speaker, I'm somewhat in the position of the Majority Leader in that I'm not altogether conversed on this Bill, but just from what someone here from Cook County said, it's a good bill and I'm tempted to vote against it on that basis, but ah.... let me say that just on what the sponsor has said, I'm going to vote against it because I think the authority within the county seat is too far, as far as I'm concerned, and I don't want that authority to spread even beyond the county seat, and I would urge those who are interested in responsibility and accountability to the taxpayers, if they want a Build institutions, to vote against this Bill."

Stone: "For what purpose does the gentleman from Cook, Mr. Duff, arise?"

Duff: "Would the sponsor answer the question?"

Stone: "One moment, please, if I may. We're honored to have with us today the Attorney General of the State of Illinois, William Scott, in the center aisle back here. Proceed, Mr. Duff. The Sponsor indicates he will yield."



Duff: "As I understand it, and I'd like to put this in the form of a question, ah.... in my county, in Cook County, this would allow the County Board to decide to build in the unincorporated areas of the county any county facility for sheriff, assessor, for county clerk or anyother facility. Is that correct?"

Day: "No, the Bill is limited to public building commission. Doesn't have anything to do with the county board."

Duff: "Well if the Public Building Commission wants to build a building in the unincorporated areas of the township, ah.... under this Bill, it could, without any special vote of the people in the unincorporated areas. Is that true?"

Day: "If it had the permission of the county board on the site it had selected."

Duff: "All right, in order to get the permission of the County Board, it would take a three-quarters vote of the County Board?"

Day: "Right. That's the present law. This bill doesn't change that. That is the law now."

Duff: "So the law, so.... I want to get this clear. Now, if the County .... If the Public Buildings Commission wanted to build a facility project in the unincorporated areas in a suburban township of Cook County, they could determine to do so only if they got a three-quarters vote of the County Board for the site location?"



Day: "Right."

Duff: "Thank you, very much."

Stone: "The gentleman from Cook, Mr. Shea."

Shea: "Ah.... Mr. Speaker, I just might answer Mr. Duff's question. At the present time, the County Board could build a county facility anyplace within the county and I know in Cook, they have adequate non-referendum bonding power to do that. So that the only thing that the Bill of Mr. Day, would do would permit if a county board chose to do it, to use the public building commission as a vehicle to build it and build the building outside the county seat. So that ah.... the only thing that it affects in Cook County is that it might save the taxpayers a few dollars, using that vehicle, and I think it's a good piece of legislation and I'd like to see it passed."

Stone: "Any further discussion. Mr. Duff, for what purpose do you arise?"

Duff: "Well, I would only like to clarify then, and I appreciate the ah.... explanation of the ah.... Minority Leader, I want to be sure that it would take a three-quarters vote of the County Board to approve any sites that would be involved in this? You say it would not?"

Stone: "If I may have your attention a moment. We have a distinguished former Member in the balcony over here to my right, Henry Lenard. The gentleman from Cook, Mr. Shea."





Shea: "Well, I just want to tell Mr. Duff that the County Board, now, by a majority vote, could build a building anyplace in the County. If the County Board chose to use the vehicle of the Public Building Commission and build a building outside the county seat, Mr. Day's bill would require three-quarters of the vote of the County Board to do that."

Stone: "Is there any further discussion? If not, the question is on the passage of House Bill 424. All those in favor, will vote 'aye'. Those opposed, 'no'. Have all voted who wished? Take the Record. The gentleman from Cook, Mr. Maragos, for what purpose do you arise?"

Maragos: "Mr. Speaker, at this time on behalf of the Members of the 30th District, cordially invite our former colleague, to please come down and sit amongst us, so we can feel at home again like we use to for many years."

Stone: "On this question,..... Representative Londrigan 'aye'. Representative Neff 'aye'. Representative Pappas 'aye'. Representative Ebbesen 'aye'. Representative Kenneth Miller 'aye'. Representative Rose 'aye'. Representative McCormick 'aye'. Ah.... the Clerk advises me we should retake this record. Will those in favor, will please vote 'aye'. Those opposed 'no'. Have all voted who wished? Take the Record. On this question, there are 102 'ayes', 29 'nays', and this Bill, having received a Constitutional Majority, is hereby declared passed. Maragos 'aye'. Mrs. Geo-Karis 'present'. House Bill 432."



F. B. Selcke: "House Bill 432. A Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Stone: "Representative Flinn. Representative Flinn is not on the Floor? We'll take it out of the Record then for a little while. House Bill 437."

F. B. Selcke: "House Bill 437. An Act in relation to creation of the Office of County Counsel by County Boards. Third Reading of the Bill."

Stone: "The gentleman from Champaign, Representative Hirschfeld." Representative Hirschfeld is not here. Take that person out of the Record. House Bill 438 will be out of the Record. That's Representative Hirschfeld also. House Bill 445."

F. B. Selcke: "House Bill 445. W. D. Walsh. Bill for an Act to amend the Motor Fuel Tax Law. Third Reading of the Bill."

Stone: "Gentleman from Cook, Mr. William Walsh."

Walsh: "Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 445 merely changes the formula for motor fuel tax fund reimbursement, so as to provide for an additional exemption. Now as we all know, the farmers who use motor fuel in the operation of farms and pay a tax when they purchase it, are entitled to file for a credit and receive that credit. In addition to that, the voting act is administered from the motor fuel tax fund and the theory is that ah.... boaters buy gas and pay motor fuel tax funds on this gas and do not use the ah.... gasoline on the



highways. They use it on the waters and so the boating act is administered with these funds. Now there is a third category that occurs to me and this Bill addresses itself to that and that is the tollroad users pay for gas and pay motor fuel tax on the gasoline that they buy for use on the tollroad, but on the tollroad their tolls pay for the maintenance and operation of the roads, and so therefore the money should be used in another way. Now, one possibility would be to use the motor fuel tax money for the estimated mileage on the tollroad to retire the bond. It's my feeling that I would prefer that, but being a realist, I don't think we'll ever be without the tollroads, and so the effect of that would be that we'd build them at a evermore rapid pace and we'd maybe have double decker tollroads. This, then, returns the money to the cities and villages through which the tollroad traverses. And the theory in this is that the tollroad is an integral part of the highway system in the northern part of our state and that the cities and villages that have roads leading to the tollroads should be compensated for the excessive traffic they have and I solicit your support for this Bill."

Stone: "Gentleman from Christian, Mr. Tipsword."

Tipsword: "Would the Sponsor yield to a question, pleas?"

Walsh: "Yes, I will try."

Tipsword: "Am I correct in my understanding of this Bill, that the Motor Fuel Tax that you address yourself to here as fuels used upon the toll highway, ah.... there would no



longer be a share distributable to the State of Illinois?"

Walsh: "Oh, no, that's not correct at all. No, there's a share distributable to the State of Illinois. This just provides for an additional share to be distributed on the basis of tollroad miles driven."

Tipsword: "An additional share distributed on the toll miles drives. Then it would not go into the total fund here— after distributed to the counties, villages, townships and cities throughout the State of Illinois?"

Walsh: "No, that is not correct. It would go into the end of the fund and would be distributed on the basis that I outlined."

Tipsword: "Then it would be distributed out solely and only to certain limited cities, counties and townships and not to all of them in the State of Illinois. Is that correct?"

Walsh: "That portion would, but there would, of course, be a portion distributed to the cities and counties in the other part of the State from the remainder."

Tipsword: "There would be a special portion attributable to those counties that happen to have tollways?"

Walsh: "That's correct."

Tipsword: "Thank you."

Stone: "The gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to support House Bill 445. I think that one glance at any Illinois map would demonstrate to the observer that the northern section of our State is the home of the toll



highway system for Illinois, and northern Illinois also possesses the concentration of the population of our State, which means also the concentration of the automobiles and of course it follows that that is the lion's share of motor fuel consumption in the entire State. Now tollroad fees are a way of life in the northern section of the state because in the past, people needed and wanted and accepted the toll fee procedure as necessary to finance the highway improvements. Now for years, northern Illinois drivers have had tollways or noways and I think it's time that we have some motor fuel taxes funds returned in a fair and equitable manner to the same geographical area where the money was generated for use for new and improved local roads that are free to the public in general, and of course a lot of these roads will serve or do serve as feeder roads to the....."

Stone: "One moment, please. For what purpose does the gentleman from Winnebago, Mr. Anderson, arise?"

Anderson: "Mr. Speaker and Ladies and Gentlemen of the House, this is a very important Bill. I wish we could have a little quiet here so we can here it."

Stone: "Mr. Anderson, your point is well taken. This is an important Bill. The noise level is gradually getting louder and louder. Could we please have a little order and will those who are standing in the aisles, if possible, please find their seats. Thank you very much. Proceed."



Ebbessen: "I'd just like to say that I do feel that it is time that some of these motor fuel tax funds are returned and there is a fair and equitable manner in which to establish this to the same geographical area where the money is generated so that they can be used for new and improved local roads that are free to the public in general. Now many of these local roads as I indicated previously do serve as feeder roads to and from the toll highway system. There is a reasonable and practical way to determine a means of sending this money back to geographical areas that are affected, and I would urge all Members of the House to support this Bill, House Bill 445."

Stone: "The gentleman from Wayne, Mr. Blades."

Blades: "Mr. Speaker, Ladies and Gentlemen of the House, a... I would like to call to your attention anybody that lives outside of Cook County, what this is doing to you. Anybody that might not live along a tollroad, what it might do to you. It's another raid on the Motor Fuel Tax that we're getting, and I suggest everybody defeat this Bill."

Stone: "The gentleman from Cook, Mr. Peters."

Peters: "Will the Sponsor yield for a question? Bill, just so I got this straight. What we're saying here is that a portion of the Motor Fuel Tax money will be given to the tollroad for use in either maintenance of the tollroad or in the retirement of the bonds based on the number of estimated number of miles ah....."



Walsh: "No, that's not what happens. The tollroad doesn't participate at all. Based on the number of miles, vehicle miles driven on the tollroad, the amount of motor fuel tax that is spent for that number of vehicle miles based on 13 miles per gallon, which incidentally, for ah.... 1971 amounts to just slightly less than twelve million dollars. That money will be returned to the cities and villages in the counties through which the tollroads traverse. The tollroad gets nothing."

Stone: "The gentleman from Will. Mr. Leinenweber."

Leinenweber: "Would the sponsor yield for one more question?"

Stone: "He indicates he will yield."

Leinenweber: "Representative Walsh, to save everyone a lot of trouble here, wouldn't the rule of thumb be if you have a tollroad in your district, you vote for and if you don't you vote against it?"

Walsh: "Ah.... no, ah.... I wouldn't suggest that. I would think if you were going to do the just thing, you'd vote for it and if you weren't, you'd vote against it."

Stone: "Gentleman from Vermilion, Mr. Craig."

Craig: "Mr. Speaker and Ladies and Gentlemen of the House, now we've had other Bills in the past in here to give them freeways, make freeways out of these tollways, after the bonds were paid off. Now I think this Bill is even worse than the Bills like that that have been defeated in the past. What this Bill, I think, would be doing, they would count the miles and the traffic count on these tollways and



this amount of Revenue, however they figured out the gas mileage would be refunded back to these municipalities in this area and they are already getting their share of the sales tax. Now, they're wanting practically all the gas tax plus more than they really should have if they kept it, because they would be almost impossible to keep the actual amount back, because a lot of people go through on them and never buy any gas in the State of Illinois, and you'd be wanting their money back, their proportionate share. I strongly urge everyone downstate, you talk about robbing the motor fuel tax fund, this is the biggest rob that I think I've seen yet. I urge a 'no' vote."

Stone: "Is there any further discussion? The gentleman from McHenry, Mr. Skinner."

Skinner: "Representative Walsh, would you yield for a question?"

Stone: "He indicates he will yield."

Skinner: "If one of my airline pilots in McHenry County buys some gasoline in McHenry County, drives down through Cook County and gets on the tollroad at the Barrington entrance. Who ends up getting what Motor Fuel Tax?"

Walsh: "Well, first of all, the ah.... Motor Fuel Tax is returned according to formula by population, so the Motor Fuel.... the money spent for Motor Fuel Tax would go as follows: 35 percent to the State, 11 percent to Cook County, 12 percent downstate counties, 32 percent to municipalities and 10 percent to townships based ah.... and that 10 percent to townships is based on the number





of miles maintained and not on population." Now according to the Bill, if the Bill were enacted, then the number of miles that ah.... that your airline pilot drove on the tollroad would be divided by 13 and multiplied by 7-1/2 cents and that amount of money from the Gentleman's trip would be returned on the basis of population to the cities and villages through which the tollroad runs, and these are cities and villages or ah.... in ten counties."

Skinner: "Mr. Speaker.... I have a feeling, this sounds to me like it's a redistribution of Motor Fuel Tax from McHenry County to Cook County, for everybody that commutes from McHenry County to Chicago. Is that the case?"

Walsh: "No, the estimate is as follows: The amount of money for 1971 is approximately 12 million dollars. Now it is returned on the basis of population. The estimate is that the return would amount to a \$1.70 per person in 1971. So you can figure it will be about \$1.70 per person in McHenry County, to the cities and villages therein. It's the same for Cook County. Of course, Cook County would get more money, because there are more people there."

Skinner: "Well, in any bill, somebody wins and somebody loses, and I'm trying to figure out who's losing here, and ....."

Walsh: "Your a winner, Cal."

Skinner: "I don't know how I'm a winner. I have maybe five miles of tollway in McHenry County. Kane County, which is in my district, has a large amount of tollway and so does Boone County, but, you know, everybody from Elgin, well



many people from Elgin who use the tollroad go to Chicago. They don't go to Rockford."

Stone: "The gentleman from Henderson, Mr. Neff."

Neff: "Mr. Speaker and Ladies and Gentlemen of the House, I hope everyone from downstate realizes what this will do to our Motor Fuel Tax fund. We all know the problems we are having on highways downstate. Today, we have over 3500 miles downstate of 18 foot pavements, rough pavements. Even though we have repaired and ah... resurfaced the thirty-five miles in the last four years, we're still just half-way through this and there's no question, with this type of legislation, we're going to have less money for our downstate roads. I would hope that everybody at least from downstate realizes what this type of legislation does to our fund and would strongly oppose it. Thank you."

Stone: "The gentleman from Cook, Mr. Huskey."

Huskey: "Mr. Speaker and Ladies and Gentlemen of the House, the tollroads do run ah... in my district, but the small amount of money that this will give us will not offset the cost of our municipalities and our villages and policing the traffic that flows from these tollroads. The load is extremely heavy and I'm sure that anyone of you want one in your district, I'd be happy to give you the ones that are in my district because the cost is tremendous. The cost of police and accidents and so forth, so actually, ah... you should give us some financial help. It would help alleviate a very serious overloaded police problem we have."



Stone: "The gentleman from Kane, Mr. Grotberg."

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

Stone: "The previous question has been moved. All those in favor, say 'aye', opposed 'no'. The 'ayes' have it. I recognize Representative William Walsh for closing."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I know there are many other members who were interested in being heard on this. Perhaps they can explain their votes, especially those who will benefit. I'd like to answer very briefly some of the points that were raised. First of all, this is not a Cook County grab by any means. There are ten counties that are involved in this, including Ogle, Whiteside and DeKalb, which the new tollroad is going through. Now the other consideration is that this seriously is the only class of people, the tollroad user is the only class within the State that does not get credit for motor fuel taxes spent that are not used directly for their roads. Now I submit to you that this is not right. It's wrong. The tollroad is an integral part of the highway system in northern Illinois. There is no reason why the People in northern Illinois should have to pay to ride on the roads, while the people in other parts of the state do not pay. We are in effect in northern Illinois paying twice for the use of this road. We shouldn't have to do this. We should get some benefit to our cities and villages, locally, so that ah.... we can improve these roads which are carrying an inordinate amount of traffic. Now I might



suggest to you also that we have problems with mass transportation in northern Illinois. These counties are roughly the counties that will be involved in a mass transportation, ah..... regional transportation authority. Perhaps some of this money could be used, or there would be more money available for the use of such an authority if something like this passed. I solicit your support."

Stone: "The question is on the passage of House Bill 445. All those in favor will vote 'aye'. Those opposed 'no'. Gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker, Members of the House, last summer my family and I had the privilege of driving from the northern part of the State through the middle and to the southern part of the State on I-57. I found on I-57 an expressway, toll free, to be as good, if not better, than the tollroads, which service the northern part of the State, and as I drove south on I-57 and needed gasoline, I would pull off and buy it from a local service station. And a part of the tax that I paid for that gasoline went to the County, went to the Municipality in which that service station was located. Now all we're suggesting here on this Bill is that there by equity to the northern part of the State, where we have tollways. We stop for gasoline, buy gas and we'd like to have returned to the county and the municipality in the northern part, a share of that motor fuel tax as exists downstate where toll free expressways exist. I should also like to suggest, Mr. Speaker,



Members of the House, that these tollways by their construction, remove from the assessed valuation of the counties and the municipalities in the northern part, ah... assessed valuation. The same thing for downstate and you're compensated by your share of the motor fuel tax. I think it's a proper bill. I think it extends the principal that exists downstate to the northern part and should pass."

Stone: "Did the gentleman from Cook, Mr. McGah, desire recognition?"

McGah: "Mr. Speaker, Ladies and Gentlemen of the House, just briefly an explanation of vote. I'd like to call your attention to the fact that this Bill had a full and complete hearing in the Cities and Villages Committee, and it had 12 'ayes' and only one 'no' and nobody answering 'present', and ah.... I think it's a fair and equitable ah.... not a complete solution to the problem, but there's no question if the motor fuel tax gasoline is being used on the toll highways and there certainly shouldn't be any difference in the gasoline in which motor fuel tax is paid and rebated in connection with the waterways or the farms. Ah..... a couple of weeks ago, if you remember, we had the Bill where the collection of sales tax was changed from where the coal was sold back to where it was mined. And that passed out of this House and I don't see any reason why this Bill shouldn't pass on the same fair and equitable principal to take care of the ah....



situation where the problem exists. Thank you very much."

Stone: "Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, even though I fear the passage of this Bill may unduly ah.... extend the servitude of northern Illinois to the Tollway Authority, I do intend, I am voting 'yes'."

Stone: "The gentleman from McHenry, Mr. McGrew."

McGrew: "Mr. Speaker, I feel that I would be somewhat hypocritical voting for this particular bill. Therefore, I am voting against it. I live in Henry County and according to the Department of Transportation, Henry County, with a population of over 64,000, is the third, has the third largest amount of unimproved roads in the State of Illinois of any County. There are only two counties in the State that have more unimproved roads than Henry County and I think that as soon as we can address some of these problems, then I will be more than willing to look at the rest of the State."

Stone: "Gentleman from Cook, Mr. Huskey."

Huskey: "Mr. Speaker, Ladies and Gentlemen of the House, I've heard some pleas from the people downstate asking the people from Cook County to help them in time of need. I've heard pleas, I've even heard teardrops hitting the floor in this House. Now, here are a few people from a few northern Cook County areas that needs this help. We need this help to pay our police, to help control the traffic, that dumps off of these tollroads into our towns and



villages. We desperately need this help, so how can you people of downstate come to us and ask us for your help, when here we need your help and you're not giving it to us."

Stone: "Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen of the House, someone who spoke previously indicated that there was some correlation, somehow, between this bill and the sales tax on the sale of coal. I would suggest that the sales tax upon the gasoline in and around the tollways remains within that county where that sale takes place, just as the coal bill provided that the sale should be where the sale of the coal takes place. I would simply just like to point out that it appears to me that this Bill, disturbing the equity throughout the State of Illinois, is so very bad, that should it pass as it now indicates that it might, I think the only solution for the rest of the State would be susation."

Stone: "The gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, I am not one to turn a death ear to the pleas of any Members. I recall well that when our members from downstate pleaded for help, because of the flood, the adversity that didn't belong to them, we responded. I have heard the pleas answered at all times, and I cannot turn my back upon the people of northern Illinois simply because they again asked for a little retribution and a little relief. I believe they're



entitled to it as a matter of equity, as a matter of people who pay the bills, and I think this is the least that we can do for them, and I will vote 'aye'."

Stone: "Have all voted who wished? The Clerk will take the Record. On this question, there are 100 'ayes', 52 'nays' and the Bill, having received a Constitutional Majority, is hereby declared passed." Representative Barry 'present'.  
House Bill 452."

F. B. Selcke: "House Bill 452. Bluthardt. Bill for an Act to amend the Election Code. Third Reading of the Bill."

Stone: "Gentleman from Cook, Mr. Bluthardt."

Bluthardt: "Mr. Speaker, may I request that House Bill 453 be called first. I think that will explain 452 better when I get around to it."

Stone: "Read 453."

F. B. Selcke: "House Bill 453. Bill for an Act to amend the Election Code. Third Reading of the Bill."

Stone: "Mr. Bluthardt."

Bluthardt: "This Bill will, let me get my specks on, provides for one legislative committee in each legislative district after the 1974 primary. It provides a committee in Cook County comprised the same as it is presently. Committees outside of Cook County comprised of the County Chairman of the counties in that district. And there are special provisions for those two districts, District 2 and 6, that overlap partly in Cook County and partly in DuPage County. I'd be pleased to respond to any questions."





Stone: "The gentleman from Madison, Mr. Kennedy."

Kennedy: "Would the gentleman yield to a question?"

Stone: "He indicates he'll yield."

Kennedy: "Ed, does this apply to ah...., now my district the 56th district, goes.... we have one township in St. Clair County. Do I understand that if your Bill becomes law, we'll only have one representative committee for the entire district? Is that right?"

Bluthardt: "You'll have three. Your district's all in one County?"

Kennedy: "No, it's in two counties."

Bluthardt: "Two counties. There won't be any change. It will provide.... no, you'd have three members of the Committee."

Kennedy: "For the district?"

Bluthardt: "For that district, yes."

Kennedy: "All right, thank you."

Stone: "The gentleman from Cook, Mr. Mugalian."

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

Stone: "He indicates he will."

Mugalian: "Would you please briefly describe the special provisions that affect District 2 and 6; being the two that share Cook County with other counties?"

Bluthardt: "Yeow, that would consist of the ward and township committeemen of the Cook County portion and the ah.... county chairmen in ah.... that portion outside of Cook County."



Mugalian: "Well, may I ask one more question? What is the current law, now. What would be operative insofar as committees are concerned as of this moment?"

Bluthardt: "Well, prior to this, we didn't have any overlapping districts like that, so there is no law that applies to that situation. This will establish the law for the first time."

Mugalian: "Thank you."

Stone: "The gentleman from Randolph, Mr. Springer."

Springer: "Mr. Speaker, would the sponsor yield for a question?"

Stone: "He indicates he'll yield."

Springer: "Representative Bluthardt, is this eliminating the representative committeemen?"

Bluthardt: "It's not really eliminating. It's substituting a legislative committee for the former two committees that you had. You had a senatorial and a legislative. Now you're only having one, a legislative committee."

Springer: "Mr. Speaker, I have one other question. In the 58th district, five complete counties form the district, plus parts of two counties. Parts of St. Clair and Williamson. Ah.... that committee would be then comprised of the seven county chairmen?"

Bluthardt: "Yeow, it would be the county chairmen on a weighted vote, depending on the primary vote of each ah.... county."

Springer: "Thank you."



Stone: "Is there further discussion? If not, the gentleman from Cook, Mr. Bluthardt is recognized to close debate."

Bluthardt: "Well, Mr. Speaker, and Members of the House, this is similar to a Bill that ah... passed the House last year, and was vetoed by Governor Ogilvie. Ah.... in that the bill had been had been amended and the Governor felt that matters in there were not germane to the title. I would ask your support for this Bill."

Stone: "The gentleman from Cook, Mr. Shea, for what purpose do you rise?"

Shea: "I wonder if the Sponsor would just yield for just one question?"

Stone: "It's a little unusual, but he indicates he will."

Shea: "This....."

Stone: "Mr. Bluthardt. Proceed, Mr. Shea."

Shea: "Mr. Bluthardt, last year, this same bill passed and it was vetoed by the Governor. There was a motion to over-ride the veto. How did you vote on that?"

Bluthardt: "I don't recall, Jerry."

Shea: "Oh, all right."

Stone: "That was a good question. The question is now on the passage of House Bill 453. All those in favor will vote 'aye' and those opposed 'no'. Have all voted who wished? McClain 'aye'. Brinkmeier 'aye' and Mann 'aye'. Toby Barry 'aye'. Mr. Porter 'aye'. Have all voted who wish?"



Mr. Blades 'aye'. Have all voted who wish? Take the Record. On this question, the 'ayes' are 139 and the no's zero. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 452." House Bill 452 has been read. "

Bluthardt: "Well, Mr. Speaker and Members of the House, House Bill 452 provides for the filling of vacancies when there is a vacancy in the legislative district. It provides that the legislative committees shall replace that or fill that vacancy by a member of the same party that vacated that seat. There's one exception. Where that member was an independent, then the Governor shall appoint an independent to fill that vacancy. I ask for your support."

Stone: "Is there any further discussion? The gentleman from Cook, Mr. Shea."

Shea: "I'm sorry, I don't quite understand this. Let's presume that in my district I resigned. How would they fill my vacancy?"

Bluthardt: "The Representative Committee of your Party would fill that vacancy."

Shea: "Would the party actually do the appointing?"

Bluthardt: "The members of that Committee would do the appointing, yes."

Shea: "In other words, the Bills that went to the Governor last time, said that the legislative committee would name a name and send it to the Governor and then the Governor would then appoint. Now, you're giving the power of



appointment to the legislative committee?"

Bluthardt: "That's correct, except in the case of an independent."

Shea: "And who does it then?"

Bluthardt: "The Governor, then."

Shea: "How does he do it?"

Bluthardt: "Well, it is not the law yet, so I don't know how he would do it now, but...."

Shea: "If your bill was the law?"

Bluthardt: "If the Bill were the law, he would ah.... appoint somebody that he believed was an independent to fill the seat of that district."

Shea: "And do you define an independent?"

Bluthardt: "I suppose the only way I could do that is to say it's a person not affiliated with any political party."

Shea: "Why don't you hold this Bill for a little bit. I think it needs some thought."

Bluthardt: "Jerry, only insofar as we may call it back today because today is the last day."

Shea: "Well, I think we could make a motion to extend that. Would you have any objection to that?"

Bluthardt: "Well, I don't really have any serious objection other than I would like to get it off the calendar today. It's been sitting here for 30 days. It's been in committee for 40 days, so we've had about 70 days to consider this, and I can't see any reason for postponing it anymore than maybe an hour or so today."



Stone: "Were you finished, Mr. Shea? The gentleman from Cook, Mr. Mugalian."

Mugalian: "Mr. Speaker, Ladies and Gentlemen of the House, I think this is an important Bill. It affects the ah... vacancies to seat that we now occupy. As I understand House Bill 452, it would do the following thing by example in my district. My district includes three counties, other than Cook and three townships in Cook. I think that would mean that the Democratic representative committee would consist of six persons. The County Chairmen of the three counties outside of Cook and the three township, Democratic township committeemen in Cook. So six individuals would replace me if I should no longer be a Member."

I think this is one way to do it, but I suggest that perhaps the Sponsor might think of one that may be a little bit more representative of the party of the House Member who had resigned. I would suggest that the Members of this Committee would be permitted to vote the number of primary votes that were cast the last previous primary. For example, in my district, I have a part of Lake County, but it's only one township, Cuba, which is very lightly populated. It has about six precincts. Kane County, on the other hand, has approximately 40 precincts, so it would be unfair to give the same vote to the county chairman of Lake County as to the County chairman of Kane County. I'm just wondering if we did have some time, if the Members of the House and the Sponsor might not think, agree that



this would be an improvement over this present method."

Stone: "Does the gentleman wish to respond?"

Bluthardt: "Yes, I would. I think that if the gentleman will read the Bill, that that is exactly how the vacancy is filled. It's on a weighted vote, based on the primary vote for that party."

Stone: "The gentleman from Cook, Mr. Madigan."

Madigan: "Ed, in the City of Chicago, who would compose the senatorial and representative committee?"

Bluthardt: "It would ah.... consist of the ward committeemen, in which ah.... that district is situated."

Madigan: "Do I read the Bill correctly? A Member of the Senatorial or Representative Committee, is ineligible to be appointed to the vacancy?"

Bluthardt: "I believe that's correct, yes."

Madigan: "Can you tell me the reason for that?"

Bluthardt: "I wish I could, Ed, I.... I suppose that's to protect ah.... the electorate from having ah..... some deal made by committeemen that would assure a committeeman of a seat. Otherwise, you could elect somebody who... with no intention of having him actually serve, have him resign and then one of the Committeemen could ah.... take over that seat." I can't think of any other reason for it."

Stone: "Gentleman from Cook, Mr. Taylor."

Taylor: "Mr. Speaker, will the gentleman yield for a question?"

Stone: "He indicates he will."



Taylor: "Senator Bluthardt, I haven't understood everything you said because the noise level is so high, but I wonder what would happen if an individual such as myself, when you know I was elected as an independent. Will I have to put my faith in the hand of a Governor?"

Bluthardt: "Well, I think so, Jim. I think in your case, we know you were elected as an independent Democratic. At heart, you are a Democrat, ah.... but in the event that you should ah.... resign or vacate your seat here, that seat, if this became law, that seat would be filled by the Governor by a person considered an independent."

Taylor: "Well, Senator, I think this is a bad Bill, and I'm certainly going to have to oppose it."

Stone: "The gentleman from Cook, Mr. Douglas."

Douglas: "Mr. Speaker, I'd like to ask a question and then make a comment on the Bill. Representative Bluthardt, ah.... Representative Taylor's question began to get at the point that I was interested in asking you. I....I'm still concerned. If Representative Taylor, who's name has now come up, in debate, that's why I repeat it, were elected as an independent, and he was, you assume he's a Democrat at heart, but if he were to assume his position here in the House, at a time when the House is so evenly balanced, he could be a very important force in this House. He could have remained an independent, and I'm not sure where he would have sat. It might have been uncomfortable in the middle of the aisle, but he could have stayed an independent."





You still feel that a Governor, Democrat or Republican, and the Governor must be one or the other, or likely to be one or the other, ah.... would be the one to replace him. I assume the answer is 'yes', and if so, I would like to address myself to the Bill. Is that the best solution you could come up with in dealing with that problem?"

Bluthardt: "Well, the racquet is so great back here, it's pretty hard for me to follow your question, but I....."

Stone: "One moment, please. The noise level is excessively high. May we please have a little order. All the aisles are full. It's nearly impossible for anyone to get through. There are some on the floor who are not entitled to the floor. I wonder if they would please remove themselves and may we please have a low conversation level among those who must converse? Proceed, Mr. Bluthardt."

Bluthardt: "As I recall the question, ah.... the ah.... the fear was in having a person elected as an independent and then transfer over to one side or the other, take a seat on one side or the other."

Douglas: "No, if he remains an independent in session, contrast to the present situation? You're still raising the point that the Governor, who is still from one party or the other, is going to replace this independent, and I just ask, is this the best solution you could come up with to maintain this man, or the position he has as as independent?"



Bluthardt: "I would think so. It seems to me the electorate of that District decided to elect an independent to that office and ah.... if there is a vacancy during the term of... during that particular term, it ought to be filled by one of the same ah... philosophy. Now, if you're going to follow it the other way and wait until ah.... that person is elected, takes his seat and then by Resolution move it to one side of the aisle or the other and fill it, based on the time of the vacancy rather than at the time of the election, I don't think you're really fulfilling the wishes of the electorates."

Douglas: "Mr. Speaker, if I may address myself to the Bill. I think in light of the present circumstances, that this is potentially a very serious matter. Here we have in 1973 a House with 89 members of one party and 88 of the other, and we all know it could have easily gone one way or the other in the General Election. One member of one party was elected as an Independent, regardless of where his heart may be. He could very well have ended up staying here as an Independent, and what this Bill does, it lays the groundwork under statutory law for the Governor, from the Executive Branch of Government, for the Governor to have the final say, possibly in determining the balance of power in the House, and I would submit, although I don't know what the answer is, that this Bill is potentially very dangerous, and I think that Representative Shea's



point is well taken, that it would be undesirable on this point alone to vote this Bill out and to give to any Governor, in the future, Democrat or Republican, the option possibly of determining the balance of power in the Illinois House or in the Illinois Senate, and I submit that this is potentially a dangerous Bill, that it should not be passed out at this point. It should receive more study to figure out, how, if an independent were elected, and we have now shown an independent can be elected, that the independents can be maintained and we don't take a chance on having this over powering of the Executive Branch of government on the legislative branch, by having the Governor select one person in a potentially serious time. I vote.... I will not vote 'yes' on this Bill. I think we should vote it down and it should be studied further."

Stone: "Gentleman from Cook, Mr. Laurino."

Laurino: "Mr. Speaker, In Section D, you point out the reasons why a man is considered to be an independent and your reasons are that he is not affiliated with a political party. The person does assume so because he is not voted in a party primary for four years preceding his appointment to fill a vacancy and has not signed a nominating petition for a candidate for nomination in a party primary. That's unconstitutional, Ed. You're asking a man that has not exercised his privilege to vote or is not even utilizing that privilege to be an elected officer. Would you respond?"



Bluthardt: "Ah.... I'm sorry, Mr. Laurino, would you simplify the question and I'll see if I can answer it."

Laurino: "You indicate that a man that's considered to be an independent is one that has not voted in a primary or an election for four years preceding his ability to fill a vacancy, number 1. Number 2, ah.... he has not even signed a nominating petition for party primary for an elected officer, not even of his own choice or for himself, or anyone just running for office. And that's, I think, is against the ah.... Constitution, because he should really vote in order to become an elected officer of any sort."

Bluthardt: "Well, one of our problems is trying to define an independent, like Jerry asked, what is an independent. I don't know. I once said that I thought McGovern was an independent. It's difficult to say what's an independent, and yet we're faced with that problem of filling a vacancy in that situation. It certainly wouldn't be right to have the committeemen of the Republican Party appointing a person to fill a vacancy, where that vacancy ah.... was that of an independent. It wouldn't be right for a Democrat legislative committee to do it either. We have to have an answer to the problem, and this is ah.... what we are offering to you as an answer to that situation."

Laurino: "But, Ed, that's clearly unconstitutional, so we can actually say that an independent is an unconstitutional person."



Bluthardt: "Hardly. I don't think there's any provision in the Constitution that says that one must vote, must exercise his franchise. I don't think that appears....."

Laurino: "How about Article I?" Before you try to pass the Bill, why don't you have all the answers?"

Bluthardt: "I thought I was giving you the answers. You might not like the answers, but I think I've given you the answer." We do have independents elected to office and we ought to have a method for filling those vacancies when they occur."

Laurino: "The independents that are elected to office are independent Democrats or independent Republicans, but they're not so-called independents, and I don't think this is defined in this Bill." If that's what you're trying to do."

Stone: "The gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, this question has been thoroughly discussed, and therefore, I move the previous question."

Stone: "The previous question has been moved. All those in favor, say 'aye'. Opposed 'no'. The 'ayes' have it. The Motion fails. Did someone think I said it passed? The gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I'm not so disturbed about the possibilities of a Governor, regardless of which political party he is, ah.... being utilized in the process of filling these vacancies. The portion of the Bill that deals with the appointments of



independents, though, it seems to me, is extremely troublesome. We are in effect suggesting by this Bill, that there's some continuity of political philosophy among independent candidates, and there's various reasons why people run as independents for the legislature, and I doubt that you will necessarily see some strain of any independent political philosophy among people who are not affiliated with a particular party, by voting in the primary. I would suggest that this portion of the Bill is bad and for that reason, we ought to vote against it."

Stone: "Gentleman from Rock Island, Mr. Polk."

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

Stone: "He indicates he'll yield."

Polk: "If a Senate seat was vacated, would this preclude a Member of the General Assembly on the House side to be appointed?"

Bluthardt: "No, I don't believe so."

Polk: "He would be eligible?"

Bluthardt: "He wouldn't be precluded from being appointed to the Senate."

Polk: "He could be appointed?"

Bluthardt: "He could be, yes."

Polk: "And then another Member would be appointed to fill his seat in the House?"

Bluthardt: "That's correct."

Polk: "O'kay, thank you."



Hon. W. Robert Blair: "All right, the previous question really did pass. The former Speaker didn't quite hear that right. All right, is there further discussion? You want to speak a second time, Mr. Shea?"

Shea: "Parliamentary inquiry?"

Hon. W. Robert Blair: "All right."

Shea: "Does it take two-thirds on the previous question?"

Hon. W. Robert Blair: "Under Robert's Rules of Order, yes."

Shea: "And that's the rules we're operating under now for the previous question?"

Hon. W. Robert Blair: "The ah.... previous question motion's is not before the House right now."

Shea: "Oh, all right, I just wondered."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Bluthardt, care to close?"

Bluthardt: "Well, Mr. Speaker, Members of the House, I can only say that we are mandated by the 1970 constitution to provide by law for the filling of legislative vacancies. This is an effort to do that. Ah..... we can readily agree that ah.... where a seat is vacated by a person of a particular political party, a Republican or a Democrat, that seat ought to be filled by a man of that party. We get into difficulty, though, when we try to ah.... determine how to fill a vacancy that was created by the death or resignation of an independent. We've attempted to ah.... spell out what an independent is in this bill. We said it's a person not affiliated with any other political party."



Any ah.... national political party. And ah.... provide that the Governor shall make the appointment by a person also affiliated with no political party. I don't know of any other way that you're going to be able to fill that need, the need of filling that vacancy. I think it's a good bill and I think it ought to become law, and I ask for your support."

Hon. W. Robert Blair: "We'll be at ease for just a second here. Mr. Maragos."

Maragos: "Mr. Speaker, it gives me great pleasure at this time to introduce a charming Lady in the balcony, to the rear of the Democratic House. She is the wife of the Cook County Civil Defense Director and also the wife of the Democratic Committeeman of Thorton Township, Mrs. Helma Black."

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

Bluthardt: "Mr. Speaker, on sober reflection, I'm going to ask that this be pulled out of the Record for the time being, provided I can get some sort of understanding that ah.... that the time will not be allowed to expire, and that there will be an extension of that time."

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

Choate: "Well, Mr. Speaker, ah.... sometimes the daylight penetrates in corners where shadows tread, or something of that nature, but I want to assure the principal sponsor of this piece of legislation, that if he desires to make





a motion to extend the life of this Bill for something like a month or so, that I would make that Motion for him or I would agree to that Motion with him, either way that he desires, to keep this piece of legislation alive until such time as we did have an opportunity to sit down and talk about it in a responsible manner and attempt to ah... discharge our responsibilities, as some of us tried to do in the last session, as far as legislative vacancy filling is concerned."

Hon. W. Robert Blair: "All right, the gentleman moves to ah... suspend the provisions of Rule 37, so that House Bill 452 ah... may be heard up until May 12th. Two weeks?"

Choate: "May the 30th."

Hon. W. Robert Blair: "Can we do it in two pieces? Once to May 12th and then...."

Choate: "The only reason that I suggested May the 30th, is that if we don't resolve the apparent differences between peoples concern within a two week time, why, then, we'd just have to make the same motion and then get into the same hassle again. If we resolve it in one week, and we've got a month's leave, why we can go ahead and pass it in a week."

Hon. W. Robert Blair: "All right, the motion, then, would be to suspend the provisions of Rule 37, so that this Bill may be considered up until May 30, 1973. Requires 107 votes. All those in favor, vote 'aye' and the opposed



'no'. Have all voted who wished? The Clerk will take the Record. On this question, there are 135 'ayes' and one 'nay' and the gentleman's motion prevails." House Bill 457."

F. B. Selcke: "House Bill 457. J. J. Wolf. An Act to make an appropriation to the Illinois Veterans Commission. Third Reading of the Bill."

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

Wolf: "Mr. Speaker, Members of the House, this is the companion appropriation bill for the ah... P. W. Bonus Bill, which we passed earlier, and I would solicit your support."

Hon. W. Robert Blair: "Discussion. Question is, shall House Bill 457 pass? All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the Record. Beaupre 'aye'. Jaffe 'aye'. Kelly 'aye'. 142 'ayes'. No 'nays', and this Bill, having received a Constitutional Majority, is hereby declared passed. 479. Gentleman from Kane, Mr. Grotberg, for what purpose do you rise?"

Grotberg: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to take the opportunity to explain my vote after the fact you called the roll, but I wanted to relate to a resolution of this morning. - An agreed Resolution of the last Prisoner of War to come out of Viet Nam, Mr. Robert White. I was not on the Floor. He is from St. Charles and I invite each and everyone of you to join those



of us out of Kane County, and particular to be co-sponsors of that agreed resolution, which is at the Clerk's desk. Thank you."

F. B. Selcke: "House Bill 479. Rigney. Bill for an Act to amend the Election Code. Third Reading of the Bill."

Hon. W. Robert Blair: "Gentleman from Stephenson, Mr. Rigney."

Rigney: "House Bill 479 will be of interest primarily to those counties that are situated on the State line. We find that a number of our people are seeing physicians across the State line and then if for some reason, they need a disabled voter's ballot, that physician is not eligible to sign for them, because the present law states that the attending physician must be a resident of the State of Illinois. House Bill 479 merely eliminates that requirements. Any physician then would be eligible to sign for them."

Hon. W. Robert Blair: "Discussion? Question is, shall House Bill 479 pass? All those in favor, will vote 'aye' and the opposed 'no'. Have all voted who wished? Mr. Douglas."

Douglas: "Mr. Speaker, I realize this is not the appropriate approach or time to ask a question. I hope that it would be acceptable. I'm sorry I got to my book a little late, but maybe in explaining his vote, the Sponsor could answer the question. Does this mean that a physician who is licensed in another State, or a physician as I read, I don't have the bill, but as I read this, it says 'a duly licensed physician'. This could be somebody who happens



to be visiting Illinois from New York, and does that mean that he can sign the affidavit for the absentee voter. If so, I have very great reservations about voting for this Bill? Duly licensed physicians, should mean a physician licensed in Illinois, I would assume, is the only person who can practice medicine and signing such a certificate is the practice of medicine, as I understand it."

Rigney: "Well, in answer to this, I suppose that if a physician wanted to perjury himself to the point where he would say he is that person's attending physician, I would have to concede that perhaps this would be possible."

Douglas: "Well, in answer, in explaining my vote, Mr. Speaker, I'm going to vote 'no' only to indicate that there was one person who raised this question. I think that ah... there's a question here of medical practice. A physician not licensed in this State cannot sign an affidavit testifying to someone being medically incompetent to do anything in this State and I suggest that we may be dealing here with something that is in essence, illegal or against the Medical Practice Act and I'm not sure it's a wise move. I'm voting 'no' on that basis."

Hon. W. Robert Blair: "Clerk will take the record. Merlo 'aye'. 146 'ayes', one 'nay', and this Bill, having received the Constitutional Majority, is hereby declared passed. 504."

Selcke: "House Bill 504. Berman. Bill for an Act to amend the School Code. Third Reading of the Bill."



Berman: "Thank you, Mr. Speaker, House Bill 504 is a Bill that amends the School Code and is a permissive Bill. It would authorize the Board of Education of the City of Chicago, if it sees fit, to have the authority to hire a administrative aid or a secretary for the Members of the Board of Education. I think that the emphasis for this Bill arises out of the general problems that we see in administering a school board the size of the City of Chicago. I think that each of us has seen that, with the addition of voucher accounts and legislative aids, research assistants in the legislative process, it has allowed us to do a better job. I am suggesting this permissive Bill to give the Chicago Board the same type of authority. I would appreciate a favorable vote on House Bill 504. "

Hon. W. Robert Blair: "Discussion? Gentleman from Cook, Mr. Peters."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, the Board of Elections, if the Board of Education of the City of Chicago, in my estimation, is one of the most unresponsive, uncooperative group of officials that I have ever had my misfortune to have any dealings with. For that reason, and other reasons, which are probably known to many other individuals here who have had nothing to do with the Board of Education of the City of Chicago, I am going to vote 'no' on this legislation, and anyother legislation which might pertain to the Members of that Board."



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

Collins: "Ah.... Mr. Speaker, Ladies and Gentlemen of the House, I rise to concur in the remarks of Representative Peters. I can't think of any more unresponsive board, as he says than the Chicago Board of Education, but even more important, more over-staffed. I think if there's any institution in this Country that is more top-heavy in administrative aides and chiefs and few indians, it's the Chicago Board of Education. The thought of adding any more to the payroll of this Board, I think, is ludicrous, and I certainly would most heartedly concur with Representative Peters and urge that this Bill go down to a resounding defeat."

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

Maragos: "Mr. Speaker and Members of the House, I'm rising in support of this Bill, because using the same arguments of those who have just spoken against it, maybe if these Board of Education members had proper staff and assistance to help them get to the maze of the work and paperwork that they have to do, maybe they could control the educational system in Chicago much better. Like now, as legislators, we have our own staff members, who are helping us from time to time and we're trying to make some headway out of this maze of work that we have, which we could not do as easily in the past years. Therefore, I recommend that give them an opportunity to get some help, so they, themselves, can think independently and have an opportunity to dig deeper



into the subject matter, which might come before them, rather than relying on the superintendent and others who are not directly involved with the Board, but are the administrative staffs of the superintendents and other employees. I think, because of the arguments that Mr. Peters and Mr. Collins and the others who have spoken against this Bill, are concerned, I think, what they need is that. Maybe they could give us a better job as Members of the Board, who as you know, are not being paid anyway. So, therefore, I ask for your support of this piece of legislation."

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

Wolfe: "Will the gentleman yield to a question, please?"

Art, does the Board Members now have any ah.... are there staff assistants that are responsible to them or secretarial help responsible to them?"

Berman: "According to my interpretation of the School Code, the Board itself is only authorized to hire a secretary. Everything else falls under the jurisdiction of the superintendent, who has the authority of hiring and firing staff."

Wolfe: "Now when you say a secretary, does that mean that each Board Member is entitled to one secretary, or is this a secretary for the entire board?"

Berman: "It's a secretary for the entire board."

Wolfe: "Now, does your bill propose to give each of the Members a staff assistant and one secretary, or is this



going to be.... thank you, Mr. Speaker.... Is this going to be a ah.... staff group responsible to the entire board with secretarial staff?"

Berman: "The wording of this Bill would indicate that it would be the prerogative of the Board to hire a staff assistant for an individual member. It would be that individual member who would have the direction and control and supervision of that staff assistant. It would not be a person, I'm trying to avoid ah.... increasing the bureaucratic overhead and trying to increase the efficiency of the individual Board Members to carry out their individual duties."

Wolfe: "Now, in your opinion, from your experience with... now, I'm talking about the Board Members and not the superintendent and the administrative staff that some of the Members on the floor feel are not responsive to this Body and ah.... it's been my experience that the ah... the Board Members themselves are more responsive to our demands than the ah.... administrative officers of the Board. Now, do you feel that this will in any way help or assist this Body in ah.... securing both ah.... factual information and other inquiries that are made to the Board? The responses to those inquiries and so forth?"

Berman: "Yes."

Wolfe: "Thank you."

Honorable Member: Robert Blair: "Gentleman from Cook, Mr. J. J. Wolf."





Wolf: "I'd like to ask the Sponsor a few questions, if he would yield." Art, how many professional staff workers does the Board of Education have now?"

Berman: "The Board of Education itself has none."

Wolf: "Well, who made the determination as to, you know, the amount, you know, the budget? Don't they make up the budget and present it?"

Berman: "No, Jake, the Board is constituted as a policy-making board. The actual operation of the school system is vested in a superintendent and all the employees and professional staff, under the superintendent. It's like a Board of Directors of a Corporation is equivalent to the Chicago Board of Education. The President of the Corporation is equivalent to the superintendent. It's the employee, the working people of the Chicago Board of Education are hired under the supervision and control of the superintendent, Dr. Redmond. The individual members of the Board are not.... have no authority, as I read it, for the hiring or firing or have available to them individual staff or secretarial.... all the employees are under the supervision of Dr. Redmond, who is the Superintendent. He's the operating head of the Chicago Board."

Wolf: "Then the School Board, which is making policy, you say, they have no staff, nobody working for the Board itself?"

Berman: "Correct."

Wolf: "How often does the Board meet?"



## GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Berman: "I believe it's one or more times a month."

Wolf: "Well, then, just one final question. I believe that they probably should have some staff, but I'm just questioning one personal staff member and a personal secretary. Now, the Board meets once a month, ah... the Members of the General Assembly, we have one secretary for every three members, and I guarantee you, that your mail load is a heck of a lot more than any member of that School Board is, and so if we're going to have some professional staff, I think you ought to have someone to study the problems of budgeting and contract letting to make up for what I consider a heck of a lot of mistakes that that Board has made and I think they should have some professional guidance. Personally, I think the Board of Education ought to be accountable to the People, you know, elected directly, and I think they ought to be salaried, so an ordinary person can run for the person, because the way it is now, you've got to be a millionaire, in order to be on the Board of Education, because nobody else could afford to do it, so I'm not questioning the staff, but I think... I don't think they should have a personal secretary and a personal staff member, when they don't have the rest of it, and I think that would be a lot more important."

Berman: "Well, in response, I would point out to you that I've used a phrase here of staff assistant. Now, you know that to draw the analogy between this Bill and Members of this House of Representatives, if you have your major interest



as the Appropriations Committee, you have the authority to hire under your voucher account, a man who has expertise in budgeting, in appropriations, in revenue, etc. And I would hope that in the purview of this authorization of this Bill, that a Member of the Chicago Board would hire a person who does have expertise and can assist that Board Member in making recommendations for a more efficient, a cheaper and a more effective operation of that whole school system. That's exactly what this Bill is aimed at and I agree with you 100% that that's what they ought to have, and that's what this Bill is trying to give them."

Hon. W. Robert Blair: "Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Will the gentleman yield to a question?"

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

Schraeder: "Does the statute now prohibit the Chicago Board of hiring staff for the Members of the Board?"

Berman: "The School Code is silent on it and the general interpretation is that a Board only has those powers which are delegated to it, and that's the reason for that permissive legislation."

Schraeder: "Doesn't the Chicago Board have a right to direct the Superintendent to supply them with staff for their need?"

Berman: "The school code says that the superintendent is the person who has the power to hire and fire. The reason for this Bill is that I don't want to authorize by this Bill additional employees of the system. I want a person to



be hired by a Member of the Board, who will not be under the authority of the Superintendent, but rather under the direction and authority of the individual board member so that he can assist that board member in carrying out the duties that are imposed on the Board Member, not to increase the payroll or the bureaucracy of the system."

Schraeder: "Are you saying, then, that the Board of Education, doesn't have the authority over the Superintendent?"

Berman: "Yes."

Schraeder: "Does the superintendent or is he controlled by the Board?"

Berman: "Well, I think.... maybe I'm not making myself clear.

I tried to analogize it to a corporate structure. The President of a Corporation is the one who has the ultimate power of hiring and firing employees. All the secretaries of General Motors are theoretically are answerable to the President of General Motors. They're not answerable to the Board of Directors of General Motors. A Member of the Board of Directors of General Motors cannot hire or fire a secretary of that corporation. What we're trying to do here, is to give some staff availability to the individual board Members, because that's where I want the authority and the direction to come from, not from the Superintendent. I want to give the individual board members the tools to do a more effective job."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Mahar. Did you have a question? The gentleman from Cook, Mr.



Caldwell."

Caldwell: "Thank you, Mr. Speaker. Mr. Speaker, if the Members of the General Assembly will read this Bill, it's simply asks that Members of the Board of Education, who have not been paid, although I hope the time is approaching that they will be paid. They have a tremendous responsibility. Mr. Speaker, may I have a little quiet, please."

Hon. W. Robert Blair: "You certainly may."

Caldwell: "What this Bill does is simply to give the Members of the Board of Education, who are dedicated people, confronted with a very, very difficult past. As I recall, the budget of the Board of Education in Chicago, I think amounts to some seven hundred millions of dollars. These Members of the Board of Education often are not experts, but this Bill simply asks that they have the authority to name an administrative assistant, so that they can become efficient in the job that they have. And I think that those of you who on this Floor, who have administrative staff, can appreciate the need, and I think it's ridiculous that we've allowed the situation to erode to this point. It would be my hope that we would vote for this Bill. It's an excellent piece of legislation, and it's very much in order and timely. I would hope that all of our colleagues would vote for this Bill and let's get it out and get the job done."

Hon. W. Robert Blair: "The gentleman from DuPage, Mr. Hudson."



Hudson: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this Bill and I do so, in no way meaning, to indenigate the intent of the Sponsor, nor to take anything away from the responsibilities, the heavy ones that I know, the Chicago School Board finds itself faced with. But is it the job of the State Legislature to intervene in this matter or to come to the aid of the Chicago School Board in this way. May it not even be considered an intrusion into something that should be the Board's own matters. Can they not, if they need additional staff, can they not finance this themselves, operate under their own budget, carry this responsibility by themselves? I feel that there seems to be a law that says that big governments constantly get bigger, small bureaucracies grow into bigger ones, and this is true not only in the legislative realm, but or in government, but it certainly is true in the educational field. I can think of no area that seems to be growing more rapidly into a gigantic bureaucracy than some aspects of our education and the educational empire if you want to put it that way, and I would feel that if we passed this Bill, we are indeed aiding and abetting the growth of what can only be described as the educational bureaucracy in the State of Illinois. I think it's a Bill that imminently deserves to be voted against."

Hon. W. Robert Blair: "The gentleman from Madison, Mr. Walters."



Walters: "Will the Sponsor yield for a question, Mr. Speaker?

Art, I didn't hear the complete discussion. How many Board members are there on the Chicago School Board?"

Berman: "Eleven."

Walters: "Was there any stipulation here about salary, how much money we're talking about and what salary does the staff assistant get?"

Berman: "This is purely a permissive Bill. It will be determined if they're going to be hired at all by the Members of the School Board, within their own budgetary limitations. If we give them the authority, they may decide they don't even want to use it."

Walters: "There's no stipulations or minimum amount of money that they can pay their administrative aide?"

Berman: "None whatsoever."

Walters: "Thank you."

Hon. W. Robert Blair: "The gentleman from DuPage, Mr. LaFleur."

LaFleur: "Mr. Speaker, a point of personal privilege. I'd like to introduce in the West Gallery, a group of the finest students in the State of Illinois from Taft Junior High School, Streamwood, Cook County, Illinois, and they are all from District 2."

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

Berman: "Thank you, Mr. Speaker. There's been sufficient debate. I would merely respond to some of the People that ah.... complained about the lack of responsiveness,



and gentlemen I agree with your complaints, and I would hope that this Bill would enable the Members of the Board to be able to do a better job and be more responsive to their constituents and our constituents and complaints when it comes to operations of that Board. I would merely want to point out that the whole purpose of this Bill is one that was given recognition by a study of the University of Chicago, and they quote them there that contrary to the theory of school district operations, school boards do not, in fact, govern, nor are they equipped to do so. Rather, the Board hires a chief school officer who presumably executes Board policy, but who, in fact, usually makes key decisions and turns to the Board for confirmation. I want to give the individual members of the Board, who have very grave responsibility, I want to give them the tools to be able to make intelligent decisions, hopefully eliminate some of the waste that's taking place in that large budget up in Chicago, and try to give them the ability to be more responsive and operate a better school system. And that's the purpose behind this Bill and I solicit your support."

Hon. W. Robert Blair: "All those in favor of House Bill 504, vote 'aye', and all of those opposed, vote 'nay'. Mr. Kosinski to explain his vote."

Kosinski: "Not to explain my vote. I'm sure the Chair didn't intend to ignore me when I stood up. Right?"





Hon. W. Robert Blair: "I didn't see you, Mr. Kosinski."

Kosinski: "Would I be in order now to make a comment to the Bill?"

Hon. W. Robert Blair: "Yes."

Kosinski: "I have a question really of the Sponsor. I want to know what this costs my people in terms of tax money, eventually."

Berman: "Well, in explanation to my vote, the way the Bill... The Bill will cost the people nothing. It's strictly permissive as to the determination of the Chicago School Board, as to their needs and as to their desires regarding staff aide or secretaries."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Maragos, to explain his vote."

Maragos: "Mr. Speaker and Members of the House, I rise to explain my vote in favor of this measure, because of a very personal contact I've had with the school board, and the fact that the President and another Member of the School Board have been living in my District for many years, and many times they've told me that if they want to overcome any decisions or look more deep into the problems that are handed to them by the General Superintendent of Staff, they have no way of knowing whether the decisions of the General Superintendent are correct are not. They have to rely on various reports and the administrative staff and the expertise of the General Superintendent, when they themselves do not have that expertise. As I said previous when I



spoke on behalf of this Bill, that we have to take into consideration that we're not giving these people the full ammunition upon which they can do their job. They do not get paid any salary. They are outstanding citizens in our community, and the least we can do, even though it's a one month meeting, they are there four times many times and they meet many times in one month, because they have their own subcommittees, when they have legal negotiations, when they have other things to perform, they do not meet only once a month. So this is not a part-time job. It's a full time job. It is amazing why we, as legislators, have enough staff or we have a seven billion dollar budget to perform, and then we will not give the tools to the Members of the Board, who have a seven hundred million dollar budget to perform. Therefore, I ask that you really consider giving these people the opportunity to do a better job as Members of the Board of Education of Chicago and give them the staff that they need."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Washington, to explain his vote."

Washington: "Mr. Speaker, Members of the House, very briefly, when I first saw this Bill, I said to myself, what in the devil is this Bill doing here. Doesn't the Board of Education of the City of Chicago have the power to employ its own staff, and if they don't conceivably, how could they possibly do their job? I was amazed to discover that



what employees they have, they have only at the behest of the Superintendent, and that explains to me a high degree of perhaps incompetency, which is emanated from that Board over a period of years. What we have done here, we have placed the Board in a position of having to go to its employee in order to get staff to help to do its work. And consequently, the level of that staff... the efficiency level of that staff might well be low. It's unconscionable and inconceivable to me that the employer must rely upon the good graces of the employee to get professional and secretarial help. We're talking about the amount of money that the Board has. The amount of money does the benefit of the Board quite obviously. Think yourselves, would you want to be on a Board in which you hired a Superintendent and had to depend upon that superintendent to hire you technical and professional assistance and a secretarial aide? You probably wouldn't. You'd probably quit and say I can't go for that kind of baloney. The Board sets down the policy for the school system for the City of Chicago. It must have independent assistance and are to correctly and accurately gaze the conduct and the function of the Superintendent. That assistance must be independent of the superintendent. It's just that simple. The amount of money involved would be obviously no more, because the kind of people that the superintendent are sending to the Board would no longer be necessary and they, in turn, would be replaced by people of their own choice. I think what



you're doing, I think what you're doing, and I have a feeling that there's some inarticulate premises rebounding around here, which have not been stated, but what you're doing is keeping the Board of Education handstrung, by refusing to give it independent employees to do their job. I urge you to reconsider. State those inarticulate premises, if you dare, and if you don't then vote for this Bill."

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

Wolfe: "Ah.... thank you, Mr. Speaker. Ladies and Gentlemen of the House, you know, what the House givith, the House can taketh away, and I'm supporting this Bill only for one reason. I know that if this Bill passes, the Board, the Administrative part of the Board will not permit the Board Members to have a secretary and a staff assistant, because it makes too much sense and because we may be able to get a little bit of response from the ah.... Board of Education. And I would say that all of those voting red, who have had bad experiences with the Chicago Board, should be voting green, to test this theory and to determine whether or not the ah.... administrative Board will permit the Board members to have staff and secretaries in order to accomplish their mission and purpose with the Board of Education. So I suggest that those that are voting red, vote green and let's see what happens with this Bill."



Hon. W. Robert Blair: "Have all voted who wished? Take the Record. Mr. Rayson to explain his vote."

Rayson: "Yes, thank you, Mr. Speaker. I'd like to explain my vote in this fashion. Notwithstanding what the sponsor might have said with regard to costs, I'm sure it will cost money, but that's o'kay. I don't mind that. In fact the staff assistant and the secretary is probably very much needed, but I'm not going to support this Bill for another reason. When Superintendent Redmond had his 1967 plan to desegregate the school system, it has never been implemented one iota. When I read the John Hopkins Report last January, that Chicago was the most segregated school system in America, I was deeply shamed, and until in such time, the School Board makes steps to do something about desegregating this horrible situation, I'm not going to vote for any additional funds, other than the bare necessities for the Chicago Board. No."

Hon. W. Robert Blair: "Have all voted who wished? There are 62 'aye' votes and 79 'no' votes. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. Call the next Bill, Mr. Clerk."

Jack O'Brien: "House Bill 557. Washburn. A Bill for an Act to Amend State Finance Act. Third Reading of the Bill."

Hon. W. Robert Blair: "Mr. Washburn."

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

Hon. W. Robert Blair: "Did you want to make a motion to hear



all four of these Bills at one time?"

Washburn: "Well, they're really not that closely related.

I would make such a motion if it would be acceptable."

Hon. W. Robert Blair: "Well, if you want.... why don't you discuss all four of them. They're kind of inter-related."

Washburn: "All right, the first Bill, House Bill 557...."

Hon. W. Robert Blair: "Will you let the Clerk read the Bills first, Mr. Washburn?"

Jack O'Brien: "House Bill 558. A Bill for an Act to provide for certain reports by executive agencies to the ah.... Appropriations Committee. Third Reading of the Bill. House Bill ....."

Hon. W. Robert Blair: "All right, ah.... the indication was that the leave was asked to have a discussion of all four together and to have separate votes on each Bill. And there will be individual roll calls. O'okay, with that understanding, proceed, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The first Bill, House Bill 557, would add a new section to the State Finance Law, which would require the Governor to have introduced within fourteen days, after submission of his budget to the General Assembly, all annual and/or recurring budget bills. Introduction means just that. Having the Bills available. They will go to and through committees and be subject to amendments which may be necessary if circumstances change. The present method of budget bill introductions limits the General



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Assembly's participation of the budgetary process by limiting the time available for consideration of the validity of possible program and funding alternatives. The requirement does not apply to appropriation bills which are not included in the Governor's budget. Individual legislators are to retain all of their present prerogatives, regarding Bill Introductions. They lose no power. Now this House Bill 557 was approved by the Appropriations Committee by a vote of 20 to nothing. House Bill 558 would institute a series of four annual reports, each fiscal year, designed to enable the General Assembly to more efficiently assist the effectiveness of state expenditures. It would, for the first time, allow the legislature to have a formal procedure to engage in continuous oversight and evaluation of hundreds of State programs. The proposal will allow for greater public accountability and legislative understanding, where State money is being spent. It provides for the identification of agency programs, the objectives of the programs, the identification of the people, at which the program is directed and the internal funding level of each program by the first Wednesday in September, the first Wednesday in December, the third Wednesday in January and the final report due to weeks after submission of the Governor's budget. The proposal would not duplicate the activities of any other legislative body, and this Bill passed the Appropriations Committee by 22 to nothing.



House Bill 559 creates the Federal Fiscal Assistance Trust Fund in the State Treasury and provides for the appropriation from the Fund. The proposed Bill would require that these funds remain separate from other State revenues. They could not become intermingled with the General Revenue Fund. Appropriation for this new and important money would have to be separately identified to the General Assembly. The Legislature would then have an equal opportunity to discuss, debate and allocate these funds among the various categories of State needs. This proposal is consistent with the provisions of the 1970 Constitution and is consistent with Federal Revenue sharing regulations, which mandate strict accountability and audit reports on the use of Revenue sharing funds. It, too, passed the House Appropriations Committee by a vote of 23 to nothing. The final Bill, House Bill 560, provides for the creation of a ten man, joint legislative committee, to be composed of the Chairman, Vice-Chairman, Minority spokesman of the House and Senate Appropriations Committee, plus the Speaker and Minority Leader of the House and the President and the Minority Leader of the Senate. Its purpose would be to review and either approve or disapprove the placing in reserve of funds appropriated by the General Assembly and the release of funds previously placed in reserve. The General Assembly is the source from which expenditure authority originates, and when various departments and





agencies request money, the General Assembly is told they need every penny. The General Assembly then appropriates a specific sum of money anticipating it will be spent. But it is not in many cases large portions of appropriated funds, are placed in reserve. And since the General Assembly is the originating source of appropriations, it follows that it should have some, not all the voice, but some of the voice in decisions not to spend money that has been appropriated, and under this proposal, the Governor would be required to give notice and provide the Committee with adequate reasons, justifications and program consequences of placing selected funds in reserve, prior to either placing funds in reserve or releasing funds previously placed in reserve. If the Committee determines that the requested reserve in question is not justified, the Committee would notify the Governor, and the funds in question could not be placed in reserve, and if the Committee did approve the Governor's requested actions, or this important feature, if it does not act to approve or deny the proposed reserve within 30 days, the Governor would be allowed to place the funds in reserve. The General Assembly should have a continuing presence in the expenditure of State monies. Its role does not stop solely because the appropriations have been made, and this Bill, too, passed the Appropriations Committee by a vote of 23 to nothing."

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



Maragos: "Mr. Speaker, will the Sponsor yield to a question?"

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

Maragos: "Representative Washburn, on House Bill 559, it has to do with the report four times a year, where the agency heads have to report four times a year. Do you hear my question?"

Washburn: "I didn't. Would you please repeat it?"

Maragos: "Yes. Ah.... on House Bill 558, where the... which the Act related to reports by executive agencies, what are the penalties if they do not report to the Committee?"

Washburn: "Well, there are no penalties. They will be requested to submit these reports to both the Senate and House Appropriations Committees, and hopefully, they would follow through with our requests, but there is no penalty for them not reporting."

Maragos: "And do they have to state that if they've used the funds or have not used the funds?" Because there may be some appropriations, which may not take place or use of the latter part of the fiscal year. What do they do in the earlier part of the year, when they report?"

Washburn: "No, no, these aren't actually appropriation reports. They're program and evaluation of programs."

Maragos: "Well, the reason why I'm asking, then why should the Appropriations Committee be the only Committee involved with this. How about the Substance Committee, that would be involved with the subject matter being also given those reports?"



Washburn: "Well, I think that the Appropriations Committee has a responsibility of appropriating the money, along with the final decision of the General Assembly. Ah.... I suppose the reports could be distributed to any Member who so desire. There would certainly be nothing secretive about them. I'm sure they'd be most informative and would be used as a guidance, not only for members of the appropriations committee, but to members ah.... non-members as well."

Maragos: "The reason I'm saying this, I like the thought and trust of these Bills, Representative Washburn, but I think sometimes the Appropriation Committee may not be the best judge whether a program is successful or not. For instance, in the Department of Agriculture, they should submit their reports not only to your Committee, but also to the Committee on Agriculture or Committee that has to do with the subject matter in question, whether it be Conservation, Agriculture, Utilities and so on."

Washburn: "Well, at least ah.... we would all be aware that these reports are being submitted and the Members of the Conservation Committee or Education Committee could certainly request them, if they weren't originally distributed to every Member."

Maragos: "I'm going to vote for these, but I think we should go even one point further beyond what you are doing and I commend you and the Members of the.... sponsors for the Bill for this Actions, because it puts more legislative



over review on this area, and I commend you for it."

Washburn: "That's the purpose of the Bill."

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

Choate: "Yeow, I'd like to ask the Sponsor a question, Mr. Speaker."

Hon. W. Robert Blair: "Proceed."

Choate: "Representative Washburn, ah.... Senator Partee, if I'm not mistaken, has a series of Bills which are quite similar to these Bills. Are you aware of those?"

Washburn: "No, I'm not, Representative Choate."

Choate: "In other words, you're not aware of the ah.... similarity of the two packages of Bills?"

Washburn: "No, Sir."

Choate: "Does your able assistant or advisor aware of them?"

Washburn: "He advises me that he has heard them, but he has not seen them, but understands they're directed more to the Economic and Fiscal Commission, then they are actually to the General Assembly and Appropriations."

Choate: "The only thing I was going to ask you, if they are ah.... half way ah.... directed to the same subject matter, and etcetera, I'm sure that you'd have no qualms about ah.... supporting them when they reach over to the House, if and when they pass the Senate."

Washburn: "Well, if they're very similar Bills, certainly not."

Choate: "Now, one other thing. As far as this, what I could



consider meaningful legislation, is concerned, I'm sure that you, because I would never accuse you of this, never have, never found you too politically motivated, ah...."

Washburn: "Thank you."

Choate: "But I'm sure, that ah.... ah.... you did not have these ideas in the last session, when the Governor was of another political party and held them until this time, that isn't true, is it?"

Washburn: "I wasn't Chairman of the Appropriations last time, and I wasn't that deeply involved in the process, and in my judgement, these are good Bills and are not directed at the Governor in any manner, shape or form, as far as I'm concerned personally, Representative Choate, believe me."

Choate: "I always believe you, Sir, and I just felt that you as I've said, was not politically motivated at all. In other words, ah.... I'm sure that you'd be just exactly like me, if and when in the future, there is a Governor of another political party, we would still support this ah.... type of legislative action, wouldn't we?"

Washburn: "I think that ah.... during the last two sessions, we would have had a more efficient budge.... appropriation process if these Bills had been law."

Choate: "Thank you, Sir."

Washburn: "And I wish they had of been."

Choate: "I agree with you."



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

Walsh: "Will the Gentleman yield for a question? Bud, on House Bill 558, ah.... we're talking about all quarterly reports from all State agencies, commissions and departments, etc., is that right?" I think the language is 'each department, board, commission or other agency of the executive branch'."

Washburn: "Right."

Walsh: "How many such ah.... agencies etc. are involved?"

Washburn: "You would probably know as well as I."

Walsh: "Well, I don't recall. It seems to me there are in excess of a hundred. I think 125, maybe, when you include the Civil Service Commission, the Veterans Commission."

Washburn: "I think you're in the right ballpark."

Walsh: "Something like that anyway. Well, I'm must wondering ah.... you know, we're all inundated by paperwork, reports, and ah.... etc., we now get annual reports. Ah....we're in annual sessions, and I think keeping probably closer touch with these agencies, ah.... I'm wondering just how much more of a burden we're placing on these agencies by making them do this work four times, rather than once? Any estimate of the expense involved been made?"

Washburn: "Well, Dick, I think that ah.... that we've been moving in the programming direction for quite some time, or attempting to. And we've been advised that by the



new Director of the Bureau of the Budget, Director Hovey, that he is going to require similar information and ah... as you well know, we have expanded staffs, both democratic and republican appropriations staffs, have been expanded and I just think it would be worthwhile information and we will be able to ah... not only cope with it, but ah... study it in depth and ah... hopefully the results will be favorably."

Walsh: "All right, now, then is your answer that this is really going to be a means of conveying to the General Assembly the same information that will be conveyed to the Bureau of the Budget?"

Walshburn: "No, this will be a means by which our staffs, both Republican and Democratic staffs and the Appropriation Committee can more thoroughly and ah.... do an indepth study in programming and activities then they have been able to do in the past, because information will be available." We t

Walsh: "Well, again my concern is with burdening some of these agencies, some of whom, as you know, have very unsophisticated fiscal advisors, ah.... if we're going to require them to, in many cases, maybe even hire one, to prepare the reports that we're talking about in these Bills." And my question again is, you indicated Director Hovey is going to require this information himself, if in fact, we're just getting the same information that he's getting or maybe something a little bit more sophisticated, well



and good. If we're not, I'm wondering if you can give me an estimate as to the cost involved?"

Washburn: Well, our success with Director Hovey at this point, hasn't been too great. He hasn't been too free with his information, and if the information were exactly the same, I think that it should come to us direct, as well as through Director Hovey."

Walsh: "Well, again, I'm not concerned about it coming direct. I'm just concerned about the amount."

Washburn: "I'm concerned in getting the information. And if it were directed simply to the Bureau of the Budget, it might not be available to us."

Walsh: "Well in that respect, I support the Bills, in that I want the same information that he has, but I don't think we should burden departments with getting information that we may not be able to use."

Washburn: "Oh, I don't think they'll be that burdened, ah... Representative Walsh, because they are going to be required to at least submit similar information."

Walsh: "On House Bill 559, ah... we now have 49 special funds, that's the Bill that would create a new trust fund, a federal assistance... Federal Trust Assistance Fund. Now that money goes into the General Revenue Fund. The Federal Revenue Sharing money."

Hon. W. Robert Blair: "Excuse me, Representative Walsh. For what purpose does the gentleman from Cook, Mr. DiPrima, desire recognition?"





DiPrima: "Mr. Speaker, Ladies and Gentlemen of the House, there's some of the constituents from Ike Sims' area, Morton High School, on Homes and Washington Blvd., in the balcony. I'd appreciate you giving them a nice hand of welcome."

Hon. W. Robert Blair: "Representative Walsh, sorry for the interruption."

Walsh: "Ah.... Bud, I was addressing myself once again to House Bill 559, the Bill that would create a new Federal Fiscal Assistance Trust Fund. We now have, I believe, its 49 individual funds into which ah..... State money is deposited and from which ah.... State appropriations are made, and I know that the Federal Revenue Sharing money now goes into the General Revenue Fund. Can you tell me ah.... is it absolutely essential that we create a new fund, since I am one who is opposed to earmarking as much as possible?"

Washburn: "Representative Walsh, I think it's essential if the General Assembly is going to have a voice in the expenditure of this money. Currently, I think there's an 88-1/2 million dollars Federal Revenue Sharing funds, and under the present procedures, the General Assembly, who is ah.... burdened with the responsibility of making appropriations has no control under this 88-1/2 million dollars at the present time."

Walsh: "Well, we have control over it to the same extent that we have control over all appropriations, do we not?"



Washburn: "Not at the present time, Dick, we have no control over Federal funds at the present time. Revenue Sharing funds."

Walsh: "Are you saying that the Governor can disburse or expend Federal Revenue Sharing funds without an Act of the General Assembly?"

Washburn: "No, it would be under.... It would be in the General Revenue Fund. It's excess money and as a result, it would lose its identity and this is a tremendous amount of money, and I think that the General Assembly should have some authority over it. Direct authority."

Walsh: "Well, it... it seems to me that we have authority and that it can't be expended unless we have an appropriation and as I say, it would be like putting the cigarette tax revenue into a cigarette tax fund or sales tax revenue into a sales tax fund. Ah.... one other question, Bud, on House Bill 560. This is the Bill which would create a legislative fiscal overview committee. Ah.... in the event..... apparently we're talking here about impoundment is the thing that is much in the news in Washington. Now in the event the Governor did not choose to disburse these funds for whatever reason he had, ah.... would this committee be able to enforce the expenditure of these funds?"

Washburn: "As I understand the Bill, Representative Walsh, the Governor couldn't put them in reserve unless this Committee agreed to it, or didn't take any action within thirty days."



Walsh: "So, ah.... then, the committee ah.... would be able to enforce the expenditure of these funds?"

Washburn: "Right."

Walsh: "Ah.... Mr. ah.... Mr. Speaker, Ladies and Gentlemen of the House, if I can just briefly ah.... express myself on these Bills. Ah.... I believe House Bill 560 will go in adverse order, as the one we just discussed, is a Bill that is a very delicate ah.... balance between the legislative and executive branch of government, and once the General Assembly has appropriated the funds, I do not believe that the General Assembly should have authority to enforce the expenditure of these funds. Ah.... I believe the General Assembly has taken its action by making the appropriation. I do not think the General Assembly can force the Governor to make the expenditure, and for that reason feel that House Bill 560 should be defeated. On House Bill 559, which is the Bill that creates just another earmark fund, ah.... I think should be defeated because it's unnecessary. That money is all accounted for in the General Revenue fund, deposited with sales tax revenues, income tax revenues, etc. We know how much is in there and I don't think that appropriations should be made from a special fund and I'll indicate this one reason why - Everybody this year seems to think we've got a little extra money because of Federal Revenue Sharing. We're going to be again inundated by requests to appropriated from the money you didn't think you were going to get anyway."



Because there it is in that Federal Fiscal Assistance Trust Fund. I believe it should be in the General Revenue Fund and just create another earmark fund, I think, is a bad fiscal policy. Ah.... the ah.... House Bill 558, is one that ah.... requires submitting four reports to the Appropriations Committee. I intend to support that Bill with the understanding and hope that it isn't going to require just a lot of bureacratc paper work that isn't going to be of any value. The Bill is very specific in its requirements, but hopefully it's much the same information that the Bureau of the Budget has already and would just require reproducing this information by the Departments, agencies and commissions and forwarding it to our Appropriations Committee. House Bill 557, which requires the introduction by the Governor of his appropriation bills, within 14 days of his budget message, to me is a sound proposal and I would urge its support."

Hon. W. Robert Blair: "Representative Schneider from DuPage."

Schneider: "Thank you, Mr. Speaker. Ah... would the Sponsor yield, please?"

Washburn: "Yes, Representative Schneider."

Schneider: "Thank you. On House Bill ah.... 557, I believe, I'm curious as to how we are to require a legislator to file a bill with an appropriation on a specific date, and also how we could determine ah... whether or not we would pass, let's say, the recommendation of the ah.... Board of Higher Education, which is frequently is not ah....



quite consistent of that of the Governor? You know, how do you require me, for example, to say, if I'm the chief sponsor of a bill, to file an appropriation that appears to be the Governor's Bill? I'm not so sure we can coerce legislators to do that." I mean don't I have the freedom to introduce the Bill at my discretion?"

Washburn: "Yes, these are only annual and recurring bills, not all appropriation Bills. Every individual legislator has a right to turn in an appropriation bill at any time. The intent of this is to give us more time to analyze the Bills and come up with proper recommendations. At the present time, Representative Schneider, ah... Department of Transportation, Mental Health, Children and Family Services, less than half of the total proposed budget, appropriation bills, have not been introduced yet. The majority of them have not even been introduced, and here it is, the first of May, and we've been advised by ah... two or three departments that perhaps their bills wouldn't be introduced until the middle of June. Well, if they're not introduced until after the middle of June, ah... we're not going to have too much time to give them much study."

Schneider: "Have you changed the date on the Governor's date for his ah... his delivery of the budget message? Inasmuch as we're eager to have more time for our committee to study the Bills, I'm sympathetic to that, but also I wonder if we're considerate of any Governor, even...especially in the first year, coming into office, we're saying that



in the first week of March, he's due to give his budget message and we want him to bear a budget as an incoming Governor by the middle of February. Maybe it would be appropriate to move back his budget address so that he can get his house in order as the new Governor. Now, I'm sure that's not going to happen every four years, but what about a beginning year like this one?"

Washburn: "Well, it appears to me that if ah.... if an incoming Governor can have his budget message prepared and his budget book prepared, he can certainly have his bills prepared."

Schneider: "Apparently not, you know because there's a lot of discussion on that. I think there's some question as to the generality of it. There's things that like Representative Walsh has spoken to already, about the lack of expertise within an Department to organize its commitments and does not have the talent to do that. Perhaps we ought to consider, although what I see is a good concept, giving some flexibility maybe at least on the first year, that a Governor comes to office for his delivery of a budget message. On another Bill yet, Bud, 558, the question on reports that describe the activities of the agency, program by program, with a system of indicated used in measuring the effectiveness of these programs, who established the criteria, the Department that originated the notion, ah... some outside agency like our own, for example, this term, in the last couple of months, we've



looked at the Environmental Protection Agency and have said we need a Commission to evaluate the success and the failures of that Agency. Now, if we're going to establish criteria which again, I think is a good idea, does the Bill include who is going to evaluate the program? Can the objectives be established before or are they to be established after to determine whether or not we are achieving the objectives of a program, and I would wonder if the Bill contained indication as to who established the criteria, when they establish the criteria and whether or not it is simultaneously made available at the time that we also submit appropriation measures?"

Washburn: "Well, the Appropriations staff, both the Democratic and Republican parties would evaluate the reports and the programming and the activities outlined in those reports."

Schneider: "The membership on the committee does that now? Or will do it according to this? On 558,....."

Washburn: "The staffs of the committee."

Schneider: "Well, wait a second though, it says that the Executive Branch is required to provide four reports a year, and then the next sentence says 'the reports are to describe the activities of the agency program by program with a system of indicated for use in measuring the effectiveness of these programs'. You're putting in there a requirement by an agency which wants to justify its own program as to how successful that has been, and now you're suggesting to me that now it's the appropriation



staff that makes that assessment, and I think we might suggest there's a limitation on their ability to make those judgements. I think you ought to define somehow, whether or not that agency has the capability to establish goals for self-evaluation if indeed they are justifying their own existence, and then secondly, I would say if you're correct about what the Bill intends to do and that is, that the Appropriations Committee makes the evaluation, then maybe you ought to have some criteria established as well."

Washburn: "Thank you."

Schneider: "But you didn't answer the question. I mean, are you requiring the executive department to provide indicators for the success or failure of the program?"

Washburn: "Yes."

Schneider: "But you just said a minute ago, the appropriations staff."

Washburn: "No, the Appropriations staff would evaluate the reports from the agencies."

Schneider: "You'd evaluate their criteria as they have established in their programs?"

Washburn: "Right."

Schneider: "Thank you."

Hon. W. Robert Blair: "One moment, please. For what purpose does the gentleman from Cook, Mr. Merlo, seek recognition?"

Merlo: "Mr. Speaker, may I interrupt the proceedings of the .... this House of Representatives to present a group of





young people from the area represented by Representative Telcser, Representative Douglas and myself. Ladies and Gentlemen of the House, it gives me a great deal of pleasure to introduce Mr. Michael Lagatudi and the 8th grade pupils from LaMoore School. They're over here on this end. Would you all stand up please? And I might add Mr. Speaker that Michael Lagatudi is the nephew of one of our own members, John Leon."

Hon. W. Robert Blair: "A good member, too. Representative Washburn."

Washburn: "Ah.... Mr. Speaker."

Hon. W. Robert Blair: "Representative from Cook, Mr. Maragos."

Maragos: "I have a parliamentary inquiry. Is it in order for a Member of the appropriations committee to be presiding when we're considering appropriation committee bills?"

Hon. W. Robert Blair: "Your answer will be forthcoming shortly. Representative Washburn."

Washburn: "Well, in reply to Representative Maragos, I wish he were on the House floor so he could help me out, but anyway, it's been pointed out that there's a couple of technical errors here on House Bill 560 and one in one of the other Bills, so I would ask leave to suspend the proper rule in order that these bills might be held over until tomorrow for final consideration."

Hon. W. Robert Blair: "Representative Washburn, I believe what we have to do is suspend the rules."

Washburn: "That was my request."



Hon. W. Robert Blair: "Does the gentleman have leave to suspend the rules? Everyone in favor, please vote 'aye'.

It takes 107 votes, the opposed will vote 'no'. This is on all four bills. Gentleman from Cook, Mr. Walsh."

Walsh: "Well, just a suggestion. I wonder if maybe we could make it rather than tomorrow, which is the last day of the week, we're going to have a lot of Bills, you know, going tomorrow, if we might make it until Wednesday or Thursday of next week when we might not be as crowded on our calendar. It seems to me we'd be better off doing it that way."

Hon. W. Robert Blair: "Representative Washburn."

Washburn: "If it would be more convenient to extend it for ah.... a couple of legislative days, why that's all right with me."

Hon. W. Robert Blair: "Until May the second, next week, Wednesday. Is that agreeable Representative Washburn? May third, next week, Thursday. All those voting 'aye'. Take the record. On that question, there are 139 'ayes', 5 'nays'. The gentleman's motion prevails. For what purpose does the gentleman from Cook, Mr. B. B. Wolfe, arise?"

Wolfe: "Point of parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "State your point."

Wolfe: "I have noticed in the last few days on motions to suspend a rule, on which there was no opposition whatsoever, that we still took roll calls, and this has kind of delayed the process of the House. I would.... It would



seem to me, that where there is no objection whatsoever, that the leave to suspend indicates that 177 members are in favor of it without the necessity for going through a roll call. Am I wrong or will you give me the answer?"

Hon. W. Robert Blair: "Well, ah.... what we've been relying upon is the language, which are in those individual rules, that says that 107 'affirmative votes', and that the word 'affirmative' means that we have to take them, and you cannot accomplish that by leave."

Wolfe: "Thank you."

Hon. W. Robert Blair: "If your perusal of that would indicate something ah.... different, why I'd be happy to have you discuss it with me....."

Wolfe: "Let me look it over, Bob, because I think we could speed up the procedure of the House, where there's no objection whatsoever, it would indicate that....."

Hon. W. Robert Blair: "I agree with that. It's just a question of the word 'affirmative' in there and it's been our interpretation that that meant you had to actually have the votes on the Board in order to suspend and couldn't do it by leave. If we can get by that, I think your point's well taken."

Wolfe: "Thank you."

Hon. W. Robert Blair: "All right, 658."

Jack O'Brien: "House Bill 658. A Bill for an Act in relation to the identification of private citizens who suffer injuries or damages in connection with the Commission of



crime. Third Reading of the Bill."

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

Duff: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 658 could be called a good samaritan bill, not in the same way that the bills that this House has passed before about medical personnel assisting in hospitals and in public emergency situations, but it would create a system of compensation administered by the Court of Claims, which would indemnify private citizens or surviving dependents, spouses and children if death occurs, for death, personal injury, property damages or loss of wages, which are suffered when the individual is trying to help the police prevent a crime, or trying to apprehend a criminal or helping emergency personnel in rescuing persons such as a drowning or a fire. The amount of compensation would be limited to \$10,000 for all causes except medical coverage. There would be no compensation for pain and suffering. California and one or two other states have similar programs. The program seeks to encourage the private citizen to get involved and take some responsibility for keeping his fellow citizens... for helping his fellow citizens in a dangerous situation. The people of Illinois should know that if they choose to get involved in helping somebody they will not have to assume the burden themselves of medical costs or fear of loss of their pay for trying to help the public. The Court of Claims can easily administer this Act as it is presently constituted. Funding for it



would come from the Regular Appropriation Bill for the Court of Claims. The claimant may not recover under the Bill if he is compensated for his loss from any other source. There must be a statement from appropriate state or local law enforcement agencies accompanying the claim, and the Court should hear evidence from the Attorney General and other interested law enforcement agencies, on the various questions which might arise from the claim. This Bill, Ladies and Gentlemen, is really designed to help those people who are injured while they are trying to help society in saving lives or in preventing crimes. I would appreciate a favorable vote on the Bill."

Hon. W. Robert Blair: "Discussion. Gentleman from Cook, Mr. B. B. Wolfe."

Wolfe: "Would the gentleman yield for a question or two?"

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

Wolfe: "Brad, it's a commendable thought an.... which has some significant drawbacks. One, would this apply to any crime, a misdemeanor felony, etc., or just to a felony?"

Duff: "The orientation of this ah... Representative is towards the ah.... person who...."

Wolfe: "What crime does it apply to?" The prevention of what kind of a.... a traffic violation's a crime, a misdemeanor's a crime, a felony's a crime. What crimes are we speaking about. I don't have a copy of the Bill. Otherwise, I would have read it."



Duff: "Well, Section 1...."

Wolfe: "So you tell me...."

Duff: "Section 1, Representative, says that the General Assembly declares that the direct action on the part of private citizens in preventing the commission of crimes against the person or property of others."

Wolfe: "Then that could mean.... All right, so you're using the term broadly and generally and that could mean ah... a misdemeanor. Right? The property of others, a crime against the trespass going across a person's land, interfering with his fence. Any....You're using the term crimes broadly. Right?"

Duff: "Representative, if an individual is trying to help the police, and he doesn't know the technicalities of the law, he might not necessarily be asked to make a definition in his own mind as to whether it was a very serious crime or a less serious crime. He's trying to help the police accomplish the maintenance of law and order, or he's trying to help save a life."

Wolfe: "Does the Bill specifically say in assistance to a police officer in the prevention of a crime or does it just say generally in the prevention of a crime against property or persons?"

Duff: "I was reading it to you, Representative Wolfe. It says 'preventing the commission of crimes against the person or property of others or in apprehending criminals



or rescuing a person in immediate danger of injury or death as result of fire, drowning or other catastrophes' such as the terrible train wreck that took place in Chicago recently."

Wolfe: "Yeow, so it doesn't apply to assisting a police officer. Now this is a citizen that's going to make a determination as to .... and the reason I'm asking these questions, because during my entire practice of law, I had one such case come before me about five years ago, in which quote 'a citizen ran to the aid of an individual to prevent a crime' and in running to the aid of that citizen, a boy of 15 years old was killed, innocently killed, and the.... after investigation of this incident, proved that the citizen was not running to prevent the crime, but that the aid of the person that he was going to, that person was committing a 'crime'. So you're dealing in an error of judgement that even police officers have difficulty sometimes in determining, unless you have guidelines, unless you have guidelines both to protect that citizen going to the aid of an individual and also to protect the individual for whom he is going to the aid of. So you've got a very sticky area of law and determination in my opinion, a good concept and a good Bill that I feel needs a little clarification in order to accomplish what you're trying to do."

Duff: "Is that a question, Representative Wolfe."



Wolfe: "Yes."

Duff: "Ah.... well, the point you made would not be applicable under this Bill."

Wolfe: "Why not?"

Duff: "Because this Bill doesn't say that if a person is trying to help somebody that he thinks ah.... "

Wolfe: "Well, that's the whole point, how does he know?"

Duff: "The Bill, Representative Wolfe, says that there must be testimony from law enforcement officials. Now very clearly, if ah.... the law enforcement officials will not collaborate that there was a crime, then there would be no claim before the Court of Claims."

Wolfe: "Then the Bill is self-defeating. The purpose of it is to induce the citizen, you know, crime on the streets today and the total apathy of our citizenry, and you know this, if you've visited any large city, even other than Chicago, you could have a person lying ah... on the street, you know bleeding and they just walk by and ignore the situation, you can be in an 'L' train in which a crime is being committed and people just sit there and do nothing. So if the intent of the Bill is to induce the citizens to act ah... I think, then, it's self defeating. If it doesn't compensate that person, who acts as a good samaritan, but under a misstatement of fact or under a misrepresentation of what is actually taking place."

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





Rayson: "Mr. Speaker, Members of the House, I would support this Bill and ah.... I think it's in keeping with our wisdom this morning in passing victims of crimes legislation. It's in that direction and in that orientation and it's deserving of support. Thank you."

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

Duff: "I would only point out, Mr. Speaker, that ah.... there is a distinction philosophically here between ah... the concept, which is in fact, I understand, gaining some strength to ah... aid the victim of crimes and this House has indicated its feelings of that, but even more important, for this House to say to the Public, ah.... and the cost of this, by the way, under the fiscal note would not be large, by the experience of other states, ah... that we want to encourage people to get involved, and that we recognize that the society is concerned when an individual will help, when an individual will try, as in the case of Kitty Geonves, where we know some 30 people stood and watched the crime being committed for fear of interfering. To encourage people to attempt to save lives without damage to themselves. To attempt to enter into the major catastrophes of floods, of train wrecks, of fires and not to be for the rest of their lives, punished by their own good intentions. I would appreciate a favorable vote."

Hon. W. Robert Blair: "All right, the question is shall House Bill 658 pass? All those in favor, will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk



will.... B. B. Wolfe."

Wolfe: "I'm voting in support of the Bill because I like the concept, but I'm hopeful that the sponsor will consider some of the statements that I made and perhaps amend the Bill when it gets over to the Senate to protect that citizen, which goes to the aid, as well as the person who is being under scrutiny."

Hon. W. Robert Blair: "Have all voted who wished? Clerk will take the Record. On this question, there are 141 'ayes' and 4 'nays', and this Bill, having received the Constitutional Majority, is hereby declared passed. Now, let's go back and ah... there's just one or two others that expire today on Third. Is Mr. Flinn here now, on his 432. All right. 432."

Jack O'Brien: "House Bill 432. Flinn. A Bill for an Act to amend the Public Aid Code. Third Reading of the Bill."

Hon. W. Robert Blair: "Gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 432 is similar to a Bill that passed in the 77th General Assembly and this .... House Bill 432 is a Bill that would prevent the Public Aid Department from requiring the blind, the disabled and the aged to sign a lien on their property in order to qualify for public aid benefits. The present law, the original intent of the original law, of course, is long since bypassed its usefulness. The present law is very unfair from the standpoint that it requires ah... if we



recipients rent their own property, they're allowed up to \$97 a month rent. But if their next door neighbor owns their own property, they're required to sign a lien on their property. I have a number of other statements to make about this, but I'd rather reserve those in case there's any questions, and so I would appreciate very much your support on House Bill 432."

Hon. W. Robert Blair: "Any further discussion? All right, the question is, shall House Bill 432 pass? All those in favor, will vote 'aye' and the opposed 'no'. Now is that it? William Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, ah.... this Bill is a very significant bill, and it seems to me it hasn't had very much debate. This would exempt real estate, up to a value of \$17,500 from claims by the Department of Public Aid. Now, there doesn't really seem to be any reason why ah.... the Department.... why this exemption should exist, because we're talking about the estates of the recipients and there doesn't really appear to be any reason in my mind why the State should not take the money that is rightfully owed to them in terms of recipient benefits and that the heirs of the recipients should ah.... fall heir to the House instead of the State. So I think we ought to give this matter a little bit of thought and ah... hopefully turn this vote around and defeat this Bill."



Hon. W. Robert Blair: "Gentleman from Macon, Mr. Borchers."

Borchers: "Mr. Speaker, I can cite a case, important, in my town, Decatur. A woman on Public Aid for many years, blind, and ah... of course the claim was put against her estate. And when she passed away a few years ago, the property was taken by the State. Now, if this had not been sold, her family who didn't contribute a dime and were well able to do so, would have gotten that money. They did not deserve to have it. After all, my taxes, your taxes, are the ones that supported this woman for many years. The fact is, the amount of money owed the... was far more than the value of the State by the time she did pass away. I don't see why in the world we should give away to many cases to families and in some instances like this one, to a family, allow them to have the estate, when at the same time, though it was a wealthy family, they didn't turn one finger to help this woman, or contribute one dime. So I don't know why we should be so generous with our money and give it in many cases to people who could care less. It's just giving them a gratuity that they do no deserve."

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

Maragos: "In explaining my vote in support of this measure, It should be pointed out in a case just cited by Representative Borchers, the Department of the State of Illinois was remiss in not going after the close relatives or



children of the particular beneficiary who is on Public Aid. If they had gone after these children, they could have supported them. If they were well enough to support it. I think this Bill takes into consideration the fact that when a woman or man who had been receiving Public Aid, this is... this is his only asset, you can throw out his whole family and they will have no place to go, and they may end up being on Public Aid, because they have no other support of means to live in. But I think in a case that Mr. Borchers stated, they could have gone after those children during the life time of the recipient. And they should have done so if they were not remiss in their duties."

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

Walsh: "Well, Mr. Speaker, Ladies and Gentlemen of the House, the gentleman who just spoke, is mistaken. The State has no right to go after anybody. The only thing the State can do is go after the funds of the recipient. And what you're doing by this Bill is exempting the money which belongs to the recipient and money which is really owed to the State. So the gentleman from Cook, who preceded me in debate, was mistaken when he said the State was remiss in not going against the children, and ah.... and as my counsel from Macon just indicated to me, often times, the ah.... anyone to whom they might be able to go, and if they



might have been able to in his case, before we amended the law a few years ago, they are out of state and unobtainable by ah.... State process, so this is a bad Bill and should be defeated."

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

Wolf: "Would the Sponsor yield for a question or two?"

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

Wolf: "Representative Flinn, and so I understand this Bill correctly, now. It seems to me that back in the 76th session, this General Assembly in my opinion in its lack of wisdom anyway, relieved children from the responsibility of supporting their parents, and so as Representative Waish pointed out, the children are in no way responsible so the State can't go after them for any money, but my other question that I wanted to ask you was, is if we exempt a homestead up to the amount of \$17,500, and we then put this party on Public Aid and pay their support, and when they die, the sons and daughters and heirs will then inherit the property and they will get a windfall after the taxpayers have supported the person who has the estate. Is that correct?"

Flinn: "Representative Wolf, it's correct to the extent that you have covered it, but let me back up just a little bit. Back in 1963, when the present law was passed, the intention was to force the children to support the elderly people. It did not work. What it did, it did something that was not intended. It created a psychological barrier



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and a lot of old people, who were otherwise qualified to receive Public Aid, would not sign up because they did not consider this a lein, which would be foreclosed after their death. They considered it a mortgage over their roof. And there are many people in the State today that consider it a mortgage over their roof and they absolutely refuse to sign up. Ah.... in answer to you, I've put the \$17,500 limit on it, because there was some objection in the 77th General Assembly because it did not exempt the amount, any amount of property. It exempted all of it. And all.... this is a figure that came out of the air, so far as the Reference Bureau is concerned. It's not a figure that I've got my mind set on or anything else of that sort, and I'd be perfectly willing to amend this in the Senate if it's too much. But the whole purpose behind it, is to remove the psychological barrier that this present law has placed against this, especially the elderly people. I hope I answered your question, Mr. Walsh."

Walsh: "Mr. Speaker, I'd like to speak to this Bill, please. Well, with that being the case, that's what I kind of thought from the description, and in my opinion, Members of the House, that any person who is financially able and doesn't support their parents is to me the lowest form of human life possible, and to allow a person, an elderly person to have a homestead exempted to \$17,500, I don't care if it's \$200, and then upon their passing away, to



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have that estate go to the paracite children who wouldn't support their parents, I think has got to be bad policy and I have to vote 'no'."

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

Skinner: "Mr. Speaker, when I was County Treasurer, I received numerous checks from the Department of Public Aid to pay for real estate taxes for people who were on welfare. Now, as I understood the theory at that time, the Department of Public Welfare wanted to leave the people in their houses, because they would be better off there, perhaps psychologically, perhaps economically and.... but once the person died, they were going to get the money back, and this Bill would, I believe, be an unwarranted, if I.... well if I may put it in this terminology without offending people, a raid on the public treasury. Certainly it seems to me that if you have a son and/or a daughter, who refuses to take care of their parents and makes them go on welfare that they should not be allowed to inherit the property after their mother and father, who they have forced to go on welfare, dies. Now why should they benefit from this Bill, and from this reason, I have.... I did vote 'yes' at first, because I did not understand the Bill, but I have now changed my vote to 'no', and I certainly hope that people, who have a sense of equity of the States's rights, will also vote 'no'."

Hon. W. Robert Blair: "Gentleman from Whiteside, Mr. Miller."





Miller: "Well, Mr. Speaker and Members of the House, I'm sure that most every Member on this floor knows that I'm a downstate attorney. I don't know what happens in Cook County, but I can tell you this: What this Bill does, is after a person has received Public Aid for many years, they were entitled to Public Aid. They should have received it, but if they chose to reside in their own home, and that is good, they should reside in their own home as long as they could. But what this Bill actually does is after that recipient died, then as, I think Representative Wolf stated, the children can take that House by inheritance and can keep it and the State of Illinois will not get one dime back for the welfare payments that they have advanced over the years. Why should this happen? I'm amazed to see some of the downstate attorneys still voting for this. I ask you please to take off your green lights."

Hon. W. Robert Blair: "Have all voted who wished? Clerk will take the Record. Gentleman from Cook, Mr. Richard Walsh."

Walsh: "At the appropriate time, Mr. Speaker, I request a verification of the affirmative roll call."

Hon. W. Robert Blair: "All right, at this point, in the proceedings, the vote stands at 89 'ayes' and 52 'nays' and a request has been made to verify the affirmative vote. So if the Members would be in their seats, Richard Carter, how is the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."



Carter: "Will you vote me 'aye' please."

Hon. W. Robert Blair: "Record the gentleman 'aye'. Mr. Flinn."

Flinn: "Mr. Speaker, I would like to have a poll of the absentees first."

Hon. W. Robert Blair: "All right, that's ususally extended, so we'll poll the absentees and then we'll verify the affirmative. If the members would kindly be in their seats, we can hopefully facilitate the proceedings so we can get into our committees."

Jack O'Brien: "Arrigo. Beatty. Blades. Bluthardt. Brandt. Collins. Cox. Deuster. Ralph Dunn. Epton. Ewell. Fleck. Garmisa. Granata. Hart. G. L. Hoffman. D. L. Houlihan. Hyde. J. D. Jones. Juckett. Klosak. Krause. Lechowicz. McDonald. McAuliffe. McAvoy. Peters. Randolph."

Hon. W. Robert Blair: "Would you hold up the polling of the absentees, because we have a distinguished guest here arriving at the podium, none other than the distinguished Minority Leader of the Illinois Senate, the Honorable Cecil Partee. I take it the Senate has adjourned for the day."

Partee: "Yes, we have adjourned for the day, but I just came over to say hello to all my friends at the place where I started."

Hon. W. Robert Blair: "All right, proceed with the verification."



Schlickman. Schraeder. Sevcik. Soderstrom. Stone.  
Walters. Mr. Speaker."

Hon. W. Robert Blair: "All right, you want to verify the affirmative vote now? All right, now, ah.... the request has been properly made that on the verification, ah.... if facilitates it that those persons who have requested it have a clear vision of ah.... and so would the Members kindly be in their seats? Would the Members kindly be in their seats. Gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, how am I recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as 'not voting'."

Ewell: "Will you vote me 'aye'."

Hon. W. Robert Blair: "Record the gentleman as voting 'aye'. All right, would the Members please be in their seats now, because we're on the verification and the request has been made....?" The gentleman from Cook, Mr. Ron Hoffman."

Hoffman: "Mr. Speaker, how am I recorded?"

Hon. W. Robert Blair: "How's the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'yea'."

Hoffman: "Vote me 'nay' please."

Hon. W. Robert Blair: "Change it to 'nay'." All right, proceed."

Jack O'Brien: "Alsup. Anderson. Barnes. Barry. Beaupre. Berman. Boyle. Bradley. Brinkmeier. Brummett. Caldwell. Calvo. Campbell. Caparelli. Capuzi. Carter. Catania. Chapman. Choate. Craig. Davis. DiPrima. Douglas.



Ewell. Farley. Fary. Fenessey. Flinn. Geo-Karis.  
 Getty. Giglio. Giorgi. Hanahan. Hill. J. D. Holloway.  
 R. H. Holloway. J. M. Houlihan. Jacobs. Jaffe. Emil  
 Jones. Keller. Kelly. Kennedy. Kosinski. Kozubowski.  
 Kucharski. Laurino. Lemke. Leon. Londrigan. Lundy.  
 Madigan. Mann. Maragos. Martin. Matijevich. McAvoy.  
 McClain. McCormick. McGrew. McLendon. McPartlin.  
 Merlo. Mugalian. Nardulli. Patrick. Pierce. Polk.  
 Rayson. Redmond. Rose. Schiesler. Schneider. Sharp.  
 Shea. I. R. Sims. Springer. Stedelin. Stiehl. Taylor.  
 Teicser. Terzich. Thompson. Tipword. VonBoeckman.  
 Wall. Washington. Williams. B. B. Wolfe. Yourell."

Hon. W. Robert Blair: "The Lady from Cook, Mrs. Martin."

Martin: "Mr. Speaker, how am I recorded?"

Hon. W. Robert Blair: "How's the Lady recorded?"

Jack O'Brien: "Lady is recorded as voting 'yea'."

Martin: "Thank you."

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

Houlihan: "How am I recorded, Mr. Speaker?"

Hon. W. Robert Blair: "Hows' the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."

Houlihan: "I'd like to cast my vote as 'aye', Mr. Speaker."

Hon. W. Robert Blair: "Record the gentleman as 'aye'."

All right, now, questions of the affirmative, Mr. Richard  
 Walsh."

Walsh: "Representative Anderson."



Hon. W. Robert Blair: "All right, how's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'yea'."

Hon. W. Robert Blair: "All right, take him off the record. He's not on the floor."

Walsh: "Representative Beaupre."

Hon. W. Robert Blair: "He's back there."

Walsh: "Representative Boyle."

Hon. W. Robert Blair: "He's there."

Walsh: "Ah.... Representative Brinkmeier."

Hon. W. Robert Blair: "He's there."

Walsh: "Representative Douglas."

Hon. W. Robert Blair: "How's the gentleman recorded? There he is."

Walsh: "Representative Giorgi."

Hon. W. Robert Blair: "He's over there in the aisle."

Walsh: "Representative James Houlihan."

Hon. W. Robert Blair: "J. Houlihan. He's over there."

Walsh: "Representative Kucharski."

Hon. W. Robert Blair: "How's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'yea'."

Hon. W. Robert Blair: "He's not on the floor. Take him out of the record."

Walsh: "Representative Lemke."

Hon. W. Robert Blair: "Lemke. Kucharski was before that and then Lemke. All right, Mr. Lemke. There he is."



Walsh: "Lechowicz."

Hon. W. Robert Blair: "Lechowicz." How's the gentleman recorded?"

Jack O'Brien: "Gentleman's recorded as 'not voting'."

Hon. W. Robert Blair: "Do what? Record the gentleman as 'aye'."

Walsh: "Representative Laurino."

Hon. W. Robert Blair: "Where's Laurino? How's the gentleman recorded?"

Jack O'Brien: "Gentleman's recorded as voting 'yea'."

Hon. W. Robert Blair: "Take him off the record."

Walsh: "Representative Matijevich."

Hon. W. Robert Blair: "He's back there."

Walsh: "Representative Nardulli."

Hon. W. Robert Blair: "He's there."

Walsh: "Representative Schisler."

Hon. W. Robert Blair: "He's back there."

Walsh: "Representative Springer."

Hon. W. Robert Blair: "How's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'yea'."

Hon. W. Robert Blair: "Take him off the record."

Walsh: "Representative Stiehl."

Hon. W. Robert Blair: "How's the lady recorded?"

Jack O'Brien: "Lady is recorded as voting 'yea'."

Hon. W. Robert Blair: "Is she there? No, she's not back there. Take her off the record."

Walsh: "Representative Keller."



Hon. W. Robert Blair: "He's there. Mr. Brandt, how's the gentleman from Cook, Mr. Brandt, recorded?"

Jack O'Brien: "Gentleman is recorded as not voting."

Hon. W. Robert Blair: "Brandt's recorded as not voting. Record the gentleman as 'aye'. How's the gentleman from Cook, Mr. Fary, recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'yea'."

Hon. W. Robert Blair: "Leave it alone. Further questions of the affirmative? Mr. Yourell, how's he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'yea'."

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

Shea: "Mr. Speaker, could you give us the names of the people who were taken off the roll call please?"

Hon. W. Robert Blair: "The Clerk probably can."

Shea: "Thank you."

Jack O'Brien: "Anderson. R. K. Hoffman. Kucharski. Laurino. Springer. Stiehl."

Hon. W. Robert Blair: "All right, on this question.... Gentleman from Cook, Mr. Beatty. How's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."

Hon. W. Robert Blair: "Record the gentleman as 'aye'. Mr. Walsh, Richard Walsh."

Walsh: "Ah.... Mr. Speaker, ah.... is Representative Telcser on the floor?"

Hon. W. Robert Blair: "How's the gentleman recorded?"

Jack O'Brien: "Gentleman's recorded as voting 'yea'."



Hon. W. Robert Blair: "Take him off the record. For what purpose does the gentleman from Cook, Mr. Shea, rise again?"

Shea: "Just before the last request, you had just said that the verification of the affirmative vote was finished."

Hon. W. Robert Blair: "It's never finished until it's announced."

Shea: "Oh, I see."

Hon. W. Robert Blair: "O'kay. Mrs. Stiehl's back, so put her back on the Record. Mr. Stone."

Stone: "Mr. Speaker, how am I recorded?"

Hon. W. Robert Blair: "How's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."

Stone: "Please record me 'aye'."

Hon. W. Robert Blair: "Record the gentleman 'aye'." Gentleman from Cook, Mr. Richard Walsh."

Walsh: "Is Representative Catania on the floor?"

Hon. W. Robert Blair: "Representative Catania? How's the Lady recorded?"

Jack O'Brien: "Lady is recorded as voting 'yea'."

Hon. W. Robert Blair: "Take her off the record. Gentleman from Cook, Mr. Richard Walsh."

Walsh: "Representative Campbell."

Hon. W. Robert Blair: "How's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'yea'."

Hon. W. Robert Blair: "Take him off the record. Gentleman from Cook, Mr. Caldwell."





Caldwell: "Point of order, Mr. Speaker. Are we going to continue reverifying and reverifying? What is the situation?"

Hon. W. Robert Blair: "No, right now, the vote is 88 'ayes' and 53 'nays' and this Bill has failed to receive the ..... all I'm trying to do is accommodate your request, and this Bill having failed to receive a Constitutional Majority, is hereby declared..... pardon? Doesn't make.... you have to have 89 votes. There's no purpose in verifying the negative. Ah.... Mr. Barnes, for what purpose do you rise?"

Barnes: "On a point of order, Mr. Speaker. I'm wondering about the verification. I know many of the names that have been verified in the last few minutes were verified some 15 or 20 minutes ago, and it seems to me that we had a reverification of a verification, yet we're not going to have any verification of the negative votes. I think that ah.... it seems to me that something should be.... some kind of consideration should be given there, because apparently these people were verified and were here some 15 to 20 minutes ago. They may have stepped out to go to the restroom or something, and ah.... I don't see any kind of accommodation being given for them to return."

Hon. W. Robert Blair: "Well, the responsibility's upon the individual member, if he has voted on a roll call to be in his seat when there is a verification and if he is not there, then he's taken off the roll call, and that is the



procedures of the House. Insofar as the negative is concerned, ah.... we can proceed to verify the negative, but this is a matter that requires 89 affirmative votes, so verifying the negative is just really a waste of time. Mr. .... all right, the Bill is hereby declared lost. All right, Mr. Flinn."

Flinn: "Mr. Speaker, there was quite a bit of time taken verifying the absentees and verifying those who voted 'aye' and I think I have a privilege of having the 'nos' verified if for no other reason to try to find another 'yes' among them."

Hon. W. Robert Blair: "Well I think we have given the matter about as full of time as we could possibly have given it. The roll call was not announced until there was a request made by Mr. Caldwell. Up to that point, the gentleman who had requested the verification, Mr. Richard Walsh, was still questioning the affirmative roll call. Ah.... he had stopped at that point and I announced the ah... roll and the Bill did lose. For what purpose does the gentleman from Kankakee, Mr. Beaupre, rise?"

Beaupre: "On a point of order, Mr. Speaker. Representative Catania, I think, was verified at one time. She was in her seat, and then later taken off the roll. How do you rule as to whether or not she is entitled to vote?"

Hon. W. Robert Blair: "No, what happens is, when you go down the roll call, verifying the affirmative, the names are read by the Clerk of those persons who voted in the



~~the~~ affirmative. Then the person who has requested a verifi-  
~~the~~ challenges as to whether or not persons who's name  
~~the~~ of the affirmative are actually on the Floor.  
~~the~~ challenge was made as to Mrs. Catania. The Clerk  
~~the~~ that she.... when I asked how she had voted,  
~~the~~ she voted in the affirmative and I then said take her  
~~the~~ the record, because she's not on the floor?"  
 Mr. Beaupre."

Beaupre: "Is it not true that you verified her 'present' the  
~~the~~ time on the Floor?"

Mon. J. Albert Blair: "No, the point is, if you verify by  
~~the~~ Clerk reading the affirmative roll call. Then the  
~~the~~ is that the person who has requested a verifica-  
~~the~~ of the affirmative roll call has questions about  
~~the~~ who are read as having voted in the affirmative,  
~~the~~ that's when you go down and you say 'Mrs. Catania,  
 Mr. Beaupre, etc.' and if those persons aren't there at  
~~the~~ time, under the House procedures, you're taken off  
~~the~~ record. Gentleman from Union, Mr. Choate."

Choate: "ah.... point of, I mean just to clarify what Repre-  
~~the~~ affirmative Beaupre is asking you, Mr. Speaker, I think  
~~the~~ you misunderstood his first question. I think what  
~~the~~ meant is that the first time that you went down the  
~~the~~ affirmative roll call and Mrs. Catania was challenged, she  
~~the~~ her seat. I think that is what he is trying to  
~~the~~, and then later on, she was challenged a second time,  
~~the~~ she had left her seat. Isn't that what you were saying?"



Hon. W. Robert Blair: "Well, if that is what you're saying, to my knowledge, that is not correct. There was only one question of Mrs. Catania. That was by Mr. Richard Walsh. Now, ah.... and if that is you point it is well taken. We don't.... if we once have a question about a person who has voted in the affirmative and that person is there in the seat, you cannot go back because they wander off, and then say, now you're not there. That would be a reverification. That would not be proper and your point would be well taken, but she only came up once. Now, we're finished with that point of business. Next Bill is 437."

F. B. Selcke: "House Bill 437. Bill for an Act in relation to creation of the Office of County Counsel by County Boards. Third Reading of the Bill."

Hon. W. Robert Blair: "All right, Mr. Flinn, what's your point of order?"

Flinn: "Mr. Speaker, I rise on a point of personal privilege, and that point is that I think I've been treated less than fairly in the scheduling of House Bill 432. Without my requesting so in Committee, Representative Geo-Karis put it on.... made a motion to put it on the consent calendar. I did not object to it, because no sponsor would ever object to a Bill being put on the consent calendar. It rode on the consent calendar for nine whole days until the last day when it got ready to pass, one gentleman here knocked it off of the consent calendar. We promptly recessed for 13 days for Easter and then yesterday, no Third Readings



were called, so I had one opportunity and one opportunity only and this is right now today, the last Bill being called today, and I think that's being treated a little bit less than fair, Mr. Speaker."

Hon. W. Robert Blair: "Well, I don't know what that point of order is frankly."

Flinn: "Well, Mr. Speaker....."

Hon. W. Robert Blair: "The Bill was called earlier this morning, I think, when Mr. Stone was up here. You were not here then."

Flinn: "I was off the floor temporarily, I agree with that, and that was my fault and I take the blame for it, but I'm not talking about being the last Bill, in particular, being called today. I'm talking about the fact that today is the only chance I had. I had no chance for postponement. Representative Krause is not here. He is one of the co-sponsors. He would have been enough to pass it. There are a number of other people who could have been here at some later date, and I would like, at this time, to know if I would be in order to postpone consideration, to suspend the appropriate rules?"

Hon. W. Robert Blair: "Well, I don't think that the request is timely made. Ah.... the roll call's been announced and ah....."

Flinn: "As you know, Mr. Speaker, I had my hand up in the air quite a while and could not get your attention."



Hon. W. Robert Blair: "I wasn't standing here not recognizing people. I was recognizing people as fast as I could and there were a number of people yelling to be recognized." All right, we've called 437. Gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I can't think of a more proficient time to have this Bill called, but I accept full blame because I was not here earlier today. Ah.... I'm sort of at a loss for words, but I would appreciate if I could get the attention of the Members. House Bill 437 would permit the various County Boards throughout the State of Illinois in certain instances to hire their own private attorneys. Now, several weeks ago, two... three of our distinguished Members on this side of the aisle passed around a newspaper editorial, which appeared in the World's greatest newspaper, referring to this Bill as an attack on States Attorneys. It stated that the editorial stated that the Bill in question would strip from elected States attorneys all power, except the authority to prosecute criminals. Now Ladies and Gentlemen of the House, that's totally untrue. This Bill does not strip any power whatsoever from the States attorneys. The editorial went on to say that the use power, 'including jurisdiction.... Mr. Speaker, could I have a little order, please? The editorial went on to say that the user power, including jurisdiction over



all civil matters involving the county would be transferred to new county councils. This is also untrue. The editorial went on to say that the ability of the States attorneys to investigate the county government and prosecute government officials would also be impaired. This is also completely untrue. The editorial went on to state that Mr. Cary, and I believe they're referring to the Mr. Cary who's a member of my party as a States Attorney in Cook County, strongly opposes this Bill. Frankly, Ladies and Gentlemen I don't know whether Mr. Cary opposes or supports the bill and I really don't care, since he hasn't taken the trouble to contact the sponsor of the bill and express his desires. The editorial went on to say that what is particularly objectionable about the legislation is it is said to stem from a dispute between a downstate county board, dominated by Republicans and a recently elected democratic states attorney. This is also blatantly false, and after seeing the editorial in question and seeing it passed around on the floor of the House, I called the Chicago Tribune to ask them if they would issue a retraction, to which they refused, but they stated that they had been told by Mr. Cary that Mr. Al Green had placed an amendment on the Bill which would absolutely dissipate Mr. Cary's powers. Now when we appeared on the Committee, Mr. Green contacted me about an amendment and asked me if I would concede to have it put on the Bill. I told him I could not concede to it in good faith, because I felt it was an attack on



Mr. Cary's power. The Amendment was offered by Representative Yourell and the Amendment was defeated, and at that time, at my instigation, we put a homerule amendment on the Bill, which is what Mr. Green said he would be happy with, even though it did not go as far as he wanted, and which we feel completely protects Mr. Cary in Cook County. This did not stem from a dispute in Champaign County, which is the County that they referred to, although I have to tell the Ladies and Gentlemen in this House, that there are problems in the Counties where you happen to have a democrat or republican states attorney and the County Board is of the opposite party. It makes it very difficult to get cooperation and in Champaign County we happen to have a states attorney at the time who was running for the Congress of the United States, and who refused to support the County Board, to appear at the County Board Members or assist them in any way legally. And when they attempted to hire their own legal counsel, they were informed that this violated the State law and they would not be permitted to hire any outside counsel, but in addition to that, in many counties, the States attorneys that are hired have a particular expertise in the area of criminal law and in this day, when county boards are forced to deal with more and more problems, particularly under the homerule powers that were granted in the last constitution, we need attorneys who can deal in areas of expertise that are not often possessed by states





attorneys. Therefore, what this Bill permits, and it does nothing more than this, it would permit a county board in those particular circumstances, where they felt expertise was needed, to hire outside counsel to give them the suggestions that they need to handle a particular civil matter. It does not deingrate in any way the power of the States Attorneys, and I would appreciate a favorable roll call."

Hon. W. Robert Blair: "Gentleman from Lake, Mr. Pierce."

Pierce: "Ah..... Mr. Speaker, would the gentleman yield to a question?"

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

Pierce: "You said the County Boards downstate have a lot of problems now because of the new homerule powers of the 1970 State Constitution. Can you name the downstate counties for me that are homerule counties?"

Hirschfeld: "I did not say that, Representative Pierce. I said because of the homerule powers that were granted under the new Constitution, it's possible that there will be areas of expertise which the County Boards will have to deal with that they have not dealt with in the past, because it was pre-empted by the State, and this, I think, necessitates additional expertise on the part of an attorney."

Pierce: "Well, Mr. Speaker, the answer is simply that there are no homerule counties downstate, so the counties don't have homerule problems. They may need expertise that a states attorney doesn't provide, and ah.... they may want



to hire a lawyer to do a job in civil matters that a states attorney isn't qualified to do, and I can see that problem. We have that problem in state government too, where sometimes the Attorney General doesn't provide a department with the type of representation that they want in Court, because there may even be a policy difference between the Department of State Government and the Attorney General, and I suggest we have a greater problem here. I think the gentleman should introduce a Bill allowing the Governor and various departments of State government to hire their own attorneys and not have to rely on the elected attorney general. But he's not doing that. He's got a particular problem apparently with the democratic states attorney in his county. I can see how that problem can arise, but I think really we ought to start where really the problem is worse and that is in the State government, where sometimes the ah.... Assistant Attorney General does not agree with the policy of the Department to which he's assigned and we should give State government the right to hire its attorneys also. But what you're doing when you do this, is getting away from elected representation and going to appointed legal representation. Why not go all the way and appoint States attorneys and Attorney generals and not elect these officials. We can't go that way.... We can't go that way because the Constitution provides for election of these officials. I could see the need in some instances for the Bill, but I just.... I



wouldn't put it on the issue of homerule. I'd put it on the issue of the fact that an elected states attorney is not always in agreement with the Departments, including the County Board, that he's asked to represent. I think there's a real problem here, and the Bill addresses itself to that problem. I don't know whether we've given it sufficient study. What state departments do, state government does, they appoint technical consultants to get away from the fact of having to have an assistant attorney general represent them. Maybe your County Board should hire a man and call him a technical consultant and therefore, who's a lawyer, and therefore avoid the necessity of using an assistant states attorney, and I would suggest that solution to you."

Hon. W. Robert Blair: "The Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, ah.... first, on the fourteenth of April, I was present at the Luncheon in Lake Forest-Lake Bluff Republican Womens Club, when States Attorney Benard Cary did speak and spoke his opposition to this Bill. Second, this Bill does not apply to homerule counties. It is a dangerous Bill, because in the terms of the Bill, what it is doing in effect to giving the County Boards the right to appoint a County attorney, with such powers as the County Board may desire, which in effect nullifies the voting rights of the people to select a states attorney. I feel it is



a bad Bill and I arise to speak against it."

Hon. W. Robert Blair: "The gentleman from MacCoupin, Mr. Boyle."

Boyle: "John, I'm not quite clear on some of the provisions of the Bill. Is this mandatory, or is it just merely permissive?"

Hirschfeld: "Representative, this is merely a permissive Bill."

Boyle: "All right, now, could you spell out a little bit more in detail what the functions of ah.... the ah... County Attorney would be. What would be...."

Hirschfeld: "The term 'county attorney' is not mine, it was the ah.... term of Mr. Cary and the Tribune, I presume. Ah.... all I'm saying is that there are times when ah.... a County Board is dealing with problems other than criminal problems obviously, in which the States attorney does not have expertise. It may be in an area perhaps of a forest preserve district, which comes under the County Board in some counties, working with the County Board, dealing with easements. Something like this, just for an example, and they want to be able to hire outside counsel to handle that particular matter. Also, and of course, some of the larger counties, including my own, to be honest with you, the States Attorney just doesn't have time. We have so many prosecutions in our county, that the States attorney doesn't have time to handle the civil matters. So it leaves the County Board without



anybody to consult with when they're trying to resolve the legal implications of an easement or something like that."

Boyle: "Well the authority then is limited strictly to civil as distinguished....?"

Hirschfeld: "Absolutely. There is nothing to do with criminal legislation at all."

Boyle: "Well.... ah.... who has jurisdiction over traffic? Is that quasi civil or the states attorney and the Board employed an attorney, would they both have jurisdiction?"

Hirschfeld: "Did you ask me about traffic matters?"

Boyle: "Traffic, yes."

Hirschfeld: "That remains with the states attorney."

Boyle: "All right, now then, finally, suppose that.... does this Bill pre-empt the states attorney ah.... on all civil matters or is he still authorized to give advice and counsel on civil matters?"

Hirschfeld: "The Bill does nothing to pre-empt the states attorney from civil matters. However, the County Board could decide in a particular civil matter, they needed outside legal counsel."

Boyle: "All right, and now finally, ah.... I'm wondering what would be the situation if there was a conflict between an opinion given by a States Attorney on a particular civil matter and a conflict given by the Board's employed



attorney. What.... how would the Bill handle a situation like that?"

Hirschfeld: "Well, I don't believe that situation would arise under the Bills, because the States Attorney would not be requested to give an opinion if outside counsel had been hired."

Hon. W. Robert Blair: "The gentleman from Madison, Mr. Calvo."

Calvo: "Would the Sponsor yield for a question, Mr. Speaker?"

Ah.... John, I thought I heard you say that the problem with your County Board is that the States Attorney does not have time to you know assist them or counsel them. What I don't understand is, if that's correct, why don't the County Board increase his appropriation in order that he may employ a full time assistant, if they need a full-time assistant for that purpose. That's what's done in our County."

Hirschfeld: "Well we have ah... about nine full-time assistants over there right now, Representative, and ah... you frankly, you reach a budget crisis. It's much cheaper to hire somebody on an add-hoc basis on the one or two instances when you might need them, then it is to hire a full time assistant that you'll be paying for the four years."

Calvo: "Well, are we saying that of the nine assistants, that none of them have time to work with the County Board?"

Hirschfeld: "In my County, that is true. We do not have any



time because of the heavy prosecution load for anyone else to take time on civil matters. Now this is not to say that ah.... the new States Attorney doesn't handle some of the civil matters, because he does when he has the time. I'm just giving you one county instance. If.... there are some counties that will never utilize this power, I'm certain. They won't need to. That's why it's permissive rather than mandatory."

Hon. W. Robert Blair: "The gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker for everyone who thinks that this is something new for Illinois, they are probably right, but it's not new in the United States. At the present time, in the State of Wisconsin, there is a corporate counsel that is hired directly by the County Board and handles most of the civil affairs. In fact, they handle all of the civil affairs. There is an elected district attorney who handles all the prosecuting in the County, and it works very well. I would like to suggest one other reason why, at least, I'm going to vote for this Bill. In my county, there is a states attorney whose family controls hundreds of acres of land. This land is grossly under assessed. It is causing the homeowners to pay more than their fair share of taxes and ah.... the only way to get a straight answer on an assessment question of what the law is, whether this special interest should exist or not, is to get another attorney in the picture."



Hon. W. Ro~~bert~~ Blair: "Further.... the gentleman from Will,  
Mr. Kemp~~ners~~." "

Kempiners: "Thank you, Mr. Speaker, I, too, am rising to  
support ~~this~~ Bill. It is a permissive piece of legislation,  
allowing ~~the~~ county board to employ an attorney to help  
in civil ~~cases~~, and I think there are two reasons that  
we should ~~consider~~ when we vote on this Bill. The first  
is that ~~other~~ taxing bodies within an county have the  
author~~ity~~ to hire an attorney to represent it, and then  
secondly, there are times when there are questions of  
law wher ~~e~~ States Attorney and a county board, as well  
as vari~~ous~~ attorneys within the County would disagree on  
that ~~point~~ of law. And there are instances and counties  
in the ~~district~~ that I represent where the County Board  
has ask~~ed~~ the States Attorney to go to Court and the States  
Attorney ~~was~~ refused, yet there are attorneys within the  
District ~~or~~ within the County, who believe that the County  
board ~~has~~ a legal justification for a suit, and I think  
if the ~~County~~ Board does have this opportunity to employ  
an attor~~ney~~, they will be able to take the case to court  
and ~~prove~~ that they are right or proven wrong. I support  
this Bill ~~and~~ urge your support."

Hon. W. Ro~~bert~~ Blair: "Gentleman to care close? Gentleman  
from Du~~rbine~~, Mr. Philip."

Philip: "~~Yes~~, Mr. Speaker and Ladies and Gentlemen of the  
House.. ~~I~~ would like to make a few comments on House Bill





437. And I might remind my good friend from Champaign County, there's never going to be a good time for this Bill. And quite frankly, if we give the County Board the authority to hire their own attorney, why don't we give it to County Treasurers, to County Clerks, to County Recorders. We'll end up with eight or nine or ten attorneys for each county elected official. It seems to me that is ridiculous, and let me give you a little point. There is a county in northern Illinois that is already without authority gone out and hired an attorney. He has given them the first opinion and the opinion is, that they can put the 3% collection fee back on for the county collector. He has done that. The County Board has already done that. What I want you to know, the School Board filed suit, it's gone to court and who do you think is right? The School Boards are right. And it would seem to me that ah.... we ought to look at this Bill very closely. The Illinois States Attorney Association is against it, the Attorney General has come out against it. There's been numerous newspaper articles against it, and it's a step in the wrong direction."

Hon. W. Robert Blair: "Gentleman from Champaign, Mr. Hirschfeld to close."

Hirschfeld: "Well, thank you, Mr. Speaker. To begin with, I'd just like to answer the points raised by the last gentleman from DuPage. To the best of my knowledge, there has not been numerous newspaper articles against this Bill,



merely the one, and when I called the Chicago Tribune, they said they didn't understand the Bill, and they based their comments on what States Attorney Cary had told them, which did not include the homerule amendment which we had placed on it in the committee. Secondly, if the Illinois States Attorneys are against this Bill, they certainly haven't let me know, and to the best of my knowledge, they haven't let the Members know with any type of correspondence, and I frankly do not see why they would be against it, because it is not going to affect any of them. It's merely permissive. The third point he raised is some of the counties are already doing this illegally and I hardly think that that's a criterion for defeating the Bill. If a County is permitting its county board to hire outside counsel in violation of the law, it seems to me we ought to have a law passed that would at least justify legally what they're now doing illegally. With regard to permitting other county officers to engage in this activity, let me say to the distinguished gentleman that the County Board is responsible for authorizing the various budgets for these county officials, and I would presume if the County Clerk or the county recorder had a particular area of expertise that he needed help on, the County Board would be able to hire outside counsel for that particular matter, and probably should be able to do that, because there are some areas that the States Attorney just does not have sufficient



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expertise in to handle. I think what's happened here, is the Chicago Tribune got out of line, they ah... made an editorial without understanding the Bill. It's provided a very convenient crutch for some people to oppose the Bill. I think it's a good bill, that it should pass, and I would appreciate a favorable roll call."

Hon. W. Robert Blair: "Question is, shall House Bill 437 pass?"

All those in favor, vote 'aye' and the opposed 'no'.

Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to explain my vote on this matter. While this Bill is, indeed, but permissive legislation, and I think it directs itself to a just cause in that states attorneys should have expertise in civil matters that they're dealing with, it seems to me that it's much, much too permissive. The problem, of course, is that we are going to allow downstate county boards to, rather than hire assistants who might be experts in the area of civil law, at the rate of 12 to 15,000 dollars, to create a political plum for another one of their friends, and to hire someone ah.... who is a faithful party performer to deal with these matters and give them some sort of ah.... title, so that they can up the salary, and I would suggest that this is bad legislation for that reason, and I would hope that most downstaters would vote against it."

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



Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, the reason I'm not voting for this Bill, is because of one simple reason, and those of you who have served in previous terms can remember my opposition to the creation of a county assessors bills in all counties in the State of Illinois. There were counties in downstate Illinois, the small counties, that did not need, did not need, a county assessor. The work was being performed ably by other county officers, and it was only another financial hardship, as far as the small rural counties, are concerned, and that's the concern that I have here, is that if we give leave, the County Boards can go out and again work a financial hardship on some of these small rural downstate counties, and I vote 'present'."

Hon. W. Robert Blair: "Have all voted who wished? Clerk will take the Record." On this question, there are 18 'ayes' and 54 'nays', and this Bill, having failed to receive a Constitutional majority, is hereby declared lost. 438."

F. B. Selcke: "House Bill 438. An Act to amend Section 1 of an Act to provide a law in relation to plats. Third Reading of the Bill."

Hon. W. Robert Blair: "Gentleman from Champaign, Mr. Hirschfeld."  
Hirschfeld: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I believe even the Chicago Tribune can support this Bill. This Bill would permit ah... farmers and other land owners to sell one lot from a five acre or less



tract without having to comply with the plat act. As things now stand, particularly in Illinois, you're seeing more and more farms, where we're farming ah... fence row to fence row and the farmers are selling off the homestead where a particular one acre plot or less than that ah... to people who want to move out of town onto the farm and they must comply with the plat act as it now stands, even though they are really not subdividers. And this is costing them literally hundreds and in some cases thousands of dollars to comply. This Bill would no longer require that compliance. It would still require a survey so that the County Recorder would be protected in his legal description and I don't know of any opposition to this Bill and I would appreciate a favorable roll call."

Hon. W. Robert Blair: "Discussion. All right, the question is, shall House Bill 438 pass? All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? Tim Sims 'aye'. Collins 'aye'. Campbell 'aye'. Duff 'aye'. Rose 'aye'. Clerk will take the Record. On this question there are 145 'ayes', no 'nays', and this Bill having received a Constitutional Majority is hereby declared passed. On the Order of Consideration postponed appears House Bill 247, which the Chair recognizes the Gentleman from Lawrence, Mr. Cunningham, who asked leave to have the Bill returned to the Order of Second Reading for purposes of offering an Amendment. The Clerk will .... does the gentleman have leave? All right, take it



back and read the Amendment."

F. B. Selcke: "Amendment Number 2. Cunningham. Amend House Bill 247, on page 1 by deleting 8, 9 and inserting in lieu thereof the following: Section 4-4.1. Any person who is 15 years of age or older and who otherwise qualifies under this Act may be elected or appointed as the library director under this Act."

Hon. W. Robert Blair: "Mr. Cunningham."

Cunningham: "Mr. Speaker, Members of the House, two weeks ago you were very kind and gracious when you gave this Bill 95 votes and then because of some technicality, that I didn't fully understand, it was put on postponed consideration. But I got the impression very clear and unmistakable that you thought it was wrong to leave it open-ended as to the minimum age, so I have bowed to your superior wisdom in this matter and offer this Amendment which would put a bottom limit in there of 15 years, and I hope with that Amendment, that it will be acceptable to all of you, so at this time, Mr. Speaker, I offer Amendment Number 2 for adoption."

Hon. W. Robert Blair: "Any discussion? Question..... Gentleman from Cook, Mr. Schlickman."

Schlickman: "Will the gentleman respond to an inquiry?"

Hon. W. Robert Blair: "He indicates he shall."

Schlickman: "Did you add your daughter's name as well as age?"



Cunningham: "No, but if you require it, I will."

Hon. W. Robert Blair: "All right, gentleman from Livingston, Mr. Hunsicker."

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

I wonder how far we're going to go in reducing age. You know, one of these days, somebody's going to have an amendment in here to put somebody on a board that's just merely a gleam in their mother's eye."

Hon. W. Robert Blair: "All right, question is, shall Amendment Number 2 to House Bill 247 be adopted. All those in favor, will say 'aye'. Opposed 'no'. Roscoe asks for a roll call. We got five people that want to join with him?"

All right, Mr. Skinner, Mr. Walters, Mr. Rigney and Mr. Kempiners. All right, all those in favor of the Amendment will vote 'aye' and the opposed 'no'. Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, I'm voting in favor of this Amendment, because I don't believe a fetish should be allowed to serve on a Library Board."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the Record. On this question, there are 56 'ayes' and 55 'nays'. Gentleman from Cook, Mr. B. B. Wolfe."

Wolfe: "Would it be out of order to verify that roll call?"

Hon. W. Robert Blair: "I trust that was not a serious request, and the gentleman's motion prevails and the amendment's adopted. Are there further Amendments? Third Reading."



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All right, House 247 now on Third Reading. Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, now this particular Bill, as I've said before, I think has a great deal of merit, because the people who use libraries are children. They are your children, my children and they are the people that represent the voters here very shortly. From time to time, this House has been honored with visitations with bright intelligent young students in the balconies. I had hoped that this would come up today that you might see those people up in the balcony and feel their interest in the Bill when it's being voted on. There is absolutely no reason on earth that there should not be qualification for 15 years and up if they want to serve on library boards and if they can get themselves elected. One of the most respected members of this House, Harold Katz, spoke at great length on this matter when it was up two weeks ago. I ask each of you to reflect in your own minds and hearts the logic of his position. And in view of that position, I want to say to you, that this Bill is the kind of Bill that you'll be proud of tomorrow and when you get back home in your district. There isn't a single library that I know of in the State of Illinois that is opposed to this Bill. You will recall that when the librarians were here last week or two weeks ago, we had a sizable delegation in the





balcony. They were introduced at that time. I pointed out to you that they were for the Bill. I do not know of any opposition whatever. If you'll look at the Bill, you'll find that we have many fine supporters of this Bill. I urge, I implore, I beg you to strike a good lick for tomorrow by supporting this particular library bill. I will appreciate all of those green lights at your very earliest convenience."

Hon. W. Robert Blair: "Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, when I was a first class novice, in February, I did endorse this Bill. Now that I've had a chance to learn a little more and particularly with the amendment, I question the wisdom of this Bill, despite the fact that I was one of the endorsers, because this particular bill, if we allow some of the... fifteen years to be on the library board, which has the authority to buy books, to make a lot of expenditures, then what are we doing if we don't allow a fifteen year old boy or girl to sit on the school board? Therefore, I rise at this time much as I love my colleague, who is the Sponsor of this Bill, to speak against the Bill."

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

Ewell: "Mr. Speaker, Ladies and Gentlemen of the House, I must confess that at the last outing, I stood in diabolical opposition to this Bill because of the age factor. I considered the bill was unworkable. I worked against it and



I spoke against it, but Mr. Speaker, I believe that there's hope for everyone. I have conducted an exhaustive search in this particular matter. I have searched my conscience I have searched the law and I find that this Bill is, in fact, a very reasonable Bill. It's one that will encourage young people to participate in our society, to become a part of it and not aleinate from it. And to those cynical critics who ask, why should I change my position, I could only say that as of this time, all prior statements are inoperative, and I know stand in support of the Bill."

Hon. W. Robert Blair: "Gentleman from Will, Mr. Ah.... Mr. Leinenweber."

Leinenweber: "Thank you, Mr. Speaker, Members of the House, I'd like to add my two cents to this fine Bill. I have a library user at the Joliet Public Library, which has an entirely over 21 book selection committee on their Board. The books they select are very poor. They always have about ten copies of the books I don't like and one copy of the book I do like. I think this will breathe life into our Library Boards and I encourage everybody to vote for it."

Hon. W. Robert Blair: "All right, the question is, shall this Bill pass? All those in favor will vote 'aye' and the opposed 'no'." Have all voted who wished? Gentleman from Cook, Mr. Harold Katz."

Katz: "Mr. Speaker, just briefly, explaining my vote. This does not guarantee the selection of a 15, 16 or 17 year



old person to sit on a Library Board. It leaves to the voters of that District that decision. It only says that if the voters of the district who are of legal age, decide that having a person a few years younger would be an asset to that library, that the voters of that district have the legal right to select such a person. It is an excellent Bill. It is one that in fact chose those who are of legal age, with the power to make the decision they believe to be intelligent and in the best interest of the library and that is why I vote for this excellent piece of legislation."

Hon. W. Robert Blair: "Gentleman from Lake, Mr. Murphy."

Murphy: "Mr. Speaker and Ladies and Gentlemen of the House, my good friend, Representative Roscoe Cunningham, came over to see me a while ago, and ah... asked for my support on this Bill, and I've been trying for about an hour to figure out something good to say about it, and I've decided that the paper that it was written on is good, the ink is good, and, but on the other hand, what Representative Harold Katz said, is also good. The People have to elect this 15 year old man and so if they want a 15 year old man or girl to serve on that Board, I think that should be their privilege and I am for lowering the age, the maturity age date being, so why not let them get started at 15. Roscoe, I think you have a good Bill and I urge a lot of green votes up there. Personally, I'm voting 'no'."

Hon. W. Robert Blair: "Gentleman from Lawrence, Mr. Cunningham."



Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House, someone has said that if Murphy's against it, it can't be all bad, but Murphy's going to switch there in a minute and get over on the green. Now I've been checking on the vote today, and I have been appalled to note that two out of every three bills we've voted on today has had a negative twist and ended in being defeated. And that's wrong. We need'nt assassinate each other, when these Bills, after they leave this House and get across the Rotunda, those of you who have noticed that they have a dismal meloncolly record there for being defeated and ended. Let's be kind to one another. Any of you that I have offended, why I apologize profusely and any of you that owe me votes for your Bills in the past, I want to publicly pledge to you now, that I will mark them paid in full. Just give me a green light here. Let's get this count up to 89. It will not be any particular blotch on your record. Believe me when I tell you that you'll be proud when you go back and talk to your constituents that you have expressed the confidence in the young people that are coming on, the fine examples of young people in your community. Let's switch it to green. We thank you."

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

Lundy: "Mr. Speaker, Ladies and Gentlemen of the House, I remind the Members that this Bill could be the bridge over the generation gap. And I urge the Members to cross over



the bridge and to vote green on this Bill, because remember many of the programs that these libraries run, are for the young people. And I think if a young person, 15, 16, 17 is responsible enough to run in an election and get himself elected, he deserves to be able to serve on the Board. I urge you to cross over the bridge and vote green on this."

Hon. W. Robert Blair: "The Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, Ladies and Gentlemen of the House, I regret to hear that someone thinks there is a generation gap, as long as we respect the right of each other to be heard. Number 2, when you have a Bill allowing a 15 year old to sit on School Boards and City Councils, fine, then I would support this Bill. But it isn't fair to those other young people. Therefore, I explain my vote as 'no', and as much as I dearly respect and love my colleague, I'm like Representative Murphy, 'no'."

Hon. W. Robert Blair: "Have all voted who wished? The Lady from Cook, Mrs Catania."

Catania: "Like Representative Murphy and Representative Cunningham, all the rest of you who really support the approach to equal rights, that we should do this bit by bit. You should all change your votes to green, because these are going to be both boys and girls that will be sitting on library boards, and Roscoe's voting 'yes' on the ERA next time."



Hon. W. Robert Blair: "The gentleman from Cook, Mr. Peters."  
Peters: "Mr. Speaker, Ladies and Gentlemen of the House, my concern in voting for this Bill is not necessarily because of my love and affection for the sponsor of this measure, but his daughter is a very capable, gracious, young lady and I'm sure it would be a great gift for her Father to bring her passage on this Bill as a gift to her. That's the reason I'm voting for this. I think Roscoe knows that the Senate is going to view this a little bit differently. It will not view it with the same kind of affection for the Sponsor that we view in this Bill and I would urge those of you who would not be voting on this to add those extra seven or eight votes or whatever it is we need so that Roscoe can bring this gift to his daughter."

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

Mann: "Well, Mr. Speaker, Members of the House, I'm voting green because Roscoe promised in return to come in and campaign for my opponent in the next election, but seriously, ah..... Ladies and Gentlemen, I really don't think that ah... we adults can be too smug about the way we run things at all times and I see nothing wrong with ah... allowing a 15 year old to participate at the Library Board level, especially in view of the fact that so many books in our libraries are books that are for young people, and what are we afraid of here. Why not try it. I think it's a good Bill, Roscoe, and I'd like to see you have more green



lights up there."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the Record. On this question, there are 68 'ayes', 75 'nays' and this Bill, having failed to receive a Constitutional Majority, is hereby declared lost. Gentleman from Lake, Mr. Murphy."

Murphy: "Mr. Speaker, now that my vote won't change the roll, will you change.... can I get leave to change my vote from green to red, please?"

Hon. W. Robert Blair: "All right, yes, that's all right. No objection to it. All right, resolutions."

F. B. Selcke: "House Resolution 235. Thompson et al. House Joint Resolution 34. Emil Jones. House Joint Resolution 35. Blair et al."

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

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'd just like to take a moment to introduce in the rear balcony, Mr. Jack Cubic, Jr. and his lovely wife. Mr. Cubic is the publisher of Life Publications in southwest suburban Cook County and DuPage County."

Hon. W. Robert Blair: "Gentleman from Perry, Mr. Dunn."

Dunn: "Mr. Speaker, fellow representatives, I'd like to introduce some people in the gallery on the west side, most of them. They're wearing straw hats that say huscle. I think that's an admonition to this Members of the General Assembly. We should huscle once in a while. Huscle stands for 'Help Us Save the Land and Environment. They are



in opposition to the St. Louis Metropolitan Airport. I would like to give them a hand."

Hon. W. Robert Blair: "All right, gentleman from Cook, Mr. William Walsh."

Walsh: "Well, Mr. Speaker, there are some announcements to make with respect to Committee Meetings, and I use the term loosely, but the 2:00 Industrial Affairs Committee noted on the Calendar is in error. That is the second committee today, and it's scheduled for 4:00 instead of 2:00 and it will meet in Room M-5 instead of M-4 as indicated. The Counties and Townships Committee will meet in Room M-4 and that is the early committee, not the later one as it is posted. So that's scheduled for two o'clock. In addition to that, the ah... Insurance Committee will meet in Room C-1 immediately after adjournment and the Human Resources Committee will meet following the Insurance Committee meeting and I understand the Insurance Committee meeting will be very short. Fifteen minutes, the Chairman tells me."

Hon. W. Robert Blair: "Gentleman from Grundy, Mr. Washburn."

Washburn: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. The House Appropriations Committee will meet on the House Floor immediately after adjournment."

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

Rose: "Judiciary I Committee will meet in Room D-1 fifteen minutes after adjournment."





Hon. W. Robert Blair: "Further announcements? Gentleman from Knox, Mr. McMaster."

McMaster: "Mr. Speaker and Ladies and Gentlemen of the House, I want to point out to all of the Members of the Counties and Townships Committees, that this is going to continue as a change and this Committee will meet at two o'clock on Wednesdays in Room M-4 from now on for the rest of the session. It will be a 2:00 committee from now on."

Hon. W. Robert Blair: "Mr. Murphy."

Murphy: "Mr. Speaker, Representative Charles Fleck, as you know, is in the hospital with an operation, and he has a House Bill on Third Reading, House Bill 459, that has an expiration date of 4/27/73. Consequently, I would like to move that we suspend Rule 37C to allow an additional 30 days to keep House Bill 459 alive for Mr. Fleck."

Hon. W. Robert Blair: "All right, ah.... need 107 affirmative votes. All those in favor, vote 'aye', the opposed 'no'. Was that date certain on that, Mr. Murphy? Was there a date certain?"

Murphy: "I said 30 days, so 4/27 would make it 5/27."

Hon. W. Robert Blair: "All right, May 27 is the motion on House Bill 459. Mr. Fleck is recovering from hospitalization. Have all voted who wished? The Clerk will take the Record. On this question, there are 125 'ayes' and one 'nay' and the gentleman's motion prevails. The gentleman from Peoria, Mr. Tuerk."



Tuerk: "Mr. Speaker, Members of the House, the Industrial Affairs Committee will meet approximately at 5:15. There are some of us on that Committee who are also on Counties and Townships, but Representative McMaster informs me that it will probably be a 45 minute meeting, so I would say Industrial Affairs can meet in M-5 at 5:15."

Hon. W. Robert Blair: "All right, Senate Bills, First Reading."

F. B. Selcke: "Senate Bill 27. An Act relating to Soybean Marketing programs. First Reading of the Bill. Senate Bill 87. An Act relating to easements in Champaign County. First Reading of the Bill. Senate Bill 154. An Act re-districting legislative districts. First Reading of the Bill. Senate Bill 208. An Act to amend the unified code of corrections. First Reading of the Bill. Senate Bill 315. An appropriation to build a bridge between Pekin and Peoria. First Reading of the Bill."

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

Walsh: "Well, Mr. Speaker, two further announcements. The Rules Committee will meet tomorrow morning at 8:30 in Room 212 and the Speaker has asked me to announce for those of you who want to make plans for next week, that our plans are to come in at 5:00 O'clock Monday afternoon, April 30, next week and to work through Thursday at least, possibly Friday. Now, if there's no further announcements, I move the House adjourn until 9:30 tomorrow morning. Regular Session."



Hon. W. Robert Blair: "All right, the gentleman's motion is to adjourn until nine o'clock perfunct, 9:30 regular session. He also announced that we'll be coming into session on Monday at five PM. All in favor of the gentleman's motion to adjourn, say 'aye'. Opposed 'no' and the gentleman's motion carries.

