

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

FORTY-EIGHTH LEGISLATIVE DAY

MAY 3, 1973

10:00 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 Ben C. Blades - illness;

Representative Richard A. Carter - no reason given;

Representative Charles J. Fleck - illness;

Representative Peter C. Granata - illness;

Representative Robert H. Holloway - no reason given;

Representative James G. Krause - illness;

Representative Isaac R. Sims - no reason given.



W. Robert Blair: "The House will be in order and the prayer by Joe Cary."

Cary: "Let us pray. Be mindful O Lord of Thy servants departed who once served in this House and let perpetual light shine upon them. Amen."

W. Robert Blair: "Committee Reports."

Fred Selcke: "A...Mr. McEvoy from Banks and Savings and Loans to which House Bill 531 was referred reported same back with the recommendation the bill do pass and be re-referred to Appropriations. Mr. North from Cities and Villages to which House Bill 714 was referred reported same back with recommendation that the bill do not pass. Mr. North from Cities and Villages to which House Bill 736 was referred reported same back with Amendments thereto with recommendation that the amendments be adopted and the bills as amended do pass. Mr. North from Cities and Villages to which House Bill 803 and 881 were referred reported same back with recommendation that the bills do pass. Mr. North from Cities and Villages to which House Bill 972 was referred reported same back with recommendation that the bill do pass. Mr. Bluthardt from Elections to which House Bill 708 and 822 and 826 were referred reported same back with recommendation that the bills do pass. Mr. Bluthardt from Elections to which House Bill 908, and 1620 were referred reported same back with amendments thereto with recommendation that the amendments be adopted and the bills as amended do pass. Mr. Bluthardt from Elections



to which House Bill 619 was referred reported same back with recommendation that bills do pass and be re-referred to Appropriations. Mr. Soderstrom from Elementary and Secondary to which House Bills 685, 977, 1099, 1191 were referred reported same back with Amendments thereto with recommendation that the amendments be adopted and the bills as amended do pass. Mr. Soderstrom from Elementary and Secondary to which House Bills 784, 1092, and 1143 were referred reported same back with recommendation that the bills do pass. Mr. Soderstrom from Elementary and Secondary to which House Bill 1033 was referred reported same back with recommendation that the bill do pass. Mr. Duff from Judiciary 2 to which House Bill 814 was referred reported same back with recommendation that the bill do pass. Mr. Duff from Judiciary 2 to which House Bill 757, 889, and 900 were referred same back with amendments thereto with recommendation that the amendments be adopted and the bills as amended do pass. Mr. Wall from Registration and Regulation to which House Bill 778 and 1068 were referred reported same back with recommendation that the bills do pass. Mr. Wall from Registration and Regulation to which House Bill 824 was referred reported same back with recommendation that the bill do pass. Mr. Wall from Registration and Regulation to which House Bill 825 was referred reported same back with the recommendation that the bill do pass and be re-referred to Appropriations. Mr. Randolph from Revenue to which House Bill 728 and 818



were referred reported same back with recommendation that the bills do not pass. Mr. Randolph from Revenue to which House Bills 888, 994, and 1080 were referred reported same back with recommendation that the bills do pass. Mr. Randolph from Revenue to which House Bill 964 was referred reported same back with amendments thereto and the recommendation that the amendments be adopted and the bill do pass. Mr. Neff from Transportation to which House Bill 869, 996, and 1012 were referred reported same back with recommendation that the bills do pass and be placed in the order of Second Reading. Mr. Neff from Committee on Transportation to which House Bill 1063 was referred reported same back with recommendation that the bill do pass and be re-referred to Appropriations. Mr. Neff from Transportation to which House Bill 1680 was referred same back with amendments thereto with recommendation that the amendments be adopted and the bills as amended do pass. Mr. Tuerck from Industrial Affairs to which House Bill 1076 was referred reported same back with recommendation that the bill do not pass. Mr. Tuerck from Industrial Affairs to which House Bill 1072 and 1074 were referred reported same back with the recommendation that the bills do pass.

W. Robert Blair: "Are there messages from the Senate?"

Fred Selcke: "A message from the Senate by Mr. Ferandes, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed the



bills with the following title and the passage of which I am instructed to ask concurrence of the House. Senate Bills 198, 206, 209, 212, 220, and 221 passed the Senate May 2, 1973. Edward E. Fernandes, Secretary."

W. Robert Blair: "Introduction and First Reading."
Fred Selcke: "House Bill....where's 19? The last bill number

was 19....1917 was the last bill introduced. Gotta have 1918, maybe we can....no, no I didn't...we didn't read the bill yet."

W. Robert Blair: "I understand that Mr. Lehman is in the House, former member of the House of Representatives."
Fred Selcke: "How ya doin, Edward? House Bill 1919. Deavers.

Appropriate \$50,000 to the Illinois Recreation Council. First Reading of the Bill. House Bill 1920. Geo-Karis. Amends the Criminal Code. First Reading of the Bill.

House Bill 1921. Duester. Amends the Illinois Toll Highway Act. First Reading of the Bill. You know these bills that are coming in here, we can't take these unless they are Revenue, Appropriation or...1922. Schraeder. Amends the Illinois Nursing Act. From now on don't take any bills....a...."

W. Robert Blair: "DiPrima moves that the House recesses until 9:30.

W. Robert Blair: "The House will be in order. The invocation will be by Father Sullivan, Pastor of the Cathedral of the



Immaculate Conception, Springfield."

Sullivan: "Ask of all of us here present to take a few moments in prayer for Representative Ben Blades who last evening was taken ill and is now in Memorial Hospital. So let us pause for a moment to ask God to grant him good health. Mighty and eternal God You are the source of all true wisdom, dignity and dedicated work. We ask Your blessing on all of us here present in this House of Representatives. Just as You called leaders to lead and protect Your people in the prophets of old; give us, today, dedicated leaders in government who will serve Your people with justice and honor. Never may they be afraid to be open and honest to their elected responsibility and ever may they be present of Your presence in their work. Long may our land be bright with freedom and Holy light. Protect us by Your might for today we proclaim You are our great God and King. Amen."

W. Robert Blair: "Roll call for attendance."

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

Walsh: "Mr. Speaker, will the journal show that Representatives Granata, Fleck, and Blades are absent because of illness."

W. Robert Blair: "The journal will so indicate. Alright, House Bills Third Reading." House Bill 293."

Fred Selcke: "House Bill 293. An act limiting salary increase for State officers, members of the General Assembly and Judges. Third Reading of the Bill."



W. Robert Blair: "The Gentleman from Cook, Mr. Hoffman. The
Gentleman from Union, Mr. Choate."

Choate: "Mr. Speaker, would you please have the record to
indicate that Representative Krause is absent because of
illness."

W. Robert Blair: "The journal will so indicate. The Gentleman
from Cook, Mr. Ron Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House Bill 293 is an act limiting salary increases
for State officers, members of the General Assembly,
Judges. Limits increases to same percentages granted
State employees across the board, a cost of living increase.
Ever since I have been in this General Assembly, we have
had much criticism heaped upon us as a legislative body
for considering extraordinary increases, not only for
ourselves, but for the judiciary and department heads.
This bill seeks to place guidelines on it so that at no
time, this legislative body would consider extraordinary
increases, any one of these categories, without taking
into account what we are doing for the State employees.
I think for a long time the public has been aware that we
set our own rules down here, and at many times we seem to
fly in the face of public opinion. We realize that the
cost of living is going up, but we should also be aware
that the cost of living is going up for all of our
employees. State employees under the code or elected



officials. This bill, I think, would go a long way to create confidence in the public that we are cognisant of the fact that raises are justified, but appropriate raises, but not and extraordinary percentage. Consequently, I have introduced this legislation and I solicit your support."

W. Robert Blair: "Any further discussion? The Gentleman from Cook, Mr. Shea."

Shea: "Ron, would you explain? I...I don't follow it, just how you're attempting to do this?"

Hoffman: "Section 2 of this Act, the thrux of it would be to limit the same percentage as the total percentage of salary increase granted to State employees. If we grant through legislative action an increase of 3 1/2 or 4 or 5% across the board increase to the State employees, this would be the highest percent that legislative salaries could be increases or judicial salaries could be increased."

Shea: "In other words, you are asking us to tie our own hands?"

Hoffman: "That's correct."

Shea: "But what's the purpose of it...I...I don't follow it."

Hoffman: "The purpose actually is...."

Shea: "What you want to do as I understand, is by this action, tie the hands of future General Assemblies?"

Hoffman: "No, this Act seeks to present guide lines, which we, as the legislative body, would adhere to as far as increases for department heads, a...judiciary....employees under the



code, or legislators. When we are increasing is across the board...the cost of living increase of 3 1/2 or 4 per cent to the State employees, then we would be under the same percentage, we could not increase our salary or the judiciary in excess of."

Shea: "Let me read it again, maybe I'll be back in a second, if you don't mind."

W. Robert Blair: "Alright, in the meantime, in the back of the hall, is our former colleague and good friend, Representative Ed Lehman, a...standing back there. The Gentleman from Cook, Mr. Epton."

Epton: "Mr. Speaker, Ladies and Gentlemen of the House. It is with reluctance that I arise to oppose my good friend's bill. Especially, I should like to call to the House's attention that this certainly might have a conflict of interest, since I have a brother who is a sitting Judge; however, he recently received a raise and I doubt that in the near future we will again have that under discussion. So that I can, as a practicing attorney, and a member of the legislature, speak on a subject which I think, is perhaps being looked upon by the public, even, in the wrong light. The judges of this nation have perhaps been the greatest single force for stability that we have ever faced. I know it is a very popular thing today to rise and call down the wrath of the legislature and the people upon the judges, but the fact is, that they are bound



laws by the Constitution, and almost without exception, with rare exception, they do a very tremendous job. The news media takes delight in talking about the judge who is corrupt, the judge, who perhaps, has short hours, but there are thousands of judges, just like there are thousands of legislatures who spend hour after hour and day after day pondering over decisions, decisions which effect the lives of you and me and our neighbors. The fact is that to bind our hands, to tie a situation to the cost of living as far as judicial increases really is folly. Judges have a certain, and rightfully so, a certain exhalted position in our society. Its unfortunate but when a judge abused it and brings discredit when a lawyer abuses his trust, he brings discredit upon the entire profession. A bill like this, however, is not in the best interest of the people, even if the people were to believe it so. I submit that this legislature is responsive to the people. Whenever we allow a judge's judicial increase, we answer to the people shortly thereafter. I think in our great wisdom, we can determine what district, what judges, what classification should be reimbursed. I think it would be in error to originally tie the hands of this legislature and others and I respectfully urge you to vote against this pending bill."

W. Robert Blair: "Any further discussion? The Gentleman from Cook, Mr. Shea."



Shea: "Ron, after reading this, let's take the judges. Before this last salary increase the Supreme Court judges were receiving about \$42,500 and that had been since 1969. If I'm to understand this legislation, there were at least four 5.5 increases or 5% increases for members of the State employees, plus I think there was 1 or 2 incentive pay boost so that the pay per State employees went up some 30% in this period of time. Now does that mean that the limitation for a Supreme Court judge would have been \$12,000, about 30% of \$40,000?"

Hoffman: "That is correct. As it reads, its the total percentage."

Shea: "Well, you know what you do to members of this Assembly if somebody could say to you that the most money that you could get increased would be \$12,000, there would be the strongest pressure upon members of this body to raise salaries \$12,000 and you could....they...they'd be saying 'look, you passed the laws saying that you could give us a \$12,000 raise, why aren't you doing it?'"

Hoffman: "I disagree, Representative, inasmuch as the guide lines make us cognisant of what we are doing for the State employees that we are responsible for. And I would like to elude to the remarks that Representative Epton has made I do not seek to indicate in this legislation or the debate that the judges are not deserving for the functions that they perform, of increases. However, what we seek to



do is put a bit of rationality in here and make the percent of increase that we consider for ourselves or the judiciary within the realm of common sense, by considering the State employees before we consider ourselves or the judiciary.

I don't think this legislation is unreasonable. I think it is a step in the right direction. I think public confidence demands that we do something to limit some of the extraordinary increases that we have confronted ourselves and the public with in the past few years and I again, would elude to the fact that the percentages that we are considering even based upon what you have indicated to us are not unreasonable, and I do not think that they would institute pressure upon us to raise them to these maximums."

W. Robert Blair: "Alright, Mr. B. B. Wolfe?"

Wolfe: "Will the Speaker...with the sponsor for a question, Mr. Speaker?"

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

Wolfe: "A...common sense is, and should be the guide lines for a good law maker and legislature, so let's look at your bill a minute, Ron. Judges are elected every six years, right?"

Hoffman: "Right."

Wolfe: "Supreme Court justices every ten years. Now you are going to give them a standard, and I don't know whether the law, I know with reference to any State official, you can't raise their salaries or decrease their salaries



during their term of office, right?"

Hoffman: "Correct."

Wolfe: "Now what are you going to do with a four-year man that is involved with a cost of living increase in 1973 and 1974, you are going to wait until the end of this term and then apply this standard of rule to determine how much money he should be getting? And then are you going to give him that money, or are you still going to use the standard of the value or the compensation that that office should draw?"

Hoffman: "First, you are starting with the premise, Representative, that all judiciary, or all legislators are underpaid. I disagree with that concept. One of the things that I have always felt very strongly, in that certain areas of the judiciary were underpaid and I think in the last few sessions, we have brought them up to parity. I think the legislative body, contrary to the recommendations received, is adequately paid, and consequently, this...the a...point that you are eluding to only indicates to me that you feel that everyone of these areas is underpaid and should be a...a...prepared to consider extraordinary raises within their individual terms."

Wolfe: "No...no, I didn't say that. That wasn't my question. My question was, what do you do at the end of a term.... what do you do at the end of a term based upon the cost of living increases and so forth that we have been faced



with and where no cost of living increase was given to that officer, are you going to pick up the 4, 6, or 8 or 10 years all in one year? And have them....they can't get the benefits....a State employee, you can increase each year so that he can meet his cost of living expenses, but under the Constitution, you can't do that with an elected officer. And I don't care whether it is General Assembly, or State office, now how do you get rid of that discriminatory aspect of the law?"

Hoffman: "It is no more discriminatory to consider increases for us all every session or in many cases as past history is held, and salary has not been increased for legislative offices. It is at the discretion of the legislative body whether a salary increase would be put forth at that time. If the judiciary feels that the salary should be increased an appropriate piece of legislation will be introduced as it always has been."

Wolfe: "Yeh, but now you are only talking about one segment and as I see the digest, your bill doesn't apply to all State officers and members of the General Assembly and judges, or does this just apply to judges?"

Hoffman: "The bill indicates all elected ... all elected officials including State officers and judiciary."

Wolfe: "Alright, Ron, when you can answer the question how we get rid of discriminatory aspect of this bill because of the State Constitution and because of the election



of officials on 2, 4, 6, and 10 year periods, then I think you might have quote...a common sense type of bill."

Hoffman: "I disagree, Representative, I see nothing discriminatory in this inasmuch as when a Gentleman, whether in this House or any other aspect runs for the office, he knows the term of that office, he knows the length of that office, and he knows the compensation that exists at that time."

Wolfe: "Ron, we are not talking about that. We are talking about your bill which provides for a cost of living increase. Now either it provides for it or it does not. And if it does not, it is discriminatory."

Hoffman: "This does not provide anymore than what exists for us now, a general across the board cost of living increase. Increases in salary for the legislative body has to be done by legislation. All this does is institute guide lines that it cannot exceed that percent given to State employees."

W. Robert Blair: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, will the Gentleman yield for a question? I presume he will. Could the sponsor tell me what this is limited to State officials and does not include county officials?"

Hoffman: "If I heard the question, Representative Skinner, in reference to county officials?"

SKinner: "Yes."

Hoffman: "The original impotuse behind this was that the



legislative body and the judiciary was under extreme criticism at the time and consequently, this is why the bill was put in and worded as such. I had not, to my knowledge, and even today, had too much emphasis put on county officials being put in the same category."

Skinner: "Well, I would suggest that when I took office as Treasurer in 1966, my salary was 25% higher than my predecessor's salary, and when my successor took office in 1970, her salary was 60% higher than my salary was. And it seems to me that the legislation, if it is needed, is not needed just for state officials, it is needed for every public official in the State of Illinois. I think that they ought to be treated equally before the law."

Hoffman: "I would agree with you Representative Skinner, and I would be more than happy to co-sponsor a bill of that type."

W. Robert Blair: "The Gentleman from Cook. Mr. Jake Wolfe."

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

W. Robert Blair: "All those in favor say aye. Opposed, no. The ayes have it. The Gentleman from Cook, Mr. Ron Hoffman, to close."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of this House. Since I have been down here, we have had much criticism through the media, back in the district, for anticipated pay raises. Now everyone of us knows, and the people who criticizes us know, that the cost of living is going up. I'm not saying with this piece of legislation



that we are not to take into consideration those who do a good...fine job and deserve additional compensation to cover the cost of living. I'm not saying the judiciary does not deserve adequate compensation. What I am saying is a common sense approach that we need guide lines to consider these things and to also consider the State employee at the lower end of the pay level who also have bills to pay. I don't think the provisions in this act are unreasonable. I think they are good guide lines and something that everyone of us can go back to the district and say we have taken our own House into order, we have instituted guide lines, we are aware of the problems of the State and of its financial status, and we are going to hold the line on this compensation, and I solicit your support."

W. Robert Blair: "The question is shall House Bill 293 pass. All those in favor will vote aye and the opposed no. Have all voted who wished? The Gentleman from Cook, Mr. Cunningham."

Cunningham: "From Lawrence, Mr. Speaker. Mr. Speaker, and Members of the House, it is disappointing that this inspired fair minded bill gets a few green lights. It is deserving of the green vote of everyone of you here. It is rather enlightening to observe that out of the 60 lawyers in this room, so many of them have a deep and abiding concern for the legal fraternity. Don't worry about the lawyers, don't worry about the judges, they are



sacred cows. At the present time, they are enriched, they are honored, and they are sealed into office for a life-time tenure. We need to hear the voice of our constituents and put a very fair and reasonable provision on the statute book. We have one of the distinguished Representatives from Chicago say we might not get a chance to vote for another pay raise. For his information, there is a bill over in the Senate right now, S. B. 920, that gives the judges 25% pay raise, Representative Epton, and what could be fairer than limiting these people to the same standard of pay raise as the other public servants. There is another bill over in the Senate coming this way that deserves your attention, and that is S.J.R. 26, it'll make it possible to restore the proposition that judges should run against live kicking opponents instead of being sealed into office under the present...yes-no vote. I urge each of you to vote yes on a very good idea. It is very fair and your constituents will appreciate your effort."

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

Epton: "Mr. Speaker, Ladies and Gentlemen of the House. I think I'd better give notice to this House right now that I have just about had it as far as the tax on the legal profession are concerned. I am a member of the legal profession. I am a proud member of a proud profession. And I resent any attorney or any individual getting up in this House and telling...explaining why we should or should



not do this or do that because of our status. Let me explain to you Gentleman, on March 8, and I want you all to listen carefully, because henceforth, this will be my procedure, and if you want to tie this House up until December, I'll do it. On March 8, when we talked about men and women on school boards, twelve men and women got up and spoke who are members of school boards and they spoke with great clarity and with great wisdom as to how we should vote on the school board bill. In the future, I suggest that they remain seated on the school board bill. On March 13, nine men got up and spoke who are farmers, and they talked about the problems of the farmers and what we should do and what we shouldn't do, and I listened with interest. On March 15, there were six men and wom....six men who spoke, who are involved in the liquor distribution field, and they spoke on a problem involving the 18 year olds and beer and wine. I won't even go into detail as to the number of men who are union representatives who speak with eloquence on union bills. As a lawyer, I will speak on every legal bill that I think effects the legal profession, and I do it without any shame, without any defense. The legal profession has long been a fine institution, and yet men and women came up here, and through their eloquence, suggested as otherwise, it is dastardly. As far as I am concerned, ladies and gentlemen, we will stick to the merits of a bill. We will vote it up or down



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

on that basis, or else we will stay here forever more discussion the personality. As an attorney, I will not be stilled on a bill which effects the legal profession or otherwise."

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

Maragos: "Mr. Speaker, in explaining my vote, beside echoing the remarks of the previous speaker, in my colleague, Bernie Epton, I would also like to say that on this bill the aptthe apt to vote right because it happens to be Polish Constitution Day today and the red are the color of the Poles."

W. Robert Blair: "Have all voted who wished? The Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House. Although, I am a member of the legal profession, I did not come to the legislature to practice law. And I agree with the prior speaker... Brother... Representative Epton. I think it is high time we consider what we offer to this General Assembly and not whether we are lawyers or whether we are farmers or anything else. In explaining my vote, I have to vote against this bill because I promised my constituents when I ran that I would not vote for any raise in office and this would constituent a raise if it was so decided if this bill had passed."

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

Hoffman: "To correct one of the misintrepretations stated by



the former speaker, it does not constitute in any way, shape, or form, a payraise. This constitutes guide lines to which pay raises can be considered. It does not consider any increase. The main emphasis on this is to create a legislative body that thinks beyond its own means. I do not mean to stand and chastize the judiciary and indicate that they are not adequately compensated. I feel that they should be adequately compensated and I believe that State employees should be considered in that same vain. Now I am asking here, and I hold no book, I'll take no copy of this roll call around the State, but I'm asking everyone of the members of this House to stop and think. We should be as well aware of the State employee doing the most meanial job as everyone of us sitting here or every judge that performs in this State. Now just to make one last comment, this vote, as one of the speakers indicated will go up or down on its own merits. At this point here, I feel in good conscience, I have served my constituency in attempting to put a commen sense guide line approach to any consideration for salaries within this State and based upon that, I solicit your support."

W. Robert Blair: "The Clerk will take the record. On this question there are 38 ayes and 74 nays, and this bill having failed to receive a constitutional majority is hereby declared passed. House Bill 301. Lost.:

Fred Selcke: "House Bill 301. An Act to amend the Illinois



Vehicle Code."

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

Shea: "You said that bill was lost?"

W. Robert Blair: "Having failed to receive the constitutional majority, House Bill 293 is hereby declared lost."

Fred Selcke: "A...Deavers.. A....Third Reading of the Bill."

W. Robert Blair: "The Gentleman from Henderson, Mr. Neff."

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

House Bill 301 clarifies the reclassification of registration from one class to another. Now this is something that the Department of...the Secretary of State has been doing. Just what we are going to do by legal... a...a...Mr. Howlett, the present Secretary of State has requested that this legislation for he feels he would like to have it down in the law than rather than doing by a departmental ruling. And what we are doing here is, this would prohibit a person who has a combination truck or car...a buying a truck license plates in the middle of the year and then a...six months later, reclassifying and putting it as a passenger car. This would a...for example, I see carryalls can be used as a truck and also as a passenger car. Many other vans and so forth that can either carry passengers or a...be listed as a small truck, this would prohibit them from switching their license plates in order to make a saving or a get a lower license plates



after the use of six months. And again I say this is the Secretary of State has been doing this for years and all we are asking here is to put it in a law form. Now this doesn't have anything to do with a....also a....farm truck plates....a bill that I sponsored in the House. They can not get a half a year license and this will continue that way and I am in favor of this because anybody that is able to buy a license plates cheaper than the regular price shouldn't be able to switch in the middle of the year. Also....a...Soil and Conservation, which again, get a special license....a permit...for hauling their machinery.....this a....will leave it the same as they have done in the past, but make it legal. Mr. Speaker, and Ladies and Gentlemen of the House, I'll be glad to answer any questions and I would appreciate a favorable vote. This, as I say, isn't changing anything, but what's been done for several years but it clarifies it into law."

W. Robert Blair: "The Gentlemen from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, will the sponsor yield to several questions?"

W. Robert Blair: "He says he does."

Kosinski: "A...Clarence, I don't understand legislation which is designed that we don't do something. Normally, legislation is that we do do something. Now if I read the synopsis of this correctly, it says that it provides that their be no reduction of the amount of registration



fees and taxes, which we are not doing now. I don't understand that approach to it."

Neff: "A...Representative, yes, we are not doing it not, but it is not in the law. Secretary of State, Mike Howlett, thought it should be in the law. They are doing it now.. the same thing...we are not chaning anything that we haven't been doing, but this would put it into the law where they would feel better about it and a..."

Kosinski: "Well, by your inference, Clarence, you are inferring that the Secretary of State is in violation of the law, presently, and I am confident he is not. And I still don't understand the idea of putting in a don't-do situation when we have been doing it, it just doesn't jell up legislatively in my mind."

Neff: "A...Representative, we do many things by departmental ruling. And...say...the former Secretary of State felt that there was no question that they could do it. Secretary of State, Mike Howlett, says he would like to have it put into law just what they have been doing and he would feel better about it and so that is the reason he asked for this legislation."

Kosinski: "Well, on that basis, this is an admission of guilt, in a sense, that we have been doing something incorrectly for some time, and I presume, we are open to suit by the people who made certain registration fees in the past. Would you say so?"



Neff: "I didn't hear you."

Kosinski: "I say that by putting this into law on a no-no basis, this is essentially an admission of guilt that we have been doing something incorrectly in the past and I would suspect we would be open to suit on certain charges we did or didn't make in the past."

Neff: "I wouldn't say that because say many of the departments issue out departmental rulings on certain things. The Agricultural Department, the Secretary of State and many others, but it is the prerogative of the man that's elected for that office, if he feels he's rather have it put into the law, why then there can be no question. I suppose there is a possibility of a lawsuit coming up that by them doing that as a departmental ruling could change this, and so he feels, and it is a matter of opinion, on this, but he feels it would be better to have what they're doing stated in the law."

Kosinski: "Do I understand you to say then that if we put this into law, you feel there is the possibility of law suits?"

Neff: "No, that...that's never the case. I would say there is less possibility of it. We can always have lawsuits, of course, and a..."

Kosinski: "Well, I'm not sure I'm clear, Clarence, but a... thank you for the explanation."

W. Robert Blair: "Alright, any further discussion? The



Gentleman from Knox, Mr. McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, I arise in support of this bill, the synopsis in the digest is a little bit confusing. It is not going to hurt the rural people in their special license status and I think it is a good bill and deserves the support of every member of the House."

W. Robert Blair: "Further discussion? The Gentleman from Henderson, Mr. Neff, to close."

Neff: "Mr. Speaker, on this legislation, I appreciate the questions that have been asked. Again, I want to emphasize we are not changing anything that hasn't been done by practice. All we are doing is putting into law. There is no reason why people that have a car or some type of truck should switch their license plates in the middle of the year in order to get a lower license plates. Also on the special plates, like the farm plates, and so forth, they should not be able to buy a license plates in the middle of the year, and this has been the practice ever since these laws have been put in effect and again, the Secretary of State requested this and I would appreciate a favorable vote."

W. Robert Blair: "The question is shall House Bill 301? All those in favor will vote aye, the opposed no. Have all voted who wished? The Clerk will take the record. Hart, aye. On this question there are 139 ayes, no nays, and this



bill having received the constitutional majority is hereby declared passed. House Bill 344."

Fred Selcke: "House Bill 344. A bill for an Act to amend the Municipal Code. Third Reading of the Bill."

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

Yourell: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 344 amends the Municipal Code to provide that if an individual on the eligibility list for a police or fire on the Board of Police and Fire Commissioners prior to his 35th or 36th anniversary of his birthday and if the birthday comes and goes while he's still on that list, that he is eligible in spite of the age requirement until the list has been expired. That is all it does, it provides that a...a...that anniversary be noted and that he is still eligible providing that he takes all the examinations and passes the test prior to those anniversary dates and that after that time, he becomes overaged, he is still an eligible member of the list until the list expires. I solicit your support."

W. Robert Blair: "Discussion?" The question is shall this bill pass? All those in favor vote aye, the opposed no. Have all voted who wished? The Clerk will take the record. On this question there are 130 ayes, no nays, and this bill having received the constitutional majority is hereby declared passed. House Bill 345."

Fred Selcke: "House Bill 345. A bill for an Act to amend the



Municipal Code. Third Reading of the Bill."

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

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this bill deals with the a....and is a product with the thinking of the Association of Police and Fire Board in the State of Illinois. It provides that it is the public policy of the State so that the division of the Article of the Code is applicable to all municipalities in the State including home rule municipalities. What it does in the Constitution and Section 6, Article G, it says that the General Assembly by law, approve by a 3/5's of the members elected to each House, may deny or limit the power to tax and any other power or function of the home rule unit not exercised to perform by the State other than the power of function specified in Section 1 of the Section. So all this does is say that if the any a... home rule power or any power exercised by the State can be given to a home rule unit, but it cannot be taken away unless by a 3/5's vote of both Houses."

W. Robert Blair: "Discussion? The question is shall this bill pass? All those in favor will vote aye and the opposed no. Have all voted who wished? The Clerk will take the record. Borchers, aye. Huskey, aye. Alright, now I'm trying to get 54 bills called today, so those of you who are not listening and not getting on this roll call, when we take it, you'll have to come up here and give your names



to the Clerk. On this question there were 97 ayes and 5 nays, plus whatever the additions are, and this...for what purpose does the Gentleman from Cook, Mr. Yourell, rise?"

Yourell: "Yes, I'm sorry to take the time of the House, but I think some of the members who are not voting do not realize that this takes 107 votes. I think that is correct, is it not?"

W. Robert Blair: "Alright, this bill does require 107 votes. I suggest we dump the roll call and do it again. Did you dump it. Well, dump it. Alright, the switches are opened back up. The question is shall this bill pass? All those in favor will vote aye, the opposed no. This does required 107 votes as indicated by the sponsor. Now have all voted who wished? The Clerk will take the record. On this question there are 127 ayes, 5 nays, and this bill having received the constitutional 3/5's vote is hereby declared passed. House Bill 362."

Fred Selcke: "House Bill 362. A Act to provide a law in relation to mechanics' leans, Third Reading of the Bill."

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

Hill: "Mr. Speaker, and Ladies and Gentlemen of the House. I'm trying to correct a problem that I have run into up in my district during the last campaign in regard to leans, and this particular bill, House Bill 362, has been amended and I certainly agreed with the amendment and what it



provides for that where a mechanics' lien is filed, that when the lien is paid off a letter of that fact will go to the individual and in bold letters on that letter, it will say that he should file this with the County Clerk, and that's all this particular piece of legislation does and I'd appreciate your vote."

Murphy: "Any further discussion? Roll...a....all in favor signify by saying aye, those opposed, no. Have all voted who wished? The Clerk to take the record. On this question there is 138 ayes and no nays and the bill having received the constitutional majority is hereby declared passed."

Fred Selcke: "House Bill 363. A bill for an Act to amend an Act relating to mortgages of public utilities. Third Reading of the Bill."

Murphy: "The Representative from Kane, Representative Hill."

Hill: "Mr. Speaker, and Ladies and Gentlemen of the House, this particular piece of legislation is dealing with real property and also in the field of liens and the person that holds a lien, and I have been lead to believe that many of the savings and loans in the State of Illinois already do this, but the release of the lien by the person that holds that lien would have to be released through the County Clerk's Office, and I'd appreciate your support."

Murphy: "Is there any further discussion? If not,



the question is shall this bill pass? All in favor signify by voting aye, those opposed vote no. Have all voted who wished? The Clerk will take the record."

Barry, aye. On this questions there are 128 ayes, 2 nays, the bill having received the consitutional majority is hereby declared passed."

Fred Selcke: "House Bill 389. Georgi. An Act relating to the election of county board members. Third Reading of the Bill."

Murphy: The Gentleman from Winnebago, Representative Georgi."

Georgi: "Mr. Speaker, House Bill 389 does just what the synopsis says it does. It provides for the nomination and election of the members of the county board in our regular March primary and in the November election and it repeals the caucus system for counties that have township government. And I urge your support."

Murphy: "Is there any further discussion? The question is shall this bill pass? Have all voted who wished? The Clerk will take the record. On this question there are 110 ayes and 10 nos, was it? "

Fred Selcke: "119 ayes."

Murphy: "119 ayes and 10 nays. The bill having received the constitutional majority is hereby declared passed." House Bill 389. The next bill is House Bill 389."

Fred Selcke: "No, that is the one we just did, House Bill 402."



Murphy: "House Bill 402, I'm sorry."

Fred Selcke: "House Bill 402. B. B. Wolfe. An Act relating to child custody. Third Reading of the Bill."

Wolfe: "Thank you Mr. Speaker. House Bill 402 is the Uniform Child Custody Jurisdiction Act. Now there's a growing public concern over the fact that thousands of children are shifted from State to State and from one family to another every year while their parents or other persons battle over their custody in the courts of the several States, and I think one of the pointed cases that recently was the Johnny Lindquist case, and it is my intention that if this had been the law, last session, that case would never had occurred. The unfortunate state of affairs has been aided and facilitated rather than discouraged by the law. There is no statutory law in this area and the judicial law is so unsettled that it seems to offer nothing but a quicksand foundation to stand on. Now House Bill 402 would correct this situation would provide guide lines and uniform, would guaranty in the best interests of the child of custody proceedings particularly, the act is not a reciprocal law and I will repeat this for the lawyers in the House, the Act is not a reciprocal law. It can be put into full operation by each individual State regardless of the enactment of the other States, and I would respectfully ask your support of House Bill 402."

Murphy: "Is there any further discussion? If not,



the question is shall this bill pass? All in favor signify by voting aye, those opposed, vote no. Have all voted who wished? The Clerk will take the record. Brandt, aye. Geo-Karis, aye. On this question there are 151 ayes, no nays, the bill having received the constitutional majority is hereby declared passed."

Fred Selcke: "House Bill 414. A bill for an Act to amend the Income Tax Act. Third Reading of the Bill."

Murphy: "The Gentleman from Winnebago, Representative Simms."

Simms: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 414 makes exclusion for prisoners of war for the income tax responsibility during their periods of imprisonment. Also makes exclusion applicable to civilian governmental employees who was a prisoner of war during his period of imprisonment. I would respectfully solicit a favorable vote."

Murphy: "Is there any further discussion? The Gentleman from Cook, Representative Harold Katz."

Katz: "Will the Gentleman yield to a question?"

Murphy: "He indicates he will."

Katz: "Does this result in a different treatment under the Illinois Income Tax Act than is true under the Federal Income Tax Act."

Simms: "No it doesn't, Representative Katz. Back in 1971 Illinois enacted a....1970, enacted a provision exempting



the prisoners of war from their income tax responsibility. However, at that time, they neglected to pick up that six months in 1969, that also makes it applicable. It also extends the civilian employees, the Congress of the United States has passed similar legislation exempting P.O.W.'s from their federal income tax responsibility during their period of imprisonment."

Murphy: "Is there any further discussion? If not, the question is shall this bill pass? All in favor signify by voting aye, the opposed vote no. Have all voted who wished? The Clerk will take the record. On this question there are 139 ayes, and one nay. The bill having received the constitutional majority is hereby declared passed."

Fred Selcke: "House Bill 419. An Act in relation to work study program for highschool students living in areas of high unemployment. Third Reading of the Bill."

Taylor: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 419 creates a work study program for highschool students, living in school district, subdistrict within a school district where unemployment is 5% or more. This Bill has passed before the House before. It was passed and was stopped in the Appropriations Commission in the Senate, and at this time, the companion bill to this Bill, the main portion of the Bill is in Bill 418, which is still in the Committee here. I have no objection to this portion of the Bill. Therefore, I urge your support, solicit your



support for this particular measure."

Murphy: "Any further discussion? Gentleman from Cook, Representative Juckett."

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

Murphy: "He indicates he will. Proceed."

Juckett: "What's the status of the appropriation bill for this Bill?"

Taylor: "Eight million dollars."

Juckett: "Has that cleared appropriations?"

Taylor: "No, it has not."

Juckett: "If we were to pass this Bill, would we be obligating the State if we didn't ah.... pass the appropriation bill too?"

Taylor: "If we passed this Bill, I would hope that we would pass it, but you don't have no obligation to pass 418. I would hope that you would pass it, but this particular bill here because of the 30 day ruling, helped to move the date. Therefore, that's why it's been called today."

Murphy: "Any further discussion? Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, I just have one question, and I'm wondering if the Sponsor would yield?" Is the eight million dollars in the Governor's budget?"

Taylor: "No, it's not."

Murphy: "Is there any further discussion? If not, the question is shall this Bill pass. All in favor signify by voting 'aye'. Those opposed vote 'nay'. Have all voted who



wished? The Clerk will take the Record. On this question, there are 101 'ayes' and 7 'nays' and the Bill, having received a Constitutional Majority is hereby declared passed. House Bill 431."

Selcke: "House Bill 431. DiPrima. An Act to amend Viet Nam Veterans Compensation. Third Reading of the Bill."

Murphy: "Gentleman from Cook, Representative DiPrima."

DiPrima: "Mr. Speaker, Ladies and Gentlemen, all this Bill does is just extends the Viet Nam Bonus Act from July 1, 1973 to July 1, 1975. What this Bill does is it gives any veteran that has served in Viet Nam \$100 compensation and survivors of anyone killed out there gets a thousand dollars, their survivors. I would appreciate a favorable vote."

Murphy: "Is there any further discussion? If not, the question is shall this Bill pass? All in favor, signify by voting aye, those opposed vote 'nay'. Have all voted who wished? The Clerk will take the Record. Dyer 'aye'. On this question, there's 148 'ayes' and 7 'nays' and the Bill having received a Constitutional Majority is hereby declared passed. Representative Kent 'aye'. Representative Choate 'aye'."

Selcke: "House Bill 434. Williams. Bill for an Act to amend the Election Code. Third Reading of the Bill."

Murphy: "Mr. Williams."

Williams: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 434 amends the Election Code by eliminating the



population requirement of 500,000 and making uniform now throughout the State that the County Board or Board of Election Commissioners in any City or Village or incorporated town would request the proper agency of local government that they shall, unless the use is impossible, utilize the schools and all public buildings as voting places without charge. This Bill would allow in most places in our State a convenient location to encourage everyone to exercise their franchise to vote. This Bill passed out of the Election Committee, as amended, with 11 'ayes' and no 'nays' and I respectfully solicit your support in the passage of this legislation."

Murphy: "Is there any further discussion? If not, the question is shall this Bill pass. All those in favor signify by voting 'aye'. Those opposed, vote 'no'. Have all voted who wished. The Clerk will take the Record. Collins 'aye'. On this question, there are 147 'ayes' and no 'nays' and this Bill, having received the Constitutional Majority, is hereby declared passed. Geo-Karis 'aye'."

Selcke: "House Bill 443. David Jones. Bill for an Act to amend the Income Tax Act. Third Reading of the Bill."

Murphy: "Gentleman from Sangamon, Representative Jones."

Jones: "Mr. Speaker, Ladies and Gentlemen of the House, I ask leave to Table 443. It is in substance the same as 414 and in the Committee, Representative Simms and I agreed to be joint sponsors of 414."



Murphy: "Gentleman has moved to Table. Do we have leave for that motion? The Bill will be so reported."

Selcke: "House Bill 460. Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Murphy: "Representative McMaster."

McMaster: "Ladies and Gentlemen of the House, ah.... House Bill Mr. Speaker, Ladies and Gentlemen of the House, pardon me."

Murphy: "Thank you."

McMaster: "House Bill 460 is the Bill that would allow counties to recover the cost of collection and extending taxes for various taxing districts. I urge your favorable support."

Murphy: "Is there any further discussion? If not, the question is..... Oh, Representative from Cook, Representative Jerry Shea."

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

McMaster: "Certainly will."

Shea: "Now, would you explain the formula of how we're going to levy the taxes?"

McMaster: "I don't quite follow you."

Shea: "You're allowing the County Board to impose a fee or service charge on units of local government. Is that correct?"

McMaster: "Right."

Shea: "All right, now how are they going to do this and for what can they do it?"



McMaster: "You mean, how is the County Board going to do it?"

The County Board, of course, would, is required to determine the exact cost of collecting, disbursing and extending taxes. We have not made a definite formula for them, because there are some very many different situations in various size counties throughout the State, Jerry. We are leaving this responsibility up to the local county board and ah.... it's up to them, it's their duty to be able to defend the formula they have used. "

Shea: "All right, now, before the County use to charge a 3% service fee. Let's assume we'll take a local school district that imposes a million dollars in taxes. Three percent of that would be \$30,000, would it not?"

McMaster: "Yes."

Shea: "O'kay, now, if say the formula works out to 2%, that's \$20,000, the unit of local government is working against a peg levy and in fact, if Mr. McCormick's freeze bill will pass, they'd be working on a frozen dollar amount. Then this would further reduce the amount that they've got for educational purpose. Is that right?"

McMaster: "Let me point out, Mr. Shea, that as you recall, previously the Treasurer's collector fee was 3%. The County Clerk had an extension fee which was approximately 2%. Therefore, every taxing body, including School Districts, got an automatic 5% increase in spendable money without any increase in their tax rate. I don't believe any of them lowered their levy in accordance with the 5%



increase of spendable money."

Shea: "I'm sure none of them, I'm sure not one district in the State lowered it, but my question to you, then, would be they are now living within that dollar amount. Would.... you know, do you have any idea what, say in your county, this would run?"

McMaster: "I do know this, that the Collector's fee in my county, Jerry, formerly was approximately \$350,000 over the whole county, and of course, this is money that the County Board has lost. The County Board is at their maximum rate limitation presently, as far as levying money to accomplish county business and therefore, they have no means of ah... going any further in their levy to provide funds for various services the county board provides."

Shea: "Thank you."

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

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, will the Sponsor yield to a question?"

Murphy: "He indicates he will."

Geo-Karis: "Tom, will you tell me how this Bill differentiates from your House Bill 516? That provides that the County Boards shall be authorized to levy annually a tax of not to exceed .1% to pay for the cost of extending and collecting taxes in the counties."

McMaster: "Representative Geo-Karis, that Bill has been put on the interim study calendar."



Geo-Karis: "Oh. Thank you."

Murphy: "Representative from McHenry, Representative Hanahan."

Hanahan: "Parliamentary inquiry, Mr. Speaker. This Bill if enacted into law would allow a county to charge a home rule unit a service charge of some form. I feel that the local homerule unit is allowable a certain amount of tax. If a county board or a county treasurer or anyone under this Bill were allowed to charge a specific amount of money placed against a levy of a homerule unit, wouldn't this in effect be pre-empting the homerule unit's rights?"

Murphy: "The Chair rules that this is not requiring a 107 vote. It only needs 89 votes."

Hanahan: "I can't hear you, Sir."

Murphy: "The Chair rules it only needs 89 votes. It is not affecting homerule."

Hanahan: "In other words, if a county charges a homerule unit, like Highland Park, Illinois, if the County of Lake is charging Highland Park, Illinois a fee, and that is a homerule unit, that is not pre-empting the powers of that local homerule unit? You're saying to me, Sir, that their full tax levy is not their right, and not the right of the county?"

Murphy: "Representative Hanahan, this Bill is charging a fee, and ah... under Section A of the Constitution, ah... on a fee charge, it says it is not applicable. It still only takes 89 votes, and that is the ruling of the Chair."



Hanahan: "Then I would like to speak to the Bill. But I'm sure, that, you know, in the effort of the Chief Sponsor trying to pass this Bill, that if he passes the Bill without the necessary 107 votes, and there is a court suit pending, I'm sure that the debate that is going to go on the question and the ruling of the Chair will be entered into a court adjudication. So I suggest to him that he should clarify this very emphatically before we go further with it, but in case he wants to pass it, I would like to suggest that this is a bad bill. All it does is take away from not only municipalities but it takes away from your school districts, a certain amount of tax levy that was granted to them by local school districts, local municipal district, voters in referendums, their full tax levy that is guaranteed them under what they requested from their constituents. If the county board needs more money, let them go to the People by referendum for an increase in their tax money. Let's not go around the corner and ask for a service charge be placed on our cemetery districts, our sanitary districts, our library districts, our municipal corporation tax levies, our school districts, our junior college districts, all of which needs their money. All this bill does is tax a taxing body for service that must be performed. I suggest that it's a bad bill and in view of the fact that there are some questions on the home-rule exemption, that the sponsor would be better off not



to pass a bill with less than 107 votes and I urge the defeat of this bad bill."

Murphy: "Representative from Kane, Representative Hill."

Hill: "Mr. Speaker and Ladies and Gentlemen of the House, we're again confronted with a piece of legislation that is going to give many thousands of dollars to county governments throughout the State of Illinois, taking it away from the school districts and every other taxing body in that particular county. Now I readily realize that...."

Murphy: "Excuse me, Representative Hill. The noise level in here is absolutely terrible, so let's have some quiet, please."

Hill: "I readily realize that to the State of Illinois, millions of dollars have been lost to County governments because of the new constitution and because of court suits that have transpired since, particularly in Kane County, where they did try to invoke a fee for the collection of taxes, and of course, the Courts say this is unconstitutional. I'd like to suggest to the sponsor and I think this Bill is certainly way ahead of its time, ah.... Representative Geo-Karis was questioning a Bill on 1%, and it was said by the Sponsor of this piece of legislation that it was sent to a committee to study the overall complex situation that exists in this particular field. It seems to me that the sponsor then would wait and see what came out of this study and then possibly we could come to a conclusion. I



am just a little reluctant to give the Counties heart blank right to charge the amount that they think should be charged. It's my belief that there would be entirely too many monies taken away from the School Districts and other taxing bodies, so consequently, I would ask you to vote in opposition to this Bill at this time and wait for the study commission to come in with their recommendation. Thank you."

Murphy: "The Representative from ah.... Cook, Representative Juckett."

Juckett: "Mr. Speaker, will the Sponsor yield for a question?"

Murphy: "He indicates he will."

Juckett: "Is there any limitation as to the expenses which would be incurred by the collection unit?"

McMaster: "I don't follow your question, Representative Juckett."

Juckett: "Are there any fiscal controls in this Bill which would prevent, say a County when it would normally take ten employees to collect all the taxes? Is there any fiscal control to prevent that county from hiring a hundred employees to collect the same amount of taxes?"

McMaster: "Well, I think this would be a very odd situation, Representative Juckett. I think that the Counties must live within their expense and certainly ah.... this money would go in their General Fund. I cannot see the idea of ah.... a county government hiring an excessive amount



of employees, which would be very unreasonable in my estimation."

Juckett: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think the Sponsor's answer was very definitely a great big fat no. This Bill had absolutely no fiscal control whatsoever. Mr. Speaker, it's sort of hard to even hear one think."

Murphy: "We've got to have some quiet in this House. We have a lot of Bills that must be passed today and please, can we have your cooperation? And keep the noise level down."

Juckett: "Well, Mr. Speaker, there is no fiscal control in this Bill. There is no prohibition against any county from hiring any number of employees regardless of their effectiveness, regardless of their ability to collect taxes. What this would permit would be a raid by the counties, on the treasuries, of the local governmental units. Now you and I have all seen the Bills where the County Boards have asked us to raise the minimums for their salaries because they don't have the guts or they fear the taxpayers in their local areas in raising their own salaries. They come down to us and they say 'raise our minimum so that we can then go to our people and say it is'nt our fault the General Assembly has mandated us to raise our own salaries'. Here again, they're coming to us and they are saying 'give us the permission to put a service fee'. They won't even call it a tax, they call it a service fee, so that we in our proper function of



government will not have to dip into our treasury but we will dip into the treasury of the local government units. Now I might give you some advice as far as Cook County is concerned. Of course, we had the case which eliminated the township collector and in the township of Niles, from our county collector's own records, it now costs the taxpayers of Niles township more than five times what it costs township collectors to collect the same amount of taxes. Now, Ladies and Gentlemen, if it costs us in Niles Township five times as much, you better bet your bottom dollar, that it's going to cost you up to five times as much or maybe more to collect your taxes. And it's going to come out of your pocket. There's no fiscal control and this is a very, very bad bill and I join with the rest of my colleagues who have called for the defeat of it, let's put it to rest and let's have them accept their responsibility."

Murphy: "Representative from St. Clair, Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Bill. The reason I do is because I hear people pleading for the school districts and the park districts with the bleeding hearts. Let me tell you this, not one school district, not one park district or anyother special taxing body has ever cut their taxes since the 1970 Constitution. Not one cent has gotten back into the taxpayers pocket. This has been a windfall to all the various taxing districts. This



would not cost the taxpayers one cent this bill would not. It would just cost those taxing bodies who are socking the money away now to have to pay for the actual cost of collecting taxes, so I solicit your support."

Murphy: "Gentleman from Kane, Representative Schoeberlein, is recognized."

Schoeberlein: "Mr. Speaker, I would move the previous question."

Murphy: "The previous question has been moved. All in favor, signify by saying 'aye'. Contrary 'no'. The 'ayes' have it. The gentleman from Knox, McMaster, may close."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, I think there are many misconceptions as Representative Juckett has blamed the loss of township collectors. I think that the loss of the township collector in Cook County was the responsibility of the township. They do not have to lose the township collector if they did not so desire. I think that the only problem involved there was the fee that paid the township collector. However, this is a different question, and not the question to which we are applying ourselves today. I certainly feel that the downstate counties are in dire need of the funds that would be provided by the cost of collections. I might add that Representative Hart and I have a constitutional amendment resolution presented that would be sure to constitutionalize this, and I would urge your 'yes' vote in support of the Bill."



Murphy: "The question is, shall this Bill pass. All those in favor will vote 'aye' and those opposed will vote 'nay'. The gentleman from Franklin, Representative Hart."

Hart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, it's all well and good for those of you to take pop shots at this Bill because there's no fiscal controls in it or etcetera. Now anyone knows that we could pass ah. additional legislation to take care of those problems if they were necessary, but I would like for some of you who oppose this Bill to address yourself to the problem of how we're going to finance county governments, without a tax increase. The only alternative to this bill is for us to come down here one of these days and we're going to be pressured to do it, to take the limit off the corporate rates for counties, and that's not going to raid any other taxing district. It's going to raid the taxpayers. So if you.... if any of you have counties that are financially solvent and can get along for the next few years on what they've got, just vote 'no' for this Bill, but if the rest of you know that your county boards are in trouble financially because of the constitution, turn your backs on those counties, then don't come up with any alternative to the financing of county government, and I think it's a very serious problem and one we have to address ourselves to and I would urge the support of this bill."



Murphy: "The gentleman from Perry, Representative Dunn."

Dunn: "Thank you, Mr. Speaker. I rise to explain my vote. I certainly concur with what Representative Hart, Representative Flinn and Representative Tom McMaster have said. This is a Bill that sorely is needed by our downstate counties. We in the Constitutional Convention took off the right to charge fees, and in so doing, we certainly damaged downstate county government in the fact that they can no longer charge for collecting taxes for other governing bodies of the county. And I think that this is a fair way to do it, to allow them to put on a service charge and I certainly urge your support of this Bill. I vote 'aye'."

Murphy: "The gentleman from Henry, Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I rise to explain my vote in support of House Bill 460. I do so because I come from a peculiar background, I think, in relation to other governmental units. I've been in education ever since I graduated from college. I've either been teaching or as an administrator. The school system certainly is one of the units of government that would suffer if this Bill does pass. However, I think we must, on the other hand, look at the principal of fair play. Previously, the county governments were making money on this collection. They were using it as an additional revenue. If you read House Bill 460, it



does not say this. It says only the cost of collection. And in a great part of fair play, because the schools and other taxing units are now living free off of the county board as they collect their taxes. I think if we look at the principal of fair play, you will support House Bill 460. Thank you."

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

Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House, I'd just like to explain my 'yes' vote up there on the Board, as a former Member of the County Board. One thing you're hearing rumblings about, and I'm sure you all have back in your own districts, the County treasurers are going to refuse to collect the taxes for some of these taxing bodies and then you're going to be in a kettle of soup. You had better give this bill some serious consideration."

Murphy: "Have all voted who wished? Representative Calvo."

Calvo: "I would just like to say, gentlemen, in looking at the red lights on this board, that apparently we've made up our mind. We have these counties in a position where they are at the maximum taxable rate, most of them. So they're now running my county, for instance, is in the red and borrowing money for the first time in history in order to collect these taxes, that they're not getting paid to collect, so we've apparently made up our mind here today that we are going to raise the statutory taxing power of



counties, in order to allow them to go ahead and function as an arm of government in this State. Now I don't know whether that Bill is anywhere in the Senate or the House, I hope it is, because that's what is going to have to happen or the schools are going to be without any money or with maybe 50% when they go out. I wonder how many administrators in the schools know how to collect taxes, are going to be able to collect them, because that's where we're leading. Either we're going to have to raise the taxable authority of these counties or pay them in some way to collect these taxes. Now I wonder if the people with the red lights on the board realize that that's the path they're leading us to today. Thank you."

Murphy: "Have all voted who wished? The Clerk will take the Record. On this question, the vote is 59 'ayes' and 79 'nays'. This Bill, having failed to receive the constitutional majority, for what reason does the gentleman from McHenry, arise?"

Fleck: "Mr. Speaker, how am I recorded?"

Murphy: "How's the gentleman recorded?"

Selcke: "The gentleman's recorded as 'not voting'."

Fleck: "Will you please vote me 'present'."

Murphy: "Record the gentleman as voting 'present'." One present. This Bill, having failed to receive the constitutional majority, is hereby declared lost."

Selcke: "House Bill 468."



Murphy: "No, House Bill 481, please, Fred."

Selcke: "House Bill 481. An Act to create a Scenic River system by zoning streams and so forth. Third Reading of the Bill."

Murphy: "For what reason does the gentleman from Cook, Representative Walsh, arise?"

Walsh: "Mr. Speaker, I have a point of order. I have a Bill, 434, which expires today as well. It is my understanding the Bills are to be called in sequence."

Murphy: "It expires tomorrow, Mr. Walsh. We're going to come to that later today. We have it on the list."

Walsh: "My question is, we're not going to be in session tomorrow and what is the procedure.... The rules provide that we call Bills in sequence."

Murphy: "Well, Mr. Walsh, here's what we have. We've got bills expiring on the 4th, which is today and we are going to call them first and then go to the 5th and the 6th and the ones that we do not reach, we will accept a motion on. So your Bill is going to be taken care of."

Walsh: "Thank you."

Murphy: "Representative MacDonald."

MacDonald: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. House Bill 481 represents a long and dedicated struggle of many legislators, citizens, organizations, who are concerned with preserving some of the last natural scenic rivers in Illinois. The corridors of these rivers contain some of our best remaining habitat for wild life,



as well as some of our most luxurious natural floral and fonal areas. Throughout the State, we have watched former scenic habitat disappear at an alarming rate to the supposed progress of the indiscriminate clearing, draining channelization and unacceptable industrial developments. The major advantage of this legislation is that it would allow the landowners freedom to continue agricultural activities and grant full right to private property as far as trespassing....."

Murphy: "Excuse me a minute, Virginia." The Members are complaining in the back that they just cannot hear and again, I ask you to please give us some quiet. This is a very important bill and I'd like to hear the conversation. So please, let's have some quiet in here."

MacDonald: "This procedure would permit the farms along the streams for full economic use for agricultural purposes. Eleven rivers are included in the system, which represent approximately 300 miles of waterways. The boundaries on the bank will be measured as 660 feet on each side of the river, measured by the normal banks of the rivers, which will be determined on October 1, 1973. The October 1 date was chosen so that we could not be accused of being arbitrary in choosing the bank lines. More land than 660 feet can be included if the owner of the land agrees in writing with the Department of Conservation, if he wants his land included in the system. The rivers in the system include the lower Fox, the Kaswaukee River, Vermilion



River, Shole Creek, Apple River, Rock River, a segment of the Mississippi and the Kaskaskia. Originally this Bill would have established individual local boards to set standards and regulations for the rivers included in the system. I would have preferred that the Bill maintain that feature, but the overall urgency for the passage of legislation to protect our most valuable rivers, supercedes any personal preference and I feel that the State Board, created by the Hirschfeld amendment, would be adequate and workable. While I know the agricultural community resists the zoning concept of this Bill, I think it is important to note that they represent 20% of Illinois population and the other 80% have lived with zoning regulations for many, many years. The concept is not new or unprecedented and it is an extremely...."

Murphy: "Virginia, I have to interrupt you again. They just cannot hear in the back. Now, we've got 40 or 50 bills that are expiring today and if we're going to have to be holding it up all the time like this, we're just not going to get them passed, so let's have some quiet in the House."

MacDonald: "The concept is not new or unprecedented and it is extremely important to realize that if we do not take action to preserve our own waterways, that the Federal government will and has moved to do so. In 1968, Public Law 90-542 was approved by Congress, which established a National system of wild and scenic rivers. As of 1972, there were



9 rivers included in the Federal system, with studies underway to include at least 27 more. It would seem so much more reasonable for us to act to preserve our own waterways than to have the Federal government do it for us. We are living in an age of environmental challenge and we must either accept the responsibility of acting now or fail to provide a just heritage for our future generation. If we do fail, we will be held accountable for destroying our world as we have know it, because of self-interest and short-sightedness. As the Bill now stands, a scenic rivers board will regulate the activity on the bank. The Board will have nine members, five being appointed by the Governor and the remaining members being the Director of the Department of Conservation or his appointed representatives, one member of a conservation or environmental group, of a state-wide significance appointed by the Natural.... or the Nature Preserve Commission, and two persons appointed by the Director of the Department of Agriculture. The regional board members shall serve for four years, staggered terms, while the Members appointed by the Governor initially shall serve two years. Other appointees shall serve four years initial terms. All terms begin the first day of January. The Governor shall designate the Chairman. The Members of the Board serve without pay, but will be reimbursed for expenses. Other aspects of the Bill, which might be summarized at this time are that roads and railroads are



utilities constructed in the zone shall not be inconsistent with the Act. That forestry crops to be harvested shall be harvested in a manner that maintains the values of this Act. That prospecting or mining be allowed only by permit. Agricultural lands are to be managed according to recognize agricultural practices. Any construction of commercial business, industrial structures are.... do require a permit. Now, an important feature of the new scenic rivers bill, is that any depreciation of value as... in property as a result of this Act shall be deducted in assessing such real property taxes. Violators of the Act are subject to a Class A misdemeanor of \$1,000. Nothing in this Act gives any greater public access to the lands and waters held in private ownership than currently exist. And nothing in this Act affects the repairing annex adjoining the land-owners. This basically is the new scenic rivers bill. And I urge your approval and vote for this vital legislation."

Murphy: "Ah.... the gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Bill, because I think it's long past due that this State decided what it is going to do with its scenic rivers. Now I think Representative MacDonald, as she now has the Bill, with the Amendment, is a very, very fine Bill, and those who stood up on this floor and said that the Bill had been strengthened to death,



are now going to have their medal tested, to see whether or not they really are in favor or against the environment. The Bill as it originally came out of the Committee was a Bill that had been emasculated and I believe it had been emasculated even beyond recognition by its sponsor. But we now have a Bill that can be good for Conservation, can be good for agriculture and can be good for the environment. I think the most important feature of the Bill it has now drawn is that the Bill is effective when it's signed, and there will be no more pre-existing uses allowed on these scenic rivers. Ladies and Gentlemen of the House, the preservation of the rivers in Illinois has got to be one of the most important issues of a non-appropriation matter for the future of this State, and I believe that the Bill, as Representative MacDonald now has it, clearly sets up scenic segments of the river, clearly establishes the procedure for issuing permits for variances and maintains the point that preservation of the scenic rivers and of their scenic aspects is the fundamental purpose behind the Bill. I believe that the Bill stresses the preservation of the rivers for our present and future generations. I believe that the Bill now provides for adequate citizen input to the river designation process, and I believe that the Bill now provides for the implementation of this system in an expeditious manner. You have a very, very clear decision to make this morning on this Bill. You're either for the environment or you're against the



environment. And if you're for the environment, you'll support this Bill."

Murphy: "The Representative from Henry, Representative McGrew."

McGrew: "Mr. Speaker, I have a parliamentary inquiry here. Ah.... how many votes does it take to over-ride Federal legislation?"

Murphy: "Well, I tell you, I think we'll have to go....."

McGrew: "It seems to me that ah.... if we are going to start taking control of the Mississippi, we are just doing precisely that, Mr. Speaker. Thank you."

Murphy: "The Representative from Logan, Representative Lauer. The Representative from Macon, Representative Borchers."

Borchers: "Mr. Speaker and fellow Members of the House, ah.... I would like to ask first a couple of question of the Sponsor of the Bill."

Murphy: "She indicates a yield."

Borchers: "Now suppose on one of these designated rivers, there is a man who wants to cut a benchpost out of his own timber, on his own land. Is he going to have permission of the Conservation Department to do this?"

MacDonald: "Under the.... Mr. Borchers, I think we discussed this before and I don't believe that it would. If you cut down a whole grove of trees, then I think you would have to have a permit, but if you want to cut a fence post or a tree, I'm sure you don't have to have a permit."

Borchers: "Mrs. MacDonald, this is rather important. Ah...."



I would like to know a firm yes or no. Will he have to have permission of the Conservation Department to cut down a tree for a fence post."

MacDonald: "No."

Borchers: "Well, I'm glad to hear that, because I'm not at all certain that this is the case, because a tree is certainly part of the natural environment and it certainly is going to be under the jurisdiction of the Conservation Department if it falls within a designated area. I would like to, though, speak to the Bill. Now, it has been said by Representative Hirschfeld that this is a clear decision to be made, for environment or against environment. Well, I'm an environmentalist. I believe in environment. I believe in conservation, but I don't believe in the beginning of the socialization of the land. This is a clear step forward to socialization and Federal and State ownership and control of the land, completely contrary to all our historical background. Now if there are places to be preserved and I know there are, and....."

Murphy: "Excuse me a moment, Representative Borchers. Again I'll ask you to please let it be.... to have some quiet in this Assembly, so we can move on with the work." Let's have some order."

Borchers: "I know there are places we must preserve. We must buy, but let the State or the Federal government buy these areas, farm the landowner, whoever he may be. Now they're



going to say I think maybe five or six rivers in the original list that you've just heard. It will be another year until we have five or six more, then five or six more, and a short order, but a few years, unless we stop it now. There won't be a river in this land, in this State, that won't be under the control of the Conservation Department, whatever they may say or the environmentalist, whatever they may say about their good will and their good wishes toward the farmer and his activities and the landowner and his activities. It will end up that the landowner will be ah.... be free to pay the taxes and will not be free to control his own land. He will be controlled completely by the authority of the State and the Federal government and if he doesn't comply, he's going to be fined. Now, you've got to make up your mind today, yourselves, in another way. Are you for the socialization of the land or are you not for the socialization of the land? Are you for public property or are you for the right of still private property, one of the oldest and democratic traditions of our Nation? You make up your minds."

Murphy: "Representative from Cook, Representative Hoffman."

Hoffman: "Will the Sponsor yield for a question? Two questions Representative. Number 1, the land that we are contemplating here, after it is designated as an easement, does this take if off the tax rolls?"

Murphy: "Representative Hoffman is asking a question, ah...."



MacDonald: "I can't hear him, I'm sorry."

Murphy: "Will you repeat that please?"

Hoffman: "Once the land in question is created as an easement,
is this taken off the tax rolls?"

MacDonald: "No."

Hoffman: "The property owner still has this land on the tax
roll?"

MacDonald: "Right."

Hoffman: "Is there any additional compensation for the land-
owner."

MacDonald: "Well, the additional compensation was described
in the assessment procedure, which will reflect any
deterioration or any diminishment of the value of the
property of that easement."

Hoffman: "Thank you."

Murphy: "Representative from Randolph, Representative
Randolph."

Randolph: "Mr. Speaker and Ladies and Gentlemen of the House,
I'd like for the Sponsor to yield for a question, if she
will please."

Murphy: "She indicates she will."

Randolph: "In listing the number of rivers that are included
in this Bill, I heard you mention the Kaskaskia, and I
just wondered if this Bill covers the entire length of
the Kaskaskia from its confluents with the Mississippi,
couple of hundred or so miles north or just what portion



of the Kaskaskia does this Bill cover?"

MacDonald: "Well if you'll hold on just a minute, it's all described in the Bill here. Just one....It has a description here. Kaskaskia River, the segment of the river between Shelbyville and Carlyle Reservoirs, beginning at the southern boundary of Section 18, Township 11 north range 4 East of Shelby County, extending southward to the northern boundary of Section 35, Township 5 North Range 1 West of Fayette County."

Randolph: "Well, I'll tell you, that description really doesn't mean too much to me, but what I was getting at, the State of Illinois and the Federal government, the U.S. Corps of Engineers, has presently purchased in fee simple title I think both sides of the River from the Mississippi to Fayetteville, Illinois, taken the trees off of the banks, have made a canal out of it, the Kaskaskia Canal, and I'm just wondering if after spending these millions of dollars and putting it in shape to industrialize now, if your Bill intends to protect this particular area."

MacDonald: "Yes, the Bill.... if those Sections are included in the Scenic Rivers System, they will be protected by the Conservation Department."

Randolph: "Thank you."

Murphy: "Representative from Winnebago, Representative Anderson."

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



very seldom I get on the floor to talk lately. I've been rather quiet, but this thing boils me up so much that I couldn't help but get up and say something about it. I live on a farm and I have many of my friends who are farmers, and they call me, they've wrote to me, they came to my place to see me. They're pretty much up in the air about this taking away their rights of their property. Yet I hear you have a new Bill, but all it says is a little perfume poured on the old one, to make it sound and smell good and you know, the same thing will turn out in the end, because that's your objective. I have people living along the Rock River, and that's where I got most of my letters, from home boarders on the river, whose garden runs out to the river, and I know it would be a handy place to somebody who comes up the river in a boat, stop when you're not home and take up some garden stuff and go down and probably kill a calf and have a pretty good outing. This has happened in our country, and I know it can happen again. Another thing, this environment is pretty strict. I suppose the only way if you're out there and have to go to the bathroom, you probably will stop at the farmer's house and ask for a bathroom because environment won't let you stop out there in the woods. Stop to think about that. That's what's going to happen. No, I think this is the worst bill that's ever hit down here since I've been here, five terms. This is



what I call the biggest steal of the century. Let's vote this Bill down."

Murphy: "Representative from Kankakee, Representative Beaupre."

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

Murphy: "She indicates she will."

Beaupre: "Representative, does this Bill.... it is my understanding that this Bill allows for free ingress and egress of the public onto this zoned area. Is that correct?"

MacDonald: "The Department of Conservation will restrict us, I am sure. The egress is ah.... possible, yes, on public land."

Beaupre: "As the Bill stands, this would be possible wouldn't it?"

MacDonald: "On public lands, but controlled by the Department of Conservation."

Beaupre: "Well, I would like to speak in opposition of this Bill, Mr. Speaker, and Ladies and Gentlemen of the House, primarily because it seems to me in this Country that we have constantly through the method of constitutional government, protected the rights of the minority. That is to say that property rights have some value to those who possess them. And that the individuals who possess them have the right to be protected from the public and from government and government intrusion. I'm much disconcerted about this House and the General Assembly passing a Bill which would allow for public intrusion on private land. I think we can talk about environment all we want



to and we can wave the flag and we can talk about motherhood and all the good things that are involved in such principles, but what we're really dealing with his, is a public intrusion into private rights. It seems to me this is the kind of thing we ought to be concerned about here, ought to be trying to avoid and I strongly oppose this bill and I ask you to vote against it."

Murphy: "Representative from Livingston, Representative Hunsicker."

Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this Bill. People in my home county and in the areas of the district are highly opposed to this. I haven't received one letter in favor of it and I received many telephone calls and letters in opposition. I would go along with the Bill as far as scenic rivers is concerned, if the State wanted to purchase a strip of land on each side of the stream somewhere. That would be swell. They have money to purchase parks and they have money to purchase hunting areas and things like that, and one thing I'm sure you're going to see happen, this is going to grow and grow and grow and the scenic rivers bill is going to be expanded year after year until the property along these streams is all going to be under the jurisdiction of the State, and I think this is the biggest steal we have and I'm highly opposed to it."

Murphy: "The gentleman from Stephenson, Representative Rigney."



Rigney: "Will the Sponsor yield to a couple of questions, please?"

Murphy: "He indicates he will."

Rigney: "My friend, Virginia, I have some questions here that I would like to ask you, concerning what would happen if for instance that one of the counties in my district were a homerule county and they deemed that it was in the public welfare that some of this land would be used, perhaps for a park purpose. Would they be able to proceed to develop this land, to purchase this land and to develop it for park purposes?"

MacDonald: "For park?"

Rigney: "Yes, without permission of the State."

MacDonald: "Well, I think they would, if it was in the 660 foot zone....."

Rigney: "I'm talking about zone B, yes."

MacDonald: "Well, if zone B, I think they would have to petition to the board for a permit, but I think that they could develop a park, yes."

Rigney: "They would have to seek the permission of the Department of Conservation?"

MacDonald: "Yes, I think....."

Rigney: "Even if they deemed this to be in the welfare of the people of Stephenson, or of JoDaviess County or Ogle County?"

MacDonald: "Well, I'm sure that the Board would also deem that it was in the best interest of the people and I think



that Public Hearings, that you would be able certainly to ah...."

Rigney: "All right, then you would have to agree with me, that this, then, does at least represent some limitation as far as the county's power to regulate for their own welfare, doesn't it? They have to seek the permission of the State, even though this is a worthy cause?"

MacDonald: "Well, as the Bill exists now, with one Board, I would have to agree with you."

Rigney: "Well, then, Mr. Speaker, I'd like to direct this question to you. By the admission of the Sponsor, this does regulate ah... in a homerule area. It does the limit the county's power to develop public policy for their own welfare and for the welfare of their citizens. Can I assume then that this is going to take 107 votes, since this is a limitation of homerule power?"

MacDonald: "I'm not sure that there are any homerule units involved in...."

Rigney: "That is not the issue. The question is, this is a Constitutional issue, as I see it. By your own admission, you have said that this is a limitation upon the rights of the counties to regulate for their own welfare, and that is one of the specific powers that has been delegated to counties in the Constitution, so I'm asking the Speaker, in line of your own admission, if this is not clearly ah... infringing upon the rights of homerule units of government?"



MacDonald: "Well, Mr. Rigney, as I recall, Cook County is the only homerule unit:county."

Rigney: "Well, anyone of the 102 counties could be homerule counties right now, merely by adopting a referendum. Ah... I don't think that really answers the question, of whether or not we are infringing upon the powers of homerule units."

MacDonald: "If we were limiting with the rivers, the 11 rivers, that have been designated, if we were infringing upon any homerule powers, I would agree with you, and if they agreed, but this Bill, as it exists now, does not encroach upon on any homerule power for any county."

Rigney: "Well what happens if Ogle County becomes a homerule county next year, for example."

Murphy: "Representative Rigney, you've addressed a question to the Chair and the Chair answered it, in this fashion that everything that is done in the homerule county is not subject to their own ruling, and consequently this Bill comes in that category and it is the ruling of the Chair that this takes 89 votes."

Rigney: "Well, I would respectfully dissent from that, Mr. Speaker, but ah.... I think that the power to regulate for the welfare, the people of the County, is a clear constitutional power. Under Section 6 of the local government article, ah.... this power is very clearly spelled out to the local units, but I have to respect your decision."



Murphy: "Representative from Cook County, Representative McLendon is recognized."

McLendon: "Mr. Speaker, I think this Bill has been adequately debated and at this time, I move the previous question."

Murphy: "Move this this ... question has been moved, all in favor, signify by saying 'aye', contrary 'no'. The 'ayes' have it and the Lady, Representative MacDonald, may close the debate."

MacDonald: "Thank you, Mr. Speaker. Well, Ladies and Gentlemen, I feel we have had a thorough discussion of this Bill and I would only say again that we are living in a time of environmental challenge, when it is not only necessary, but urgent for us to take positive action to preserve the scenic rivers designated in this legislation. An editorial in the Illinois State Journal states far more aptly than I could what the situation is here. And as my closing statement, I would like to read this editorial to you. 'A renewed and welcome effort to save the Illinois magnificent rivers has been launched in the 1973 legislature. A similar effort last session was successful in the House, but blocked in the Senate. The latest Bill is perhaps even more limited in scope than its predecessor. But it would make a start in saving the rivers by providing that the State would protect and preserve 12 scenic rivers and that now is 11, including the stretch of the Mississippi. From 300 miles of river bank would be involved. What is most important in the scenic rivers legislation is that if



enacted, would signify recognition by the legislature that the rivers of Illinois are an incomparable natural asset, worth saving, not only for their beauty but because they have an important role to play in the future. Clean natural flowing of unpolluted rivers could provide solutions to water shortages, that increasingly threaten so many communities. They could, if properly protected, regain an earlier era value as places of recognition, relaxation and quiet contemplation. With the population continuing to increase and open spaces becoming fewer and fewer, the development of the many rivers into oasis of greenery, would be an enormous boom to the people of Illinois.' Opposition to the scenic rivers legislation in the past has been based in a large measure on misrepresentation. Legislative critics, sometimes for purely private and political reasons, have stirred up the farmers alleging that such legislation would take acreage frontage of the rivers from them and place it under the jurisdiction of the State. This is not true. MacDonald Bills, like its predecessor, would only restrict the use of land around designated waterways. The uses would be determined by special boards appointed by the Governor. Railroads and utilities would be among industries most directly affected by the Bill. Forestry operations would have to conform to the standards that would prevent land erosion and disfoilation. Farm lands would be managed according to agricultural practices. Most



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

successful farmers already follow such practices. They realize that eroded soil, washing into a river, can only mean economic loss to them. In those cases, where restricting use might cause depreciation in property value, the amount of estimated loss would be deducted from tax assessment.' Ladies and Gentlemen, this in essence is the editorial and it does express my concern and my opinion. I urge you to vote for this vital legislation. Thank you."

Murphy: "The question will.... is, will House Bill 481 pass? All in favor, signify by voting 'aye'. Those opposed by voting 'nay'. The Representative from Vermilion, Representative Bob Craig. No? O'okay. Have all voted who wished? Representative from Cook, Representative William Walsh, is recognized."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I hope all of you have not voted who wish. We need a little help on this, and I, for the life of me, cannot see why there aren't more green votes on there, and I'm hopeful that there will be. All in the world we're doing here is preserving the resources of our State, the natural beauty of our State, so that we and future generations can enjoy it. Now we can't construct new rivers and streams to meet present and future needs. We have to protect the ones that we have. I urge you, Ladies and Gentlemen of the House, to vote for this House, which is indeed moderate and doesn't take away property rights, but does guarantee



to future generations that they shall enjoy what we have.
Please vote 'yes'."

Murphy: "Representative Lauer is recognized."

Lauer: "Mr. speaker, in explaining my vote, I will have to admit that as much as I respect the distinguished majority leader, I must respectfully dissent from his opinion. It seems to me that very definitely the property rights are being taken and without compensation, we have a right of privacy, which is a personal right and also a property right. We have the right to free use of land, which is being taken away if this Bill passes, without compensation. I submit, Mr. Speaker, that in actuality, in test by the Courts, this would be discovered to be unconstitutional. It seems to me that it is all well and good to talk about preserving the rivers, the beauties, the scenic interests of this State and I am in full agreement with this concept, but it seems to me, Ladies and Gentlemen of the House, that if we are going to take these rights, these privileges, if we wish to arrogate to ourselves and to the public use some sort of a determination that we no best, then I think that the State of Illinois should be prepared to pay the Bill. I have absolutely no objection with the concept of this Bill. I've been an outdoorsman, I've been one who has enjoyed nature. I've been a gardner. No one really appreciates natural beauty any more than I do, but we've got to decide, will we pay the tariff that it takes



to have this Bill passed into law? I vote 'no'."

Murphy: "The Representative from Kane, Representative Waddell, is recognized."

Waddell: "Mr. Speaker and Ladies and Gentlemen of the House, as an old conservationist and one who is about to lose one of the flags of agriculture, I wish to explain my vote. I think that this Bill is a bad bill in many respects, and those respects have not been changed and I thought that they would be and that it would be a better Bill. However, I am answering to those constituents of mine who, by many, many more times, have sent in and said that they wanted a wild rivers bill, compared to those who are against it. Therefore, I am voting the way the people in my district indicated to me that they wanted to, even though I am going to lose that agricultural flag."

Murphy: "Representative from DuPage, Representative Schneider, is recognized."

Schneider: "Thank you, Mr. Speaker. I know I made comments on Second Reading a few weeks ago, but just simply if you happen to fish or hunt, or if you happen to be in the country and enjoy what there's left of the natural beauty of the prairie state, possibly you ought to consider that maybe this term or next term will very well be the last time that we can make a serious effort toward saving the streams in the State of Illinois. I think that the way we allow our rivers to deteriorate, the way that we allow



channeling and damming and the creation of reservoirs in the State of Illinois, that I think that before the middle of this decade, the State of Illinois will have lost a precious resource which cannot be restored and which we will look at in pictures only and relate to in terms of our next generation and generations to come as the thing that was. And a thing that we were proud of at one time and as a thing that is probably going to be related to colonial history. So I hope at this point in time, although it looks as though the Bill is dead, that we again reconsider our ideas as to what is important, and I really seriously question whether or not there will be time in the next few remaining years, to salvage what is left of the beautiful streams in the State of Illinois, and I hope that possibly those of you who have still not voted, will give some thought to the fact that the time is short, but that the cause is just, and that your vote ought to be green on this issue."

Murphy: "The gentleman from Will, Representative Leinenweber."

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

I, too, urge more green lights and I rise to explain why I have a green light on this Bill. One of the previous speakers, in fact, several of the previous speakers, have questioned the constitutionality of this Bill, because they claim there's a taking of something or other. This in legal parlance is not a taking, this is regulation. This is land control. This is not unusual. This is nothing new.



We have had land control ordinances. We have had land control statutes. We've had enabling legislation for land controls for many, many, many years and we should have them. This is no different than the enabling legislation permitting zoning. This is no different than enabling legislation permitting bus, plane ordinances. This is no different than enabling legislation permitting set back variances and the whole pile of different regulations concerning land. This is land legislation. The Constitution, the Supreme Court have always held that when there's reasonable regulation..... reason for regulation, that it is permissible provided that it applies equally. For years we have been permitted to regulate land for purposes of light, air, traffic control, surface water and a posture of other reasons. Therefore, I say to those who feel that they might be doing something unconstitutional that this does not have a taking. All this is is regulation. It does not prohibit absolutely anything. It provides, under certain uses, they must have a permit, and it sets down guidelines for the issuance of the permits. I would say this, that this is land use in the highest form, and all of those who believe in land use, to oppose trailer courts next door to single family residential areas that oppose blacktop plants in residential areas, this is no different than that. Let us vote green to protect our environment and save these rivers from eventual destruction."



Murphy: "Representative from Champaign, Representative Hirschfeld, is recognized."

Hirschfeld: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think that I would like to point out to this General Assembly that my district is primarily a farm district, and if I went back and counted up the votes that I received in the last election, I would have to say that my strongest areas were obviously the farm areas. I did not always have the greatest repertoire with the students of the University of Illinois and in some other areas who were primarily interested in the environment, but I think, Ladies and Gentlemen, you've got to do more than represent your District when you're down here in Springfield. I think you've got to look at the over-riding public interest in some of these bills. Now, frankly, I have in my possession, letters and telegrams from every single environmental agency in the State of Illinois, every single environmental organization, supporting Representative MacDonald's Bill, as it has been amended. And I find it very, very strange to understand how some people can stand up and oppose this Bill by saying that they have farmers in their district. This Bill is not going to disastrously affect the farmers. For one thing, Ladies and Gentlemen, many of the people who have gotten up and voted against this Bill, got up and stated that if Representative Calvo's amendment had not been defeated, they still wouldn't have



supported the Bill, and I think that is two-faced, to put it mildly. Now I supported, Representative Calvo's amendment. I think it was a good amendment. I think we should pay for the easements, but I have suggested to Representative MacDonald, and I suggest to the Members of this House, that if we can get this Bill out of the House and over to the Senate, we can attempt to put Representative Calvo's amendment on over there, and I think it will go on successfully, and farmers and other landowners will be paid for any easements that are taken. But Representative Leinenweber is correct when he states that this is not taking under the law. I encourage the Members of the House to forget your district, forget the pork barrel aspects of so many bills that come down before this legislature and just once let's vote for our children and our grandchildren, so there will be something left for them to see besides rivers that are polluted, trees that have been taken from the river banks and other environmental disasters, which are facing the State of Illinois at this time. I encourage more green lights."

Murphy: "Have all voted who wished? Representative MacDonald is recognized, to explain her vote."

MacDonald: "Mr. Speaker and Ladies and Gentlemen of the House, I only stand one last time to tell you that I think it is our obligation that we do have a responsibility to the future and I will also say that I think land use planning



is coming and the question is, is it better for us in Illinois to make our own choice, to devise our own system or shall we wait and continue to delay until the Federal government is forced to come in to protect these waterways.

I urge you to please cast a green light for this vote."

Murphy: "Representative Springer is recognized."

Springer: "Mr. Speaker, please record me as 'present'."

Murphy: "Record Representative Springer as voting 'present'.
Representative Holloway."

Holloway: "Present."

Murphy: "Record Representative Holloway as 'present' Have all voted who wished? The Clerk will take the Record. On this question, there are 80 'ayes' and 51 'nays'. For what reason, is Representative MacDonald recognized?"

MacDonald: "I'd like a poll of the absentees, please."

Murphy: "That is your right. The Clerk will poll the absentees."

O'Brien: "Barnes, Blades, Brandt, Caldwell, Carter, Davis, Day, DiPrima, Ralph Runn, Ewell, Farley, Fary, Fleck, Garmisa, Giglio, Granata, Hanahan, J. D. Holloway, Hyde, Emil Jones, Juckett, Kosinski, Kozubowski, Krause, LaFleur, Laurino, Lechowicz, Leon, Madigan, Martin, McLendon, McPartlin, Nardulli, Patrick, Schoeberlein, Sevcik, Shea, Ike Sims, Springer, Taylor, Thompson, Totten, Tuerk, Washburn, Washington, Williams."

Murphy: "On this question, there are 80 'ayes' and 51 'nays',



.... for what reason does the gentleman, Representative Tuerk, arise?"

Tuerk: "Mr. Speaker, how am I recorded?"

Murphy: "How's the gentleman recorded?"

O'Brien: "Gentleman is recorded as 'not voting'."

Tuerk: "Record me 'aye' please."

Murphy: "Record the gentleman 'aye'. Representative MacDonald, for what reason do you rise?"

MacDonald: "Mr. Speaker, I would like to ask to have this Bill put on postponed consideration."

Murphy: "Ah... this is the last day for this Bill. Oh, tomorrow is the last day. All right, can I have leave to put this Bill onWell now, under the rules that we've been operating under and as a courtesy to the Members, with our new system, we have allowed them the right to postpone consideration on a bill if they wished to. This Bill does expire tomorrow, but if the Lady wants it on postponed consideration, she has a right to do so. The gentleman from Union, for what reason do you rise?"

Choate: "If I understand the Speaker correctly, the death nil really of the Bill is tomorrow, the Lady has asked for the unanimous consent for leave to postpone the Bill, which I do not find objectionable at all, although I don't see what it accomplishes, really."

Murphy: "Well, maybe it would die more peaceably that way."



Choate: "I have no objections for the postponement of the Bill."

Murphy: "All right, we will put the Bill on Postponed Consideration. House Bill 508."

O'Brien: "House Bill 508. A Bill for an Act to amend Section 1 of an Act to prevent fraudulent and corrupt practices in the making or accepting of official appointments of contracts by public officers. Third Reading of the Bill."

Murphy: "Gentleman from Knox, Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 508 would permit a Member of the County Board to resign from the County Board and to be appointed if the Board so desired to an office within the County. I see nothing objectionable about the Bill."

Murphy: "Is there any further discussion? If not, the question is, shall this Bill pass? Representative McGrew, is recognized, the gentleman from Henry."

McGrew: "Mr. Speaker, I couldn't hear a word the Sponsor said."

Murphy: "Well, again, it has become awful noisy in here and we again ask for quiet. Is there any further discussion on this Bill? Representative from McHenry, Representative Skinner, is recognized."

Skinner: "Mr. Speaker, I hope all the Members of the General Assembly understand what this Bill does. May I read the description again. It permits county board members to resign from the County Board and be appointed or elected



to a vacancy created by death or resignation of a County Official. Now it seems to me that if you want the County Board to control the entire political structure of the County, this is a Bill that ought to be passed. But if you think that every once in a while, an outsider ought to be allowed to get into county government to bring some fresh thought into the process, this Bill ought to be defeated."

Murphy: "Representative Barry is recognized."

Barry: "Question of the Sponsor, please."

Murphy: "He indicates he'll yield."

Barry: "Tom, if I think I know the law, this would give a right to a County Board Member that we do not have as a legislative elected official; that is to say, I believe the case law is, and it might control your bill even if you do pass it, I believe the case law is, that we, as legislative members of state government, cannot be appointed to a position, and what you're doing is attempting, I think to for a County Board Member to change that case law, and I think you're going the wrong way, and I'm going to have to vote against it."

McMaster: "Toby, I beg to disagree with you. I checked this out with the Reference Bureau, and I believe that the ah.... Members of the General Assembly can resign and be appointed, and in fact, I think we had a case of it quite recently. In the case of the State Representative from



Rock Island County, who did resign and was appointed to the Pollution Control Board. I think that the County Board Member is the only one who is restricted from appointment during his elected term of office, and I think we, as a legislator, can resign, and as I say, I think it has happened."

Barry: "Well, I'd have to disagree with you, if I may continue for just a moment, in that John Hense, had not sought re-election and he was being appointed for a couple of months to fill a vacancy so to speak, all and everybody knowing that he was not seeking re-election, and a law suit suggesting that he should not serve the last few months of his.... of that term, be violated, so I really have to oppose the Bill, because philosophically, I don't think it's a good Bill."

McMaster: "Let me also add, Toby, that we recently had a Speaker of the House resign and be appointed as a U.S. Senator."

Murphy: "Is there any further discussion? Representative Giorgi."

Giorgi: "Mr. Speaker, I don't very often get up to support Representative McMaster on his Bills that have to do with County governments, being a Democrat from a Republican District, but in this case, I've seen instances where Members of the County Board, who would later on ascended to County office, and had there been this provision that they could resign from the County Board and assume that



county office, the County would have been better off. And since, I think, we file ethics forms, we're going to file campaign disclosures, we're living in a fish bowl, I don't think it's wrong to think that ah.... a County Board Member or a Member of the General Assembly could ascend to State Office and I think this is a very good Bill and I'm going to support it wholeheartedly."

Murphy: "Is there any further discussion? Yes, Representative Schraeder is recognized."

Schraeder: "Mr. Speaker, would the Sponsor yield to a question?"

Murphy: "He indicates he will."

Schraeder: "Does this Bill change the procedure for filling vacancies, or does the same authority.... will it exist afterwards?"

McMaster: "I do not believe, Representative Schraeder, that it changes the procedure. It changes the eligibility, perhaps, but not the procedure."

Schraeder: "Thank you."

Murphy: "Any further discussion? The gentleman from Knox, may close his debate."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill and several to follow were the results of a sub-committee that held hearings around the State of Illinois during the past year. I certainly feel that ah.... these bills are good for County government, and this Bill also, and I would certainly urge your support of the Bill."



Murphy: "The question is, shall House Bill 508 pass? All in favor, signify by voting 'aye'. Those opposed by voting 'nay'. For what reason does the gentleman from McHenry, Representative Hanahan, arise?"

Hanahan: "Mr. Speaker, this Bill pertains to homerule counties, such as Winnebago and Lake and many other counties. Would the parliamentary rule whether or not this takes a 107 votes? Or pertains to homerule cities within counties, that this Bill pertains to, excuse me, Rockford, Lake, Highland Park and the rest?"

Murphy: "Tom, we're very pleased you're so concerned about the Constitution."

Hanahan: "I'm very concerned about that 107 vote rule."

Murphy: "But, it really doesn't affect it, because this is not telling..... it's only permissible what they can do, and it does not affect it, so it take 87 votes."

Hanahan: "Well, does this Bill pertain to Cook County?"

Murphy: "89 votes. It use to take 77 cnce upon a time."

Hanahan: "The question I've got, then, Mr. Speaker. Does this Bill, according to the digest, does not differentiate between Cook County and the other Counties, does this Bill pertain to filling a vacancy in Cook County?"

Murphy: "That's a question you should have asked the Sponsor, while the Bill was under discussion: Representative Giorgi, you wish recognition?"

Giorgi: "In explaining my vote, Mr. Speaker, I'd like to suggest, like Representative Hirschfeld suggested earlier,



why should we prevent County Board Members or members of the General Assembly from resigning from their seats to assume a position. In many instances, a county board member has been on the county board 12, 14 and 16 years. Knows more about the offices we're talking about and General Assembly Members have been here for many years. Why should'nt we allow them, with their experience and their expertise, that these taxpayers of Illinois have paid them to learn. Why shouldn't we allow them to ascend to these positions. We're campaign disclosing now. We're filing Ethics forms. There's no reason to think that ah... we surbisive people or surbisive agents."

Murphy: "Have all voted who wished. Representative from McHenry County, Representative Skinner is recognized."

Skinner: "Mr. Speaker, a county board member is a legislator in effect, and just because one is a good legislator, does not mean that one is a good administrator. What I fear is that the most..... when an elected official resigns, the most capable replacement may be the chief deputy, in a given department, and I fear that that chief deputy will not have the political pull to get the appointment in question."

Murphy: "Ah.... Representative McMaster, Representative from Knox."

McMaster: "In explaining my vote, let me say in reply to Mr. Skinner that it certainly does not prevent the Chief Deputy from being appointed. He has every right to be



appointed and also all it is doing is making the right available to other people as well."

Murphy: "Have all voted who wished? The Clerk will take the Record. On this question, there is 66 'ayes' and 13 'nays' and this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 517."

F. B. Selcke: "House Bill 517. Bill for an Act to amend an Act relating to Township Organization. Third Reading of the Bill."

Murphy: "Representative from Knox, Representative McMaster, is recognized."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, we're coming up a little bit. House Bill 517 amends the Township Act and does extend for two years the deadline for the plan of altering township boundaries required by Public Act 77-2746. Such alterations if approved by the voters shall take effect with the 1977 township election. It extends for two years the terms of those township supervisors elected in 1971 to obviate the necessity of election in 1975, so that all supervisors will be elected in 1977 and every four years thereafter. Let me point out that in the law that we passed, that would require the altering of township boundaries in case the township had less than six million dollars valuation." We would have run into a time when this would occur that would involve the possibility of two supervisors being allowed to serve as



supervisor at the same time when one of the townships had been done away with, and this merely extends the deadline for that alteration of boundaries and allows the supervisor to continue so there would not be an election for a two year period. I think this is a good Bill and in spite of the opinions of past bills, I would urge your support of this one."

Murphy: "Is there any further discussion? Representative from DuPage, Representative Redmond."

Redmond: "Would the Sponsor yield to a question?"

Murphy: "He indicates he will."

Redmond: "Does this Bill extend the term of some supervisors to a six year term in affect?"

McMaster: "I suppose in affect it would, Bill, because ah.... quite obviously if we do not extend their term for two years, then what they would do is face another election and presently that would be for a four year term, and this is what we are trying to avoid, the possibility of having a township change or consolidated with another one in which the supervisor would have two years left to serve in his term, and ah..... I don't think this would be a good situation and all we're doing is trying to correct that, Bill, but yes, in effect, it would have some serving for six years as we did with road commissioners last session, I believe, Bill."

Redmond: "I'd like to have an observation. It seems to me that



the Senators of the United States are the only ones that now have a six year term and it doesn't seem to me that there should be any reason why a township supervisor should have his term extended to six years, and therefore, I will oppose this Bill."

Murphy: "Representative from McHenry, Representative Skinner, is recognized."

Skinner: "Mr. Speaker, the attempt to consolidate a township election is an excellent idea. It doesn't go far enough. We should consolidate all elections, but the attempt to extend a township supervisor's term from four to six years without an intervening election is a continuation of a bad precedent that this legislature has said in the past. As the Representative has pointed out, road commissioners have had their terms extended from four to six years. In the past assistant supervisors had their term extended from four to five years in order to allow a consolidation of elections and a change of the time of election. I would point out that when a..... there are two alternative ways to go about changing the date of an election. One can either extend the term of an elected official or one can make that elected official run for a shorter term. Now I would suggest rather than following previous precedents set by this legislature, that in this instance that we follow the precedent set by the Constitution, and that is, when the Constitutional Convention decided they wanted to change



the election of the Governor from the presidential year to the off-presidential year, they did not decide to give the Governor who was elected in 1972 a six-year term, they decided to give him a four year term and to give his successor a two year term. Now, this is a viable alternative and I believe it should.... it is a desirable alternative. For that reason, I would urge a 'no' vote on this Bill."

Murphy: "The gentleman from St. Clair, Representative Flinn, is recognized."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, the purpose of this Bill of extending the supervisors, who ran in 1971, is necessary because we had an oversight in the 77th session, where we only extended the road commissioners. It was not recognized at that time that some of the supervisors terms expired in 1973 and some in 1975. Now, all we're trying to do is move the 1971 supervisors that were elected in 1971 up even with the ones who ran this year, 1973 to eliminate an election. Everybody's been crying about the high cost of elections. This is all that does. It just eliminates another township election. Last year we spent six million dollars with the extra elections that were unnecessary. I hope that we don't get back into that same trap again. I support this and ask for a lot of green lights."



Murphy: "The gentleman from Cook, Representative Jaffe, is recognized."

Jaffe: "Would the gentleman yield for a question?"

Murphy: "He indicates he will."

Jaffe: "Tom, we run for two year terms. Isn't that correct?"

McMaster: "Yes and certainly we run for two year terms. I would not be against if ah... if it is desired to make this a two year term. Unfortunately, the opportunity has not arisen, the legislation is not in. We're not giving these people six year terms forever. It is occurring only once. And I think this is a measure that would be ah... conservative as far as finances are concerned and I certainly see no reason why it should not occur."

Jaffe: "Well, if I may speak to the Bill, Mr. Speaker. It seems to me that if we run every two years, I see no reason why we should make township supervisors special and give them a six year term. You know, it seems to me in sitting in this House, townships have become more and more sacred as we go on. And townships really do not reflect the will of the People. I think it's about time that we stop giving the townships special consideration and started treating them just like everyone else. I have to run every two years and I think if a township supervisor even once has to run for a two year term, that isn't too bad, and I think that we should vote this Bill down."

Murphy: "Representative from Cook, Representative Yourell, is recognized."



Murphy: "I'm under orders from the distinguished Minority Leader to tell you once again to be quiet. Shut your mouths."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I would call the attention to the Members of the House a fact of life that if the new election code becomes effect in this session or in this year, that will consolidate all elections on one day, that the necessity for this bill will no longer be viable. I would also call your attention and ask the Sponsor of the Bill if he would yield to a question now?"

Murphy: "He indicates he will."

Yourell: "Representative McMaster, Tom, is the date of this Bill have any particular significance to you? The date it was passed out of committee?"

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

Yourell: "Would it be that there weren't any Democrats in Committee that day when that Bill was passed out?"

McMaster: "That could possibly be. I don't recall."

Yourell: "I would call attention to the Members of the House that there were no democrats in attendance at the meeting of the counties and township affairs committee on the 28th of March, 1973 and the vote in committee was 8 to 2 with two Republicans voting against this Bill. So I would suggest that you take a good look at it and remember that the Election Code as passed out of this House this



year will take care of this problem and there is no longer a need for the Bill. I oppose the Bill on those conditions and ask that you vote against it."

Murphy: "Any further discussion. If not, the gentleman from Knox, Mr. McMaster, may close the debate."

McMaster: "Ah..... Mr. Speaker, Ladies and Gentlemen of the House, the new Elections Code has not yet appeared before this House for any type of vote. I don't deny the fact that quite possibly the ah.... need for the Bill, would not be present if the Bill, Election Code were passed, I certainly feel that the Elections Code has nothing to do with the alteration of township boundaries, which is what part of this Bill is concerned with. I do not think it is totally concerned with the ah..... election of township supervisors or the extension of their terms. Let me point out that this extension is only for one time and that certainly they will not continue to be elected for six year terms. Let me point out also that we are trying to consolidate this thing and save a little money for the people of the State of Illinois. We are extending the deadline for the combination of townships if they are less than six million dollars valuation and I certainly feel that it is a good bill, good piece of legislation and I urge your support of it."

Murphy: "The question is, shall House Bill 517 pass? All in favor, signify by voting 'aye'. Those opposed by voting 'nay'. Have all voted who wished? Have all voted who



wished? The Clerk will take the Record. On this question, there are 59 'ayes' and 52 'nays' and the Bill, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 520."

F. B. Selcke: "House Bill 520. A Bill for an Act to amend an act relating to counties. Third Reading of the Bill."

Murphy: Mr. McMaster."

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

Again, this is a Bill that came out of the subcommittee, due to the batting average on the past legislation. This changes the maximum fee which may be charged for the approval of any lots, sublots, or tract of land shown upon any map, plat or subdivision approved by the County Board or by some officer designated by the County Board from one dollar to five dollars. It has an amendment which ah.... excludes the ah.... homerule units."

Murphy: "Any discussion? If not, the question is, shall this Bill pass? All in favor, signify by voting 'aye'. Those opposed by voting 'nay'. Have all voted who wished? Clerk will take the Record. On this question, there are 119 'ayes', and 1 'nay', and this Bill having received the Constitutional Majority is hereby declared passed."

Schoeberlein would like to be recorded as voting 'aye'."

F. B. Selcke: "House Bill 521. Bill for an Act to amend an Act relating to County zoning. Third Reading of the Bill."



Murphy: "Representative from Knox, Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, thank you for your vote of confidence on one Bill. Maybe we should have a move to reconsider the vote and table that motion, because it's kind of nice to have one Bill passed today, you know. Ah.... House Bill 521 amends an Act in relation to County zoning. It expands the coverage of a provision permitting hearings concerning general amendments to a county zoning ordinance to be held in the County Court House instead of the township or road district affected, to include amendments of regulations when such amendments affect more than one township or road district. This is merely an effort to prevent the necessity of going out to ah... all of the townships and perhaps to allow the zoning hearing to be held within the County Court House. I urge your support."

Murphy: "Is there discussion? The gentleman from McHenry, Mr. Hanahan."

McMaster: "I might add, this does exclude the homerule units."

Hanahan: "This does? Then this would take 107 votes. Oh, it excludes it, o'okay, I'm sorry. All right, the question that I've got, Mr. Speaker, ah... of the Sponsor pertains to the large counties in northern Illinois, such as McHenry County and Winnebago County, where the County seat is in the center of the County or on one edge of the County and we have the growth population on the edges, such as McHenry, Crystal Lake, which really are urban areas



and Union County down in the southern part of the State, where their county seat is on one edge of their county, that the citizens that are affected by zoning change would have to drive 12 and 14 miles to the County Board or to the County seat in order to participate in the zoning change. Is that the intent of the Bill?"

McMaster: "Really, Tom, ah.... when the zoning change affects only one township, then, of course, the hearing would be held within that township."

Hanahan: "Yes, but you see, in our Counties, we have like, Crystal Lake is in two townships. We have Island Lake that are in two counties. We have many communities that are in four townships, such as Barrington Hills, that are in Cook County, Lake County, McHenry County and Kane County. Now when we have zoning changes in that area, where would the hearing be held?"

McMaster: "Mr. Hanahan, this is a permissive Bill, and it ah... it would be possible to hear a hearing in each one of those and also possible if so desired to hold it within the County Court House."

Hanahan: "Well, I suggest, Sir, that ah.... that this isn't benefiting the people that are living in the units that are going to have a zoning.... a change take effect. It's really keeping from them the access that some of these working people, who want to appear before a zoning hearing from having the access to the hearing by moving it to the



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

county seat, which in some cases are 20 and 30 miles away. I don't think this is a people's bill. I don't think it really protects the citizens like the attempt that County government's pretend that it is suppose to do, that it is the peoples government, the township government and I think any zoning change should be located in the township where.... by mandate right now. It should be kept right in the township. Not in the County seat, 20 and 30 miles away."

McMaster: "Let me point out, Tom, that in many cases there is no objection to zoning change and certainly in cases like that, it might be permissible to hold it in the Court House. Certainly in cases where there is a great deal of conflict, I would assume that they would still be held out in the individual areas, and there's nothing in this Bill that prevents that."

Murphy: "Is there further discussion? Gentleman from Cook, Mr. Mugalian."

Mugalian: "Mr. Speaker, ah.... I'd just like to state.... and Ladies and Gentlemen of the House, I'd like to state my understanding of this Bill and if I'm incorrect, I wish the Sponsor would correct me. If we have a zoning.... a county zoning matter in the Palatine area, and that... and if the property were on the border line between the two townships, Palatine township and Wheeling township, which is not six miles away from the City of Chicago...."



McMaster: "This has the amendment that excludes the homerule counties."

Mugalian: "All right, now let me restate it as a matter of principle. If this were in another county, would they all have to go to the County seat rather than have the hearing close to the property in question?"

McMaster: "It would be possible either way. It does not restrict it to the County seat only. It is only a permissive bill that would permit it to be held in the County seat. Thank you."

Murphy: "Gentleman from Cook, Mr. Yourell."

Yourell: "Would the gentleman respond to a question?"

Murphy: "He indicates he will. Proceed."

Yourell: "Tom, in Cook County, we use to have the system in effect that you're attempting to institute with this Bill, where any zoning hearings or changes of zoning were held in the County Building. Now in order to make it more convenient for the Public, they've moved the County Board of zoning out to the areas where the problem is affecting the People. Now can you tell me why you think this is a better method then the one they use in Cook County?"

McMaster: "Why, I'm trying to follow your intent. It's a little bit difficult to hear you, Buzz. Will you restate your question?"

Yourell: "Yes, well in Cook County, if there is a zoning change or a matter affecting a community, they convene the Board



that is going to hear this right in the area where the complaint is or the change to be affected is. Now they use to have it they way you would like to have it in this Bill. Can you tell me why the system that you're advocating in the legislation in ah.... House Bill 521 is better than the system they use in Cook County?"

McMaster: "Well, Buzz, this does not ah.... exclude the opportunity to hold the hearings at the point, as you're speaking of. Certainly, it is still permissive. Either way is permissive, Buzz. It's not a mandatory bill."

Murphy: "Gentleman from Cook, Mr. Jaffe."

Jaffe: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Bill. It seems to me that government should serve the people and it seems to me that the object of this Bill and the thrust of this Bill is to keep people away from the very hearings that they should be at. You know, let's not kid ourselves, if the township can take these meetings and hold them far, far away, then that's exactly what they're going to be and that's exactly what they're going to do. This is a step backward. It seems to me that we have a crisis in government at the present time. People have no confidence in their government and I think if we pass out a bill like this, we will be saying to them that they are correct and I would urge that this Bill be defeated."

Murphy: "Gentleman from Kane, Mr. Friedland."



Friedland: "Mr. Speaker, Ladies and Gentlemen of the House, I move the previous question for this good Bill."

Miller: "All right, the previous question has been moved. All those in favor, say 'aye', opposed 'nay'. The 'ayes' have it and the gentleman's motion prevails. Now we return to the gentleman from Knox, Mr. McMaster, to close the debate."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, in closing, let me say again, that this is permissive legislation, not mandatory legislation, and certainly it is a decision that is permissive and I urge your support and your green lights."

Miller: "All right, the question is, shall House Bill 521 pass? Those in favor, vote 'aye', opposed 'nay'. The Chair recognizes the gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker, Members of the House, in explaining my vote, the law presently provides with regard to township.... county zoning that if you have an amendment affecting a township, that there will be a hearing within that township. This Bill does not change the law when the zoning amendment affects one township and one township alone. The problem that this Bill is directed to is when you have a zoning matter that affects more than one township by a particular amendment. If the law stays the way it is, there is going to have to be two hearings, one in each of the affected townships. You'll have duplications



and what the sponsor of the Bill is suggesting, that there be only one hearing, that the hearing may be in each of the two townships or it may be in the County seat. He is still keeping in the Bill the notice requirement. I think it's a good Bill. I see no objection to it and would encourage your support."

Miller: "Have all voted who wished? Take the Record, Mr. Clerk. On this question, there are 58 'ayes' and 50 'nays'. For what purpose does the gentleman from Kankakee, Mr. Beaupre, arise?"

Beaupre: "Mr. Speaker, I would like to be recorded as voting 'no' on that matter."

Miller: "Record the gentleman 'no'. And this Bill, having failed to receive the Constitutional Majority, is hereby declared lost."

F. B. Selcke: "House Bill 523. Murphy. Bill for an Act to amend an act relating to sheriffs. Third Reading of the Bill."

Miller: "Gentleman from Lake, Mr. Murphy."

Murphy: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 523 is referred as the 'Buddy Bill' and as the Bill that requires two men in a squad car. We're only talking about counties, deputy sheriffs. Now, we've had 111 deaths in 1971 in one-man squad cars as compared to only 37, which is still a lot, of course, in two man squad cars. The only argument against this Bill at all is the



fact that it is going to cost them money. But on the other hand, you can't measure the life of a good police officer with money. We are living in a day of violence, I don't have to tell you that, and these men who have to go out into the dark subdivision and dark alleys at night time, far apart from other police, and have to rely on them coming to their aid, are in a very dangerous situation and I think that they deserve have a buddy with them, a partner with them, and I would urge your support for this Bill. Now, we've amended Homerule counties out of it of course, and this is only affecting counties over 150,000 population, which puts it mostly up in the metropolitan area, and I urge your support of this Bill."

Miller: "Lady from Adams, Mrs. Kent, is recognized."

Kent: "Mr. Chairman, I would like a point of personal privilege, please. In the balcony, we are privileged to have as our guest, three rural electric specialists from the Phillipines and one engineer from Thailand, who are visiting in Quincy. Along with him is Dean Sorrows of the Adams County Electrical Coop. We are glad to have you with us."

Miller: "All right, the gentleman from Will, Mr. Leinenweber, is recognized."

Leinenweber: "Thank you, Mr. Speaker, Members of the House, I have to rise to oppose this well-meaning Bill, because it attempts to dictate what is essentially an administrative decision. This Bill will cover, as I understand it, based



from the amendment, all counties over 150,000 and all municipalities and whoever has a police force that is not homerule. There are many areas where this is an absolute nonessential provision, which would work a hardship on the municipalities and on the counties. Do not have the money, do not have the manpower to have two-man squad cars. Again, there is no question that certain areas warrant two-man squad cars, but certain areas do not, and to mandate that two-man squad cars, I think is ah.... wrong, and therefore I'm going to oppose this Bill."

Miller: "Gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this Bill. In my area, we are one of the pilot areas that is like Indianapolis, Indiana, where every policeman has his own automobile. If such a Bill were to pass here, when sunset came, we would have to park half of our automobiles on the streets, our police cars and double up until sunrise. I cannot see.... this Bill as being as good as the pilot program down there where we have actually reduced crime. We've reduced crime and it's provable by statistics and I would strongly be in favor of defeating this Bill."

Miller: "Gentleman from Knox, Mr. McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, with my record this morning, I hesitate to speak against a Bill for fear it might pass. But I do feel that this



is a bad bill. We've been consistent this morning, in our opinions against adding any increase in funds to county government. Let me point out, that the effect of this Bill might be just the opposite of what the sponsor intends, that due to the lack of money, it might decrease the number of squad cars serving a county area and might make the deputies double up as far as riding in the cars, and certainly ah.... this would mean that this would be half the amount of cars on the road, that there would be if it were permissible to have one man in a squad car. It is permissible at the present time, to have two deputies if the County or city so desires. But certainly this would mandate the requirement that two people be in every squad car."

Miller: "All right, is there further discussion? Gentleman from Cook, Mr. McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to support this Bill. I was a Chicago policeman, and let me tell you it's lonesome to be out after dark and stop the car with five or six people, and you be by yourself. And this is a matter that would provide an extra measural safety for policemen out on the highways. Sometimes they're out in areas where there are nobody else around, by themselves. They stop a car with four or five people. There's no way that one policeman can watch four or five people in the car at the same time. If there's



a second policeman in the car, he can cover his partner. This is a Bill that would save policemen's lives and would provide more effective law enforcement in the rural areas. Because many times, policemen, rather than stop a car with four or five policemen in it and risk his life, will let the car go by. You have more aggressive police enforcement if you have two policemen in the car together after dark. This is a Bill that would help cut down on burglaries and robberies, help cut down on crime. This is a good Bill and I'm proud to support it. Thank you."

Miller: "All right, the gentleman from Perry, Mr. Ralph Dunn."

Dunn: "Thank you, Mr. Speaker, Members of the General Assembly.

I rise to oppose this Bill. I would like to say that part of my district, part of the 58th district, is in Sinclair County, and as I understand from the Representative, that St. Clair County would be a county that would be counted in over 150,000 population, and in the district of the 58th district, we have about ten towns, maybe nine in the suburban part of St. Clair County that now have patrols by deputy sheriffs, the largest town in this part of the county, is probably about 4,000 population. It's mostly rural. They don't need many. Wouldn't it apply... it would not apply to ah.... wouldn't apply to St. Clair County. St. Clair County is not a homerule county. I am right. St. Clair is in our District and it would apply



to St. Clair, and this would mean that in a little town of Marisa, about 1500, 2000 population, when the deputy sherriff came down from Belleville, some thirty miles, I suppose he would have to have two men in the car to patrol the area. I think it's a waste of money in this instance and I think it's an administrative function of the sheriff and I'd urge the defeat of this."

Miller: "Gentleman from DuPage, Mr. Hudson."

Hudson: "Mr. Speaker and Ladies and Gentlemen of the House, this is a particular proposal that the ah.... police people in my county have expressed themselves very clearly on. They do not want this. They do not feel it necessary. They do not have the money to foot the Bill that this proposal would involve. They also feel that it is a matter best left to the local community to decide and I feel that I am speaking and reflecting the interest of these people in my county when I urge a 'no' vote on this proposal."

Miller: "Is there further discussion? For what purpose does the gentleman from Will, Mr. Leinenweber, arise?"

Leinenweber: "Mr. Speaker, it was pointed out that I was incorrect when I stated that I oppose this Bill because the fact that it covers municipalities. It does not. It is limited to counties of over 150,000 population and to the sheriff's department. And I'd like to apologize to Representative Murphy for making the comment that it



was incorrect."

Miller: "All right, is there further discussion? All right, let's return to the gentleman from Lake, Mr. Murphy, to close the debate."

Murphy: "Just to get it completely right, Mr. Speaker, I repeat again, that this does not affect any village or municipality at all. That was House Bill 525, which I tabled. We also tabled the State Police Bill and it only affects county sheriff's police and the Bill was given to me actually by the Sheriff's Association, who are in support of the Bill. And I would ask for your favorable vote, for this Bill."

Miller: "The question is, shall House Bill 523 pass? All those in favor vote 'aye' and opposed 'nay'. Have all voted who wished? Have all voted who wished. Take the Record, Mr. Clerk. On this question, there are 68 'ayes', 36 'nays', McLendon 'aye', Pierce 'aye'. Hart 'aye'. It makes it 70 'ayes' and 36 'nays', and this Bill having All right, the gentleman from Lake, Mr. Murphy."

Murphy: "I'd like to hear them coming on like that, Mr. Speaker. Would you please poll the absentees?"

Miller: "All right, the gentleman has requested the polling of the absentees. And I'll recognize those wishing to be voted on the call of the absentees."

Jack O'Brien. Barnes. Blades. Borchers. Boyle. Brandt. Brummet. Caldwell. Carter."



Miller: "Just a minute, Mr. Barnes."

Barnes: "Mr. Speaker, I believe I was called in the absentees, is that correct?"

Miller: "Is that correct? Yes?"

Barnes: "I would like to give Representative Murphy a 'yes' vote on this Bill."

Miller: "Vote Mr. Barnes 'aye',"

Jack O'Brien: "Carter. Catania. Chapman. Clabaugh. Collins. Craig. Cunningham. Day. Deavers."

Miller: "Record Mr. Deavers as 'present'."

Jack O'Brien: "Duff. R. L. Dunne. Dyer. Ewell. Fleck. Friedland. Granta."

Miller: "Just a moment. For what purpose does the gentleman Mr. Boyle, gentleman from Macoupin, arise?"

Boyle: "How am I recorded, Mr. Speaker."

Jack O'Brien: "Gentleman is recorded as 'not voting'"

Boyle: "I would like to give my friend Murphy a vote. I'll vote 'aye'."

Miller: "Record the gentleman as 'aye'."

Jack O'Brien: "Grotberg. Harpstrite. Hart. Hart 'aye'. Hirschfeld. G. L. Hoffman. J. D. Holloway. R. H. Holloway. D. L. Houlihan. J. M. Houlihan. Hunsicker. Jacobs. Jaffe. J. D. Jones. Keller. Kempiners. Kennedy. Krause."

Miller: "O'kay, for what purpose does the gentleman from Sangamon, Mr. Gibbs, arise?"



Gibbs: "Mr. Speaker, how am I recorded as voting?"

Jack O'Brien: "Gentleman is recorded as voting 'yea'."

Gibbs: "Would you vote me 'present' please?"

Miller: "Change the gentleman's vote to 'present'."

Jack O'Brien: "Kucharski. LaFleur. Lauer."

Miller: "Mr. Lauer 'present'. Mr. Lauer recorded as 'present'."

Jack O'Brien: "Lechowicz."

Miller: "Record Mr. Lechowicz as 'aye'."

Jack O'Brien: "Leon."

Miller: "Record Mr. Leon as 'aye'."

Jack O'Brien: "Londrigan. Lundy. Martin."

Miller: "Mrs. Martin."

Martin: "Mr. Speaker, I was temporarily away from my desk at the time of the original roll call. I would please like to be recorded at this time voting 'aye'."

Miller: "Vote the Lady 'aye'. How's Mr. Craig Recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."

Miller: "Vote the gentleman 'aye'."

Jack O'Brien: "McCormick."

Miller: "McCormick is voting 'aye'."

Jack O'Brien: "McCormick 'aye'."

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

Duff: "Mr. Speaker, how am I recorded?"

Miller: "How's Mr. Duff recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."



Duff: "Vote me 'no'."

Miller: "Vote the gentleman 'no'. Mr. Ewell, how's Mr. Ewell's vote?"

Ewell: "Mr. Speaker, I was away from my desk."

Miller: "How's the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as 'not voting'."

Ewell: "Mr. Speaker, I'd like to vote 'aye'."

Miller: "Vote the gentleman 'aye'."

Jack O'Brien: "K. W. Miller."

Miller: "Miller 'aye'."

Jack O'Brien: "Neff. Palmer. Pappas. Patrick."

Miller: "Just a moment. Record Mr. Pappas as 'aye'. Mr. Patrick 'aye'."

Jack O'Brien: "Philip. Pierce. Rose."

Miller: "Mr. Pierce. You'd like to vote 'aye' Mr. Pierce?"

Pierce: "I thought I did."

Miller: "All right, record him as 'aye' on this roll call."

Jack O'Brien: "Rose. Schisler. Schneider. Schraeder. Sevcik. Sharp."

Miller: "Mr. Sharp 'aye'. Record the gentleman as 'aye'."

Jack O'Brien: "Ike Sims. Skinner. Stedelin. Telcser. Terzich. Thompson. VonBoeckman."

Miller: "Just a minute. Mr. Thompson care to vote? Vote the gentleman 'aye'."

Jack O'Brien: "VonBoeckman. W. D. Walsh. Washington."

Miller: "Mr. Washington. Record the gentleman as 'aye'."



Jack O'Brien: "B. B. Wolfe."

Miller: "Now, Mr. Caldwell desire recognition?"

Caldwell: "How am I recorded, Mr. Speaker?"

Miller: "How's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as not voting."

Caldwell: "Vote me 'aye'."

Miller: "Vote the gentleman 'aye'." Mr. Flinn. "How's the gentleman recorded?"

Flinn: "Mr. Speaker, I want a point of inquiry. I would like to find out how many 'ayes' do we have at this time?"

Miller: "Well, just a moment, we'll inform the House. For what purpose does the gentleman from Cook, Mr. Terzich arise?"

Terzich: "How am I recorded?"

Miller: "How's Mr. Terzich recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."

Terzich: "Vote me 'aye'."

Miller: "Vote the gentleman 'aye'." Mr. Mahar.

Mahar: "Mr. Speaker, how am I recorded?"

Miller: "How's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'nay'."

Mahar: "Change my vote to 'aye'."

Miller: "Change the gentleman to 'aye'. Mr. Tom Miller. How is the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'nay'."

Miller: "Change the gentleman to from 'nay' to 'aye'. Mr. Harpstrite, how is he recorded?"



Jack O'Brien: "Gentleman is recorded as 'not voting'."

Miller: "Vote the gentleman 'no'. Mr. Fary, the gentleman from Cook."

Fary: "I was counting with Brother Murphy. He got 192 votes now. 192 'ayes', so I think it ought to be declared passed."

Miller: "Mr. Jaffe."

Jaffe: "Could you tell us what the count is now, Mr. Speaker?"

Miller: "Just a minute. 87 'ayes' and 37 'nays'. The gentleman from Cook, Mr. Jaffe."

Jaffe: "I really believe that this Bill ought to be extended to cover Cook County, but maybe this is the proper beginning and I would like to be recorded as voting 'yes'."

Miller: "Mr. Jaffe 'aye'. How's Mr. Collins, the gentleman from Cook, recorded?"

Jack O'Brien: "Gentleman's recorded as 'not voting'"

Miller: "Vote the gentleman 'aye'. How's the gentleman from DeKalb, Mr. Ebbesen, recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Ebbesen: "I'd like to change my vote to 'yes'."

Miller: "Change the gentleman from 'no' to 'aye'. Gentleman from DuPage, Mr. Philip, how's he recorded?"

Philip: "Mr. Speaker, if I might be allowed, may I explain my vote."

Miller: "Is he recorded?" Is Mr. Philip recorded?"

Jack O'Brien: "The gentleman is recorded as 'not voting'."



Miller: "All right, Mr. Philip, you may explain your vote."

Philip: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, when this Bill was originally introduced, I was very much in favor of it, because I believe that in some areas in the State of Illinois that we should have two officers in a police car, primarily in the Cook County area. As you know, the homerule amendment went on and now Cook County is eliminated. Downstate generally speaking in the rural area, there is no need for two officers in a patrol car. Also, if the County Board so deems, they can increase the sheriff's budget and give him extra men in those areas where it is needed. Now this mandates those counties downstate and doesn't give them a tax rate for increase, so where's the money coming from. I would suggest in good conscious, Ladies and Gentlemen, we ought to vote 'no', and I'd like to be recorded as voting 'no'."

Miller: "Vote Mr. Philip as 'no'. How is Mr. Hirschfeld recorded?"

Jack O'Brien: "The gentleman is recorded as not voting."

Hirschfeld: "Mr. Speaker, I think Representative Philip has put his finger on the problem. I'll have to vote 'no'."

Miller: "Vote the gentleman 'no'. Gentleman from Cook, Mr. Walsh 'no'. Mr. Dunn from Cook 'no'. Mr. Terzich, I thought you were recorded, Sir. Mr. Terzich. Turn on Mr. Terzich's mike."

Terzich: "Mr. Speaker, I would like to know if we could just



have another roll call. We're going back and forth on this. Can we have another roll."

Miller: "I think it's not necessary. Mr. Tipsword, the gentleman from Christian, how's he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Tipsword: "Mr. Speaker, that's the way I certainly wanted to be sure I was recorded, because this Bill is not only bad for counties, but I would like to know how the small cities and villages downstate are going to pay for the second man in the squad car. It's fine. I think we should have them, but I'd like to have the money for it."

Miller: "Ah.... the Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill does not affect municipalities. There was a companion bill that is not going on the floor. It simply affects the counties and in counties like mine, in Lake, I think it's a necessity and I do hope we can get the votes to pass it."

Miller: "Well, we're on.... we're calling the absentees, that was the last order of business. The Chair has been quite lenient. Now, ah.... Mr. Clerk, do you..... can you give me a county at the moment."

Jack O'Brien: "90 'ayes' and 39 'nays'...."

Miller: "There are 90 'ayes' and 39 'nays'. Now Mr. Flinn had requested this count..... the Chair recognizes Mr. Flinn."



Flinn: "Mr. Speaker, I hate very much to waste the time of this honorable body, but I believe I'm compelled to ask for a ah.... poll of the 'yeas'."

Miller: "Well, the gentleman has a right to call for verification of the affirmative vote. Now, will every member please be in his seat. We've got a long ways to go yet today. Let's get this over with as fast as we can. Mr. Clerk, call the affirmative roll as soon as you can. All right, the Chair will announce that he's informed that there's 91 'ayes' at the present time. All right, the gentleman is requesting a verification of the affirmative roll. Proceed to call the affirmative, Mr. Clerk, and every Member please be in their seat and sitting down so we can hurry this up."

Jack O'Brien: "Alsup. Arrigo. Barnes. Barry. Beatty. Berman. Bluthardt. Boyle. Brinkmeier. Caldwell. Calvc. Campbell. Caparelli. Capuzi. Choate. Collins. Cox. Craig. Davis. Deuster. DiPrima. Douglas. Ebbesen. Epton. Ewell. Farley. Fary. Fenessey. Garmisa. Geo-Karis. Getty. Giglio. Giorgi. Griesheimer. Hanahan. Hart. Hill. R. K. Hoffman. Jaffe. Emil Jones. Klosak. Kosinski. Kożubowski. Laurino. Lechowicz. Lemke. Leon. Madigan. Mahar. Maragos. Martin. Matijevich. McAuliffe. McAvoy. McCormick. McCourt. McGah. McLendon. McPartlin. Merlo. K. W. Miller. T. H. Miller. Molloy. Murphy. Nardulli. North. Pappas. Patrick."



Pierce. Peters. Polk. Porter. Randolph. Redmond.
Rigney. Ryan. Schoeberlein. Sharp. Shea. W. T.
Simms. Soderstrom. Taylor. Terzich. Thompson. Waddell.
Wall. Washburn. Washington. J. J. Wolf. Yourell.
Mr. Speaker."

Miller: "All right, Mr. Flinn, are there questions of the affirmative roll?" Just a moment, for what purpose does the gentleman from Cook, Mr. Palmer, arise?"

Palmer: "How am I recorded, Mr. Speaker?"

Miller: "How's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as not voting."

Palmer: "Vote me 'aye' please."

Miller: "Vote the gentleman 'aye'. All right, proceed Mr. Flinn."

Flinn: "I think, Representative Barry. I see him now. Never mind. Representative Boyle."

Miller: "Representative Boyle. He's in the back of the room."

Flinn: "Representative Capparelli."

Miller: "Capparelli. Yeow, he's in his seat."

Flinn: "Representative Davis."

Miller: "I don't see the Gentleman in his seat. Is Representative Davis on the floor? I don't see him. Take him off the roll."

Flinn: "Representative Emil Jones."

Miller: "Emil Jones. He's not in his seat. Is the gentleman on the Floor? Take him off the roll, Mr. Clerk."



Flinn: "Representative Laurino."

Miller: "Laurino. He's in his seat."

Flinn: "Representative Lechowicz."

Miller: "Lechowicz is on the right hand side here, my right-hand side."

Flinn: "Representative McLendon."

Miller: "He's in his seat."

Flinn: "Representative Taylor."

Miller: "Representative Taylor. The gentleman is not in his seat. Is he on the Floor? Take him off the roll, Mr. Clerk."

Flinn: "There was a little noise back there, Mr. Speaker and I couldn't hear whether you called Representative Stedelin as voting 'aye' or not. I would challenge him if you did."

Miller: "How's Mr. Stedelin recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."

Flinn: "Griesheimer. Representative Griesheimer."

Miller: "Is Representative Griesheimer on the Floor? He's in the back of the room."

Flinn: "O'kay, Representative Pappas."

Miller: "Pappas. He's in his seat."

Flinn: "Representative Randolph."

Miller: "He's in his seat."

Flinn: "Representative Wall."

Miller: "Wall. I don't see him in his seat. Is Representative Wall on the floor? Take him off the roll."



Flinn: "How about Representative Keller. I also couldn't hear how he's voted."

Miller: "How's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."

Flinn: "That's all I have, Mr. Chair."

Miller: "All right, now, the Chair recognizes Mr. VonBoeckman."

VonBoeckman: "How am I recorded?"

Miller: "How's the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."

VonBoeckman: "Vote me 'aye', Mr. Speaker."

Miller: "Vote the gentleman 'aye'. All right, Mr. Kucharski, the gentleman from Cook, how is he recorded?"

Jack O'Brien: "Gentleman is recorded as 'not voting'."

VonBoeckman: "Vote me 'aye'."

Miller: "Vote the gentleman 'aye'. All right, Representative Taylor is back on the floor. Put him back on the affirmative roll call. Can you give me a count, Mr. Clerk? On this question, there are 91 'yeas', 39 'nays' and 3 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the gentleman from Lake, Mr. Murphy."

Murphy: "Mr. Speaker, I would just like to say thank you very much to all these fine men for their spontaneous and fast votes. Thank you very much. House Bill 529."

Jack O'Brien: "House Bill 529. Day. A Bill for an Act in relation to local improvements made by special assessments



or special tax benefiting state property. Third Reading of the Bill."

Miller: "The gentleman from Peoria, Mr. Day."

Day: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 529 is designed to provide a simplified method for handling special assessments as they apply to State-owned property which is benefited by a local improvement. The Bill provides that the attorney general must certify to the Department of Local Government Affairs that the State property in question has been benefited to the extent of the amount of the assessment and that the assessment procedure has been in compliance with this act. It is limited to cases where the assessment does not exceed 25,000 dollars. If the assessment exceeds 25,000 dollars, it must be handled by including it in the budget of the Department that controls the land. So what this does is to in effect provide for the same notice and a special assessment proceeding to the State where the State owns property that is being affected as it does for any other property owner and it provides that the State's portion of the assessment can be paid. We must have a certification by the Attorney General to the effect that the ah.... assessment is in accordance with law and that the property is, in effect, benefitted to the extent of the assessment. I would appreciate your support."

Miller: "Is there discussion? Hearing none, the question is



shall House Bill 529 pass. All in favor, vote 'aye', opposed 'nay'. Have all voted who wished? Take the Record, Mr. Clerk. Record Rayson as 'aye'. Rayson 'aye' on this roll call. On this question, there are 125 'ayes' 4 'nays', and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 535."

Jack O'Brien: "House Bill 535. A Bill for an Act to amend Section of an Act relating to Public Health. Third Reading of the Bill."

Miller: "Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker and Members of the House, I would ask unanimous consent to send House Bill 535 back to the order of Second Reading for the purposes of an amendment. I have an agreed amendment by the Environmental Protection Agency. This Bill was on the consent Calendar. I pulled it off myself so that the Department of Public Health and EPA could work out this agreed amendment. But I would ask that unanimous consent to send it back."

Miller: "Is there objection? Hearing none, House Bill 535 is returned to the Order of Second Reading." Mr. Clerk, read the amendment."

Jack O'Brien: "Amendment 1. Amends House Bill 535 on page 2 by adding after line 26 and before line 27 the following and so forth."

Miller: "Ah... the gentleman from Lake, Mr. Matijevich."

Matijevich: "All the amendment does, says that the term



'sanitary investigations, inspections and sanitary practices, as delineated in the Act shall not include or apply to public water supplies or sewage works as defined in the EPA Act. I would move the adoption of the Amendment Number 1 to House Bill 535."

Miller: "Question's on the gentleman's motion to adopt Amendment Number 1. All those in favor, say 'aye', opposed 'nay'. The 'ayes' have it and the Amendment's adopted. Are there further amendments? Bill is advanced to the Order of Third Reading."

Matijevich: "Now, Mr. Speaker, This Bill would, in this form, belong on the consent calendar because EPA and Public Health do agree and the Bill sets forth that the Department may adopt and promulgate repealing of men, rules and regulations and make inspections in the matter of public water and sanitary practices in relation to public rest rooms. I would ask for an affirmative vote on House Bill 535."

Miller: "All right, this Bill having been placed back on the order of Third Reading, the question is, shall House Bill 535 pass? Those in favor, vote 'aye', opposed 'nay'. Have all voted who wished? Record Choate 'aye' on this roll call. J. J. Wolf 'aye'. McLain 'aye'. Take the Record, Mr. Clerk. On this question, there are 136 'ayes', and no 'nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 542."



Jack O'Brien: "House Bill 542. A Bill for an Act to amend Sections of the Motor Fuel Tax law. Third Reading of the Bill."

Miller: "Gentleman from Stephenson, Mr. Rigney."

Rigney: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 542 is a very simple Bill. It merely extends for one year the time in which someone may file for a refund on their motor fuel tax claim. They presently have 12 months in which to file, and this Bill will give them another year in which to file, but during that second year, they will only be able to claim 80% of the refund."

Miller: "Is there discussion? Question is, shall House Bill 542 pass? All those in favor, signify by voting 'aye', opposed 'nay'." Have all voted who wished? Take the record Mr. Clerk. On this question, there are 144 'ayes'. Mr. McAvoy 'aye'. 145 'ayes' and no 'nays'. This Bill, having received the Constitutional Majority, is hereby declared passed. All right, the next Bill is 557."

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

Miller: "The gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bills 557, 558, 559 and 560 were heard the other day and I would ask leave at this time, Mr. Speaker, if I could recall House Bill 560 for the purpose of tabling Amendment Number 1 and offering Amendment Number



2 and then we could go back and pick up the Bills in order."

Miller: "Does the gentleman have leave? All right, hearing no objection, House Bill 560 is returned to the Order of second reading. Mr. Clerk, read the Amendment."

Washburn: "I would ask that Amendment Number 1 be tabled."

Miller: "All right, the gentleman moves that number 1 be tabled. All those in favor, say 'aye', opposed 'nay'. Amendment Number 1 is tabled. The gentleman from Union, Mr. Choate."

Choate: "I'm not sure, Representative Washburn, but I didn't hear the Amendment read, but is this the Amendment that I suggested to you when the Bill was up before?"

Washburn: "Representative Choate, we have tabled Amendment Number 1 and I am now offering Amendment Number 2."

Choate: "Is this the Amendment that I made the suggestion on?"

Washburn: "Yes. Now,"

Miller: "The gentleman from Cook, Mr. Walsh. We have just tabled Amendment Number 1."

Washburn: "To House Bill 560 and I would like to offer Amendment Number 2."

Miller: "All right, will the Clerk read Amendment Number 2."

Jack O'Brien: "Amendment Number 2. Washburn. Amend House Bill 560 as amended on Page 1, Section 3, by deleting lines 26 through 30 in lieu thereof the following: Section 3 and so forth."

Miller: "Gentleman from Grundy, Mr. Washburn."



Washburn: "Thank you, Mr. Speaker. Amendment Number 1, or Number 2 rather, creates an eight member committee consisting of the Speaker and the Minority Leader of the House of Representatives, the President and Minority Leader of the Senate and the Chairman and Minority Spokesman of the Appropriations Committee of each House. The Minority Leader of the respective houses would designate the minority spokesman and a vote of six or more committee members would be required to veto the placing of funds in reserve and it adds the effective date that was contained in Amendment Number 1, and I move for its adoption."

Miller: "All right, the gentleman moves for the adoption of Amendment Number 2. Is there discussion? All right, all those in favor say 'aye'. Opposed 'nay' and the Amendment is adopted. Are there further Amendments? All right, the Bill is advanced to the Order of Third Reading. Mr. Clerk did you read House Bill 557. Just a minute, the gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker, just to find out where we are, it seems to me that these Bills should be discussed separately and voted on separately. I know you just jumped from 557 to 560, but I think we should handle them separately because they do touch on different subject matter."

Washburn: "That is my intention, but I wanted to get the Amendment on the last Bill."



Miller: "There's been no request to consider these as a package. Now, Mr. Clerk, have you read House Bill 557, a Third time? All right, gentleman from Grundy, Mr. Washburn, is recognized."

Washburn: "Thank you, Mr. Speaker. House Bill 557 requires all of appropriations in the Governor's budget message to be introduced within 14 days of the presentation of his budget. As I recall, there were no questions on this Bill the other day, so I ask for your favorable support."

Miller: "Is there discussion? The gentleman from Cook, Mr. Jaffe."

Jaffe: "Mr. Speaker, would the gentleman yield for a few questions."

Miller: "He indicates he will. Proceed."

Jaffe: "Representative Washburn, we, as legislators, can introduce appropriation bills at any time. Is that correct?"

Washburn: "And this does not affect this privilege at all."

Jaffe: "All right, but aren't we in fact setting up a double standard over here? In other words, we're saying to the Governor, you cannot introduce appropriation bills except 14 days after your budget address."

Washburn: "This is to encourage the Governor to introduce his appropriation bills within 14 days after his budget message so that the Appropriations Committee and members of the General Assembly would have ample time to study them."



Jaffe: "Well, let me suggest to you that I think in essence what you're going to do, is you're going to tie the Governor's hands and ah..... it seems to me that ah.... you are going to have a vendeta going against this particular Governor, but I think you're going to tie the hands of every Governor to come, and I think that this is just bad legislation and it ought to be defeated."

Washburn: "In reply to Representative Jaffe, Mr. Speaker, I feel just the opposite. If our hands are tied at this point of this session, most of the major Bills have not as yet been introduced. I think that less than half of the appropriation bills have been introduced to a total amount of seven million dollar budget, and we're just not going to have ample time to hear them if it is continued."

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

Peters: "I rise to favor the proposal of the Chairman of the Appropriations Committee, and to disagree with my neighbor to the north. Those of us who serve on the Appropriations Committee have a very serious problem. As an example, we are now told that the appropriations for the Department of Transportation will not be in until June 1st. We have a number of Bills in Committee, which Members of the House, are asking for appropriations for railroad crossings, for improvements of one kind or another and if we are to be fair to the Members of this House and fair to the people,



we've got to know and have some idea exactly what is in the Governor's budget. This seems to me to be a good Housekeeping kind of measure, a measure that's fair to the Governor, since it does indicate to him some set guidelines and dates and times, when the budget must be submitted and those appropriation bills must be submitted and it does give the Members of this House an opportunity to know what's in that budget, to see whether projects they may be interested are, in fact, in the Governor's appropriation or recommendations, and it makes the work of the Appropriations Committee a lot easier. I strongly urge that this Bill and the entire package presented by the Chairman of the Appropriations Committee here, be approved by this House."

Miller: "Gentleman from Cook, Mr. Schlickman."

Schlickman: "Will the Sponsor yield for two questions?"

Miller: "Proceed, Sir."

Schlickman: "Representative, what is the date by law that the Governor is to submit his budget to the General Assembly?"

Washburn: "The first Wednesday in March, Representative Schlickman."

Schlickman: "Now, Representative, the Governor doesn't appropriate money. It's the General Assembly. The Governor does not introduce Bills. It's Members of the General Assembly. It would seem to me that by this Bill, you are restricting or regulating the right that Members of the



General Assembly have to introduce appropriation bills as they relate to the budget presented by the Governor of the State of Illinois."

Washburn: "In no way, Representative Schlickman. These are for annual and recurring bills, and I said it's an indication of our desire to have these Bills submitted in ample time for an indepth study."

Schlickman: "I still suggest that it's 'we' the Members of the General Assembly that appropriate and it's 'we', the Members of the General Assembly who introduce bills, and this constitutes a regulation, ah..... or restriction on our constitutional right to introduce bills, whether or not they relate to the Governor's budget, whether or not they relate to any agencies over which he has control or responsibility and for that reason, I can't vote for this Bill."

Washburn: "I don't read the Bill that way, Representative."

Miller: "All right, the gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, I think this body is infringing upon the rights of the Governor that are inherent to his office. I think it is a little ludicrous of us to sit here and purport to tell every other agency what they ought to do. Now, I've heard many of these super patriots make the expression, you know, my country, my country, right or wrong, my country. They get to the President and they make the same thing. My President, My President. But when they



get to the Governor, however, they don't even want to give him a chance. I think this is what we call political vindictiveness. I think it's wrong and I think we ought not interfere with the Governor's office or the manner in which he tries to run it."

Miller: "All right, the gentleman from Cook, Mr. Harold Washington."

Washington: "Will the sponsor yield for one question?"

Representative Washburn, in the event that the Governor's appropriation bills, any or all of them, are not submitted prior to this date, what is the effect of that? Does the bill set that out?"

Washburn: "There's no penalty at all. As I stated in my opening remarks, this is to encourage the Governor to.... not just this Governor, but any other Governor to submit his Bills, the Bills that are prepared by the Bureau of the Budget as early as possible. At this point, Representative Washington, three of the largest bills, Department of Public Aid, Children and Family Services, Transportation and others haven't been introduced, and if they're not introduced soon, we're.... and Mental Health's another one, and we've been advised that Transportation and Mental Health probably wouldn't be introduced until June 1 or after, and if they're not introduced until that late date, there's just no way we can properly study them."

Washington: "So in effect if this Bill passes and the Governor



fails to submit a particular appropriation, that given Department would go unfunded for the fiscal period."

Washburn: "No, it doesn't. No, there's no penalty clause in this Bill."

Washington: "How do you get the Bill then? If he doesn't submit the Bill according to the law, he can't submit it after 14 days and any particular agency that did not have an appropriation submitted would go unfunded for that fiscal period, would it not?"

Washburn: "No, this is as I've said, repeat again, this is to encourage the Bureau of the Budget and the Governor's office and the various Department heads, regardless of who the Governor is, to submit their bills as early as possible to be fair with us."

Washington: "Representative Washburn, even assuming I agree with you and I don't, would it not be better to put that in the House rules perhaps, rather than make it statutory law?"

Washburn: "I'm not one to judge that. I'm not that familiar with the makeup of the rules or how they're comprised."

Washington: "I submit that this is a great mistake. I don't know if the personalities are inherent in this particular legislation. I'm certainly not going to accuse you of resorting to that, but I have to conclude that there's something untold that doesn't face this legislature in terms of this Bill. I think it's a very dangerous thing to do, and although, I would subscribe to the proposition



that certain things should be done to circumscribe the power of our President, I don't think that even Congress wants to go this far."

Miller: "For what purpose does the gentleman from Cook, Mr. Jaffe, arise?"

Jaffe: "A parliamentary inquiry, Mr. Speaker."

Miller: "State your point."

Jaffe: "At least on one occasion, the Speaker has ruled as to the constitutionality of bills. Since it seems to me that the House has control of the its own rules, it would appear that this Bill is unconstitutional and I would therefore ask for your ruling."

Miller: "The Chair doesn't understand as to why you say it's unconstitutional, but I don't think that's a prerogative of this Chair to rule on the question of whether or not it's constitutional."

Jaffe: "Well, the Chair exercises its prerogative on the Transportation Bill, Mr. Speaker, and I would like to know what the ruling of the Chair would be with regard to the constitutionality of this particular bill. It seems clear that we're in violation of the Constitution, that this House can make its own rules and that's clearly constitutional and I think we can't have it both ways."

Miller: "Well, the Chair will rule, regardless of what he said a minute ago, that this House does have a right to make its own rules and it is my understanding the legislation does not change that. All right....."



Jaffe: "Mr. Speaker, I would beg to differ with you. We've clearly said that it requires all appropriations to be presented within 14 days, those Governor's appropriations, and so we are really losing control of our own rules. I think you're really contradicting yourself, and I think if you maintain this posture, you will have actually contradicted your prior ruling. This Bill is clearly unconstitutional and I would take exception to your ruling."

Miller: "Gentleman from Cook, Mr. Katz, is recognized."

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

Miller: "He will. Proceed."

Katz: "Mr. Washburn, how did you arrive at this 14 days? That's what I have the most doubt about."

Washburn: "I think past history would show that the majority of the Bills have been introduced by the middle of March and that area somewhere. My Bill originally called for seven days before it was amended, and ah..... to satisfy other Members, we amended it up to 14 days."

Katz: "Do I understand that as of now, all of the Bills have not yet been introduced?"

Washburn: "Yes, Sir."

Katz: "And what is it, about two months since the Governor's message?"

Washburn: "Yes, Sir."

Katz: "It does seem to me that it's a little unreasonable particularly with the new Governor coming in. I do not have any doubt that we do have a right to do this, but



I do think that we ought to be very reasonable. Based on my experience, every Governor that I have ever seen here, Republican or Democrat, in his first term, is absolutely in a state of harrassment with reference to all of the problems he has between when he is elected in November and when he comes in with his budget in early March. I think it is a little unreasonable to only give him a lag of two weeks, between when he comes in with the budget message and when he has to present everyone of the Bills. I think that there is more to be said for it in terms of even numbered years, but even then, I wonder about 14 days. For example, it has been suggested that should we go to limited annual sessions, that the Governor would be probably giving his budget message at the beginning of March. We would be having primaries if that date is not changes, and I have heard it discussed among some Senators we then might be taking up these matters in April. In other words, there is there a thirty day delay and yet we would be requiring the Governor to come in in 14 days. I would think that 30 days at a minimum would be a minimum reasonable period of time, because when the Governor is getting his budget together, he is not worried about drawing up bills at that point. You would also have a problem in terms of the actual drafting of them. If the budget message has to be done and they really would be doing that at the last minute, that kind of thing is not



leisurely, in my experience, it is done in considerable pressure and haste, and even the Reference Bureau, it seems to me, would have a little trouble in getting the Bills drawn between the Governor's budget, which is always very secret, in which they don't want to let anybody know what is coming in the budget, and expecting to have Bills required to be introduced 14 days later, does seem to me to be a little unfair, particularly to a new Governor, and I would think that you would have made a considerable accomplishment if you simply require all of them to be in in 30 days. Here you have the situation when about two months have passed, and they're still not all in. I would prefer, really, to.... for you to consider seriously the process of making it 30 days instead of 14 because I think you would have made a considerable accomplishment if you did that. I don't think that a Governor would particularly like to be ah..... degraded in the press, for example, for having failed to meet a deadline, and yet, I believe, we might inadvertently bring that about. If we pass a deadline and it is not reasonable and the Governor is not able to do it and he then appears to be dilitory. It would seem to me, then, that if you would amend it to 30 days, I would be disposed to support it, because I do believe we have every interest in getting appropriation bills in, but I just think 14 days is unreasonable, particularly in regard to a new Governor in the odd year and



in the even year, we will probably not be in session 14 days after his budget message and it is wholly unnecessary and so I would urge you to think seriously about that possibility of an amendment either here or if it goes out of here in this form to the Senate."

Miller: "Gentleman from DuPage, Mr. LaFleur."

LaFleur: "Mr. Speaker, Ladies and Gentlemen, I think some of the speakers have taken the opposite side of what should be done. I think we should draw closer and closer to having the budget and the appropriation as one document. I think most of this material would be available. I think it would fall within the modern concept, and I believe it would be the useful tool for us to be able to recognize, not only the programs that are being developed by the Executive Branch, but the means of financing those programs. And I would advance this as an idea that we are recognizing something that we should encourage the Executive Branch of government to do. I do not look upon this as something that is going to be difficult because certainly with the Bureau of the Budget developing the budget, they are also developing the means of financing this at the same time, and I would urge a 'yes' vote on this Bill."

Miller: "Gentleman from Cook, Mr. Rayson."

Rayson: "Would the gentleman yield?"

Miller: "Proceed."

Rayson: "Sir, is it possible after the Governor's budget message for any legislator to go to his office or the



Bureau of the Budget and get a copy of the budget and scrutinize it and introduce his own legislation?"

Washburn: "I don't think I quite understood your question."

Rayson: "Well, is not the budget available to us as law-makers?"

Washburn: "Yes, Sir."

Rayson: "Could we not...."

Washburn: "A few hours before his message."

Rayson: "Right. Could we not ah..... you know, introduce our own Bills' if the Governor's dilitary in this matter? And the question is, should we not maybe.... or should we you know? Ah...."

Washburn: "I think that some action to ah.... in that direction has been taken over in the Senate. I think that the annual recurring bill should be prepared by the Bureau of the Budget and introduced by the General Assembly Members. However, of course, you have the right to introduce a departmental bill, if you wish."

Rayson: "All right, to speak briefly on the Bill, Mr. Speaker. I don't think this is a very good bill. I understand the problem of the gentleman, the Appropriations Committee and the Legislature, and I do think we do have a dilitary situation. Ah.... but notwithstanding that, to pass a Bill which even though it is suggested there is no penalty and has no force and effect, yet a Court could well interpret it as having an effect of unfunding certain departments



during a year, and I think Representative Washington has a good point on that score. Now, if we want to bewail the Governor, you know, there are other ways. Resolutions might be effective, but I suggest that we're legislators, too, and no matter what another department doesn't do as Representative Schlickman said, we appropriate the money. And I suggest one way of embarrassing the Governor if we want to is to grab the bull by horns and start putting in these Bills so we don't get logged in. But I suggest this kind of method, not only jeopardizes future funding, as a matter of law, but I think it's rather an attempt to rap the Governor's knuckles and possibly as Representative Katz said, that the change has caused such confusion he may be justified in his delays. I don't think so, but notwithstanding all of this, I don't think this is a very meritorious bill."

Miller: "All right, the gentleman from Cook, Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor of the Bill yield for one or two questions? First, I have the Bill in my hand and I'm confused about some of the wording. It seems to me it may raise some real problems and it leaves the Sponsor's intent a little unclear. It says all appropriations recommended by the Governor in the State budget. Now, if I'm not mistaken, aren't there many appropriations recommended in the State Budget, which are not, in fact, recommended



by the Governor? They are prepared by other agencies, independent agencies over which the Governor has no control. For example, the Office of the Superintendent of Public Instruction, the Attorney General, the Comptroller's office, the ITC, the FEPC. How would the Governor be able to submit the appropriation bills for these agencies, which are contained in the budget, but over which he has no control?"

Washburn: "This isn't directed necessarily at those under the Governor's office. It does include the Judiciary, state-wide elected officials and those other agencies that you mentioned."

Lundy: "I'm sorry, I didn't understand the gentleman's response."

Washburn: "I say that that this Bill doesn't just include those under the Governor's office. It includes the Judiciary, and other elected officials and other agencies that you did mention. This Bill does involve anything that is in the budget book."

Lundy: "Well, I understand that. My question was, since the budget submitted by the Governor, does contain recommendations for all of those independent agencies, but since the Governor does not have control over the submission of those appropriation bills for those independent agencies, how could we expect him to be responsible for submitting appropriation bills within 14 days for those independent



agencies over which he has no control?"

Washburn: "It doesn't say the Governor has the responsibility. The responsibility would lie with the agency. The elected official."

Lundy: "All right, so to clarify then, this language intends that the responsibility for submitting appropriation bills for agencies not under the Governor's direct control, is with those individual agencies. That is, the Attorney General, the Comptroller and so on and not with the Governor?"

Washburn: "Right."

Lundy: "I had one other question and that is this, ah.... since no appropriations bill may be submitted within.... after 14 days from the date that the budget message comes in, are we not locking the Governor and the other agencies into their initial recommendations without permitting any adjustments for subsequent deletions, perhaps lowering of appropriations and other changes that the agency might want to make if they have to come in with their appropriations bill within 14 days, how do they take account of changed circumstances, deletion of existing programs that occur after they make up their initial budget?"

Washburn: "In the event this Bill is enacted into law, the same procedure will be followed after introduction, as is followed now. Assigned to committees, Second Reading amendments stage and so forth, will be altered in those



two stages, same as they are now."

Lundy: "So in effect, really we could have an entirely new appropriation bill introduced on May 15, in the form of an amendment to an existing appropriation bill. Is that correct?"

Washburn: "Exactly the same as we do now."

Lundy: "Fine, Mr. Speaker, if I may just briefly say that in light of the gentleman's answers, it seems to me that this Bill really is an exercise in futility. We're imposing an apparent time limit and a losery time limit which in effect has no meaning, because the Department could come in thirty days or forty days after its initial appropriation bill is submitted, completely amend it, completely change it and we would be facing exactly the same problem that we face now."

Miller: "Gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, with your privilege, may I address the Bill in terms of clarification?"

Miller: "Proceed."

Kosinski: "It must be obvious that this Bill could not be retroactive, so any inference of political weight to this measure is not reasonable. This will apply to future Governors certainly. Now I recently, on behalf of the Appropriations Committee, attended the conference of Midwestern States in Columbia, Missouri, at Missouri University. The problems of transition in all State forms



of Government is a weighty one. It's a problem that is being dealt with currently in these midwestern states. The transition should occur smoothly and the budget problems, whether they're zero based or not, should occur smoothly. This is another area of concern rather than our's. It is an Executive area of concern. I should also like to point out to this General Assembly that there's double problems involved. Not only that of the Executive Branch, but that of the Legislature. While it takes time to prepare budget of course, it takes a greater amount of time to analyze that budget, work with each one of the departmental heads, to determine the adequate or inadequacy of that budget. This is a job for the Appropriations Committee on both sides of the aisle, and it's a horrendous job. There's more involved here with each agency than meets the eye. At the same time, these appropriations committees must be in a position to assist the departments in the pursuance of their duties by such analysis and by recommending the adoption of such budgets. I repeat this is a double problem, and in this instance, not retroactively political. I want to point out to the General Assembly to both sides of the aisle that the Appropriations Committee unanimously passed this Bill after much deliberation and I would recommend your 'yes' vote."

Miller: "Gentleman from Cook, Mr. McAuliffe."

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



Miller: "All right, the gentleman has moved the previous question. All those in favor say 'aye', opposed 'nay'. The 'ayes' have it and the Chair recognizes the gentleman from Grundy, Mr. Washburn, to close the debate."

Washburn: "Thank you, Mr. Speaker. In my judgement, we're not taking any of the rights away of the Governor here, or any other elected official, but by the late introduction of bills, our rights, as Members of the General Assembly, are being taken away. We don't mean to embarrass the Governor. We're trying to avoid embarrassing him by not having to take measures, taking the bull by the horns, as one speaker said. Director Hovey has indicated that he could live with my original bill, of seven days limitation but that 14 days would be.... he would be delighted with 14 days. So, in view of his comments and his view on the Bill, I ask for your support."

Miller: "The question is, shall House Bill 557 pass? Those in favor, vote 'aye', opposed 'nay'. Now the gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 557 is a bill which there has been quite a bit of thought on, not only in this Session of the General Assembly but in the years past. We're trying to eliminate a piece meal approach for the.... in the analyzation of the budget. Director Hovey, when he appeared before our committee stated that he had no opposition in



the original bill, as far as having it submitted within seven days. He told us, quite frankly, that this was the intent of the Governor and the intent of his Department to have this done by next year. We extended this to a limit of 14 days which would give the proper departments the amount of time to reconsider any action that the BOB may take upon their respective bills. I think this is a very good piece of legislation. This and the other Bills that are going to be heard this afternoon. I ask for the support of the House."

Miller: "All right, the gentleman from Cook, Mr. Richard Walsh."

Walsh: "Mr. Speaker, Ladies and Gentlemen of the House, as one who had the dubious distinction of having been the Chairman of the Committee on Appropriations, I can sympathize with Representative Washburn and the Members of the Committee. It's difficult, when information you desire is not readily available and it's also difficult if the information you desire is going to be put off for one reason or another. However, it has been indicated to.... it seems to me that passage of a Bill like this is a futile gesture. It's not enforceable. We have no way of requiring the Governor to do what we request. Ah.... we suspend our rules regularly but we cannot suspend a Statute. The ah.... I don't think we should clutter up the statute books with ah.... directions from the General Assembly as to how we would like the



Executive to proceed. Now furthermore, we have the budget book. It is not necessary to have a Bill in order to hold a hearing. We can hold hearings on the basis of the information that is contained in the budget book. It's been done in the past and I think might be done now, if the Committee so desires. I feel that this is a bad bill and I think it should be defeated. I vote 'no'."

Miller: "Have all voted who wished? The gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, I, too, favor an orderly procedure in this House, and I hear this great cry for order and order that we can understand. But I've been here long enough to know that on June 30th, which might be called the night of the Generals, what we do, is we get bills back and forth across the aisle and there is no time to read them, there's no time to see them and there's no time to understand them. You sit here quietly in your seat and allow someone to tell you what they think the Bill says. You find out sometime later on in the year, what we actually did. Now, I'm saying if we're willing to eliminate that procedure, then maybe we ought to start eliminating these other procedures and proceed with a little more order, but for right now, as long as we are unwilling to put those own restraints upon ourselves, I think it is totally ridiculous that we do this to the Governor."



Miller: "Gentleman from Cook, Mr. Jake Wolf."

Wolf: "Well, Mr. Speaker and Members of the House, I'd like to explain my 'no' vote. I certainly sympathize with the Members of the Appropriation Committee. There's no way possible that ah.... we of the General Assembly can wait until the first of June to get the Bills to decide. I don't think this is quite the way to go about it, because dummy bills with eroneous figures could be submitted to meet the deadline and then change later on, which doesn't prove anything. For the edification of the Governor, and I'm sure we're trying to send him a message and I hope he's either listening on his squawk box or some of his aides are on the Floor. I've served under four Governors in the short time I've been here, and I have to honestly say that this is the worst administration I've ever seen with the cooperation of the General Assembly. Now for the good of the State of Illinois, I think we've got to get together with the Executive Branch of government and start doing the State's business or we're going to be in a hell of a mess here for the rest of this four years."

Miller: "Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker, Members of the House, I was down eating dinner and found out that the Bill up here was being debated, and it's a shame that more members here.... more Members of the General Assembly aren't in their seats to really understand what is happening with the intent of



this Bill. The intent of the Bill is for those Members who do not serve on the Appropriations Committee and don't really understand the processes that we are undertaking by having staff and evaluation of bills, the differences, I'm surprised that the former Chairman of the Appropriations Committee is voting 'no' on the Bill. Because he should understand more than anyone else the in-depth analysis that the Bills today, of whoever the Governor will be, whatever political party he will be of, that the indepth analysis has to be taken place by the Legislative Body. That we are charged by the People of Illinois to evaluate the Bills, not just nod our heads yes, whatever the Executive Branch of government wants. Now if that's the system that the People want, then we're wasting an awful lot of time, being a legislative body. All we should do is elect a Governor and let him pass an appropriation in any manner that he wants and go home, but if you want to truly be part of the legislative branch that I think the people want and that is the branch of government really representing the people's needs, representing the desires, and reallocating the appropriation bill, in a manner that best suits the needs of the people of Illinois, then you give us this opportunity to have the Bills brought before our Committee early enough, early enough so that we could truly undertake an evaluation of the Bills. By voting no on this Bill does not help the legislative branch become



stronger, does not concur with the wishes of the Appropriations Committees, of both sides of this aisle. The needs of the Appropriations Committee, are that the bills come in early enough so that we could undertake a true evaluation of the Bill and I urge a green bill on this Bill if you truly want a good legislative appropriations committee, so that we know what we're doing when it comes to matters of spending about seven billion dollars of the taxpayers money."

Miller: "Gentleman from Cook, Mr. Palmer."

Palmer: "Mr. Speaker, Ladies and Gentelmen of the House, there is no question as to the dilemma that the lack of submission of the appropriation bill, the various departments under the Executive, have placed this House in. On the other hand, we are dealing here with something else. We're dealing with the power of the legislature to tell the Governor what he's to do, and I might remind all of the Members of the House of the provisions of the Constitution which provides that no branch shall dictate to the other. Or shall perform the functions of the other Branch. Now this Bill mandates the Governor to do something within a certain amount of time. If it passes, I would like to suggest that it puts every appropriation bill that might come under this thing, if he does not act within the time, which I feel that he doesn't have any duty to listen to the General Assembly on this; however, if he does not do



that, then it puts every bill that does pass under a cloud, at which time there will be much litigation in law."

Miller: "Just a moment, Mr. Palmer. For those people in the gallery, the rules of this House provide, without permission, that they not take pictures. Sorry, Mr. Palmer, proceed."

Palmer: "Now it seems to me that perhaps the way that we could approach this thing is by resolution, and if we have a resolution, I would be glad to support it, but as a Bill, trying to enact something of this nature, telling the Governor what he must do into law is nonfungus, it's invalid and constitutionally void. This is to explain my 'no' vote on the matter."

Miller: "All right, the gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker, Members of the House, this bill is discriminatory in its nature. It discriminates between appropriation bills, that are budgeted, and appropriation bills that are non-budgeted. Now, I don't mind that kind of discrimination. It's one that we should take into account, but when you restrict or regulate the budgeted appropriation bills, we're going in exactly the opposite direction. If this bill were to make any sense, it would be to put a earlier deadline on non-budgeted appropriation bills and for that reason, I vote 'no'."

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

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



House, the gentleman from McHenry, who spoke earlier, came through loud and clear, without actually saying it. This is a Labor record Bill. Now, seriously, the Governor is mandated by statute to give his budget message on a certain day as a certain Wednesday as close to March 1st as possible. This Bill does nothing more than to do that. It says that 14 days after the budget message, the various departments must get their appropriations bills in. Now this year, as we all know, the Governor was considerably later than March 1st with his budget message, but I'll wager because of that Statute, the Governor won't be later than March 1st next year. This year, perhaps there was some excuse. Next year, there will be none and the Governor will be in on or about March 1st in accordance with the Statute with his budget message, and there's no reason why next year and for three years following that, the Governor should not be in with his appropriations Bills for his departments. That's all this.... that's all we're doing here. This time, to show you the contempt to which the administration regards the legislature, there are important department bills, such as the Department of Mental Health budget, which I understand will not be before this legislature and cannot be considered by the House appropriations committee until after June 1st. Now that gives us four weeks in which to consider a budget of several hundred million dollars. Now this is just



absolutely not right. All we're trying to do is to get the departments off the dime and to get their bills in here so we can give them the proper consideration. I urge you to vote 'yes'."

Miller: "Gentleman from DuPage, Mr. LaFleur."

LaFleur: "Mr. Speaker, Ladies and Gentlemen. One thing I think we're overlooking at this, is the new Constitution. And under Section 2, State Finance, paragraph b, it reads, 'The General Assembly by law shall make appropriations for all expenditures of public funds by the State'. And then it goes on, 'and I think we're only recognizing our duty to be reasonable people to make the proper examination of what we are going to do with public funds, and asking the Governor to file the appropriation is only a suggestion to help us to do our job correctly, and I feel that at some point we have asked that he file his budget by a certain date, so we are not violating anything by asking him to file appropriation bills by a certain date, and I believe that the closer we move these together, that the better able we are to do our job.'"

Miller: "Have all voted who wish? Gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker. Take the Record."

Miller: "Have all voted who wish? Gentleman from DuPage, Mr. Redmond."

Redmond: "Mr. Speaker, Members of the House, may I have a



verification of the affirmative roll call."

Miller: "Have all voted who wish? Take the Record, Mr.

Clerk. On this question, I think everyone knows, there are 93 'ayes'. Now, the gentleman from DuPage has requested verification of the affirmative roll. Is that correct, Mr. Redmond? All right. Do you wish to poll the absentees? All right. Mr. Clerk, call the absentees and please, every Member be in his or her seat."

F. B. Selcke: "Arrigo. Blades. Capuzi. Carter. Chapman. Choate. Davis. R. L. Dunne. Fleck. Garmisa. Granata. Grotberg. Gene Hoffman. Ron Hoffman. Huskey. Jacobs. Kent. Klosak. Krause. Maragos...."

Miller: "Just a moment. This is a call of the absentees. I notice Representative Kent raised her hand. Does she desire to be recorded on this roll? Representative Kent desires to be recorded as 'aye'. Vote the Lady 'aye'."

F. B. Selcke: "Maragos, Martin. McGah. McGrew. Merlo."

Miller: "Just a moment. Mr. McGrew desire to be recorded?"

McGrew: "Mr. Speaker, How am I recorded?"

Miller: "Not voting."

McGrew: "Will you record me as 'no'?"

Miller: "Record the gentleman as 'no'. All right, proceed with the absentees, Mr. Clerk."

F. B. Selcke: "Merlo. Nardulli. Patrick. Pierce. Schisler. Sevcik."

Miller: "Just a moment, for what purpose does the gentleman



from DuPage, Mr. Redmond, arise?"

Redmond: "I wonder if it would be possible to have the Members stand and raise his hand. I have a little difficulty in seeing over the top of the Chair in front of me, and I can't quite identify them?"

Miller: "These are absentees being polled, and when the time comes on the other, the Chair will so announce."

F. B. Selcke: "Shea. Ike Sims. Stone. Taylor. Telcser. Thompson. Waddell."

Miller: "Just a moment. Mr. Thompson. Record the gentleman as 'aye'."

F. B. Selcke: "Waddell. Yourell."

Miller: "All right, now, will the.... All right, Mr. Waddell, this was a call of the absentees. Do you desire to be recorded? All right, now, what is the count now, Sir? The count now is 95 'ayes' and 49 'nays'. Now, Mr. Kelly, desires to be...."

Kelly: "How am I recorded voting, Mr. Speaker?"

F. B. Selcke: "Gentleman is recorded as voting 'aye'."

Kelly: "Vote me 'present' please."

Miller: "Vote the gentleman as 'present'. All right, will the Members please be in their seats on the affirmative roll call. Please be in your seats. Mr. Clerk, proceed to call the affirmative roll."

Selcke: "Alsup, Anderson.. Arnell. Beatty. Beaupre. Bluthardt. Borchers. Brandt. Brummett. Calvo. Campbell. Pardon, me, Chuck Campbell, voting 'no'. Capparelli. Catania.



Clabaugh. Collins. Cox. Cunningham. Day. Deavers.
 Deuster. DiPrima. Duff. Ralph Dunn. Dyer. Ebbesen.
 Epton. Farley. Fary. Fennessey. Friedland. Gibbs.
 Giglio. Giorgi. Hanahan. Harpstrite. Jimmy Holloway.
 Hudson. Huskey. Emil Jones. Dave Jones. Juckett.
 Kempiners. Kennedy. Kent. Kosinski. Kozubowski.
 Kucharski. LaFleur. Lauer. Laurino. Lechnowicz.
 Lemke. Leon. MacDonald. Madigan. Mahar. McAuliffe.
 McAvoy. McCormick. McCourt. McLendon. McMaster.
 McPartlin. Kenny Miller. Tom Miller. Murphy. Neff.
 North. Pappas. Philip. Peters. Polk. Porter. Randolph.
 Rigney. Rose. Ryan. Schoeberlein. Timothy Simms.
 Skinner. Soderstrom. Springer. Stedelin. Stiehl.
 Terzich. Thompson. Totten. Tuerk. VonBoeckman.
 Wall. W. D. Walsh. Washburn. Williams. Mr. Speaker."

Miller: "All right, for what purpose does the gentleman from
 Cook Mr. Arrigo, arise? How's the gentleman recorded?"

F. B. Selcke: "Gentleman is recorded as 'not voting'."

Arrigo: "All right, I was in the affirmatory, Mr. Speaker, and
 I'd like to be recorded as voting 'aye'."

Miller: "Vote the gentleman 'aye'. Mr. Griesheimer, how is
 he recorded?"

F. B. Selcke: "Gentleman is recorded as voting 'no'."

Griesheimer: "I'd like to change that to 'aye', Mr. Speaker."

Miller: "Change the gentleman to aye from no. All right,
 Mr. Redmond, the Chair will recognize you Sir, for any
 questions of the affirmative."



Redmond: "Arnell."

Miller: "Mr. Arnell is in his seat."

Redmond: "Bluthardt."

Miller: "He's in his seat."

Redmond: "Brummett."

Miller: "Mr. Brummett. Just a moment. Mr. Brummett. I don't see the gentleman in his seat. Mr. Brummett on the floor? Take him off the roll. No, he's here."

Redmond: "Calvo."

Miller: "Mr. Calvo. I don't see the gentleman in his seat. Is the gentleman on the floor? How's he recorded, Mr. Clerk."

F. B. Selcke: "Gentleman is recorded as voting 'aye'."

Miller: "Take Mr. Calvo off the roll."

Redmond: "Catania."

Miller: "She's in her seat."

Redmond: "Clabaugh."

Miller: "I can't see where Mr. Clabaugh is, if he's in his seat or not. Yes, he's on the side raising his hand."

Redmond: "Capparelli."

Miller: "Capparelli. I don't see him in his seat. Is he on the floor? How's he recorded, Mr. Clerk?"

F. B. Selcke: "Gentleman is recorded as voting 'aye'."

Miller: "Take Mr. Capparelli off the roll."

Redmond: "Cox."

Miller: "He's in his seat."



Redmond: "Cunningham."

Miller: "He's in his seat."

Redmond: "Deuster."

Miller: "He's in his seat."

Redmond: "Dyer."

Miller: "She's in her seat."

Redmond: "Duff."

Miller: "He's right down here in front."

Redmond: "Ebbesen."

Miller: "He's in his seat."

Redmond: "Fennessey."

Miller: "Fennessey. I don't see him in his seat. Is Representative Fennessey on the Floor? How's he recorded?"

F. B. Selcke: "Gentleman's recorded as voting 'aye'."

Miller: "Take him off the roll."

Redmond: "Giorgi."

Miller: "Giorgi is in his seat."

Redmond: "Gibbs."

Miller: "Mr. Gibbs. I don't see Representative Gibbs in his seat. Is he on the Floor? How's he recorded, Mr. Clerk?"

F. B. Selcke: "Gentleman's recorded as voting 'aye'."

Miller: "Take him off the roll."

Redmond: "Harpstrite."

Miller: "He's standing on the side."

Redmond: "J. D. Holloway."

Miller: "I don't see Mr. J. D. Holloway in his seat. Is the gentleman on the Floor? Now, I can see him."



Redmond: "Emil Jones."

Miller: "Mr. Jones on the Floor? I don't see him in his seat.
How's the gentleman recorded?"

F. B. Selcke: "Gentleman's recorded as voting 'aye'."

Miller: "Take him off the roll."

Redmond: "Kempiners."

Miller: "Mr. Kempiners is not in his seat. Is the gentleman
on the Floor? How's he recorded, Mr. Clerk."

F. B. Selcke: "Gentleman is recorded as voting 'aye'."

Miller: "Take him off the roll."

Redmond: "Laurino."

Miller: "Laurino's in his seat."

Redmond: "Lechowicz."

Miller: "He's in his seat."

Redmond: "McAvoy."

Miller: "McAvoy's at his seat."

Redmond: "Lemke."

Miller: "He's down in front."

Redmond: "I couldn't see Mr. Lemke. Mr. McCourt."

Miller: "Mr. McCourt. He's in his seat."

Redmond: "Murphy."

Miller: "He's in his seat."

Redmond: "W. T. Simms."

Miller: "Mr. Timothy Simms. He's not in his seat. Is he on
the Floor? How's the gentleman recorded?"

F. B. Selcke: "Gentleman is recorded as voting 'aye'."



Miller: "Take him off the roll."

Redmond: "Stedelin."

Miller: "Mr. Stedelin. I can't see back there. Is the gentleman in his seat? Is Mr. Stedelin on the Floor? How's the gentleman recorded?"

F. B. Selcke: "Gentleman is recorded as voting 'aye'."

Miller: "Take Mr. Stedelin off the roll."

Redmond: "Robert Holloway."

Miller: "Is that Robert? Robert Holloway. How's the gentleman recorded?"

F. B. Selcke: "Gentleman's recorded as voting 'no'."

Redmond: "Terzich."

Miller: "Mr. Terzich." I don't see the gentleman in his seat. Is Representative Terzich on the Floor? How's he recorded Mr. Clerk?"

F. B. Selcke: "Gentleman is recorded as voting 'aye'."

Miller: "Take the gentleman off the roll."

Redmond: "Tuerk."

Miller: "Who, Mr. Tuerk? He's in his seat."

Redmond: "Thompson."

Miller: "He's.... I don't see him. Yes, Sir, he's in his seat."

Redmond: "VonBoeckman."

Miller: "Mr. VonBoeckman. I don't see him in his seat. Is Representative VonBoeckman on the Floor? How's he recorded Mr. Clerk?"



F. B. Selcke: "Gentleman is recorded as voting 'aye'."

Miller: "Take him off the roll."

Redmond: "Williams."

Miller: "He's in his seat."

Redmond: "Wall."

Miller: "Mr. Wall. He's in his seat."

Redmond: "McMaster."

Miller: "McMaster. He's in the center aisle."

Redmond: "Merle Anderson, Is he here?"

Miller: "He's in his seat." Mr. Clerk, how is Mr. Anderson recorded?"

F. B. Selcke: "Gentleman is recorded as voting 'aye'."

Miller: "All right, any further questions, Mr. Redmond? For what purpose does the gentleman from Cook, Mr. Nardulli, arise?"

Nardulli: "Mr. Speaker, how am I recorded?"

Miller: "How's the gentleman recorded?"

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

Nardulli: "Vote me 'aye' please."

Miller: "Vote the gentleman 'aye'. The Lady from Cook, Mrs. Martin, how's she recorded?"

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

Martin: "Please vote me 'no'."

Miller: "Vote the Lady 'no'. Mr. Yourell, how is he recorded?"

F. B. Selcke: "Gentleman is recorded as 'not voting'."

Yourell: "Vote me 'aye' please."

Miller: "Vote the gentleman 'aye'."



Selcke: "Let's see, we have....."

Miller: "Mr. Merlo, how's the gentleman recorded?"

Selcke: "Gentleman is recorded as 'not voting'."

Miller: "Vote the gentleman 'aye'." Mr. Patrick, how's the gentleman recorded?"

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

Miller: "Vote the gentleman 'aye'." Mr. Juckett, how's the gentleman recorded?"

Juckett: "Mr. Speaker, a point of parliamentary inquiry?"

Miller: "Proceed."

Juckett: "If this Bill were to pass, would it mean that the Appropriation for the General Assembly would have to be introduced? It's my understanding that it has not yet been introduced?"

Miller: "This Bill ah.... is not effective immediately, I assume, Mr. Juckett, so therefore it would not apply until next year."

Juckett: "But at that point, it would apply. It is my understanding that the figure is listed in the budget as a budgetary item."

Miller: "The Chair is unable to answer your inquiry, Mr. Juckett."

Juckett: "Well, it is my understanding that it has not yet been introduced."

Miller: "Now, just a minute. For what purpose does Mr. Gibbs arise."



Gibbs: "How am I recorded?"

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

Gibbs: "Vote me 'aye'."

Miller: "Vote the gentleman 'aye'. How is Mr. McGah recorded?"

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

McGah: "Vote me 'no' please."

Miller: "Vote the gentleman 'no'. Mr. Houlihan, J.M., how's he recorded?"

Houlihan: "Mr. Speaker, I have a question? Parliamentary question. What's the vote at this time?"

Miller: "Well, we'll have to wait just a moment."

Houlihan: "I'd like to know the vote now please."

Miller: "The Clerk informs me at this time, it's 91 'ayes'."

All right, ah.... Mr. Timothy Simms, how's the gentleman recorded?"

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

Simms: "I'd like to be placed on the affirmative."

Miller: "Record the gentleman as 'aye'." Can you give me a count, Mr. Clerk?"

F. B. Selcke: "92 'ayes'...."

Miller: "On this question, there are 92 'ayes', 50 'nays', and this Bill having received the Constitutional Majority is hereby declared passed." House Bill 558."

F. B. Selcke: "House Bill 558. An Act providing for certain reports by Executive Agencies to the Appropriations Committees of each House of the General Assembly. Third Reading of the Bill."



Miller: "Gentleman from Grundy, Mr. Washburn."

Washburn: "Well, thank you, Mr. Speaker. I hope this one doesn't take quite as long. But House Bill 558 would require..... would institute a series of four annual reports from each agency of the Executive Branch, to both Appropriation Committees of the House and the Senate each fiscal year. The reports designed to enable the General Assembly to more efficiently assess the effectiveness of State expenditures. It would for the first time allow the Legislature to have a formal procedure to engage in continuous oversight evaluation of hundreds of programs. The proposal will allow for a greater public accountability and legislative understanding of where State money is being spent. Now the reports would be due the first Wednesday in September, the first Wednesday in December, the Third Wednesday in January and two weeks after submission of the budget message. House Bill 553 would not duplicate the activities of any other legislative agency and in answer to a question raised last week, would not place any added burden on the agencies involved, so I would request again, your favorable support of House Bill 558."

Miller: "Is there discussion?" The gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Would the Sponsor yield to a question, Please?"

Miller: "He indicates he will. Proceed, Sir."



Hirschfeld: "Representative, I think this is an excellent suggestion, and I think the concept of four reports a year will certainly go a long way in helping us understand the Executive Branch of the government, but one thing troubles me and that would seem to be setting a due precedent here, and for some reason, you're having the reports made to the Appropriation Committee, and in the past, we've always had reports like this made to all the Members of the House as a Body, and I wonder why it's being made to the Appropriation Committees rather than to the Members of the House, because if all the Members have it, the Appropriations Committees would still have it. And I'm not so certain that this is necessarily true in the other direction."

Washburn: "Well, certainly, Representative, I was afraid of that, but ah... certainly I would have no objection to the reports being distributed to each Member. At this stage of the game, I could only say that our Appropriations Committee staff would distribute them. However, if you would so desire, if this Bill is passed by the House, I would certainly suggest to the Senate sponsor that it be amended to include every Member of the House and the Senate."

Miller: "Mr. Hirschfeld."

Hirschfeld: "You're saying that you will have...you will try and put that amendment on in the Senate, Representative Washburn."



Washburn: "I certainly would suggest it to the sponsor, if that's what you want."

Miller: "All right, the gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen.

These reports that we're asking the various departments to submit to the Appropriations Committee are suppose to describe the activities of the agencies, program by program, with a system indicator for use in measuring the effectiveness of each program, and I would hope, instead of duplicating those reports, by 250 people, that if any Member who is truly interested in knowing the effectiveness of a specific agency, all it requires is a phone call or a to walk into the Appropriations Committees staff and ask them to review that report. I for one am not a firm believer that we should distribute report upon report upon report, unless they're being used properly, and the reason why this Bill addresses itself that we have the people who are responsible in reviewing the effectiveness of a State program from its cost to the taxpayer. And it was with the hope and the intention that the staff people would have the indicators presented to them to cross justify a program that's been initiated by an agency. And if a Member of the General Assembly would be interested in looking into it, I feel free that anything we do is open to any member and to the public."

Miller: "Is there further discussion? Gentleman from Kane, Mr. Hill."



Hill: "Mr. Speaker and Ladies and Gentlemen of the House, I certainly agree with Representative Hirschfeld one-hundred percent. I'd like to point out to you that each and every one of us are elected from a district to represent the people in our District and if there's going to be information given out to a group of people, each should be given to each and every elected official. That knowledge to every one of us, as an individual, is just as important to us and the people we represent in our District, as it is to the appropriations committee, and I certainly would like to reaffirm from Representative Washburn that he would try to put that Amendment on in the Senate."

Miller: "Gentleman from Grundy, Mr. Washburn."

Washburn: "Well, certainly, Mr. Speaker and Ladies and Gentlemen of the House, there's no intent to keep information from any Member of this Body, and if you so desire, you shall have these reports, and I think they would be most interesting. I will again repeat what I said to ah... Representative Hirschfeld, that I will attempt... suggest..... attempt to have it amended in the House, so that every Member will receive a copy, or in the Senate, rather."

Miller: "Gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker, Members of the House, as was true with House Bill 558, I think it is also true with House Bill... excuse me, 557, and I think it is also likewise with House Bill 558. It's discriminatory in its nature."



As I read House Bill 558, it applies to only the Departments." Boards, Commissions or other agencies of the Governor. It doesn't apply to other constitutional officers, the Superintendent of Public Instruction, which has no department that I'm aware of. It doesn't apply to the Comptroller, which has no department as I know of. It doesn't apply to the Attorney General, and very clearly, it doesn't apply to the judicial branch of State government. I think if we really want to get to the heart of the matter, if we want to play this thing straight, we ought to make it applicable to all Departments of state government, including the legislative branch."

Miller: "Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "I would like to point out to the Sponsor of this Bill, my distinguished and able colleague from the 43rd District, Mr. Speaker, that I voted for the last bill, but I have some trouble with this one, and my trouble primarily centers around this idea of requiring State agencies to provide reports on a quarterly basis and to continue to unindate many Members of this assembly with paper work and reports which often times, I'm sure are not read. It has recently been said that fifty percent of the people in our society are keeping track of what the other fifty percent are doing and I think indeed that's true and if it were ever true, it's true in the public sector. I hate to see us tie down state agencies and tie down people who are in



the public employee drawing taxpayers money, making out reports which are going to be glowing reports to show how well they're doing their job. I am somewhat concerned with that. I do not have a good deal of background in how the Appropriations Committees work, and if, Representative Washburn, would explain to me a good reason for supplying such reports and how they might be necessary to the operation of their committees, I would consider voting for this. Otherwise, I hate to see it continue to be undated with reports, which, it seems to me merely takes up the time of public employees who should be doing other productive work."

Miller: "Gentleman from Cook, Mr. Rayson."

Rayson: "Mr. Speaker and Members of the House. At first glance I wouldn't think anything wrong with this, and I would suggest the Appropriations Committees should have all the resources and tools and information they can gather. And that's o'okay. But when we expand it to these reports for all Members of the Legislature, we're going to get in cost situations, where they're going to come in pretty bound books, and they're going to make a loud sound when they hit the wastebasket. Most of the reports that are sent to us, I don't like anyway. They're cluttered with statistics. They're verily readable and it makes it most difficult for us to know what's going on. I do know the Appropriations Committee has this right, but I'm suggesting as the Speaker earlier well said that there's discrimination



here, and I think it's designed to snip at the Governor in his office. I think there's a feeling in this legislature that's quite pervasive in this feeling, and I say the Governor deserves a chance. I don't object to the four reports, but I don't like the pretty bound expenses that go with it. If they're simple xeroxed copies, fine, but I think that it's not a very wise thing, this whole series of Bills, and I think they're designed to know if the Executive Branch of government, and I suggest that it at its best, this Bill will produce a scare and a delusion.."

Miller: "Gentleman from Cook, Mr. Berman."

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

Miller: "The previous question has been moved. All those in favor, say 'aye'. Opposed 'nay'. The 'ayes' have it, and the gentleman from Grundy, Mr. Washburn, is recognized to close the debate."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Again, this is not a slap at the Governor. The agencies covered by this Bill constitute about 80% of the Appropriation process and probably 85 to 90% of the State's programs. It's a starting point, let's say that. Now for those of you who don't wish to receive these reports, might I suggest that I get together with Representative Hill and Representative Hirschfeld, so that we can work out a wording for an amendment that I will attempt to have placed on the Bill that will be satisfactory to them. So I ask your favorable support."



Miller: "All right, the question is, shall House Bill 558 pass. All those in favor will vote 'aye'. Those opposed 'nay'." Gentleman from McHenry, Mr. Hanahan."

Hanahan: "As the Co-sponsor of the Bill, I'd like to explain my vote. In the answer to Representative Beaupre's question, how do the Appropriations Committees work, our committee is a funded committee in difference to all other committees in the House Appropriations committee, is the only committee that has a staff of its likely makeup. The extent of the taxpayers money, approximately three hundred thousand dollars, to study and evaluate programs, projects and statements made by the various directors of the Governor's office, of what they want their money for in coming before the Appropriations Committees for a budget appropriation. Now what happens in the past, when we use to be on a biennial appropriation, two years in advance, we found people coming in two years in advance saying they were going to do something with their money and they never did do it. They transferred it around. They fooled around with the money, and they didn't misappropriate, they just didn't do what they said they were going to do. With this type of reporting, the staffs of both the House Republicans and the House Democrats are able to keep track of just exactly what a department director says he wants the exact money for, for a specific program or program. To give you some examples, Department of



Mental Health may come before the Appropriations Committee and say they need \$300,000 for a specific building they want to renovate, or a specific project they would like to undertake concerning an innovative procedure on a cure for some incurable Mental Health program. Now they tell us this. Now this House Appropriations Committee comes out and they say to the House, that we are for this project, and if our staff does not follow up, they just don't know what happens to the money. And I suggest an aye vote."

Miller: "Gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Mr. Speaker and Ladies and Gentlemen of the House, I feel that I am probably speaking for both Representative Hill and myself, when I say that we accept Representative Washburn's offer and that he and I would be very happy to meet with Representative Lechowicz and Representative Washburn to work out an amendment that will guarantee the report for all the Members, and with that, I will cast an 'aye' vote."

Miller: "Have all voted who wished? Clerk will take the roll."

On this Bill, there are 113 'aye' votes, 19 'nay' votes, 1 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed."

F. B. Selcke: "House Bill 559. An Act to amend Section 5 and to add Section 6 and 8.1 to an act in relation to State Finance. Third Reading of the Bill."

Miller: "Chair recognizes the gentleman from Grundy, Mr. Washburn."



Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 559 creates the Federal Fiscal Assistance Trust Fund in the State Treasury and provides for the appropriation of the fund. This proposal is consistent with Federal Revenue sharing regulations, which mandates strict accountability and audit reports on the use of Revenue sharing funds. A week ago when this Bill was heard, Representative Dick Walsh had several questions and I think they've been handled satisfactory. I ask for your favorable support."

Miller: "Any further questions? The question is, shall House Bill 559 pass? Those in favor will vote 'aye', those opposed 'nay'. Hirschfeld 'aye'. Laurino 'aye'. Have all voted who wish? Take the Record. On this vote, there are 132 'aye' votes, 10 'nay' votes. No one voting 'present', or one voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed."

F. B. Selcke: "House Bill 560. An Act creating a joint legislative committee on fiscal overview and defining its powers and duties. Third Reading of the Bill."

Miller: "Gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you again, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 560 provides for the creation of an eight man joint legislative committee to be composed of the speaker, minority leader. The amendment 2 that was



adopted a few minutes ago. Its purpose would be to review and either approve or disapprove the placing and reserve of funds appropriated by the General Assembly and the release of funds previously placed in reserve. I think an important part is C in Amendment Number 2, a vote of 6 or more committee members would be required to veto the placing of funds in reserve. The Committee would be composed of eight Republicans and eight Democrats and I ask for your favorable.... or four Republicans and four Democrats, and I ask for your favorable vote."

Miller: "Gentleman from Cook, Mr. Hyde."

Hyde: Well, Mr. Speaker, Ladies and Gentlemen of the House, I oppose this Bill, as in my judgement is an unconstitutional encroachment upon the powers, the constitutional powers of the Executive, and I don't care whether Congress tries to do it to Nixon or we try to do it to Walker, I think we're trying to take over the management function of the Executive Department of State government. Now, there are many reasons why the Governor would not spend money that we have appropriated and they're solid reasons and they have existed since State government has existed. In every appropriation, there is room for emergencies and contingencies that arise, and ah.... for the failure to spend these monies and constitutes an empoundment that would be subject to this Legislative Body's leaders certifying that it was proper. I think that's up to the Chief Executive. The Governor has an obligation to prevent



wastes, and we may appropriate a sum of money, but when the execution of that appropriation comes around, the Governor may have a way to save money to get it done cheaper and ah.... then the money that we have appropriated, but he has not spent, is considered empounded, and of course, subject to our approval as to what the Governor in the exercise of his executive judgement is done. Another reason why money doesn't get spent is obvious, namely that the project for which the money was appropriated cannot be completed during the time period of the appropriation. This happens all the time, and the money that is appropriated and not spent, therefore under this Bill would be subject to our discretion, but this elite's committee discretion and approval. I think this is an encroachment on the Executive function. Another reason is that many projects have an environmental impact, and we may want a project, we may appropriate money for it, but the environmental study may not be completed yet, and therefore the money is not spent pending development of the environmental impact. All I can say is, this kind of a Bill wouldn't happen if Dick Ogilvie were Governor. This kind of a Bill wouldn't have happened if Sam Shapiro was Governor, and I think we're encroaching on the office, rather than the man, and I don't think that the Governor of Illinois should be made the Chief Clerk of Illinois, and so I oppose the concept of this Bill. Thank you."



Miller: "Gentleman from Cook, Mr. Jaffe."

Jaffe: "Would the Gentleman yield for a question? Representative Washburn, are you with us?"

Washburn: "I'm with you."

Jaffe: "Is this Bill the crosstown Bill?"

Washburn: "I see no...."

Jaffe: "I mean as long as you're going to have a Bill, we really ought to qualify its full name."

Washburn: "I see no connection with this Bill in the Crosstown at all."

Miller: "For what purpose does the gentleman from Cook, Mr. Lechowicz, wish to be recognized?"

Lechowicz: "Mr. Speaker, since the proposed Crosstown is going through my district and my ward, and I have come out publicly against the Crosstown Expressway, as the majority of my people are against it, I would strongly remind the man who raised the question, that this Bill has nothing to do with Crosstown. I'm the co-sponsor of it and I will explain my reasons for it very shortly."

Jaffe: "Mr. Speaker, Ladies and Gentlemen of the House, let me say that I did not mention the gentleman in debate, I do not know why he's so hot, but nonetheless, let me say that I believe that this whole series of Bills is bad, and I agree with Mr. Hyde and as you know, I very seldom do, that this Bill is unconstitutional, as was House Bill 557 unconstitutional, and all I think we're trying to do is get at the Governor that we have at the present time. I



think all this House wants to do is to tie the Governor's hands. And I agree with Mr. Hyde that this would not happen, whether the Governor was Governor Ogilvie or Governor Shapiro or whoever. I think the series of Bills is bad. I think some of them are unconstitutional, and I think that we really do, the People of the State of Illinois, would do a disservice with this series of Bills."

Miller: "Gentleman from Cook, Mr. Duff."

Duff: "Mr. Speaker, I'd like to thank the previous speakers for giving us some magnificent reasons for voting for this Bill. I would think that everything they said would support the substance of this Bill. When the Legislative Branch of Government is faced with a weak Executive Branch, it has a responsibility to the People to come in and assert the Legislative powers, which for so many years, an historically over the pocketbook, historically the legislature has had, the responsibility for the appropriation of the Peoples' money. When the Peoples' money is not being well spent by the Executive Branch, it's a very, very high responsibility for us to do so. I think this is an excellent Bill."

Miller: "Gentleman from Cook, Mr. Washington."

Washington: "Mr. Speaker, Members of the House, taking on from Representative Jaffe's remarks, which I subscribe to, as well as that of Representative Hyde, I want to raise another question."



Miller: "For what purpose does the gentleman from Union, Mr. Choate, wish to be recognized."

Choate: "I want to be recognized next."

Miller: "Proceed, Mr. Washington."

Washington: "I'll defer to my Leader, if he wishes. Ah.... as I understand it, this Committee would consist of 16, is that correct?" And a simple majority, as I read it on Page 2, Line 19, would either endorse or disagree with the Governor's empounding of funds. Well my position is this, I have the utmost faith in the gentleman who will be named as a member of this Committee. There are leadership on both sides. I'm not concerned about the fact that ah.... we won't be represented because each party will have equal representation. The thing that concerns me, Mr. Speaker, Members of the House, is that the Committee is too small. I don't think that we should leave anything of this magnitude in the hands of only 16 members of the General Assembly. We have 235 members. I would think that this Committee should be expanded, so that we would truly have a good cross representation of the entire Body or Bodies of the General Assembly, and I don't think this Bill does that. And I don't want to demean anyone, nor degrade them or attempt to lessen their influence on their integrity or that sort of thing, but I simply can't imagine that 16 people could adequately speak for the entire Membership. If this is important enough for us to pass legislation dealing with empounding, to block the Governor



in his attempt to empound, then it seems to me what we should think about, Representative Washburn, is expanding this Committee. I can conceive honestly of the Committee being as large as 50 members, so that you could truly get a cross section, because under your mathematics, 9 Members, 9 Members from the House and the Senate could determine whether or not they could sustain the Governor, and I certainly don't think that based on the premise of this Bill, which is lacking trust and confidence, that we should place that kind of confidence in the Members of that Committee. I would strongly suggest, Representative Washburn, that if this Bill gets out of here, you recommend to the Senate that they amend it to include more Members."

Miller: "Now for what purpose does the gentleman from Cook, Mr. Lemke, wish to be recognized?"

Lemke: "Mr. Speaker....."

Miller: "Mr. Lemke."

Lemke: "Mr. Speaker, I'd like you to recognize the fine youths from our community, the Ellai Whitney School and from the 25th District. They already left."

Murphy: "I'd like to mention, though, unless I'm directed otherwise, I don't intend to recognize anyone for the purpose of introductions during the heat of a debate. Gentleman from Union, Mr. Choate."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I hadn't really intended to get involved in the debate on the merits of these Bills simply because I'm not questioning



the integrity and the intent of the sponsor of these bills. But when I hear repeatedly from that side of the aisle a charge of a weak Executive, a charge that it's high time that we took things into our hands to the extent that they would maybe be in better hands and be better handled. I think that it is high time that we all get involved as far as the debate on these bills are concerned. I didn't hear, I didn't hear any of these gentlemen on the other side who are talking about a weak Executive coming up with any ideas of their own, how they thought that it might be handled. Well I'm telling you one thing, whether you like it or whether you don't, he's a pretty strong Executive with the majority of the people of this State, and I'm going to vote 'no' on this Bill. And I don't want to hear anymore of this political orator about the Chief Executive when the intent of these people is something else, but you've forced me and I'll tell you how I feel about it and I'm going to vote 'no'."

Murphy: "Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker and Members of the House, as a co-sponsor of this Bill, and as the person who would like to see this Bill passed, I have no criticism or judgement on whether our governor is strong or weak. I think that determination will be made three and a half years from now. I think, in the meantime, these Bills are to be offered, on not whether the Governor, who presently occupies the seat on the second floor, is going to be there or not, but no matter who the



Governor will be three years, five years or twenty years from now, this type of legislation will be on the book, and this type of need is going to be evident. I would like to point out to Representative Jack Hill and I will mention his name in debate, specifically what happened to his Bill yesterday in committee, that had we passed his Bill out concerning a viaduct that the people in his district needed, and had the Governor sign the Bill or allowed the Bill to become law, and had the Governor all by himself, with no Body of Legislators, to review his actions, withheld the funds, I would wonder what Representative Hill would say to his people. With the passage of this Bill, I would envision that the Legislature would be able to pass bills to take care of their Districts, to take care of the needs of their communities, whether it be highway buildings, whether it be easements, whether it be cleaning up of rivers, or channeling of the various navigational streams, that if we, as Legislators, determine that this project should be undertaken, that somebody besides one single man would have something to say on whether or not the project should be curtailed or put ahead. Right now, Representative Washington mentioned that the Committee is too small. I'd like to suggest that there is no committee right now. It's left up solely in the hands of one man, whether or not a project of the people, by its representative government, whether the one man or two, the Director of the Bureau of the Budget and the Governor, together, whether or not this



project should be undertaken or should be continued to be undertaken. I concur maybe it should be bigger than 16 men, but at least it's a step in the right direction and I'll take a little piece of bread, before I'll try to eat the whole loaf and know where I'm going. Secondly, I didn't know that there were so many supreme court justices among our midst, to acclaim that this Bill is unconstitutional. I thought a Supreme Court Justice in session could determine whether this Bill was unconstitutional. I didn't know that we were endeared with so many members that are now presently in the judiciary judging whether or not this Bill is unconstitutional. If the Bill's unconstitutional, I think the Courts will rule on it, and I don't think we have to vote one way or the other on somebody's claim, whether or not it's constitutional. I just suggest if you want a strong Legislature, taking care of the need and the desires of the people that we purport to represent, especially in the area of projects, especially when we pass bills concerning bridges, when we pass bills concerning needs of improvements on roads, that the projects are completed by a legislative mandate. That the Governor and his Bureau of the Budget Director are not solely the ones that could withhold the funds that are needed to pass a Bill, and I suggest this is a good Bill and not because we have Governor Walker on second floor. It's going to be a good Bill for this legislature, no matter what party is repre-



sented on the second floor, because finally the People of Illinois will have a strong voice in the legislature in their desires and needs in this Districts."

Murphy: "Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I'm going to speak on the Bill, not because I have any disrespect for the Chief Executive. No one will hear me be disrespectful to the Chief Executive. He is our Governor and that's all there is to it. However, I am going to speak in favor of the Bill on the following grounds. If we will all recall, not too long ago, when there were certain funds allocated by the Federal government for certain purposes and President Nixon tried to stop those allocations, a Court found him out of order on it. I feel we're in the same position on this Bill and therefore, I speak in favor of the Bill."

Murphy: "Gentleman from Kane, Mr. Hill."

Hill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this, by far, is the worst Bill of the whole series. I voted for one of these Bills and I'd like to explain to the Gentleman from McHenry that whether or not this would have been law; yesterday afternoon in the Appropriations Committee, I feel quite confident that the same thing would have happened; that the two Minority Leaders of the Democratic Party on that Appropriations Committee would have tried everything within their power to see that my Bill would have gone to a subcommittee.



I'm not impressed by the Gentleman's arguments and I resent the fact that he uses my name to try to pass a very, very bad piece of legislation, and I would suggest to you that apparently he doesn't understand the workings of the Executive Branch. Before I can get any Bill into law, the Governor has to sign it. And if this were passed, if he didn't sign it, my Bill still would be dead. So consequently in regards to this piece of legislation, I would suggest that we stop immediately this power grab by a small handful of people in this Legislature and I would suggest to each and every Member that we are elected, as I said before, on another Bill by our constituents to do the best we can for them and represent them and certainly not let a handful of people guide us down here. It seems to me that the People in our District come first and if we set up a committee like this, it certainly is possible that your Bill will get no further than this group of individuals. And I'm not snapping at anyone individual because this Committee would change over a period of years, but it still would amount to a power grab and it reminds me of the City Council in many municipalities in the State..... in the State of Illinois, where the Chairman of the Finance Committee is the strongest individual on that console and consequently, in order to get a piece of legislation passed, you first would have to get that individual's o'okay to pass it, and I'm sure that you do not want to put yourself in that box. Thank you."



Murphy: "The gentleman from Lake, Mr. Deuster. For what purpose does the gentleman from Cook, Mr. Houlihan, wish to be recognized?"

Houlihan: "Question of parliamentary procedure, Mr. Speaker."

Murphy: "State your question."

Houlihan: "Mr. Speaker, if these Bills have become involved with political partisanship, and I wanted to be involved with correcting that, what would I do to have the vote reconsidered on House Bill 557?"

Murphy: "Well, it would depend on how you voted. If you vote on the prevailing side or not."

Houlihan: "Would you explain that to me, Mr. Speaker."

Murphy: "What's the question?"

Houlihan: "Could you explain to me how I could do that?"

Murphy: "Do you wish to make the motion?"

Houlihan: "I'd like to know how I could do that, Mr. Speaker."

Murphy: "If you have voted on the prevailing side, on that question, you may now move to reconsider the vote by which it was taken."

Houlihan: "Am I right in understanding that everyone who voted on that prevailing side could make that motion or anyone? Thank you, Mr. Speaker."

Murphy: "Gentleman from Cook, Mr. Yourell."

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

Murphy: "All right, the gentleman from Cook, Mr. Yourell, has move the previous question. I believe you will have to back



off on that, Mr. Yourell, I'd already recognized Mr. Deuster, and if you would withdraw that motion, I will consider the Motion immediately following that. Mr. Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House. Out of the respect for some Members to bring this.... to move this along a little more expeditiously, I'll speak about this bad Bill in explaining my vote, and I'll yield at this time."

Murphy: "All right, gentleman from Cook, Mr. Yourell, has moved the previous question." All right, the gentleman has moved the previous question. All in favor will say 'aye', those opposed 'no', and the 'ayes' have it, and the Chair now recognizes the gentleman from Grundy, Mr. Washburn."

Washburn: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I regret politics being made an issue on this bill. Certainly, that was not my intent. So just let me say that since the General Assembly is the originating source of appropriations it follows that we should have some, not all, but some voice in decisions not to spend money that we have appropriated, and I would ask your favorable support."

Murphy: "The question is, shall House Bill 560 pass? All those in favor, will vote 'aye', those opposed 'nay'. Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I'd just like to point out the fact that we



passed appropriation bills for items that are within the the budget and we also appropriation bills for items that are not within the budget and discretion is given to the Governor whether he approves or disapproves of those matters, based upon the fiscal condition of the State. Last year, we passed out of the Appropriations Committee certain bills that would have helped the flooded area of DuPage and Cook Counties. The Governor did not veto that Bill, but he did hold up the appropriations. In fact, I'll remind Representative Redmond and a couple of other representatives, who were seriously affected, that the Bill was approved by the Appropriations Committee, by the Members of the House, by the Senate, signed into law, but the money was never spent. It was never spent because there were a decision between two people, John McCarter and Dick Ogilvie, and in turn, this affected not only those people within that District, but unfortunately, it affected them very seriously when we had a heavy amount of rain this past year. In fact, thank God, it came just before the election, and the people realized at that time, that money was appropriated but never spent, because of the decision of two people. This is one of the reasons why, I think, this is a good Bill. This money was appropriated, but by the decision of two people, it was never spent. I could go on and on and cite instances and cases that affect this Bill and the reason for it. But based upon the testimony that I heard here today on a partisan issue and even though I am a



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

co-sponsor of this Bill, and that's one of the reasons why I am a co-sponsor, I thought that the responsibility after it was passed by the General Assembly is our responsibility, and the responsibility of the leadership. I don't believe no two people should have that control of withholding of funds once they've been appropriated for a good project and there's money to do it with. But this happened, Ladies and Gentlemen, and this was the reason for this Bill. But based upon what happened here this afternoon, I want to be recorded as 'no'."

Murphy: "Gentleman from Lake, Mr. Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, this bill is atrocious because it's unconstitutional. There has been reference made to the constitution and I think every Member ought to refer to it. It simply says that the Illinois Constitution in Section 1, Article 2, the Legislative Executive and Judicial branches are separate. No branch shall exercise powers properly belonging to the other. And then it says, the Governor shall have the Supreme Executive power and shall be responsible for the faithful execution of the laws. The Governor spends the money and if he doesn't do it and there's some protest, you can try and impeach him, but this is an unconstitutional intrusion, by the Legislature, to try and go over and do what the Members of Congress are always trying to do to the President for years and years and years and we have



the same thing here. So try and put your finger over in a place where it doesn't belong. Now if you want to be Governor, you should run for Governor. If you want to be a State Legislator, you should work your will in this Chamber. It's unconstitutional and I urge everyone to help reject it."

Murphy: "Gentleman from DuPage, Mr. Redmond."

Redmond: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise on a matter of personal privilege, inasmuch as my name was mentioned in debate. I'm well aware of the withholding of funds for flood control in Salt Creek, but I may suggest that in addition to the decision that was made by the then Governor and the Director of the Budget, the decision was in some measure necessitated by the fact that the Forest Preserve of Cook County had not cooperated with the State government, so that the improvement would have been possible, and I may say that that cooperation is lacking even at the present time, and I would encourage anybody who has the ear of the Cook County Forest Preserve to please tell them that we need their cooperation in order to have flood control in Cook County. Thank you."

Murphy: "Gentleman from Vermilion, Mr. Campbell."

Campbell: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to explain my 'no' vote." Although I have great respect for the sponsor of this legislation, you must remember that whether you've got a Republican, Democrat or



independent in that Governor's chair, that each and every Member of this House is elected from his individual districts and there's no way that you can limit the power on this in regard to a committee, but what you're going to delegate to the authority, that you, as an individual has to set here and to approve appropriations and so forth, and I want to remind individual, that is up to the House and up to the Senate and not up to a few people who would be elected.... or selected to be a member of any one committee and I think it's real important from the Legislative prerogative that we don't delegate all of these authorities and furthermore, I do think it's unconstitutional all the way."

Murphy: "Gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker. Just let me attempt to assure the Membership that my motives were not politically in introducing this Bill. I just thought that the General Assembly should have a continuing presence in the expenditure of state monies. I didn't think its role should stop with the appropriations. I ask for postponed consideration."

Murphy: "Gentleman has asked for leave to postpone for consideration. Are there any objections? The matter is postponed. Postponed consideration. Call the next Bill." "For what purpose does the gentleman from Cook, Mr. Maragos, arise?"



Maragos: "Parliamentary inquiry, Mr. Speaker. Wasn't this Bill already postponed?"

Murphy: "Not to my knowledge. Was it postponed? He indicates it was not. For what purpose does the gentleman from Cook, Mr. Jaffe, wish to be recognized?"

Jaffe: "Mr. Speaker, I would like to object to this. I think it had a good hearing. I think we've extended the time for hearing and everything else to this effect. I think if you take a look at the Board, it was overwhelming. I don't like to do it at this particular time, but I think this is a bad precedent, and I think we're only doing it because of the type of Bill that it is, so I'm going to object."

Murphy: "I would think that the matter has been postponed. It has been announced postponed consideration. We're on the next order of business."

Jack O'Brien: "House Bill 581. Rayson. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

Murphy: "Gentleman from Cook, Mr. Rayson."

Rayson: "Ah.... Mr. Speaker and Members of the House, House Bill 581 is a merely bill. We either merely vote it up or we vote it down. It's either a fair bill or a foul bill. But I say it's a fair bill. The bill suggests that the State Board of Elections would place on the ballot for Senatorial offices and under the law, a Senatorial office is the office of State Senator or the office of State Representative. In rotation, the name is placed on the



ballot. This Bill came to me through my colleague in the 9th District, Representative Len Brenne, who didn't make it this time in southwest Cook County and he proposed three good pieces of legislation and ask that I fulfill his intent and follow in on this, and that is what I'm doing. People have mixed feelings on this, but what is the alternative? Do we have a situation where two run for Representative, and then the Secretary of State says that the one with the ah.... the low number in the alphabet is number 2, or do we take a lottery. How do we work the just.... just the position on the ballot that's fair? And I suggest that this is fair. And I would hope that we would vote this Bill out and it's not frivolous and I think it's in keeping with the good electorate kind of concept of fair play and I urge a favorable vote."

Murphy: "Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Will the gentleman yield for a question, please?"

Murphy: "He indicates he will."

Leinenweber: "Representative Rayson, will this Bill have application in those districts with the vote-o-matic IBM voting machines?"

Rayson: "Ah.... I don't know what you mean by that, as technology burdens me, but if it means a voting machine, yes."

Leinenweber: "We have in the 42nd District, we have a machine called vote-o-matic, which you vote by punching an IBM card. I wonder how if your Bill is adopted, how



that could be set up so that the ballots could be counted?"

Rayson: "There's an old french proverb, saying where 'there's a will, there's a way'."

Murphy: "Gentleman from Winnebago, Mr. Sims."

Sims: "Ah.... Mr. Speaker, would the Sponsor yield to a question or two. Representative Rayson, in changing and rotating the name of the candidates for senatorial office, would they be changed from precinct to precinct?"

Rayson: "Yes."

Sims: "And what type of expense are we talking about for additional printing for this type of...."

Rayson: "They tell me the expense, if any, would be rather insignificant."

Sims: "Mr. Speaker, in speaking to the Bill, I have a great deal of respect for the Sponsor, but I think we're gathering in a situation where we are causing a great deal of confusion for the election machinery of our respective areas. As Representative Leinenweber pointed out, in the cases of the vote-o-matics in programming elections, in counting the ballots, it would be an extremely difficult situation to program for counting purposes ballots from precinct to precinct and different rotation basis. I think this bill, at the very least, will be very expensive to the taxpayer in each respective election authority. Secondly, it's going to be a great deal of confusion, and I think that the only people that will suffer by it is the electorate. And I would urge that this Bill not be passed by the House."



Murphy: "Gentleman from Peoria, Mr. Day."

Day: "Will the Sponsor yield for a question? Representative Rayson, I am also concerned about the effect of this Bill on those districts and counties that use the electronic voting method, and ah.... do you have any assurance that you can give us that a ah.... the counting devices can be programmed so that the IBM card could be counted if this were to become the law?"

Rayson: "Ah.... you're talking about an area, unfortunately I don't have any expertise in. We have another Bill that we're hoping to pass that would have a device applied to the voting machine so we can have the accurate tallies of the office of State Representative. All I can say is that the Clerks have told me and others have told me that the rotational change from precinct to precinct as a State Board of Election would dictate would not be a burdensome problem nor an expensive one, and from that answer, I must say that it must imply so sort of resolve to your question."

Day: "Mr. Speaker, I'd like to speak on the Bill."

Murphy: "Proceed."

Day: "We have, we have mandated, I believe every County of over 40,000 population to use the ah.... electronic voting devices, and I don't think we should adopt or pass a bill such as this unless we know for sure that ah....."

Murphy: "For what purpose does the gentleman from Cook, Mr. Walsh, arise? All right, proceed."



Day: "Unless we know for sure that the Counting devices, the IBM counting devices ah.... can be programmed without a great deal of difficulty, ah.... to handle a rotation procedure such as this. It seems to me that we should have this assurance before we ever ah.... have a bill such as this."

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

Walsh: "Well, I think the gentleman from Peoria raised a very important point, and since the Sponsor is unable to answer what the ah.... situation would be ah.... when using a ah.... computer voting system, that perhaps we ought to take this out of the record and get an answer to that and consider it next week. Now, I realize that it will have to be the date will have to be extended, but I think probably we can do that."

Murphy: "Gentleman from Cook, Mr. Ewell. Mr. Ewell. Gentle-

Walsh: "man from Cook, Mr. Rayson."

Rayson: "I would like to responde to the gentleman. I say this is a fair Bill and that was a fair response and I ah.... think fairness would suggest a delay and I think fairness would suggest that the majority leader would keep the Bill alive."

Murphy: "Gentleman from Cook, Mr. Walsh."

Walsh: "I don't say that in any sense, being unfriendly to the Bill. I tend to favor it, but I think he raised a question that you were unable to answer at this time. And I don't think you can pass your bill unless that question



is answered."

Rayson: "I thought I answered him very kindly. I appreciate his question. I heed to his suggestion. That's what I said, and I bow to your wisdom."

Murphy: "Gentleman has indicated he will take it out of the Record, provided he could get an extension of time."

Rayson: "Take it out of the record, but I'm suggesting you help me keep it alive, because you have more power than I have. O'kay?"

Murphy: "With leave of the House, that will be taken out of the Record." Gentleman from Cook, Mr. Rayson."

Rayson: "It might be prohibitious at this time, then, to ask leave of the House and the suspension of the appropriate rule, to postpone this Bill one week."

Murphy: "Well, Mr. Rayson, I think that will be necessary for several bills, so why don't we hold it until that time and consider all at the same time."

Rayson: "That's fair enough."

Murphy: "Thank you."

Jack O'Brien: "House Bill 582. T. H. Miller. A Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Murphy: "Gentleman from Cook, Mr. Miller."

Miller: "Thank you, Mr. Speaker and Members of the House, House Bill 582 reduces from four percent to two percent the amount of the administrative fee charged by the Department of Revenue in rebating the municipal share of



the sales tax collected in our State. This Bill has been introduced to correct an inequity that has been allowed to build up over the past few years and the inequity is this, back in 1967, municipalities throughout the State were receiving one-half of one percent of the sales tax. And then it was raised to one percent. So in effect, the State of Illinois, the Department of Revenue, doubled the amount of administrative fee in dollars and performed no additional service. The effect of the Bill is this. It will return approximately 5.2 million dollars to 1228 municipalities throughout the State. In testimony before the Revenue Committee, the Department of Revenue could not justify the four percent administrative fee charged. They were asked what is the cost to return the municipal portion of the sales tax and they did not know, so we looked to other States throughout our Country and we find in California for example, where the administrative fee is based on the actual cost, their cost out there is 9/10ths of one percent. The same holds true in the State of New York and about 17 or 18 other states throughout the Country that charge an administrative fee. Interestingly enough, 48 percent of the budget of the Department of Revenue is raised through this sales tax administrative fee, and I don't believe it's the responsibility of 1228 municipalities throughout the State to fund the Department of Revenue in their operation. This Bill was passed by a 23 to 1 vote in the Revenue Committee. Mr. Speaker, Members of the



House, I earnestly request your favorable support of House Bill 582."

Murphy: "It was getting pretty loud. I think we can wind this up in short order, if you will pay attention and stay at your desks and keep working. The Chair recognizes Mr. Yourell from Cook."

Yourell: "Will the sponsor respond to a question please? Representative Miller, does this have anything to do with deleting or ah.... taking away the share or the credit that the retailer gets for filing the ah..... sales tax?"

Miller: "No, it does not, Representative Yourell. This applies to the fee that the municipality is charged for getting their sales tax rebate from the State. It does not affect the retailer in any way."

Yourell: "Thank you."

Murphy: "Gentleman from Cook, Mr. Getty."

Getty: "Mr. Speaker, will the Sponsor yield?"

Murphy: "He indicates he will."

Getty: "Is this ah.... in effect ah....., Representative Miller, a commission then that the State gets for handling the monies?"

Miller: "Yes, it is, Mr. Getty, for rebating to the municipalities that their portion of the sales tax."

Getty: "And is my understanding correct that you have indicated that this in dollar amounts had doubled in the last couple of years?"



Miller: "That is correct."

Getty: "In other words, the State now gets twice as much as it was originally intended that they would get for this service."

Miller: "They're getting twice as much for performing the same tasks. That is correct."

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

Murphy: "You may."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House, I think that this is certainly a very fair and equitable Bill and I would like to join with Mr. Miller in asking your support."

Murphy: "Gentleman from Cook, Mr. Maragos."

Maragos: "Thank you, Mr. Speaker. The questioners of the principal sponsors covered most of the points that I was going to bring out in support of this measure. It is something that is unfair by the State taking more money than it needs to administer the program and I think many municipalities and many of the school districts need this money more than does the State of Illinois. And, therefore, I ask that you give it a green vote."

Murphy: "Any further questions? Gentleman from Cook, Mr. Miller, to close."

Miller: "Thank you, Mr. Speaker, Members of the House. I believe all has been presented that need be. If there aren't any further questions, I ask your favorable consideration."



Murphy: "The question is, shall House Bill 582 pass? Those in favor will vote 'aye'. Those opposed 'nay'. Gentleman from Cook, Mr. Jaffe."

Jaffe: "I would like to ask one question if I may. I know it's late, but ah.... I was away from my seat and the gentleman did indicate that he would answer a question. I would just like to know how much money this is costing the State of Illinois."

Murphy: "Gentleman wish to answer that?"

Miller: "The cost to the State of Illinois is 5.2 million dollars, but let me point out one thing. The ah.... in fiscal year 1974, the State Department of Revenue anticipates an increase of approximately 25 million dollars in sales tax revenue. Now I submit that we are not taking money away from State government per se because this is money that is justifiably to the municipalities throughout the State. In my legislative district, it amounts to about \$130,000 to go to 13 or 14 municipalities. And I have the figures at my desk here if there is any Representative who would be interested in how it is going to benefit their district, but I think you'll find a very similar benefit."

Murphy: "Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, in explaining my vote, I rarely disagree with the ah.... financial expertise of the gentleman from the far south side of Chicago, Mr. Maragos, but I



think if you want to help the schools of the State, you vote against this Bill. The Municipal Retail Occupation Tax, when it comes back to the cities and villages, doesn't go to the schools. It goes to the cities and villages. The schools get considerable money from the State of Illinois. This comes out of General Revenues. The extent that we're taking money away from the Illinois Department of Revenue, which it is operating on, which is the collections here, over and above the actual cost of making the collections, then the General Revenue fund of the State must support the Department of Revenue and that makes less money available for school aid, because the biggest demand on our General Revenue now is increased school aid. So if you take these commissions away from State government and return them to municipalities, then there's less money in the General Revenue of the State for school aid, and believe me, at least in my town of Highland Park, and I saw may Mayor in the gallery just a minute ago, when our Municipal Retailers Occupation Tax comes back, it doesn't go to the schools of our community. Now the municipalities aren't suffering, most of them. They have the Federal Revenue Sharing. We've been very generous. Since I've been here, we've increased their percentage of municipal.. of the sales tax of one quarter of a percent up to one percent in gradual stages, as they get a good chunk of the income tax. So I think if the State of Illinois, Department



of Revenue is making a little excess money on running and collecting Municipal Retailers Occupation Tax, let the State keep the money. We need it. We need it to pay for some of the programs that we're voting out this session. I vote 'no'."

Murphy: Gentleman from Livingston, Mr. Hunsicker."

Hunsicker: "Mr. Speaker, and Ladies and Gentlemen of the House, It's rather unusual to hear how bad the State needs the money here. Why should the State collect anymore as a service charge than the County should in collecting taxes for local units of government? You know, this morning this Body refused to allow the counties even the actual cost of collecting, so why should the State charge more than the actual cost of collecting. I think therefore this Bill should be supported."

Murphy: "Gentleman from Cook, Mr. Mann."

Mann: "Mr. Speaker, point of personal privilege."

Murphy: State your point."

Mann: "There is a ah.... group of students from the Ray School sitting over on the right hand side in the balcony. These are students from Representative Epton's, Representative Caldwell's and my district on the southside and I wondered if we might recognize their presence. Stand up."

Murphy: "Gentleman from Sangamon, Mr. Londrigan."

Londrigan: "Mr. Speaker, Ladies and Gentlemen of the House, the issue is here. Who do you want to get this tax break?



The municipal government? Or the people? That's what you're voting on here now. You're giving away 22 million dollars back to the cities, or are you going to give this 22 million dollars back to the people in sales tax relief and other tax relief. How short-sighted can we be; if we who represent the People of the State of Illinois, Republicans and Democrats alike, take 22 million from ourselves, so to speak, which we can give relief to the people and give it to the cities. I submit that the cities need this money much less than the people and much less than the State. The cities are already getting Revenue Sharing. They're already getting a share of the income tax. They are getting far, far, more Revenue than they have had in the recent past. The State needs this money more than the cities, and the people need it in tax relief more than the State and I suggest we vote no on this Bill so that we will have sufficient money to give the tax relief which we are all going to vote for."

Murphy: Have all voted who wish? Take the roll. On this Bill, there are 115 'ayes', 27 'nays' and this Bill, having received the constitutional majority is hereby declared passed."

Jack O'Brien: "House Bill 583. Arnell. A Bill for an Act to revise the Law in relation to counties. Third Reading of the Bill."

Murphy: "Gentleman from Cook, Mr. Arnell."



Arnell: "Thank you, Mr. Speaker, Members of the House, House Bill 583 is a companion Bill to House Bill 582. 582 applied to cities and villages. 583 applies to counties. It reduces from 4 percent to 2 percent the State's share for collecting county retailers occupation and county service occupation taxes. The arguments that prevailed in favor of 582 also apply to 583. But I would like to point out that this is not tax relief that we're talking about. The one percent that belongs to the county is collected as a result of an ordinance that has been passed by that particular county. The four percent that the State retains is money that we feel rightfully belongs to the County. In no way has the Department of Revenue justified the four percent that they are collecting. In fact, I think the cost is much less than the four percent. I would appreciate a favorable vote on House Bill 583."

Murphy: "Is there any discussion? Gentleman from Cook, Mr. Jaffe."

Jaffe: "I would just like to ask one question, Mr. Speaker? How much money will this Bill cost the State?"

Arnell: "This Bill, Representative, this Bill has a much lessor impact than 582. We're talking approximately 700 thousand dollars total. We reduced it from four percent to two percent. We're talking about \$350,000."

Hon. W. Robert Blair: "All right, the question is, shall House Bill 583 pass? All those in favor will vote 'aye' and the opposed 'no'." Have all voted who wish? The



Clerk will take the Record. On this question, there are 115 'ayes', 25 'nays' and this Bill having received the Constitutional Majority is hereby declared passed."

Jack O'Brien: "House Bill 584. LaFleur. Bill for an Act to amend the School Code. Third Reading of the Bill."

Murphy: "Gentleman from DuPage, Mr. LaFleur."

LaFleur: "Mr. Speaker, since this Bill has been passed from second reading, the Capital Development Board has come up with a technical change, and I would like to move this Bill from Third to Second, and ask leave of the House to present Amendment Number 1."

Hon. W. Robert Blair: "All right, does the gentleman have leave?" Take the Bill back to Second and read the Amendment."

Jack O'Brien: "Amendment 1. Amends House Bill 584, on Page 1, line 11, by deleting 20 and inserting in lieu thereof 25 and so forth."

Hon. W. Robert Blair: "All right, the gentleman from DuPage, Mr. LaFleur."

LaFleur: "I move the adoption of Amendment Number 1."

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

Berman: "Would the sponsor please explain what the Amendment does?"

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

LaFleur: "What the Bill does, Mr. Berman, or what the Amendment?"



Berman: "The amendment."

LaFleur: "Since the Bill was ah.... in committee and heard and you had asked the question, the Capital Development Board found some school districts that were participating in the Capital Development bond issues and they needed to realign it this way, that would make it unnecessary for them to go and have another referendum. It really doesn't change the substance of the Bill. It only realigns and uses the different formula of repayment."

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

Berman: "I'm sorry, would you just repeat what you said when you talked about referendums."

LaFleur: "The Capital Development Board, John Moore, found that under the original formula, that it did not.... was not in compliance with some of the school districts that were now participating with the Capital Development Board and if they wished to take advantage of this, it would be necessary for them to hold another referendum so that the payment schedule could be realigned to come in conformance. We felt that it would be better to realign the bills so that they would not be necessary to hold another referendum."

Berman: "O'kay, thank you."

Hon. W. Robert Blair: "All right, the question is.... oh... on the adoption of the Amendment, all of those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Are there further amendments? Now back to Third Reading. Read the Bill. It's been read.



Back to the gentleman from DuPage, Mr. LaFleur."

LaFleur: "Mr. Speaker, Ladies and Gentlemen, This is a Bill that does one thing and it helps school districts that have a tremendous growth problem. It is in conjunction with the Capital Development Board and the Districts that participate with them on the construction of schools. The original way of repaying this or the rental schedule was an even payment load. This does one thing. It rear loads the payment instead of the even load. In other words, the beginning years are lighter in repayment. The ending years are heavier. I move for the adoption of this Bill."

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

Berman: "Would the sponsor yield? Ah.... Representative LaFleur, what is the costs to the State as a result of the deference of the ah.... principal payments under this Bill?"

LaFleur: "Nothing."

Berman: "Ah.... I ah.... I don't think that's correct. You indicated that ah.... in Committee that you would get the figures as to what it would cost because what we are in fact doing is deferring principal payments so that there must be an additional cost to someone for the additional interest because of the deference of principal."

LaFleur: "Yes, Mr. Berman, I would prefer if I could yield to ah.... Representative Hoffman."

Hoffman: "In response ah.... to the question, the bonds are sold by the Captial Development Board and are 20 year



bonds. The retirement schedule under the present program is 16-2/3rds years. The scheduling of the bonds will be the same. But the payment theory will be in those cases of those districts will be elongated by that ah... 3-1/3 years. It is estimated, depending upon the number of people who take advantage of it, that over the period of the five years, in order to roll the thing, it will be somewhere in the neighborhood of ah.... two million dollars that would be involved."

Berman: "Two million additional interest under the 20 years."

LaFleur: "Correct."

Berman: "And that is the cost to whom, the school district or to the Capital Development Board?"

LaFleur: "To the State, because they're interest free. They in fact pay the interest and the bonds are still out but as you know, this money is paid by the school districts is paid.... with friends like these, you don't need many enemies around here. Ah.... is paid back into General Revenue. It isn't paid into the Bond Fund."

Berman: "Now, that two million dollars, is that two million dollars a year, because of this prolonged payment?"

LaFleur: "It pays over the period of time involved."

Berman: "And how long a period would that be?"

LaFleur: "I think it would roll in in five years. I think those are the figures I have. I don't have them here, but I think that's what it was when I looked at them."



Berman: "What effect does this have ah.... on the school districts that have outstanding bonds where we are allowing them to renegotiate the payment schedule. Does that put the bonds that they've already got out in jeopardy?"

LaFleur: "No."

Berman: "Can they renegotiate them?"

LaFleur: "There is the re-negotiation, the re-negotiation is with the Capital Development Board. They are the ones who have the Bonds out. Not the School District."

Berman: "Well, can the Capital.... the Capital Development Board has issued bonds. There's been purchases of these bonds, based upon....."

LaFleur: "The bonds are out for twenty years now, Representative Berman. They are out now."

Berman: "I understand that. Now, my understanding of this Bill, that we're seeking to authorize them to re-negotiate those bonds. Am I correct?"

LaFleur: "No, the re-negotiation, the re-negotiation is with the Capital Development Board, not with the Bond holders. It's between the School District and the Capital Development Board. Now under the old school building commission arrangement, it was the 16-2/3rd years. What this Bill does is give those school districts another option, particularly those districts which have projected and have passed bond issues to pay off the rents locally. The rates that are passed in the Districts are to pay the



State back for the principle. There is no payment of bonds involved by the school district."

Berman: "Do we have a statement from the Capital Development Board that they are in favor of this Bill?"

LaFleur: "Yes."

Berman: "Thank you."

Hon. W. Robert Blair: "The gentleman from Henry, Mr. McGrew."

McGrew: "Thank you very much, Mr. Speaker. I'd just like a little point of clarification here. I plan on voting for the Bill, in fact, but we must bear in mind that actually this is the ah.... Capital Development is loaning this money to the School Districts, so to speak. The School District pays back only the capital, no interest. In essence, the only way that this will harm anyone is the fact that as soon as they've loaned out the money, they don't have the money returning to them to loan out once again, so we're extending the period, we're getting the money back not at as fast as rate, so they don't have it to put back out. Thank you."

Hon. W. Robert Blair: "Ah.... any further discussion? Gentleman from DuPage, Mr. LaFleur, to close."

LaFleur: "Thank you. This came out of Committee 19 to nothing with Mr. Berman asking the question and I think that he has gotten the answer that he wanted. It is a different formula. It redoes the way the school district can participate. It helps the growing district, which allows them to rear load their payment back and I ask



the favorable vote on House Bill 584."

Hon. W. Robert Blair: "The question is, shall House Bill 584 pass. 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 120 'ayes', no 'nays'. This Bill, having received the Constitutional Majority, is hereby declared passed. 585."

Jack O'Brien: "House Bill 585. A Bill for an Act to require the payment of interest by lessors of residential real property on security deposits. 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, House Bill 585 is a bill very similar to a Bill we passed of the 77th General Assembly, Illinois House Bill 53, which was signed into law last year, which provided that security deposits for a residential real property containing so many units shall ah... bear interest monies in amounts of interest. It's a Bill that I think all of you voted for in the last session and what this Bill does is reduce the ah... units from 25 to 10 and that's all it really does."

Hon. W. Robert Blair: "Discussion? All right, the question is, shall House Bill 585 pass? All those in favor, will vote 'aye' and the opposed 'no'." Have all voted who wished? The Clerk will take the record. On this question, there are 108 'ayes', 9 'nays' and this Bill, having received



a constitutional majority, is hereby declared passed.
586."

Jack O'Brien: "House Bill 586. A Bill for an Act making an appropriation to the Department of Local Government Affairs in relation to certain personal property tax collection. Third Reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Champaign, Mr. Clabaugh."

Clabaugh: "Mr. Speaker and Members of the House, this Bill is pretty easy to explain. It's a sixty million dollar appropriation bill, which the State would reimburse the local governments for the two years of personal property taxes that they lost as a result of the supreme.... U.S. Supreme Court decision. We are not able to find from all counties exactly the amount of money involved, but the best estimates of people who are far more knowledgeable than I is that it is in the neighborhood of thirty million dollars a year. I'm quite sure that this is a very popular Bill in all of our districts and I would appreciate your favorable vote."

Hon. W. Robert Blair: "Discussion? Question is, shall House Bill 586 pass? All those in favor, vote 'aye'. The opposed 'no'." Have all voted who wished? Clerk will take the record.' On this question, there are 144 'ayes', and no 'nays' and this Bill, having received the Constitutional Majority, is hereby declared passed."



Jack O'Brien: "House Bill 587."

Hon. W. Robert Blair: "No, we're going to Second Reading now. There's one Bill there that ah.... has to be considered today or it runs out. It's 610."

Jack O'Brien: "House Bill 610. A Bill for an Act to provide the ordinary and contingent expenses of Bureau of the Budget, the Executive Office of the Governor. Second Reading of the Bill. One Committee Amendment. Amends House Bill 610, on Page 1 by deleting lines 7 through 12 and inserting in lieu thereof the following and so forth."

Hon. W. Robert Blair: "The gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, this is a Bill that we had up Tuesday, the annual appropriation for the Bureau of the Budget, which was originally in the amount of one million, three and was reduced in committee by Amendment, unanimously adopted in Committee, down to one million, one-hundred and twenty-eight thousand, six hundred dollars. I opposed the Amendment in Committee at the instructions of the Bureau of the Budget, and the Bureau of the Budget is still opposed to the Amendment. However, in order to expedite proceedings here and with the deadline, I'm not going to make a major issue of it on the floor right now. I'm opposed to the Amendment. I believe Representative Telcser did offer its adoption the other day and ah.... I think he would undoubtedly stand by his ah.... offer of the Committee amendment. I just don't



want to be the one to offer the Committee amendment. Representative Telcser offered it in Committee. It was unanimously adopted. I might say that the Committee did schedule this Bill without my request and refused to postpone it a week, when I requested that it be postponed a week, which is one reason why some members today are a little upset with the Appropriations Committee as was noted by my seatmate, the gentleman from Kane, during the recent debate. That's about all I have to say. Ah.... I'm opposed to the Amendment, but I'm not going to make a big fight about it today. Maybe the Senate can straighten it out."

Hon. W. Robert Blair: "Question's on the adoption. Mr. Telcser wants to move it."

Telcser: "Yeow, Mr. Speaker, I think Representative Lechowicz, Hanahan and myself discussed this Amendment in great detail just two days ago. The Amendment is the work of the House Appropriations Committee. It was a bi-partisan effect, a bi-partisan effort. I think the Amendment should be adopted and I appreciate a favorable vote. And I'll move and offer the adoption of Amendment Number 1."

Hon. W. Robert Blair: "Question's on the adoption of the Amendment. All those in favor, say 'aye'. Opposed 'no'. 'Ayes' have it. Amendment is adopted. Third Reading. Gentleman from Lake, Mr. Pierce, asks for Third Reading, asks for favorable vote on House Bill 610. All those



in favor will vote 'aye', the opposed 'no'. Wait a minute, wasn't it read a Second time, though? Wasn't it read a second time?"

Pierce: My recollection of what happened on Tuesday, the Bill was read a second time. The Committee amendment was offered. After considerable debate, I asked that the Committee Amendment be taken out of the Record, but I just wonder if the Journal will show that it was read a second time Tuesday. If it doesn't show that, maybe we better be safe and not try to read it a Third time today, but Representative Choate was going to speak to you about a motion."

Hon. W. Robert Blair: "Well, o'kay. All right, let's put it back to Third Reading and then let's include that bill in the motion...."

Pierce: "I think that's the safest thing."

Hon. W. Robert Blair: "Right, they said it was taken out of the Record, and when we do that, we take the Second Reading out of the Record ordinarily, too."

Pierce: "I thought it was the Amendment that was taken out of the Record."

Hon. W. Robert Blair: "Yeow, if it were read a second time, why we could actually pass it today, but ah....."

Pierce: "I think the Journal might not show it was read a second time, so I think your solution is the best."

Hon. W. Robert Blair: "Well, we can put it back in the extension. All right, Mr. Davis, for what purpose do



you rise?"

Davis: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to introduce a class from a famous school from my district and Representative Catania's, and ah... Representative Jim McLendon's district, from the famous DoLittle School, with that teacher, Mrs. Albritton. They're in the west gallery. Will the class please stand?"

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

Pierce: "Mr. Speaker, before we change the rules, ah... a point of personal privilege. The Mayor of the great city of Highland Park and former St. Louis Cardinal KMOX announcer, Ray Jerraci, is in the rear gallery, Mayor Raymond Jerraci of Highland Park."

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

Telcser: "Mr. Speaker, I would like to move that the provisions of Rule 37 be suspended so that the Bills appearing on the Calendar which expire this week have their time extended to a day certain, Monday, May 7. I don't have the list. Do you want me to read the Bills?"

Hon. W. Robert Blair: "All right, wait. We'll read those numbers, if you want to follow the calendar. 587. 591. 594. 600. 603. Nope, take that one out. 600. 621. 622. 629. 641. 642. 644. 650. 675. 677. 695. 695. 696. 697. 724. 748. 610. 581. 555. Arrigo."

Arrigo: "Mr. Speaker, I have House Bill 591. Is that included on the Bills that are going to be postponed until Monday?"



Hon. W. Robert Blair: "Yes."

Arrigo: "Well, may I, Sir, on Monday, it is possible that I might not be here until late in the evening, because of a standing doctor's appointment. Now will this postponement be good all during the week?"

Hon. W. Robert Blair: "No, just until Monday."

Arrigo: "Well, you see, Sir, I may not be here until...."

Hon. W. Robert Blair: "We'll extend it on Monday until Tuesday, but if I extend these Bills...."

Arrigo: "But I will not be here to make the Motion to extend it on Monday, because by the time I get here, it will be late in the evening."

Hon. W. Robert Blair: "I said we would...."

Arrigo: "You do it automatically?"

Hon. W. Robert Blair: "Yes, the reason we're extending these particular bills until Monday is because we want to call them first on Monday when we come back in. If we extend them until Tuesday, then other Bills could come in and be called first on the Calendar."

Arrigo: "I presume then, that it will be automatically extended until Tuesday."

Hon. W. Robert Blair: "Well, under the circumstances, ah... I'm sure the Minority Leader will move to extend ah... giving the reason that you've indicated. Mr. Fennessey. 468." 474. All right, now, let's double check now so we don't have any problems. 468. 474. 555. 587. 591.



594. 600. 621. Wait a minute. 610. 621. 622. 629.
 641. 642. 644. 650. 675. 677. 695. 696. 697. 724.
 748. 581. Gentleman from LaSalle, Mr. Fennessey."

Fennessey: "Mr. Speaker, Parliamentary inquiry. What about bills on Postponed Consideration. Do they have to be called Monday or when?"

Hon. W. Robert Blair: "Ah.... All right, are there any additions that we've overlooked here on the extension motion. On that question...."

Fennessey: "No, I was just inquiring about the Bills that were postponed, consideration."

Hon. W. Robert Blair: "Well, they're in a separate category and I am now on Third Reading, and ah.... I'll go to the Order of Postponed Consideration and let the Sponsors indicate what they ah.... desire with regard to those and we'll take those up at that time. All right, are there any further questions on those Bills that I read, which would be extended until Monday. If not, ah.... then the gentleman's motion is to ah.... suspend the rules, so that those Bills that I read will be extended for consideration until Monday of next week. That's May ... what....7th. Requires 107 affirmative votes. All those in favor, will vote 'aye' and the opposed 'no'. Have all voted who wished? Have all voted who wished? Clerk will take the Record. On this question, there are 146 'ayes' and one 'nay' and the gentleman's motion prevails. Senate Bills first Reading. Gentleman from Union, Mr. Choate."



Choate: "Mr. Speaker, Ladies and Gentlemen of the House, inasmuch as the new Rule on introductions has not been adopted yet, and because of other introductions being made today, I would like to introduce the grade school class from Jonesboro, Illinois, with Ron Fullenwider, their teacher, in the gallery right up here to the rear."

Hon. W. Robert Blair: "Gentleman from Macon, Mr. Borchers, for what purpose do you rise?"

Borchers: "Ah..... Mr. Speaker, fellow Members of the House I went down to the Reference Bureau and I wanted to put in a Resolution in relation to a.... to this invasion of privacy in that very sad affair that occurred in the southern part of the State by narcotic agents, and I was told that another Member of this House has already put a resolution in. I'd like to be a co-signer, and I think there's some others here that would like to be a co-signer so if those person would make themselves known, he can get some support."

Hon. W. Robert Blair: "There's the invitation. Senate Bills, First Reading."

F. B. Selcke: "Senate Bill 20. Bill for an Act to amend the vehicle code. First Reading of the Bill. Senate Bill 24....."

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

Choate: "Point of information, Mr. Speaker. I'd like to know who the chief signer is, so that Mr. Borchers can



become a co-signer."

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

F. B. Selcke: "Senate Bill 24. Bill for an Act to amend the Vehicle Code. First Reading of the Bill. Senate Bill 47. An Act to provide for law in relation to County Treasurer. First Reading of the Bill. Senate Bill 68. An Act to amend the recreational licensing act. First Reading of the Bill. Senate Bill 77. An Act to amend the Election Code. First Reading of the Bill. Senate Bill 84. An Act to amend the Illinois Housing Development Act. First Reading of the Bill. Senate Bill 107. An Act to amend an Act relating to State Finance. First Reading of the Bill. Senate Bill 116. An Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 161. An Act to amend the Pension Code. First Reading of the Bill. Senate Bill 163. An act to amend the Local Library Act. First Reading of the Bill. Senate Bill 165. An Act to make an appropriation to Department of Conservation. First Reading of the Bill. Senate Bill 168. An Act to amend an Act relating to County clerks. First Reading of the Bill. Senate Bill 169. An Act to amend an Act relating to recorders. First Reading of the Bill. Senate Bill 170. An Act to amend the Election Code. First Reading of the Bill. Is that all? Which one? Senate 93. An Act to amend the Municipal code. First Reading of the Bill."



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

F. B. Selcke: "Mr. Rose from Judiciary I from which House Bills 711, 799 were referred, reported sending back with Amendments thereto, with the recommendation the Amendments be adopted and the Bills as amended do pass. Mr. Rose from Judiciary I, to which House Bill 871 was referred, reported sending back with recommendation the Bill do pass. Mr. Rose from Judiciary I to which Senate Bill 105 was referred, reported sending back with Amendments thereto with the Recommendation the amendments be adopted and the Bill as amended do pass. Mr. Rose from Judiciary I to which House Bill 1289 was referred, reported sending back with amendments thereto, with a recommendation the Amendments be adopted and the Bill as amended do pass. Mr. Washburn from Appropriations, to which House Bill 601, 684 and 789 were referred, reported sending back with Amendments thereto, with the recommendation the Amendments be adopted and the Bill as amended do pass. Mr. Capuzi from Human Resources, to which House Bill 978, 979, 1056 were referred, reported sending back with the recommendation that the Bills do pass. Mr. Capuzi from Human Resources which House Bill 1005 was referred, reported sending back with the recommendation the Bill do not pass. Mr. Capuzi from Human Resources, which Senate Bills 110, 111, 119, 127 were referred, reported sending back with the recommendation the Bills do pass. Mr. Epton from Insurance,



to which House Bill 1044 was referred, reported sending back with the recommendation the Bills do pass. Mr. Epton from Insurance, to which House Bill 1247 was referred, reported sending back with the recommendation the Bill do pass. Mr. Palmer from Judiciary II, to which House Joint Resolution Constitutional Amendment Number 18, was offered, reported sending back with the recommendation do pass. Mr. McMaster from Counties and Townships, to which House Bill 8:04 was referred, reported sending back with amendments thereto, with the recommendation the Amendments be adopted and the Bills as amended do pass. Mr. McMaster, Counties and Townships, to which House Bill 892 was referred, reported sending back with the recommendation the Bill do pass. Mr. McMaster from Counties and Township, to which Senate Bill 125 was referred, reported sending back with the recommendation the Bills do pass. Mr. McMaster from Counties and Townships, to which Senate Bill 356 was referred, reported sending back with the recommendation the Bills do pass. No further Committee reports."

Hon. W. Robert Blair: "Introductions."

F. B. Selcke: "House Bill 1923. Duff. Appropriates \$50,000 to Commission on life science. First Reading of the Bill. House Bill 1924. Barry. An Act to amend Section 6 of an Act making certain appropriations, reappropriations of the Board of Regents. First Reading of the Bill."



Hon. W. Robert Blair: "Toby. Gentleman from Bureau, Mr. Barry."

Barry: "On that Bill that was just introduced, ah.... Mr. Speaker and Ladies and Gentlemen of the House, it's just a lateral transfer of some money to take advantage of a bid for an incinerator, a movement of \$125,000 or thereabouts from one fund to another, within the University, Northern Illinois University budget. I'd like a vote on a Motion to suspend 31 please."

Hon. W. Robert Blair: "Last session, we had an understanding that all Appropriation.... matters of this kind did have to go through committee. Now, I don't know whether Mr. Lechowicz and Mr. Washburn.... Mr. Barry."

Barry: "I might explain, it's not a life or death situation, except it has to be done within four weeks to take advantage of the bids that are already in. There just isn't enough money and the bids came in a little higher than was anticipated. You know, this is money already appropriated. It's just a lateral transfer, that's all it is."

Hon. W. Robert Blair: "Gentleman from Grundy, Mr. Washburn."

Washburn: "Could we have leave to post it next week?"

Barry: "That's fine with me. I'll make the motion."

Hon. W. Robert Blair: "Actually, All right, he's moving to suspend the ah.... notice of rule so that ah... this Bill, which has just been introduced today and assigned to the appropriations committee by Messrs. Shea and Cox, may be set for hearing next week in the Appropriations



Committee."

Barry: "And I believe we need 107 votes, Mr. Speaker."

Hon. W. Robert Blair: "All those in favor will vote 'aye', the opposed 'no'. Have all voted who wished? Take the Record. 140 'ayes', one 'nay' and the gentleman's motion prevails. Mann 'aye'. Gentleman's motion prevails. On the Order of Postponed Consideration is House Bill 560, in which the Chair recognizes the gentleman from ah... Grundy, Mr. Washburn."

Washburn: "Well, thank you, Mr. Speaker, I would request that the ah.... deadline for the hearing of House Bill 560 be extended until Monday, May 7."

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

Walsh: "Mr. Speaker, Ladies and Gentlemen of the House, I would object to that Motion. That's the Bill in which we had considerable debate, just about an hour ago or less, and ah.... as the membership roll will recall, it's a bill to create a legislative overview committee ah.... to review the expenditure of appropriations that have been made by the General Assembly and signed by the Governor. I don't know how we can know any more about it than we did. I thought the gentleman's motion to postpone consideration at the time was just to dump a roll call and not have it on the Journal and for that reason, I didn't support Representative Jaffe, when he ah.... suggested he



might oppose the motion to postpone, but to continue this matter again and require the membership to sit through another extended debate, I think is asking a little bit too much, and I would object to the gentleman's motion."

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

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, let me explain explicitly to everyone my position on this motion to postpone. It was because of my suggestion over a week ago that these bills find themselves at the death line right now, because I asked them to be held up for the purposes of amendments and what have you. And although I voted 'no' on the bill, some hour and a half ago or something of that nature, I am going to support the motion to postpone simply because it was my personal action that brought the death line to them today."

Hon. W. Robert Blair: "Gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Parliamentary inquiry, Mr. Speaker. How many votes will it take to sustain the motion?"

Hon. W. Robert Blair: "107."

Hirschfeld: "May I speak on the motion?"

Hon. W. Robert Blair: "Sure."

Hirschfeld: "Well, Mr. Speaker, Ladies and gentlemen of the House, I appreciate the remarks by the distinguished minority leader, but I think we always find ourselves in the position here on the floor of this House where some-



body has done something either for or against the Bill, that has caused us to take a certain amount of time to get to the House, whether it be 45 days or 41 days or something like that. Now, I had great respect for the minority leader when he cast that 'no' vote. He.... He correctly accused, I believe, some of the Members on our side of the aisles of ah.... ah.... badly ah.... mistreating the Governor. I have voted to sustain the Governor, in the only veto we've had, which was the CTA and I have not run the Governor down, nor would I run the distinguished Minority Leader down. I also admire the courage in his vote, because it was a Bill that would give him great power and frankly more power than I care to see rest in any small group of individuals, and I think it speaks badly of this Body, frankly, ah.... to put a Bill on postponed consideration, which we all have the right to do, and then very shortly thereafter move to take that Bill and extend it over next week. We've all been caught in the box, so to speak. I've had six or seven bills that were called on the last day that they could be heard. Those bills went down, most of them. I have no objection to that. That was the will of this Body, and had we asked to put them on postponed consideration, which some did, they had to be called back that same day and be voted on or lost, and I think it ill-behooves this Body to make a special exception in this case to make this particular bill



be carried over to next week and I would certainly recommend that we cast a 'no' vote on this particular motion."

Hon. W. Robert Blair: "All right, gentleman care to close, Mr. Washburn?"

Washburn: "Much to my regret, politics was injected into this proposal, and ah.... it wasn't my intent to do so, and I ask for your favorable vote to extend the hearing deadline until Monday."

Hon. W. Robert Blair: "All right, the gentleman's motion is to extend ah.... the time ah.... in which ah.... House Bill 560 may be considered on the order of postponed consideration until Monday, May 7. All those in favor, vote 'aye', the opposed 'no' and this requires 107 votes. Gentleman from Whiteside, Mr. Miller."

Miller: "Well, Mr. Speaker and Members of the House, I've been down here for the 5th term now and I've always been one of those that give the sponsor of legislation as much possible leeway as could be given to give him a chance on passing his bill, even though I was opposed to it. And I think that this is something that we should grant the courtesy to Mr. Washburn in this regard and ah.... I'm pretty sure there's another motion coming up shortly and even though I'm opposed to that legislation, I will surely, if the sponsor so requests, give that sponsor the same consideration. So, Mr. Speaker, I'm very disappointed that there are not at least 125 votes upon that board this



afternoon. Please, somebody else vote green."

Hon. W. Robert Blair: "Gentleman from Henry, Mr. McGrew."

McGrew: "I would just like to point out that again in fairness and in the belief in fair play, we should put 107 votes up there. Thank you."

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

Duff: "Explanation of my vote, Mr. Speaker. You know ah... the Sponsor of this Bill is in a position that anyone of us on this Floor could be on, on any occasion. When a Bill is called and the fortunes are'nt right. The vibrations aren't there, we all know things can be tough. We're not voting on the merits now. We're voting the courtesy to a sponsor, who would extend the same courtesy and has many times to many of us. It seems to me that ah.... the ah.... mutual respect, the people of this House have for each other in these kinds of situations, ah.... would make it reasonable even if you disagree with a Bill to take that vote next week. As a matter of fact, if you really want to be recorded on it, then let him get postponement, so you can have a record vote, so you can be recorded for or against it. Thank you very much."

Hon. W. Robert Blair: "Have all voted who wished? Gentleman from Lake, Mr. Matijeovich."

Matijeovich: "Mr. Speaker, I'm going to vote 'aye' on this Bill, but I'm going to remember that some of the remarks that have been said in voting in behalf of this motion,



because too often, it happened that leaders on both sides of the aisle make up their minds that we should give a vote, one more attempt and I think that all Members under the spirit of rules do deserve one extra shot under postponed consideration. I think all of the Members deserve that, because very often, and especially under our new rules, when we are operating on a deadline and your Bill is called on the last possible day, and there may not be enough members to pass a Bill, you ought to have one more shot when there are all the members or near all the members present, but I don't think that ought to be decided by the leaders. That ought to be decided by all of us. I'll give this an 'aye' vote on the Motion, but I think we ought to all be treated fairly anytime this occasion may arise in the future."

hon. W. Robert Blair: "Have all voted who wished? Gentleman from Lake, Mr. Deuster."

Deuster: "Ah.... Mr. Speaker and Ladies and Gentlemen of the House, a couple of weeks ago, I found myself in the same situation where the time had sort of ran out, and I pleaded for a little mercy and asked couldn't we consider a subject that had to do with April primary, in another week instead of late, and unfortunately, I didn't prevail at that time. However, I sympathize completely with the Sponsor of any such legislation and I want to be charitable and merciful and allow us to have a second opportunity



to consider this, too, and so I put my light on green."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the Record. Gentleman from Cook, Mr. Richard Walsh."

Walsh: "Well, Mr. Speaker, Members of the House, just briefly in explaining my vote. I don't think we have to discuss the ah.... merits of the Bill. It's been discussed thoroughly. Those of us who are against this proposal, I think should take advantage of the fact that on this question, it requires 107 votes. If it passes on Monday, it will require only 89. It seems perfectly ridiculous, frankly, as far as I'm concerned to even request postponed consideration and I think it's an imposition on the Membership. But once again, ah.... since it was pretty clear an hour ago, everybody was against it or certainly the majority of us were against it, now ah.... something has transpired to ah.... shift everyones view again. Now those who are opposed, I think, should very seriously consider their vote, because ah.... it looks like its going to get ah.... anywhere near 107 now. You can count on it getting 89 the next time its called, and Mr. Speaker, I would request a verification of the affirmative roll vote."

Hon. W. Robert Blair: "There you did it. The machine went out on this one, so now we're going to have to.... Everybody hold your switches where they are. We have 1139 'yeas'. Do you persist in your motion for a verification?"



All right, ah.... shall the gentleman's motion prevail. This requires 107 votes. The same matter we were voting on a moment ago. Gentleman from ah.... St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker, I was trying to get your attention earlier to explain my vote, and I was not able to attract your attention. Last Thursday, one week ago today, I complained of the same problem that Representative Washburn is complaining about, that he only gets one hearing. I admire Representative Choate, my able Leader, for taking the blame in the delay of this sort of thing. But nobody stood up and took the blame for a Bill that I lost. I got one hearing and one hearing only about 5:00 PM. There was enough absenteeism, there were enough of the sponsors on my bill who laid off or either voted 'no' that caused me to lose by one vote. I admire Representative Washburn as much as I admire anybody in this whole legislature, but I don't think he has anymore right than I have or Representative Hirschfeld or anybody else. Now I don't think we should be postponing legislation for one sponsor and not give them the same consideration to anybody else, so therefore I vote 'no' on this proposition."

Hon. W. Robert Blair: "Gentleman from Grundy, Mr. Washburn."

Washburn: "I think, Mr. Speaker and Ladies and Gentlemen of the House, I don't think there could be any doubt that I've been a victim of circumstances here. Ah.... Representative Choate pointed out earlier that he had requested these



Bills held until ah.... I could work out an agreement with him, which was reached. Ah.... politics entered into the debate this afternoon and I tried to make it clear that it wasn't my intent to have any political overtones at all to this Bill. As a result, the vote was unfavorable and ah.... it's just one of those bad times on the House floor of poor timing for a bill to be called, and this is the last day that it could be called, unless it's extended. And I ask and I plead with you for 107 votes so that we can hear it again next Monday."

Hon. W. Robert Blair: "Have all voted who wished? Gentleman from Cook, Mr. Totten."

Totten: "Mr. Speaker, I just wanted to inquire of the Chair, that ah.... looking at the number of votes up there, are you sure that machine is working in order yet?"

Hon. W. Robert Blair: "Not quite yet. Have all voted who wished? Gentleman from Cook, Mr. Peters."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, it's really no use going over ground and things that we have talked about here before, but I see some of the gentlemen who have voted red, have asked this House for postponed consideration in terms of bills relating to the environment, in terms of bills relating to smoking, in terms of all sorts of other bills that they had interest on. I voted, have voted and will continue to vote any Member's wish to postpone consideration on a Bill, because



' I think it's only fair and I think each Member should have that right and should receive that courtesy from the other Members of the House, to have another shot at his legislation. If that legislation is that bad, if it's that wrong, I'm sure the Members of this House, in their wisdom, voting their consciences, will vote to defeat that Bill, but I think we only owe this to each other as Members of this deliberated Body and here to the Chairman of a most important committee, and a Bill which he considers particularly important, and whether we vote Monday to sustain him in this or not, I think we owe him the vote here and the consideration to rehear this again on Monday."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 91 'ayes' and 18 'nays' and the gentleman's motion fails. Also on the order of Postponed Consideration is ah.... House Bill 481, on which the gentleman recognized is the Lady from Cook, Mrs. MacDonald."

MacDonald: "Mr. Speaker, Ladies and Gentlemen of the House, this 481 has really, Scenic Rivers Bill, has really been a dilemma to me today, and I had hoped we would be able to devise something to bring back on postponed consideration for you. So far, we have not been successful in an amendment that I feel would have gained the vote needed, but I would like to ask leave of this Body to postpone this Bill until Monday. May we have a vote?"

Hon. W. Robert Blair: "I really can't tell what all of you



are saying. Now the Lady has put a Motion that the time in which to consider ah.... her Bill 481, which is on the Order of Postponed Consideration be extended until Monday, May 7, and that Order.... that Motion is a proper Motion to be put with respect to that matter. Now, is there discussion on the ah.... Gentleman from LaSalle, Mr. Fennessey."

Fennessey: "Mr. Speaker, Ladies and Gentlemen of the House, I hope to oppose the very charming Member of the House on her motion, but this is a Bill that's had a fair hearing. The same bill that we discussed in the last session. Was thoroughly discussed in committee, and certainly was given a thorough hearing today, and I must oppose her Motion to extend time."

Hon. W. Robert Blair: "All right ah.... any further discussion? Question is, shall the Lady's Motion prevail. It takes 107 votes. All those in favor will vote 'aye' and the opposed 'no'. Gentleman from Cook, Mr. Duff."

Duff: "Mr. Speaker, once again. This is an example of what I referred to on the previous motion. We can all get into situations where ah.... we want or need more time. Ah.... here we have a sponsor in the last case, a Chairman of a Major Committee who asked our indulgence. In this case we have a freshman legislator who is attempting to pass her first bill, who works very hard, both in committee and on the floor, to amend it, to discuss it with people.



Ah.... she ran into some trouble today. Now more importantly, Ladies and Gentlemen, I think this is important. There are a lot of people that aren't on the Floor right now, and this is a vote that everybody ought to have the courage to take home, either for it or against it. And our people who are gone who are either for or against this bill, but they're not here to vote today if we have to take it at final passage vote today. I think it's very important, not only to the Sponsor of this Bill, but to those of our colleagues who are not here to vote, and to all of us who would like to be able to vote on it to give her the indulgence, the privilege that each one of us has or will ask for ourselves at some point in time. To make a motion for postponed consideration has normally been accessed.... given by this body. We're not talking about the merits. We're talking about one of our colleagues, who's working hard to get a Bill out. It's completely reasonable to give the Lady an opportunity and all she needs is about 30 more votes."

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

Hyde: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill is a most appropriate for granting this Motion because the Lady was but nine votes short of passage. The Bill is extremely controversial, but she was very close to passage and it seems to me that this situation is one that is particularly appropriate for this type of motion. Now the Bill that we voted down before was



30 some votes, as I recalled. We didn't get a roll call, but it wasn't even in the ballpark, and I think a 'no' vote on that was legitimate. But this Bill, it seems to me, ought to be given a chance to be fully considered by most of the Members Monday, because the Lady was but nine votes away, so if.... and she was absent last week because of a serious illness in the family, and based on those two considerations, I would urge that ah..... you give Mrs. MacDonald courtesy and ah.... grant this Motion."

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

Ewell: "Mr. Speaker and Ladies and Gentlemen, as the sponsor of one of these water bills, I know that it could, indeed, be tricky, but I'm sympathetic with the Lady, and I'm going to give her an 'aye' vote and let's see whether the waters rise or fall."

Hon. W. Robert Blair: "The gentleman from Whiteside, Mr. Miller."

Miller: "Well, Mr. Speaker, Members of the House, I said a few words on Mr. Washburn's bill a few minutes ago. On that particular bill, I was for that Bill, and I sought to get votes to sustain his motion. This particular Bill, I am opposed to, but I'm going to give the Lady my green vote, because I think she should have another chance, just like I thought Mr. Washburn should have another chance, so I'm very happy to vote 'aye' on this Motion, Mr. Speaker."

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



Wolf: "Well, on the theme, one more for the gipper, Representative Charlie Fleck will be back with us Monday. He called me on the phone. I know he's just dying to be recorded on this Bill, and unless we postpone consideration, he won't get a chance, so ah.... for good old Charlie, who's coming back Monday, how about a postponement?"

Hon. W. Robert Blair: "Have all voted who..... Lady from Lake, Mr. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I hate to do this, but I hope my ah.... gentlemen friends in this House, will respect my request, and I appeal to the civility of the House, because Virginia has as..... I.... I..... I..... I believe in the chivalry of this House and I ask for your support of Virginia's Bill."

Hon. W. Robert Blair: "Have all voted.....The gentleman from Winnebago, Mr. Sims."

Sims: "I wonder if we take it then, that Mrs. Geo-Karis is against the ERA after all?"

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

Walsh: "Well, a final serious point, Mr. Speaker. I think those who have shifted from ah.... green to red, better get green, because if this fails, if this motion fails, then this is the roll call on this Bill, and I think you ought to consider what you're doing. It wouldn't hurt a bit to give the Lady a chance to have the Bill heard, but



if she isn't given that opportunity, then this is the roll call, and this is the Record that you will have to run on next year."

Hon. W. Robert Blair: "Have all voted who wished now? The Lady from Cook, Mrs. Catania."

Catania: "Mr. Speaker, Members of the House, this is an extremely important Bill for the environment. It's an issue that will be extremely important to our children and our grandchildren, and I do urge you to vote to support Representative MacDonald in this. Ah.... I can't resist making a comment. Someday, we may be able to legislative equality, but I'm sure that we all recognize that we'll never be able to legislate chilvary."

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

Choate: "I was just wondering, Mr. Speaker, if I detected a mild note of threat in the Majority Leader's statement a moment ago?"

Hon. W. Robert Blair: "For the Record, he nodded 'no'. Are there any..... Have all voted who wished? Clerk will take the Record. On this question, there are 97 'ayes' and 14 'nays' and the ah..... Lady's Motion.... The Lady from Cook, Mrs. MacDonald."

MacDonald: "Mr. Speaker, is it proper at this time, then, to ask that the Bill be brought back and heard at this time, and how many votes does that take and so forth?"



Is it appropriate to call it to Third Reading at this point, Mr. Speaker?"

Hon. W. Robert Blair: "Yes, ah.... you may do that. Mr. Rayson. Rayson 'aye' on the last. All right, the gentleman.... the Lady is now asking for a ah.... roll call vote on ah.... on House Bill 481. Her previous Motion was a Motion to extend the time in which it could be heard. Now she's coming off of Postponed Consideration and asking for a roll call vote on passage of 481. Gentleman from Cook, Mr. Juckett."

Juckett: "Mr. Speaker, question of parliamentary inquiry.

In Rule 38, it does indicate that a Bill may be placed on the Order of Postponed Consideration only once and may be called once thereafter. Now does that mean only once on Third or calling only once for action of the House?"

Hon. W. Robert Blair: "Your first part. So, ah.... she is coming off of Postponed Consideration, now on Third Reading and she's entitled to do that under the Rule. Her previous Motion was one to extend the time in which the Bill could stay on the Order of Postponed Consideration until Monday, because it like any other Bill that run out of time, the 30 day thing by then, would have not been on there. Now she's asking for a roll call vote on Third Reading. There's not been a roll call vote on this Bill on Third Reading, so you explain.... All right, Mrs. MacDonald, now explaining her Bill."



MacDonald: "Mr. Speaker, Ladies and Gentlemen of the House, ah.... I am most sorry that the Scenic Rivers Bill has had this kind of a day, after the many weeks that we have talked about it, both in Committee and the Communication that I have had with the people of Illinois, not only from my own District, but from all over the State and my conversations with many of you individually. I hate to abuse the privilege of taking your time a second time today, and I do not intend to go through the whole Bill again. We thoroughly discussed this Bill earlier today and I had hoped that we would be able to come back with an amendment that would achieve what we would like to have to pick up the extra votes to pass the Bills in this House. Each of the considerations that we seem to have in testing the known opponents and the known proponents also, would have about equalized themselves, so it is not possible at this time, I believe, to propose an amendment that would do anymore then further confuse and further diminish the power of the Scenic Rivers Bill. So with your kind consideration, and remembering the urgency of this Bill and the need for this legislation, I would hope that each of you would consider, though it is late in the day and we are all very tired, I would ask that you do consider passing on this legislation, not only for our benefit of today, but most particularly for the benefit of those who will follow tomorrow, so I thank you very much. You have been very



kind and as a freshman, I feel as though I were a new swimmer and had been thrown into the water, not knowing how to swim, but I'm learning fast, so I thank you for your kindness and I ask for your vote. Thank you."

Hon. W. Robert Blair: "Discussion. All right, the question is, shall House Bill 481 pass? All those in favor, will vote 'aye' and the The question is, shall House Bill 481 pass? All those in favor, will vote 'aye' and the opposed 'no'. Gentleman from Union, Mr. Choate."

Choate: "Ah.... Mr. Speaker, I would ah.... make this suggestion that Members who are not here, that their seat-mate don't vote them, because a Member on my side has indicated that he would probably verify the roll call."

Hon. W. Robert Blair: "Have all voted who wished? All right, the Clerk will take the Record. On this question..... Mr. Holloway, present. Mr. Kelly 'aye'. Mr. Springer present. Have all voted who wished? On this question, there are 79 'ayes' and 43 'nays', and this Bill having, two present. This Bill having failed to receive a constitutional majority, is hereby declared lost. All right, announcements on Committee hearings. Gentleman from Rock Island, Mr. Pappas."

Pappas: "Mr. Speaker, Ladies and Gentlemen of the House, Motor Vehicles will meet immediately after adjournment in M-5."

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

Collins: "Ah.... Mr. Speaker, Ladies and Gentlemen, the



Executive Committee will meet 20 minutes after adjournment in Room D-1."

Hon. W. Robert Blair: "Further announcements. Mr. Deavers."

Deavers: "Mr. Speaker, there's been one change in the House softball practice. It will be Tuesday night at 6:00 at Lincoln Park, Diamond Number 5, instead of Wednesday evening."

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

Harpstrite: "Mr. Speaker, Ladies and Gentlemen of the House, the Agricultural and Natural Resources Committee will meet immediately after adjournment in C-1. The announcement was 30 minutes after, but it will meet immediately after."

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

Schoeberlein: "Mr. Speaker, the Public Utilities Committee will meet immediately after adjournment in M-4."

Hon. W. Robert Blair: "O'kay, further announcements. Gentleman from Cook, Mr. William Walsh."

Walsh: "Ah.... Mr. Speaker and Ladies and Gentlemen of the House, I move that the House do now adjourn until 12:00 Noon on Monday, May 7."

Hon. W. Robert Blair: "For Regular Session, not perfunct, at 12. All right, all those in favor of the Motion, say 'aye'. Opposed 'no'. The 'ayes' have it and we'll stand adjourned until 12:00 O'Clock on Monday."

