

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

NINETIETH LEGISLATIVE DAY

OCTOBER 13, 1971

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 John P. Downes - illness;
- Representative Benedict Garmisa - illness;
- Representative Aaron Jaffe - no reason given;
- Representative Ray J. Kahoun - no reason given;
- Representative Anthony Scariano - illness.



Hon. W. Robert Blair: "Floor, will you please retire to the gallery, thank you. All right, the House will be in order. The invocation this morning will be by Dr. Richard J. Schultz, President of Concordia Theological Seminary in Springfield."

Dr. Richard J. Schultz: "I invite you to pray. God of men and of nations, the privilege of being summoned to debate and establish laws for the sensitively complex society of our times is a heavy wine for any mortal man, yet beneath the sheen of honor and importance, the burden of responsibility and accountability weighs heavily upon the soul of a man. For the obligations to one's conscience to his party, to the total citizenry are in delicate and fragile balance. Therefore, we bespeak for each other this day, a divinely and grafted wisdom; a wisdom to be courageous when we are sure we are right; a wisdom to be humble enough to know that we can profit from another man's point of view; a wisdom which is unique and rare in its ability to comprehend and sympathize with a variety of human conditions which this day depend upon the deliberations which shall here take place; and a wisdom which is aware of its own limitations and senses its need to apply to thee for guidance. In the name of Our Lord. Amen."

Hon. W. Robert Blair: "Thank you, Dr. Schultz. Very nice to have met you. Un-huh. Roll call for attendance. Introduction and first reading of House Bills."

Fredric B. Selcke: "House Bill 3571, Glass, et.al. Bill for



an act to amend 'The Revenue Act of 1939'. First reading of the bill. House Bill 3572, Houlihan, et.al. An act to make an appropriation to provide for the distribution thereof to certain local government governmental entity. First reading of the bill. House Bill 3573, Houlihan, et.al. Bill for an act to amend 'The Revenue Act of 1939'. First reading of the bill. House Bill 3574, Maragos. An act making an appropriation to James W. Farrow. First reading of the bill. House Bill 3575, Roscoe Cunningham. An act in relation to State acquisition, construction, control of horse racing and harness racing tracks. First reading of the bill. House Bill 3576, Roscoe Cunningham. A bill for an act to amend the 'Illinois Harness Racing Act'. First reading of the bill. House Bill 3577, Schlickman. An act to amend Section 1 of 'An Act in relation to the employment of persons committed to county jail, house of corrections or workhouse'. First reading of the bill. Have we got any more?"

Hon. W. Robert Blair: "All right, now, any members that have any bills on the calendar that they would desire to table, the Chair will be happy to recognize motions, so I would ah kindly ask you to look over the calendar. What purpose does the gentleman from Cook, Mr. Hyde rise?"

Henry J. Hyde: "Ah, Mr. Speaker, ah, with reference to House Bill 3556, which I filed yesterday, co-sponsored by Mr. Capparelli and Mr. Kosinski, appropriating a World War I bonus to a gentleman who did not make his application, I'd



like a unanimous consent to advance this bill to the order of second reading without reference to a committee."

Hon. W. Robert Blair: "3556?"

Henry J. Hyde: "House Bill 3556."

Hon. W. Robert Blair: "All right, da, that bill has is on the Speaker's table, it has not been referred to committee, so the gentleman is asking for unanimous consent to have that bill advanced from the Speaker's table to the order of second reading without reference to committee. Is there objection? What purpose does the gentleman from Cook, Mr. Maragos rise?"

Samuel C. Maragos: "I'll have a similar request. Another bill was just filed this morning after we finish. I have no objection to the request of this of ah Mr. Hyde."

Hon. W. Robert Blair: "I can understand why. All right, hearing no objection, the 3556 is advanced to the order of second reading. We've just been advised that Representative John Downes is doing well very well ah at Edwards Hospital. They've been talked with this morning and apparently is a coming along all right. The gentleman from ah Cook, Mr. Maragos."

Samuel C. Maragos: "Mr. Speaker, if there be no objection, I'd like for consent to a- advance House Bill 3574 to second reading without reference to committee. It's also an appropriation bill for a pension of \$445.00 to a veteran who did not receive it in World War II."

Hon. W. Robert Blair: "All right, is there objection? Hear-



ing none, the 3574 will be advanced from the Speaker's table to the order of second reading. The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Mr. Speaker, pursuant to your request at this time, I would like to table the series of bills of which I have been a House sponsor and are still in executive committee, and evidentially aren't going to get anywhere this session, so House Bill, I'd like to move to table House Bill 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, and then also 668, 669, 670, -71, -72, and -73."

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

Samuel C. Maragos: "All the way to -74. 674 is the last one."

Hon. W. Robert Blair: "All right, is there objection? If not, those bills will be tabled."

Samuel C. Maragos: "Thank you."

Hon. W. Robert Blair: "All right, ah, what purpose does the gentleman from Lake, Mr. Pierce rise?"

Daniel M. Pierce: "Mr. Speaker, I rise on a point of personal privilege. Mr. Speaker, on June 28, 1970, a vote was taken in this House on the reapportionment bills presented by the Republican and Democratic parties. That vote was taken after an agreement on the floor of this House that both Republican and Democratic maps would be passed . . ."

Hon. W. Robert Blair: "One, one, one, one moment, please."

Daniel M. Pierce: " . . . for the purpose of a last minute compromise."

Hon. W. Robert Blair: "For what purpose does the gentleman



from Cook, Mr. Hyde rise?"

Henry J. Hyde: "Well, Mr. Speaker, a point of order, I don't believe this is a point of personal privilege that the gentleman is raising. His name as he hasn't been mentioned in debate and ah, ah, I don't quite know what he is doing, but it certainly is not a point of personal privilege."

Hon. W. Robert Blair: "I agree. The gentleman from Lake, Mr. Pierce."

Daniel M. Pierce: "I don't take I don't take the time of this House if I'd be given a chance in a to come to that I'll come to that right now and I'll make it what the point is. The point is that my vote and that of a many members of this House, my name was used by the Counsel for the Speaker of this House and the Majority Leader in the United States District Court to assert the fact that I was supporting a certain congressional reapportionment matter, my name was used."

Hon. W. Robert Blair: "One moment, now, the gentleman from Cook, Mr. Hyde. Now, now, I'll get back to you."

Henry J. Hyde: "Now, Mr. Speaker, there is a matter pending before the United States District Court and the place to try that is in court and not on the floor of this legislature and if the distinguished gentleman who is addressing this body has any remarks to make about pending litigation, I think they're inopportune, they're inappropriate, and ah, he ought not to be permitted to continue along this line."

Hon. W. Robert Blair: "I agree with the Majority Leader."



Daniel M. Pierce: "Ah, Mr. Speaker, uh, Mr. Speaker, I sent a protest pursuant to House Rule 77."

Hon. W. Robert Blair: "All right, now if you'll hold, let me. . . Is it up here at the Clerk's desk?"

Daniel M. Pierce: "I filed it with the Clerk for entry in the Journal of this House pursuant to Rule 77, and I hope you'll do that in today's Journal, enter that protest."

Hon. W. Robert Blair: "All right, let us take a look at it here. For what purpose does the gentleman from Cook, Mr. Hyde rise?"

Henry J. Hyde: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I am objecting to the distinguished gentleman from Lake's alleged protest being filed under Rule 77 or under any other Rule, because Rule 77 says 'any two members shall have the liberty to dissent from and protest in respectful language against any legislative act or resolution'. Now, ah, the protest filed by the distinguished gentleman in fact protests the use of certain roll calls by of this House in court, but it does not protest any legislative act. The legislative act that he is concerned about was in last June 28th, and the protest that makes no ah, ah, objection to that legislative act, but rather the alleged improper use of the roll call later on in a court proceeding. Now that, the proper place for him to lodge his protest is in that court proceeding which in fact he has done and which is was supposed to have been heard tomorrow, but I understand is now continued, and this protest



does not fit within the confines of Rule 77, in that it does not object to any legislative act. Furthermore, Mr. Speaker, the language is not respectful, because in item #7, it uses the phrase 'a brazen attempt to mislead the court'. So on those two grounds, not to mention the inaccuracies that are in the protest, I object to it's being filed and made a part of the records of this House."

Hon. W. Robert Blair: "Does the gentleman from Lake care to answer the objections raised by the Majority Leader, ah?"

Daniel M. Pierce: "Yes, Mr. Speaker, the first item in the protest, does protest and object to a what happened on in this legislature, not in court. It starts out 'pursuant to House Rule 77, we're hereby respectfully dissent and protest from one the manner by which this House was induced to pass House Bill 2907 containing the Republican Congressional Reapportionment Map and then too from the action of the Speaker and the Majority Leader who represented to the Court, that we had approved the Republican Map in House Bill 2907. So there's there's two elements. One, the element of inducement. We members were induced to vote for the map on the grounds to keep legislative apportionment alive, not even talking about congressional, which was in the same bill. And two, after we were induced to vote for it on the floor of the House, our vote was then entered ah, by the Speaker and the Majority Leader as evidence in the United States District Court which found that that had probative value in upholding the the Republican Congressional



Map. And was argued, too, by attorney for the Speaker, that there was legitimacy, the map had the legitimacy of having passed the House of Representatives by an overwhelming vote, so the protest is based on the inducement, we were induced to vote for a bill on the idea that it would not have any substance or merit, and yet, it they went into court and said it did have substance and merit, that we voted for the congressional reapportionment presented by the Speaker and the Majority Leader."

Hon. W. Robert Blair: "What for what purpose does the gentleman from Cook, Mr. Hyde rise?"

Henry J. Hyde: "Well, now, Mr. Speaker, the gentleman is going on and on, and saying things on the floor of this House that are objectionable, are improper, are out of order; he's making an argument that he ought to try to make to the court, if he can. Now, much of what he says is not so, it's not true, and he can't segregate the allegedly proper parts of this protest, which I frankly don't see any, from the grossly improper part and so I again state that it's improper, and I object to his being granted leave to file this protest, and I move that the the filing of this be rejected."

Hon. W. Robert Blair: "All right, I have read the document that has been handed to the Clerk by the gentleman from Lake, and ah, I have looked at Rule 77 and I've entertained the arguments advanced by the Majority Leader, and I feel that his points are well taken, inasmuch as 77 is just



with regard to legislative acts or resolutions, and I think that this quite clearly is not in that area. So, it will be the Chair's ruling that this is not a protest that complies with the requirements of Rule 77 and for that reason, this will not be entered upon the Journal. What purpose does the gentleman from Cook, Mr. Katz rise?"

Harold A. Katz: "Mr. Speaker and Mr. Majority Leader, I rise to comment briefly if I might concerning the matter here before the House. I am not so much concerned about the technical problem of Rule 77. I am concerned about the fact, Mr. Speaker and Mr. Majority Leader, that you are our Speaker and you are our Majority Leader, and I am very concerned and was very concerned and embarrassed, I might add, in my district and elsewhere, with reference to representations that were made"

Hon. W. Robert Blair: "One, one moment, what purpose does the gentleman from Cook, Mr. Hyde rise?"

Henry J. Hyde: "Now, Mr. Speaker, the distinguished gentleman now speaking knows well this is a matter that's in court and I reiterate it's highly improper for anyone, especially a lawyer and a member of the Bar, to discuss with legislative privilege on the floor of this House, a matter pending in court. The gentleman is represented in court, he has an attorney, he has filed petitions and affidavits in court, and I submit that this is an attempt and an effort to influence that proceeding and is in itself improper and the gentleman knows better and I suggest that he not be



permitted to continue in this line of discussion while this matter is pending in court, and I request he direct his remarks to the court and not on the floor of this House."

Hon. W. Robert Blair: "Your, your point's well taken. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, a three judge Federal Court has attempted to reapportion the State of Illinois for the congressional districts. . ."

Hon. W. Robert Blair: "One, one moment, please. For what purpose does the gentleman from Cook, Mr. Hyde rise?"

Henry J. Hyde: "Well, a point of order, I don't know that this is the U.N. or what, but I see, I don't know on what point the gentleman is rising. He's making a speech now, much in the vein of his two predecessors and just as objectionable."

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Shea desire recognition?"

Gerald W. Shea: "Mr. Speaker, I was attempting to explain why and if the Majority Leader for some reason doesn't want to get this on the floor of this House, maybe there's something wrong, but I was before a three Fed-, three judge Federal Court. I watched, I read an opinion by that court, that court. . ."

Hon. W. Robert Blair: "What, what, what purpose does the gentleman from Cook, Mr. Hyde rise?"

Henry J. Hyde: "I think the floor of this House, Mr. Speaker, is an inappropriate place to hold a press conference while



we're in session, and I would suggest the gentleman do that after we have adjourned, but there is no not no business before the House, and interested as I am in any remarks the distinguished Assistant Minority Leader makes, I object to these, as improper and bearing on a case that is now pending."

Hon. W. Robert Blair: "I agree. Now, ah, you're going to have to raise a specific point. I'll rule on that, but I'm not going to get into debate. The gentleman from Cook, Mr. Shea, has the floor."

Gerald W. Shea: "Mr. Speaker, what I've attempted to try to do is say that a court based its opinion on alleged acts of this body. . ."

Hon. W. Robert Blair: "You're, we're not going to, you're out of order, sir, I'm sorry. What purpose is the gentleman from Cook, Mr. Maragos rise?"

Samuel C. Maragos: "Mr. Speaker, for my information, I'm asking a point of parliamentary inquiry. Since, in your interpretation of Rule 77, when is an act of a legislator ever to be reprimanded especially under the cover, if it's going to court, can it be, can this body reprimand an act of another legislator? Can it censure its own members?"

Hon. W. Robert Blair: "I'm not going to deal in, you know, theoretic, I am not going to answer theoretical questions, now, if you've got a specific point that you want to raise, then I'll rule on that, but I'm going to, I'm not going to engage in debate."



Samuel C. Maragos: "I'm not asking to debate, Mr. Speaker, I'm asking a question here, because . . ."

Hon. W. Robert Blair: "All right, I have ruled with regard to this so-called protest under Rule 77, and the way to challenge my ruling on this, is you all know, is to attempt to over-rule the ruling of the Speaker. Now that's your action. If you want to do that, why, you know, that's your choice. The gentleman from Lake, Mr. Pierce."

Daniel M. Pierce: "Ah, Mr. Speaker, would I be in order filing objection and protest to your ruling preventing my objection from being entered in the Journal?"

Hon. W. Robert Blair: "Well, is your second protest under Rule 77? The gentleman from Lake, Mr. Pierce."

Daniel M. Pierce: "Ah, Mr. Speaker, yes, it would be under Rule 77, I would object and protest to your ruling on the floor against journalizing the objection of protests that was filed with the Clerk this morning."

Hon. W. Robert Blair: "Well, this is in my ruling is that Rule 77 is not the place to attempt to counteract the Chair's ruling with regard to this protest that you have placed up here with the Clerk for consideration, but it is an motion to over-ride the Chair. The gentleman from Lake, Mr. Pierce."

Daniel M. Pierce: "Ah, Mr. Speaker, I did originally arise on a point of personal privilege, my name having been used in the U.S. District Court, as approving the congressional remap. Can't I speak on the point of personal privilege,



my name having been used in a legislative act by the Counsel for the Speaker and Majority Leader and Chairman of the Reapportionment Committee, as one who supported that very very part of some congressional reapportionment map? That is my point of personal privilege, I would like to have the floor to speak and oppose, because my constituents were given the impression that I favored that. . ."

Hon. W. Robert Blair: "One, one moment, please. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Now, Mr. Speaker, I admire the persistence of the distinguished gentleman from Lake, but he continues to attempt to influence a pending matter in court, and he should address his remarks to the court, and I would ask the Speaker to restrict the gentleman from any further remarks along this line. They are grossly improper for a lawyer, especially, and I ask that he not be permitted to continue on this line."

Hon. W. Robert Blair: "I agree and the Chair recognizes the gentleman from Union, Mr. Choate."

Clyde L. Choate: "Well, Mr. Speaker, at least by innuendo I feel that my position, at least, which would be my name, was mentioned in the testimony by especially Representative Madigan and I would feel therefore, that I might address myself briefly to this question, from the standpoint of personal privilege. And I am looking at some of the evidence that was talked about as far as the court is concerned. . ."

Hon. W. Robert Blair: "All right, one, one moment, please."



What purpose does the gentleman from Cook, Mr. Hyde rise?"

Henry J. Hyde: "Mr. Speaker, I am loath to object to anything that the distinguished Minority Leader says, but the facts are still the same, this is a matter pending in court and what they have to say here had best be directed to the court and not on the floor of this House. The matter is pending, it's highly improper to attempt to influence that decision while it is pending and the same thing that was wrong with Mr. Pierce's remarks and Mr. Shea's remarks are likewise wrong with Mr. Choate's remarks, and I object to him discussing this as a matter of personal privilege or anything else. I think it's improper."

Hon. W. Robert Blair: "Well, I think the Majority Leader's point is well taken. Now, for what purpose does the gentleman from Union, Mr. Choate rise?"

Clyde L. Choate: "Well, Mr. Speaker, as far as the Majority Leader saying that this should not be brought forth on the floor of this House, may I point out to the Majority Leader that what we're talking about, and he full well realizes that I'm not an attorney and I'm not going to go before the courts, unless they call me, as some kind of a witness, as far as the testimony would be concerned, and I would hope they would, but what we are talking about is House action. I'm not talking about what the court is going to do or has done or might do, but I'm talking about what you all talked about was the activities and the action of this House and I'm saying to you that it was taken out of context, that



it was misrepresented and that as far as my vote on that particular bill was concerned, the truth about my vote was not told, because it was through an agreement of bipartisan leadership of this House, which you was a part of, Mr. Majority Leader. Now, we agreed to pass this bill to the Senate for a vehicle and a vehicle only, for state legislative reinforcement, notwithstanding congressional reinforcement. And when we went in there, I say. . ."

Hon. W. Robert Blair: "Now, now, now, now, could you hold it just just a minute. The gentleman from the gentleman from the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, now, Mr. Speaker, what the distinguished Minority Leader is really objecting to is not the vote in this House, the record speaks for itself, but the action that was taken in court when that vote was presented to the court, now that's what he's objecting to and he's trying to do indirectly what he can't do directly, and that's discuss the case on the floor of this House while it's still pending. Now parenthetically, I wasn't a part of any agreement, I didn't discuss reapportionment with a single soul in this House and the your affidavits that are on file and your remarks are just as inaccurate as your appraisal of what the law is. But I submit that this is an improper effort to influence a pending court case and if the distinguished gentlemen want to hold press conferences from here until dooms day, let them do so, but not take up the time of this House in such improper fashion. And I object



to continually permitting the gentlemen to continue along this line because it's highly improper."

Hon. W. Robert Blair: "Your point is well taken and the gentleman is ah, for what purpose does the gentleman from Union, Mr. Choate rise?"

Clyde L. Choate: "Mr. Speaker, I wish to object, I wish to object the same as the Majority Leader did, to his discussing what I'm attempting to discuss."

Hon. W. Robert Blair: "Now wait a minute, 'til I think about that one here."

Clyde L. Choate: "But let me point out to the Majority Leader that I'm not attempting to argue any case. I'm attempting to correct the fact that the vote that I cast on this particular bill was taken out of context as far as the statement that was presented to the courts is concerned. Because I voted for that bill with a gentleman and a legislative understanding, to provide a vehicle for state legislative reapportionment in the waning hours, in the waiting hours of this legislative session. That's what I'm attempting to point out, without any consideration for congressional reapportionment, contrary to what has been said."

Hon. W. Robert Blair: "All right, all right, all right, all right, very good, now back to the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, Mr. Speaker, ah, they're going to be very persistent and I'll just continue persisting in my objections, and I think we ought to have a ruling from



the Chair that this line of discussion is inappropriate and should be foreclosed."

Hon. W. Robert Blair: "The, with regard to the comments of the gentleman from Union, and the objections thereto by the gentleman from Cook, ah, the Chair's ruling will be that the gentleman from Cook's objections are in order and, now, is the gentleman from Cook, Mr. Shea, desire recognition?"

Gerald W. Shea: "Mr. Speaker, I rise on a point of personal privilege."

Hon. W. Robert Blair: "Well, get started, and we'll see how far you go."

Gerald W. Shea: "I filed an affidavit for the Federal District Court and Mr. Hyde has just told me. . ."

Hon. W. Robert Blair: "The gentleman from Cook, Mr., no, the gentleman is entitled to recognition, for what purpose is that?"

Henry J. Hyde: "Well, Mr. Speaker, we're going to continue to talk about the case in the Federal District Court. The distinguished Assistant Minority Leader ought to try his case there and not here. I object to any remarks about pending litigation in the United States District Court."

Hon. W. Robert Blair: "And my ruling is in favor of that, the gentleman from Cook, Mr. Shea."

Gerald W. Shea: "But the distinguished Majority Leader just said that the affidavit I have filed is inaccurate, and I object to that remark and I would wish to read the affidavit



to this House. It does not mention his name, it does not mention any act that he might know about. . ."

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

Henry J. Hyde: "Ah, Mr. Speaker, my reference was not to the affidavit, one of several that were filed that were filed by the distinguished Assistant Minority Leader, he did not mention my name, and, of course, I did not mean him, so there is no need for him to read his affidavit, which, of course, is another effort to try the case here."

Hon. W. Robert Blair: "I agree. Do you have anything further Mr. Shea?"

Gerald W. Shea: "In other words, the Majority Leader, is agreeing that my affidavit is true and correct?"

Henry J. Hyde: "I won't dignify that remark by reply, I'll just shake my head 'no'."

Hon. W. Robert Blair: "What purpose is the gentleman from Cook, Mr. Mann rise?"

Robert E. Mann: "Ah, Mr. Speaker, this is not a point of personal privilege, just a parliamentary inquiry. Ah, what would the procedure be for getting a copy of the tape recording this just past debate?"

Hon. W. Robert Blair: "Well, it'll certainly be available to the public in due course, and I'd suggest that in that if you're interested in a copy, that you, as a member, certainly would be entitled to have one. We're just starting the process of this, and a girl is going to be typing up



the transcript from the tape."

Robert E. Mann: "Thank you, thank you, Mr. Speaker."

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

Corneal A. Davis: "Legislative inquiry from the distinguished lawyer, the Majority Leader here. Can the courts rob any member of this House, even though a case is under consideration, from making a privilege statement on the floor of the House?"

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

Henry J. Hyde: "The the I'll I'll be glad to give you my opinion, as a lawyer. The answer is no, you can say anything you want on the floor of this House. The question as to whether you ought to is another matter, and I say you ought not to while the case is pending."

Corneal A. Davis: "There's one thing. Now, now, I appreciate the it it, but this puts you in the light of ruling on what ought to and what ought to not to have been done."

Hon. W. Robert Blair: "Right. Ah, with the permission of the membership, let's pause for regrouping and we'll go into introduction and first reading of House Bills, and we'll, I'll recognize you as we move along."

Fredric B. Selcke: "House Bill 3578, Epton. Bill for an act to add section to 'The Insurance Code'. First reading of the bill. House Bill 3579, Epton. An act relating to the scheduling of appointments by servicemen and making the nonperformance of appointment agreements a criminal offense.



First reading of the bill. House Bill 3580, Choate, et. al. An act to apportion the State of Illinois into 24 Congressional districts. First reading of the bill. Ah, no further bills. House Bill 3581, Redmond, et.al. Bill for an act to amend 'The School Code'. First reading of the bill. House Bill 3582, Kenny Miller. Bill for an act to amend 'The Revenue Act'. First reading of the bill. House Bill 3583, Houde, et.al. Bill for an act to amend the solicitation and collection of funds for charitable purposes act. First reading of the bill. House Bill 3584, Bradley, et.al. Bill for an act to amend 'The Election Code'. First reading of the bill."

Hon. W. Robert Blair: "All right, with leave of the House, we'll go to a messages from the Senate. We have a couple of amendatory matters. What purpose does the gentleman from Cook, Mr. Shea rise?"

Gerald W. Shea: "Mr. Mr. Speaker, with regards to House Bill 3580, filed this morning by Representative Choate, myself, I would now move that the bill be moved to the order of second reading, without reference to a committee, and ask, or actually what I want to do is suspend Rule 38, so that it can be moved to the order of second reading without a reference to a committee and I would like to explain why I want it done."

Hon. W. Robert Blair: "Well, we could expedite these things, probably if you'd discuss it privately with the Majority Leader, and so we could say it's a matter from our stand-



point would be able to be moved right along, rather than taking time on the floor."

Gerald W. Shea: "Well, then could we have a five minute recess to the House while I discuss it. . ."

Hon. W. Robert Blair: "I'm sure that the Majority Leader would be happy to talk with you about it."

Gerald W. Shea: "Well, it is congressional remap and I feel . . . that this House did not do its duty in remapping the congressional districts. . ."

Hon. W. Robert Blair: "My selection of the person to discuss it with you from my leadership list was a good one, then.

Mr. Hyde will discuss it with you. Messages from the Senate."

Fredric B. Selcke: "Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that pursuant to the recommendations of the Governor, the Senate has adopted amendatory provisions to a bill of the following title in the adoption of which I am instructed to ask the concurrence of the House. Senate Bill Number 262. A bill for an act to amend Sections 2 and 3 and the title of an act in relation to the performance of medical or surgical procedures on minors, approved August 17, 1961, as amended. The amendment is as follows: on page 1, line 13, by striking 'dental'; and on page 1, line 14 and 15, by striking 'or a dentist licensed to practice dentistry' and inserting in lieu thereof, 'or a dental procedure by a licensed dentist'; and on page 1, lines 22 and 23, by striking 'or a dentist licensed to practice dentistry';



and on page 1, line 23, by inserting the following language immediately after 'aid', 'or a licensed dentist renders emergency dental treatment'. Action taken by the Senate, October 12, 1971. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that pursuant to the recommendations of the Governor, the Senate has adopted amendatory provisions to a bill of the following title: Senate Bill Number 262. A bill for an act to amend Sections 2 and 3 and the title of 'An Act in relation to the performance of medical or surgical procedures on minors'."

Hon. W. Robert Blair: "All right, they a message from the Senate that was just read had reference to an amendatory veto action by the Senate. That will appear on the calendar tomorrow under Amendatory Vetoes, and the House then can determine the action it desires to take, with regard to the Senate action. What purpose does the gentleman from Cook, Mr. Yourell rise?"

Harry Yourell: "Ah, Mr. Speaker, an inquiry of the Chair."

Hon. W. Robert Blair: "State your point."

Harry Yourell: "Ah, this has been a matter of some concern not only to myself, but other members of the House as well. An inquiry has to do with the position of the bills that are presently residing in the committees of this House, as to the action taken or not taken on those bills, before the end of this session of the General Assembly. Now, if those



bills are not acted upon in committee by the adjournment date of this session, will those bills be carried on the calendar and reside in those committees at the opening of the session in 1972?"

Hon. W. Robert Blair: "Well, the Rules Committee is going to be in session, I think, practically every day as we address ourselves to this veto problem. We have not taken up this problem that you have raised, but we will, ah, and advise the House at that time."

Harry Yourell: "Is there, is there, then, Mr. Speaker, a deadline that these bills that are residing in committee must come out of committee during this fall session. . ."

Hon. W. Robert Blair: "Yes, there, the rules that we're going to adopt shortly here today, do provide a a time table, for floor action on on bills that reside in committee now, but that does not direct itself to a what happens to those bills that are in committee, if they're not, if they don't come out and are considered on the floor. We are going to take that out."

Harry Yourell: "Well, does that does that include also the bills that are being introduced in this session, or does that include all the bills that presently reside in committee. Those bills, I am specifically speaking of, are those bills that were placed in committee, prior to adjournment on July 1st, or June 30th of this year."

Hon. W. Robert Blair: "All the bills ah will be treated treated in the same category, once they're in the committee."



including bills that are introduced now, and as you know, the rules we're about to adopt provide for tomorrow, will be the last day for introduction of bills, if they are to be considered before January 1 of next year."

Harry Yourell: "Thank you."

Hon. W. Robert Blair: "All right, with leave of the House, we'll go to the message from the Senate."

Fredric B. Selcke: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that pursuant to the recommendations of the Governor, the Senate has adopted amendatory provisions to a bill of the following title in the adoption of which, I am instructed to ask the concurrence of the House. Senate Bill Number 458. A bill for an act to amend Section 8 of the 'Motor Fuel Tax Law', approved March 25, 1929, as amended. The amendment is as follows: Amend Senate Bill 458 on page 2, line 20, by striking '\$500,000.00' and inserting in lieu thereof '\$200,000.00'. Action taken by the Senate, October 12, 1971. Kenneth Wright, Secretary."

Hon. W. Robert Blair: "With leave of the House, we'll go to Resolutions. The Chair recognizes the gentleman."

Fredric B. Selcke: "House Resolution 400, Hyde."

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

Henry J. Hyde: "Ah, Mr. Speaker, House Resolution 400 embodies rule changes, and I want to emphasize to the membership that these are temporary rules so that we can proceed with the business of the House during this session, the



Rules Committee is in virtual constant session, we're going to, we met this morning, we met twice yesterday, we're going to meet tomorrow morning, and so these rules are simply to permit us to move forward. Now you should have copies of the rule changes on your desk and I will point out to you the significant changes. The order of business, Number 17 is the only new item, and that is makes motions with respect to vetoes in order of business. Number 17. Ah, on page Roman Numeral Six where it is bills, it simply changes the ratio from 2/3 to 3/5. The same thing on Roman Numeral Seven, it changes, that's Rule 53b, it changes it from 2/3 to 3/5, and on page 2 of the regular numeral two, I trust you have a corrected copy. In any event, they are self-explanatory, and I would move for the adoption of House Resolution 400, which incorporates the rule changes."

Hon. W. Robert Blair: "What purpose is the gentleman from Cook, Mr. Schlickman, rise?"

Eugene F. Schlickman: "Mr. Speaker, would the gentleman respond to a question?"

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

Eugene F. Schlickman: "Representative, on Roman Numeral Six, entitled 'Bills', Section 51, there is a provision that there shall be an emergency clause in a bill. Now, under the new constitution, effective July 1, of this year, no reference is made to emergency clauses, rather in Section 10, entitled 'Effective Dates of Laws', of the Legislative



Article, Article IV, there is the statement that a bill passed after June 30, shall not become effective prior to July 1 of the next calendar year unless the General Assembly by the vote of 3/5 of the members elected to each House provides for an an earlier effective date. Now, the old constitution, the 1870 Constitution, did make reference to emergency clauses. Since the new constitution, which is now in effect doesn't make reference to emergency clauses, it simply says you can't have an earlier effective date, so long as that there is such a provision. In the bill, I wonder why we are carrying over to this time that now antiquated requirement? I should further like to say, Mr. Speaker, and to the gentleman, respected gentleman from Cook, that an emergency clause is window dressing, it's rationalization and in most instances just sheer garbage."

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

Henry J. Hyde: "Without a hearing to the colorful language of the distinguished gentleman, I want to agree with him in substance, that I think the word 'emergency' is a no longer necessary under the new constitution, and the substance of the rule really means that unless otherwise specified in the bill, a then the regular effective date will ah take will obtain, and so the substance of the rule is correct, but I would agree the word 'emergency' in the use of the phrase is a no longer necessary, and this will be one of the matters that we will clean up in our on-going revision of these rules."



Hon. W. Robert Blair: "The only change a in Rule 51 as we're proposing to make it, is simply a switch in 2/3 to 3/5, and the rule, otherwise, is identical with that which has maintained and we will as a Minority and Majority leaders indicated, correct that particular language. The gentleman from Cook, Mr. Schlickman."

Eugene F. Schlickman: "Well, then I would understand that despite the new constitution and at a time when we are amending Section 51, that there will still be required in any bill to be passed and to be effective before next July 1, a justification for why it should go into effect before July 1. The establishment of an emergency, some rationalization, some language, indicating why it can't wait for its effective date until July 1, 1972. Rather, as is provided for under the new constitution, all we have to say is that the bill will be effective on such and such a date, and that's it."

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

Henry J. Hyde: "Again, accepting the gentleman's remarks, let me allay his fears only for one day, will that difficult situation obtain? We'll work on this tonight, and it'll be changed, I'm sure, by tomorrow, but we must adopt some rules and to move forward."

Hon. W. Robert Blair: "I think one of the things that should be taken into consideration when we do that, is the fact that if there isn't some indication in the bill that the sponsor desires a 3/5 vote, ah then every time somebody



stands up the Chair is going to be in a devil of a spot saying, you know, shall this bill pass with a 3/5 vote or shall it pass with a constitutional majority, and if there isn't some indication in the bill about that, it's going to be a problem, so whether it's couched as an emergency or something else, there should be something in the bill, it's that simple. All right, is there any other discussion? The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Mr. Speaker, I'd like to ask the Majority Leader if he could advise me that whether the objection of the Governors on all the vetoes whether they be what form of vetoes they may have been, have been already entered in the House Journal and what date they were entered in so we will know when the fifteen days run."

Hon. W. Robert Blair: "I answered that specific question yesterday, asked by B. B. Wolfe, and I indicated that every, each and every objection of the Governor was journalized on October 5. So the expiration for any desired action as we're calling it, would be midnight, next Wednesday, October the 20th. The gentleman from Cook, Mr. Simmons."

Arthur E. Simmons: "Well, Mr. Speaker, I can't see anything so terribly objectionable to the word 'emergency'. We have been become accustomed to what it means in this House and if it means that it need a 3/5 vote, I don't see why we can't continue the use of the word 'emergency', rather than to get into some new type of language. And I agree



with the remarks of the Speaker, that there should be some indication when a bill does require more than 89 votes, and I for one, for what good it is, would recommend to the Rules Committee that we retain the word 'emergency'.

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

Bernard B. Wolfe: "Ah, will the Majority Leader yield to a question or two concerning the new rules?"

Hon. W. Robert Blair: "Majority Leader indicates that he will yield to a question."

Bernard B. Wolfe: "In Section 96, the procedure for overriding a veto and restoring vetoed items, etc., a member must file a written motion with the Clerk. Does that mean that the written motion may be filed any time within the fifteen day period allowed by the constitution, or is there going to be a rule of this House, that such motion shall be filed in advance, like the first three days, for example, so that the Speaker for the House would know what is going to be contested and what is not going to be contested?"

Henry J. Hyde: "The answer to this sir, is as the rules are now constituted, any time within the fifteen days. Now, if we adopt such a rule as you have alluded to, then that will necessarily be changed. That provision which you mentioned is under consideration, has not yet been accepted."

Bernard B. Wolfe: "All right, one more question, Mr. Majority Leader. Does it also mean that if we do not intend to ah



undertake a vote on the Governor's veto, for example, I have three bills that were vetoed by the Governor, two of them I agree with, do I have to make a motion to strike it from the calendar, so that it's removed and it doesn't clutter our calendar, or the mere fact that I don't file within fifteen days indicates that it it's not going to be heard?"

Henry J. Hyde: "It will expire at the end of the fifteen days and that's the appropriate action."

Hon. W. Robert Blair: "That might not necessarily be so, but, but, . . ."

Bernard B. Wolfe: "I'd like to move, Mr. Speaker, on those two bills, if I'm in order at this time, or after the vote has been taken on the adoption of the new rules, to strike the two bills that I have no consideration for, so that this calendar can shape up to what it's going to be on a contested matter and not continue to carry vetoed bills that a sponsor or a member of this House does not intend to contest."

Hon. W. Robert Blair: "Are these bills under the total vetoed category?"

Bernard B. Wolfe: "Yes, under Total Vetoed captions. I'd like to have . . ."

Hon. W. Robert Blair: "Yeah, yeah, well, on on Total Veto items, as the Majority Leader did indicate, if the motions aren't filed, ah, and then acted upon as they would have to be prior to midnight next Wednesday, October the 20th,



House Bill 1516, with regard to which a motion has been filed. It's under Motions under Amendatory Vetoes."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV, the Constitution of 1970, I move the House accept this specific recommendation to change as to House Bill 1516 as set forth in the Governor's message of September 27, 1971. Clerk informed the Senate thereof and requested that the Senate concur herein. Gale Williams."

Hon. W. Robert Blair: "All right, on that motion, the Chair recognizes the gentleman from Jackson, ah, Mr. Williams. Now, would the House please be in order and address itself, we are about to take our first action on one of the Governor's vetoes. It is an Amendatory Veto, it will require a constitutional majority of 89 votes, and the Chair does recognize now, the gentleman from Jackson, Mr. Williams."

Gale Williams: "Mr. Speaker, and Ladies and Gentlemen of the House, I just filed a motion and I would move that we accept the Governor's recommendations for the changes in House Bill 1516, which was the teachers salary bill. What the changes were, it reduced the amount that we passed from \$6,500.00 for a non-degree to \$6,000.00, and for a Bachelor's Degree we passed it at \$7,200.00, reduced to \$6,800.00, and a Master's Degree they reduced it from \$7,900.00 to \$7,300.00, and also added, it must comply with the wage price freeze issued by the President of the United States. And under those conditions, I would move to adopt the recommendations



by the Governor."

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

Gerald W. Shea: "Mr. Speaker, I I'm of the understanding that any suggestions for changes to acts passed by the General Assembly would have to be in amendment form, that we would have an opportunity to see how the amendment amends the bill and have an opportunity to vote on it. Now, I have no amendment to the House Bill 1516 on my desk, I would like to have that amendment before I am required to vote on it."

Hon. W. Robert Blair: "The amendment is contained in the Governor's message, and the Governor's message is on every members desk."

Gerald W. Shea: "But, Mr. Speaker, I you know, I don't know, but we amend acts by amendments, and I would think that we would have to specifically by line and page number amend the act that was passed by this General Assembly and sent to the Governor over the signature of the Speaker of my House and the Lieutenant Governor."

Hon. W. Robert Blair: "Well, the motion that is has been filed does have attached to it, an amendment in the usual amendment form, outside of the Governor's message, and we're resolving right now, if that is an amendment to the enrolled and engrossed bill. In which event, if it is, then having the actual amendment before you, with re-, in order to collate it with anything, you'd actually have to have the enrolled and engrossed bill before you. The gentleman from Cook, Mr. Shea."



Gerald W. Shea: "Ah, Mr. Speaker, I I have a xeroxed copy of what reports to be an Amendatory Veto by the Governor, but it's my understanding the rules, the joint rules of this House, or this General Assembly, require when bills are amended or changed, that the words that are stricken will be stricken and the new language will be underlined, etc., etc., and I think that it would be a wise procedure for us to set up similar machinery which regards to the Amendatory Vetoes, because as you well know, the Attorney General's opinion, talks about conforming with the Governor's wishes and the sponsor of the bill may wish to change one or two words and still be a conforming and let it be up to the Governor whether he wants to say that that language conforms or not."

Hon. W. Robert Blair: "All right, the question you raise is answered in the amendment that is attached to the motion. The amendment has been drawn by the Reference Bureau in accordance with the House rules, and the language that is being added is underlined, and language that's being taken out is stricken. Now, if you are requesting that a copy of the exact thing be put on the desk, then we will now start to have 177 copies of these run off and put on the desk, before we vote. Is that your request?"

Gerald W. Shea: "Well, I just, Mr. Speaker, all I want to do is make sure that if we get a copy of the enrolled and engrossed bill and the motion that we can match the two of them up to see exactly how the enrolled and engrossed bill



will look with the changes."

Hon. W. Robert Blair: "All right, the exact bill is on the desk. Attached to the Governor's veto message. The enrolled and engrossed bill is on your desk, attached to the Governor's veto message. Now, the only thing you don't have on your desk is a copy of the Reference Bureau's draft of the amendment concerning the specific recommendations in the Governor's veto message. We're going to adjourn now and during the recess, why, we'll have copies made of those amendments, drafted by the Reference Bureau, with regard to the motions that have been filed, and those will then be placed on the desks and then you will be able to look at the amendment with the enrolled and engrossed bill.

Now will that satisfy you?"

Gerald W. Shea: "Now, the enrolled and engrossed bill, or a copy thereof, will be available at the Clerk's Office?"

Hon. W. Robert Blair: "You've got it on your desk right now. It's attached to the Governor's veto message. There is supposed to be."

Gerald W. Shea: "I don't have it, but maybe I've misplaced it."

Hon. W. Robert Blair: "There's a whole packet, Jack advises me, on every members desk. The gentleman from McLean, Mr. Bradley."

Gerald A. Bradley: "Mr. Speaker, it might help, most of these packages are not on the desk, they're under the desk."

Hon. W. Robert Blair: "Oh, all right. Under, rather than over."



All right, that, what we'll do then during the recess is to have copies made of the exact Reference Bureau amendment language concerning the specific recommendations. You can then take that and look at the enrolled and engrossed bill, so you'll be able to see exactly what's happening. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, ah, I move now that this House stand in recess until the hour of 2:00 P.M. this afternoon."

Hon. W. Robert Blair: "We will take the motion of the gentleman from Jackson out of the record, we will return to that at 2:00 P.M. with the amendments then on the desks for consideration at that time. All right, the House will now be in recess until the hour of 2:00 P.M. this afternoon."

Recess at 11:55 O'Clock A.M.

Return at 2:00 O'Clock P.M.

Hon. W. Robert Blair: "Now, when we recessed, we were on the order of motions under Amendatory Vetoes on the second page of the calendar. The question raised by the gentleman from Cook, Mr. Shea, I understand from the Clerk, has been satisfied over the recess. The specific amendments have now been placed on the members' desks. The gentleman from Cook, Mr. Shea, for what purpose do you rise?"

Gerald W. Shea: "Mr. Speaker, I think that if the members will look at the Governor's message and the amendment to engrossed House Bill 1516, you can see the reason for my



question this morning. In the amendment, the suggested amendment to House Bill 1516 in line 6, we are talking about raising the figure from \$6,600.00 to \$7,300.00 and the Governor's message accompanied his return of that bill to this body, he suggested \$7,900.00 and that that's one of the reasons that I raised it this morning when Representative Williams mentioned the fact. He mentioned \$7,300.00. The message said \$7,900.00 in that specific point, and I wanted to make sure what I was going to vote on. And at an appropriate time, I would like to discuss with Representative Williams, Section 2 that he wishes to add."

Hon. W. Robert Blair: "The official copy is 73."

Gerald W. Shea: "Well, I have a copy that reports to have the Governor's signature on it under date September 21 or 27th, 1971, that was from the Secretary of State's Office, that has \$7,900.00 on it."

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

Arthur E. Simmons: "On the xeroxed copy that I have, it has \$7,300.00 on it. I would also like to ask a question when the appropriate time comes. Ah, Mr. Speaker, if it if Mr. Shea's question has been answered, I would like to ask a question."

Hon. W. Robert Blair: "Yes."

Arthur E. Simmons: "This bill originally had Amendment Number One adopted on it. Now, this amendment we're considering today doesn't have a number on it, although it does



say as amended engross House Bill, which may cover that point. Now, my question is, should this be a Amendment Number One on the engross bill, because someone else may want to offer another amendment, and they probably should have numbers on them."

Hon. W. Robert Blair: "All right, the gentleman from a, your point will be taken under advisement. The distinction we have here is that these are not really legislative amendments, they're executive amendments, and, ah, it's, the gentleman from Jackson, Mr. Williams."

Gale Williams: "Mr. Speaker and Ladies and Gentlemen of the House, my motion that I made or filed yesterday and ask for it to be adopted today is not any amendment or allowing any other amendments to this bill. My motion simply asks that we accept the Governor's recommendation to House Bill 1516."

Hon. W. Robert Blair: "All right, with leave of the House, we'll go back to a the gentleman's motion from Cook, regarding House Bill 3, what's the number of that bill on your congressional remap? Three, what? Yeah, a turn the gentleman from Cook, Mr. Shea, three?"

Gerald W. Shea: "Mr. Speaker, the bill that was introduced this morning for congressional remap was House Bill 3580."

Hon. W. Robert Blair: "All right, we'll take the House Bill from the records, 1516 while we're further clarifying the question of the a Governor's message and consider the gentleman's request to suspend the provisions, is that



what you're going to do? Of a rule, . . ."

Gerald W. Shea: "Mr. Speaker, I ask for unanimous consent to advance House Bill 3580 from the order of first reading to second reading, without reference to a committee. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "I object to that, Mr. Speaker."

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

Gerald W. Shea: "Mr. Speaker, having had an objection to my motion, I would now move to suspend Rule 38 for the purposes of advancing House Bill 3580 to the order of second reading without reference to a committee."

Hon. W. Robert Blair: "Any discussion? All those in favor, vote 'Yeas' and the opposed 'No'. What purpose does the gentleman from Cook, Mr. Shea rise?"

Gerald W. Shea: "May I be heard on my motion? I would like to inform the members of why I would like this done."

Hon. W. Robert Blair: "Proceed."

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3580 is a bill to reapportion the Congress of the United States into twenty-four districts within the State of Illinois. We have a legislative mandate for this body to reapportion the State into congressional districts. There is a federal law that requires legislative or congressional candidates to run from districts. Unless we fulfill this mandate, this legislative body would or could or might be giving away its prerogative to another branch of government, namely, a federal court. I think that



it is incumbent upon us, as members of this body duly elected, to carry out the duty that's imposed upon us. If we move this to the order of second reading, the Speaker could call a committee of the whole and we could discuss this and certainly pass a bill out of this House, over to the Senate and have a bill passed by the Senate and signed into by into law by the Governor in time so that a candidates for Congress may know in which districts they are running, and they could do this by the time for the filing in December. I might also ask you to further think that it's not only the congressional candidates that run from these districts, but it will be those members of both parties that are delegates to their National Nominating Convention that will choose the next candidate for the President of the United States from each party, so I think that it's an extremely important measure, and I would ask that the House would a support me in this motion."

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

Henry J. Hyde: "Well, Mr. Speaker, I must oppose that the gentleman's motion, it comes as we are in mid-October, filing a bill for congressional reapportionment, I think that. . ."

Hon. W. Robert Blair: "Just a moment until we get this thing straight, there are no hand cameras allowed on the floor of the House, period! They get 'em from right here."

Henry J. Hyde: "The subject of congressional reapportionment is complex, it is something that can not be rushed through



this House as the gentleman well knows, it involves many many factors that have to be studied in depth. We have a reapportionment committee, composed of some very able people, and I believe this bill should be treated like all other bills and submitted to the reapportionment committee for its consideration and study. The subject is too important for us to be stampeded on on this bill. Then, therefore, I object to the gentleman's motion to advance without reference."

Hon. W. Robert Blair: "All right, the gentleman care to close? The gentleman from Cook, Mr. Shea, you gonna close?"

Gerald W. Shea: "Well, Mr. Speaker, in answer to the distinguished Majority Leader's statement that it is too important to do hurriedly, we spent six months, from January through July, and we're not able to accomplish it. I think that it's now incumbent upon the members of this body to get on and do with it. I think I heard it so aptly put this morning by one of the members of this House, that little by little, the legislative branch of government is being eroded away, and I think this is a step that we, the members of this body, could take to move forward with the bill to reapportion the congressional districts of this State and do it as a legislative act and not surrender that prerogative to any other branch of government. And I would ask for the support of the members of this House."

Hon. W. Robert Blair: "The question is shall Rule 38 be suspended? All those in favor will vote 'Yeas' and the opposed



'No'. The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, in the explanation of my vote and support of Representative Shea and his motion, let me say to the members of this House, that I'm of the opinion that certain strengths of this legislative branch of government has been eroded, has been eroded, and certain duties that I've always felt was a part of the legislative branch of government, has been weakened under the new constitution in which we're operating today. Now, as far as congressional reapportionment is concerned, yes, I think it is a duty that this legislature should direct its attention to. Now, in recent weeks and days, we have seen and heard much about the courts of this state solving reapportionment as far as Congress is concerned. I think that today is a fine opportunity for us to reassert the legislative prerogative by advancing this bill to second reading, considering it, and if there is amendments, considering the amendments. I think that this is a fine opportunity for us to clearly indicate that we were not, when we in the last closing days of the last session, agreeing to any congressional reapportionment by the passage of the Republican sponsored State Legislative and Congressional Reapportionment out of this House of Representatives, that we were passing it out only as a vehicle to provide in the waning hours of this session, a vehicle, if you please, to be considered as State Representative and Senatorial Reapportionment. I feel that



this is an opportunity at least for all of the members on this side and yes, all of the members on that side, to assert themselves and say, we, we, in the legislature, will bring about a solving of the congressional reapportionment problem. We're not saying to you by advancing this bill to second reading that we ask you to agree that this is the district that you want, as far as Congress is concerned, but we're saying to you that here is an opportunity for this legislature to solve congressional reapportionment. Bring about your amendments from both sides of the aisle on second reading, but today, put it on the order of second reading where this legislature in its wisdom can consider congressional reapportionment. And, Mr. Speaker, I vote 'Yeas'."

Hon. W. Robert Blair: "The gentleman from Lake, Mr. Pierce."

Daniel M. Pierce: "Mr. Speaker, I'm surprised to see that the Chairman of the House Reapportionment Committee is voting against this motion. This should be part of the agreement by which House Bill 2907 was passed last June 28th, when it was agreed both Republican and Democratic reapportionment maps would be passed. Now, our bill that passed at that time only had legislative reapportionment. 2907 had legislative and congressional. No, I think the follow through on that agreement, the Republican Party, the Speaker, the Majority Leader, the Chairman of the Reapportionment Committee should support this bill as a vehicle of congressional reapportionment to fulfill to



to fulfill the obligation of that gentleman's agreement that both parties maps would be passed. As long as the Republicans passed congressional reapportionment as a vehicle on our support, they should now support our bill as a vehicle and then let the Senate, neither party has a majority in the Senate, let the Senate then a hopefully work out a compromise that all parties can accept. I think it's wrong, it's wrong to have asked us to support your bill as a vehicle and then refuse to support our bill as a vehicle. It's another instance where the so-called gentleman's agreement has been broken, as the Majority Leader said this morning, he didn't make any agreement, and now, I'm sure the Chairman of the Reapportionment Committee will say he made no agreement, that we voted for that bill, we Democrats, because we believed in it, and I say you're not telling the truth. We didn't believe in that congressional reapportionment, we passed it as a vehicle and to go into court and say that we supported that and put our names in on that bill is misleading the public, . . ."

Hon. W. Robert Blair: "Hold it, hold it, the gentleman from Cook, Mr. Hyde, for what purpose do you rise?"

Henry J. Hyde: "Well, a point of order, Mr. Speaker, Mr., the gentleman addressing us now is again trying to repeat what he tried to do this morning, that matter is before the courts, and I suggest his remarks are out of line."

Hon. W. Robert Blair: "The gentleman's point is well taken,



and the gentleman from Lake will confine his remarks to the explanation of his vote with regard to the motion to suspend the Rule 38 concerning House Bill 3580. The gentleman from Lake, Mr. Pierce?"

Daniel M. Pierce: "I have a question on legislative inquiry, Mr. Speaker."

Hon. W. Robert Blair: "Now, wait a minute, for what purpose does the gentleman from Cook, Mr. Shea rise?"

Gerald W. Shea: "I rise on a point of personal privilege."

Hon. W. Robert Blair: "Not while the gentleman's explaining his vote. I'll recognize you after that. And you have about ten seconds."

Daniel M. Pierce: "All right, Mr. Speaker, on a legislative inquiry, is this bill part of that gentleman's agreement of last June 28th, that both parties reapportionment bills would be passed over to the Senate in the hope of a last minute agreement and compromise? Do you consider this bill to be part of the gentleman's agreement?"

Hon. W. Robert Blair: "I, I, I consider you to be out of your two minutes, sir. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, the only question I have, I've been accused of filing an affidavit that misrepresented the facts and I'm wondering if there's any comment from the Majority Leader that my affidavit is wrong, I'd like to hear it from him instead of behind all of these parliamentary dodges."

Hon. W. Robert Blair: "That's not an explanation of vote,



and so, we'll move on. The gentleman from Cook, Mr. Davis."

Corneal A. Davis: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to explain my vote and I feel like the little boy when he went to visit his aunt and uncle and they offered him a second helping of ice cream and he refused it. And they said what are you suffering from, a loss of appetite, and he said, 'No, mam, I'm suffering from a loss of politeness.' Well, I want to say to you that we Democrats are suffering from a loss of politeness, because we were certainly polite, and I know we were, because I screamed to the high heavens and the televisions carried me screaming, and the members of my church ask me what I was screaming about, and I had to tell them that there was only, and I don't like to raise any questions, but that map raises it beyond a reasonable doubt. I said to them, I'll tell you what I'm screaming about. There's more than a million black people in Chicago and we have two Congressmen and now one of them is gone bye-bye, that's why. . ."

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

Henry J. Hyde: "Mr. Speaker. . ."

Hon. W. Robert Blair: "For what purpose do you rise?"

Henry J. Hyde: "Mr. Speaker, Mr. Speaker, it appears to me the distinguished leader from the other side of the aisle is talking about some other bill, some other map than the one that's under question, and it is out of order and no explanation of vote."



Hon. W. Robert Blair: "Your point is well taken, now the remarks are going to have to be confined to the explanation of your vote on this motion to suspend regarding House Bill 3580. House Bill 2907 is no longer before this body and so you'll have to confine your remarks to that."

Corneal A. Davis: "Mr. Speaker, I'll confine it to it. It was our politeness that created this situation. Nothing but our politeness that created this situation and I'm asking you in the name of decency if you want to help us here and now, you have an opportunity. Let's suspend a rule and get this map before us and lets consider this map, so that we will have one little chance to have equal representation in the court and it'll give us back our congressman."

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

Harold A. Katz: "Mr. Speaker and Ladies and Gentlemen of the House, far be it for me to get up and discuss any bill other than House Bill 3580, I do think, however, that we should be consistent in the position that this legislative body takes. We firmly believe that the right of reapportionment is the right that should lodge in the legislature, should not be vested anywhere else, and here we have an opportunity to move a bill forward that will do that which we have always asserted is our basic right, the right of reapportionment. Now, I would not want to say that anyone here in this House is taking an inconsistent position, and as-



serting one position on one bill and another position on another bill, as it were a Dr. Jekyll and Mr. Hyde kind of approach to problems in the legislature, but I would hope that there would be consistency and that we would assert our right to reapportionment and that we would do that which we should do is move this bill on for consideration here on the floor, because really the question of reapportionment is perhaps the most important matter that we will be considering here in this session."

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

Bernard B. Wolfe: "Briefly, Mr. Speaker, Ladies and Gentlemen of the House, in explaining my vote, in support of suspension of the rule and it's based only on the motion to suspend is in answer to the Majority Leader, Mr. Hyde's statement that objection that the complex, his objection is that the complexity of this bill requires committee consideration, and yet the previous legislation which included both congressional maps, and legislative maps, was introduced on May 21, came out of committee on May on June 22, was in the House for four or five days and then was passed without debate from this House. Now, it would seem to me to be consistent, that this bill and the experts have already looked at all the maps and looked at all the pros and cons and the population statistics concerning maps, can follow the constitutional direction for compact contiguous districts, consistent with one man, one vote, and we could



for the first time, introduce amendments at second reading, look at the bill, debate it, deliberate it, and pass it out of this House without any reference to a committee. And I would suggest that we get a few more supporting lights to suspend the rules."

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

Harry Yourell: "Mr. Speaker, Ladies and Gentlemen, in urging your support for this particular motion, I think what we have involved here is a matter of ethics, and I know that your side of the aisle, like our side of the aisle, is interested in ethics. The ethics that we're talking about is the understanding that men have made between men. We have here what is simply a vehicle to follow and do what we were sent here to do and that is to reapportion the State of Illinois. Now we can not ignore our duties and we must keep some form of ethics and agreement between ourselves. If we betray each other, the question will always arise in the minds of the voters and in the minds of the public, if they can not trust us, to keep our word among each other, who can they trust? Mr. Speaker, we must indeed answer this question. Thank you."

Hon. W. Robert Blair: "The gentleman from Christian, Mr. Tip-sword."

Rolland F. Tipword: "Mr. Speaker and Ladies and Gentlemen, I'm voting for this motion to suspend the rules because I think it's time that we tell the court of this State and of the federal government located in this State, that the



legislative power and the legislative prerogative in the State of Illinois is going to be exercised by the legislature of the State of Illinois. I've become less and less enamored of our courts and especially our courts of last resort. In view of opinions that have been handed down in recent months, especially one that I know is going to plague us very severely and plague the people of the State of Illinois in regard to personal property tax. And this is but another area of congressional reapportionment that they have taken unto themselves and I think it's high time that we take back unto ourselves as a legislature this power to reapportion, whatever area of government it may be which is ours and reassert the power which belongs to this body, and I urge every member of this House, consequently to vote for this motion to suspend the rule."

Hon. W. Robert Blair: "Any further discussion or explanation of vote? The Clerk will take the record. On this question there are 87 'Yeas' and 83 'Nays' and the there are, there are 87 'Nays' and 83 'Yeas' and the motion having failed to receive the required 89 votes to suspend, it is hereby declared lost. For what purpose does the gentleman from Cook, Mr. Shea rise?"

Gerald W. Shea: "Mr. Speaker, in conformity with Rule 38, I ask that the Speaker of this House now find that there is a demonstrable emergency in reapportioning this congressional districts of this State and advance the bill to second reading without reference to a committee."



Hon. W. Robert Blair: "I'm satisfied that the State has been redistricted as far as Congress is concerned, and there is no demonstrable emergency shown, so I will not refer it to second reading without reference on the basis of a demonstrable emergency."

Gerald W. Shea: "Thank you."

Hon. W. Robert Blair: "You're welcome. Now, we'll go back to Amendatory Vetoes and on the motions on House Bill 1516, on which the Chair recognizes the gentleman from Cook, Mr. Shea. Now, we do have the original signed message from the Governor on the Clerk's podium which does show on the \$7,300.00 item that it is \$7,300.00 and not \$7,900.00. Is there any further question concerning that part? No. All right, the then back to the gentleman from Jackson, Mr. Williams, who was explaining, as I recall, when we went in to the point of order, a the his motion."

Gale Williams: "Mr. Speaker and Ladies and Gentlemen of the House, I again renew my motion to adopt the Governor's recommendation on House Bill 1516. I think it's been debated, I think everybody knows what the figures the correct figures are, and I move the adoption of this motion. Roll call."

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

Arthur E. Simmons: "Ah, Mr. Speaker, I intend to vote for this motion, but I would like to, as long as this is the first one we're working on, I'd like to try to get something clear in my mind. Assume if you will, that I had decided to do something different than Gale is trying to do, and



had introduced an amendment that was not satisfactory, and it was voted down and then he comes along with this one and did meet the number of votes necessary in the House to pass. I'm asking now, whether or not these a types of amendments should be numbered and number two, does only the sponsor have the right to offer an amendment such as this?"

Hon. W. Robert Blair: "Well, these questions that you are raising at this time are hypothetical in nature. The matter is not before us for consideration. The gentleman has a motion on which is clear and that is he wants us to adopt an amendment. There is actually no amendment as such on the bill right now, because once the bill was enrolled and engrossed and sent down to the Governor, it was a bill and the amendment aren't, any amendments that were on it through the legislative process, are no longer involved with it. I suggest that we address ourselves to this one, and as we move along, why we may or may not get to those possible problems that you raise. What purpose the gentleman from Cook, Mr. Shea rise?"

Gerald W. Shea: "I am wondering if the sponsor of this piece of legislation would yield to a question with regards to Section 2 that he is requesting to be added to the act."

Hon. W. Robert Blair: "The gentleman indicates that he'll yield."

Gerald W. Shea: "Representative Williams, as I read this, it gives certain areas of minimum wage which a teacher may be paid in the State of Illinois for certain jobs and for cer-



tain decrees degrees from universitites. There are step increases, and let us take the one in where a person has a Master's Degree and 150 hours, the minimum will go from \$5,600.00 to \$6,800.00 under this piece of legislation, as I read it. Is that correct?"

Gale Williams: "Yes, that's correct."

Gerald W. Shea: "All right, and then we have Section 2, the one which I have question about with regard to the Executive Order of the President of the United States freezing wages and the last part of it, 'together with any modification or extension thereof, by or pursuant to federal law' Now, what will happen if the President by Executive Order says that no person shall receive more than a ten per cent wage increase in any year and therefore would limit, and instead of the \$5,600.00 figure would be about \$6,160.00 and our bill would say \$6,800.00. Would we by the second paragraph then be giving away our legislative prerogative to set these minimum wages now to the federal executive, and if so, I'm just thoroughly opposed to it, and I think that we could better frame this part saying that we will comply or we will ask the Governor to comply with the effective date of this law, but I just don't want to give away anymore legislative prerogatives and particularly to the federal government."

Gale Williams: "Well, I think it's quite clear, Representative Shea, that the Federal Wage and Price Freeze Act will prevail until the wage freeze goes off. I don't think



there's any question about that, and I don't think we could pass a bill that would change that one iota. I think the freeze will be for a short time and I think we're all in agreement there, and I think that the bill is a good bill and as the Governor has in his recommendation."

Gerald W. Shea: "Well, Gale, I have no question that I think it's a good piece of legislation, I supported it originally. My my real question is what are we doing with Section 2? Now, if you rather than this precise language, I ask if you might not want to look at it and draft some other language, saying that we will comply with the wage freeze order of the Executive Branch, but to extend it to any other modifications or extensions of federal law, I think that what we're doing is now making a piece of legislation enacted by this body approved by the Governor, subject to other federal regulations, and I don't think this is what we want to do."

Gale Williams: "All we're doing, as I read this, when we agree to this motion, we're simply saying that we're going to comply with the federal wage and price freeze control until it's off. I don't think you could change it in any way in the world."

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

Edward L. Kipley: "Mr. Speaker and Ladies and Gentlemen of the House, perhaps I can add a little explanation to what is bothering Representative Shea. In view of the fact that we, in private industry, have had a similar problem



with the wage freeze act as it went into effect on August 15. Now, my interpretation of this Section 2 would be the same thing as it was interpreted in our industry, that in in the event of a promotion or in the case of or in this case in the event of a higher degree, you would be entitled to an increase in salary regardless. The increases that they're talking about under the wage freeze are merely merit increases or across the board increases. They have nothing to do with promotions, or in this case, the acquisition of a higher degree, and I think that this part 2 is well in accord with the wage wage wage freeze act."

Hon. W. Robert Blair: "The gentleman from Christian, Mr. Tipsword."

Rolland F. Tipsword: "Would the sponsor of this motion yield to one question, please?"

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

Rolland F. Tipsword: "Representative Williams, I believe, am I am I quoting you correctly, and at least this is my understanding of it, that without Section 2 of this amended amendment being incorporated, the federal law is going to apply anyway, is it not? I wanted to know then why even incorporated at all and run the risk of broadening our application of federal law beyond merely the application of the freeze orders, or the orders made pursuant thereto, and and establish this unfortunate precedent of writing into our law federal enactments that we don't even know about yet?"



Gale Williams: "Well, I still go back to my same answer, I think we're simply saying that we are going to comply. I think we would have to comply with whether that was in there or not, as far as that's concerned. We just simply saying we're going to comply with it, that's all we're doing."

Rolland F. Tipword: "Mr. Speaker, if I might address myself to this just a moment. I have no quarrel particularly with the motion in regard to the the first portion of the amendment that is proposed here. I would like to have seen the figures stay as they were, but I would not have any serious objections to the Governor's amendatory language, and I believe that I would support it, except, that I do not feel that I can vote for this kind of an insertion that we find in the Section 2 of the amendatory language, because I think we are thereby again abandoning the legislative power of the General Assembly of the State of Illinois, or we may be doing so. The effect of whatever this national emergency legislation may be is going to affect the payment of wages pursuant to this law, no doubt, and I think it will affect it in the way that it should affect it, legally, without us incorporating Section 2. I think Section 2 is a very dangerous precedent for us to set, because it is a specific a specific abandonment of the legislative role and the legislative power by this House of Representatives, and because of that, unfortunately, I can't support the what is truly meant by the Governor,



I think, in his amendatory veto message to this House, which I probably would otherwise vote for."

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

Bernard B. Wolfe: "Thank you, Mr. Speaker, will the gentleman yield to a question?"

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

Bernard B. Wolfe: "Ah, Representative Williams, in your original bill you have an effective date of July 1. In the original bill, July 1 of 1971 on which these standards, these are only standards of minimum wage levels, we're not talking about any increases, really, we're giving guidelines to the school districts with respect to the employment of professional personnel in each of these categories. Now, isn't it up to the employing body or the district to determine, one, whether the increase went into effect prior to August 15, and if it did not, to suspend it under the wage price freeze and not to plug it with a mandatory Section 2, relating to federal legislation which is inconsistent with your bill, and with the thrust of the standards that are being set forth here."

Gale Williams: "Well, as you know, Representative, we passed a lot of bills in the last session, that the effective date should have been July the 1st should the Governor have signed them in time to take effect then. No bill takes effect until he signs it into law, and of course, it would it would take effect immediately in that case. This bill



will take effect immediately if we adopt this motion, subject to the wage price freeze regulation put on by the federal government. I think that's very obvious."

Bernard B. Wolfe: "Well, that, in answer to that, that's not my point. This does not relate the to the effective date of the bill, it relates to the effective date of the standard to be applied, which the effective date in your bill is July 1, 1971. No matter when this law passes, so that would have to, in my opinion, be corrected if you're going to insert Section 2, then you would have to amend the bill and remove the effective date of these standards to a date later than August the 15th. Now the two are not consistent as where I see. No necessity for Section 2 in the face of the changes recommended by the Governor, with respect to the standards."

Hon. W. Robert Blair: "Is there any further discussion? The gentleman care to close? The question is shall shall the House adopt the amendment to House Bill 1516? All those in favor will vote 'Yeas' and the opposed 'No' and this takes 89 votes to carry. Have all voted who wished? The Clerk will take the record. The gentleman from Champaign, Mr. Clabaugh."

Charles W. Clabaugh: "Mr. Speaker, I've seen a lot of stuff thrown around since I've been a member of the legislature, and excuses made, but I've never heard as flimsy a one as has been made here on this bill. Now, you know the Governor of Texas wasn't going to pay any attention to the



price and wage freeze, and he went down and he was going to raise the school teachers all down in Texas, and despite the law, but he went back, he went down to Washington to talk to some cooler heads and he went back and he said, 'Well, I will comply'. Now whether this Section 2 was in this bill or not wouldn't have made a bit of difference, the federal law would have taken, would have superseded the anything that we could have written in here now. Now, we've been operating for ten fifteen years on step changes in school a teachers salaries, the minimum salaries in every branch. Now, I didn't favor this bill, I was against it when it was in, I thought it was too much even after Representative Williams had amended it. I called some people who had been opposed to it at the noon hour today and they said now that they thought that the bill was all right, they weren't very crazy about it, and frankly, I'm not very crazy about it, but I see an opportunity, maybe that the Republican Party might just make a little hay on this thing and that the other side says, 'Well we can't do that, so we won't vote for it', and I would suggest that if they don't vote for that, to just let it go, I'd let it go down and then just let the people know, the teachers of the state know, that the great party of the people would rather phy politics than to do a constructive piece of statesmanship."

Hon. W. Robert Blair: "The gentleman from Jackson, Mr. Williams."



Gale Williams: "Mr. Speaker, before the roll call's announced I do want to poll the absentees."

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Genoa Washington rise?"

Genoa S. Washington: "Mr. Speaker, Ladies and Gentlemen of the House, I wish to vote 'Yeas' on the amendment to 1516."

Hon. W. Robert Blair: "Record the gentleman as 'Yeas'. The gentleman from Cook, Mr. Kipley."

Edward L. Kipley: "Ah, Mr. Speaker, how am I recorded?"

Hon. W. Robert Blair: "How is the gentleman recorded?"

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

Edward L. Kipley: "I vote 'Yeas'."

Hon. W. Robert Blair: "Record the gentleman as 'Yeas'. What the gentleman from Cook, Mr. Choate?"

Clyde L. Choate: "Not from Cook!"

Hon. W. Robert Blair: "Union!"

Clyde L. Choate: "Not yet."

Hon. W. Robert Blair: "The gentleman from Union."

Clyde L. Choate: "Mr. Speaker, and certainly taking into consideration the snide remarks of the gentleman from Champaign, and certainly taking into consideration the source from which they came, and certainly taking into consideration the fact that he doesn't know whether anyone is sincere in opposition to this particular wording that he's talking about, because I haven't seen him over here talking to anybody to find out whether they were or were not, far behoove it from me from denying the teachers of this State at least



a minimum increase in their salaries. I still don't like that one portion that Representative Shea and Representative Tipsword was talking about, and I still don't think that it needs to be a part of this legislation. I still think the legislation would be effective as far as the teachers of this State are concerned, and I still think that as the gentleman from Champaign himself said, whether it was in the bill or whether it was not, the wage and price freeze would be effective and that is the very thing that we were talking about, the way I listened to the debate, that if it was not a part of the legislation, it would still be effective as far as the President's order is concerned. Therefore, I can see no reason for it being a part of the legislation and that's exactly the thing that Representative Tipsword and Representative Shea are talking about. Change me from present to 'Yeas'."

Hon. W. Robert Blair: "Choate 'Yeas'. Berman, 'Yeas'. All right, I'm gonna dump that roll call. All those in favor of vote 'Yeas'. Have all voted who wished? The Clerk will take the record. All right, there are 145 'Yeas' and no 'Nays'. This amendment having received the constitutional majority, is hereby declared adopted and passed. For what purpose does the gentleman from Christian, Mr. Tipsword rise?"

Rolland F. Tipsword: "Mr. Speaker, I wish to request that I be voted as present on that bill, please."

Hon. W. Robert Blair: "Tipsword, present. Shea, present."



All right, on the motions under Amendatory Vetoes, appears a motion with regard to House Bill 438 on which the Chair recognizes the gentleman from Cook, Mr. B. B. Wolfe."

Bernard B. Wolfe: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, consistent with my remarks of this morning, Mr. Speaker, with reference first to before I go into this House Bill 438, I'd like to strike from the calendar under Vetoes, Total Vetoes, House Bill 437 and House Bill 457, which the Governor vetoed and I agree with his veto, because these matters are taken up in other bills, one of them which we're going to talk about in a few minutes, so may I have leave to strike from the calendar those two bills?"

Hon. W. Robert Blair: "No."

Bernard B. Wolfe: "No? Thank you."

Hon. W. Robert Blair: "Well, the reason for this is that, the other 176 members in this chamber have the prerogative, if they wish, prior to 12:00 midnight next Wednesday, to move to over-ride that veto. So, I, you can not by yourself, a take that right away from them."

Bernard B. Wolfe: "I stand corrected, Mr. Speaker."

Hon. W. Robert Blair: "Okay. Well, do you want to proceed with the 438?"

Bernard B. Wolfe: "Yes, please. Will the Clerk read the motion, please?"

Hon. W. Robert Blair: "The Clerk will read the motion."

Fredric B. Selcke: "Pursuant to paragraph (e) of Section 9



of Article IV, the Constitution of 1970, I move that the House accept the specific recommendation for changes to House Bill 438 as set forth in the Governor's message of August 17, 1971, and that the Clerk inform the Senate thereof and request that the Senate concur herein. B. B. Wolfe."

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

Bernard B. Wolfe: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 438 is one of a series of 82 bills which I filed to correct certain statutes consistent with the new constitution and the judicial article. The Governor made recommendations concerning House Bill 438 which only amount to language changes and technical corrections, which I hope the House will adopt as I ah, favor the Governor's treatment of House Bill 438 and his specific recommendations with respect to the amendment filed with the motion, and I now move that we adopt or consider favorably the Governor's action."

Hon. W. Robert Blair: "Is there any further discussion? Gentleman care to close?"

Bernard B. Wolfe: "No, I'd like a vote, Mr. Speaker."

Hon. W. Robert Blair: "All right. The question is, shall the House adopt the amendment to House Bill 438. All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take your record. On this, there're 137 'Yeas' and no 'Nays', and the amendment is adopted. The gentleman from Cook, Mr. B. B. Wolfe."



Bernard B. Wolfe: "A point of parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "Yes."

Bernard B. Wolfe: "Does your ruling with respect with to the total vetoes and the right of every member of the House to a take up the question of over-riding the veto also apply to the other categories of vetoes, like the reduction veto, the line veto, and the amendatory veto?"

Hon. W. Robert Blair: "When somebody raises a specific question concerning a bill on one of those categories, I will rule on that. You raised a question with regard to specific bills you ask be stricken and I ruled on that."

Bernard B. Wolfe: "Well, you made it general ruling, though, Mr. Speaker, . . ."

Hon. W. Robert Blair: "I made a specific ruling with regard to those two bills, that you ask be stricken."

Bernard B. Wolfe: "Thank you."

Hon. W. Robert Blair: "All right, on the calendar, under motions under Amendatory Vetoes, appears House Bill 1875, on which the Chair recognizes the gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Ah, Mr. Speaker, I would move a the adoption of the motion pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution. The House accept the specific recommendation for change as to House Bill 1875 as set forth in the Governor's message of September 2, 1971."

Hon. W. Robert Blair: "Is there further discussion? The



gentleman from Cook, Mr. Barnes."

Eugene M. Barnes: "Mr. Speaker, would the sponsor yield to a question?"

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

Eugene M. Barnes: "Would you kindly explain what it does, please?"

George W. Lindberg: "I'd be glad to. If you'll just give me give me a moment to check the, . . . I want the bill, ah, essentially, ah, this bill 1875 is an amendment to the "Court Reporter's Act'. Ah, it expands the ability of the court reporter to receive expenses for traveling within the county of residence in connection with their official duties, and also increases the compensation which they may receive as a maximum of \$11,500.00 to \$13,000.00, and the amendatory veto invokes the executive order of the President."

Hon. W. Robert Blair: "The gentleman from Champaign, Mr. Clabaugh."

Charles W. Clabaugh: "I'd like to ask the sponsor a question, please. George. . ."

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

Charles W. Clabaugh: "Does this presume that if the, well, let's just take Cook County for instance, if the court reporter lived out at Barrington, would he be allowed, well, I guess I don't know if that's in Cook, I guess part of it is in Cook, would he be allowed expenses every day to go from his home to the court house and back?"



George W. Lindberg: "In answer to that question, Representative Clabaugh, the language says that subject to regulations that may be adopted by the Supreme Court, court reporters shall be allowed travel expenses when traveling within their county of residence, in connection with their official duty. Now the discussion of the judicial advisory council which recommended this legislation, that particular matter was discussed and it is obviously the intent of the legislation not to pay for ordinary commuting expenses associated with going to and from the job, but if they were required to go to any part of the county in connection with their duties, they would be compensated. Now, this again is going to be backed up by Supreme Court Rules and I think we have to impose a certain amount of confidence in the fact that they will protect against an abuse such as the one you are suggesting."

Charles W. Clabaugh: "When I realize how lenient those people are with themselves in a lot of things, I wouldn't trust them in this particular thing, and I would hope that your body Advisory Body would see to it that a fellow can't move the farthest point in the county and then get expenses both ways every day."

Hon. W. Robert Blair: "The gentleman from Christian, Mr. Tip-sword."

Rolland F. Tip-sword: "Would the gentleman sponsoring the motion yield to one question, please?"

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



Rolland F. Tipsword: "Representative Lindberg, since this amendment relates solely and only again the to the engrafting onto our law of the federal wage freeze language, and what may happen pursuant to that law hereafter, or other federal law in that area, I want to ask you what would happen if if we failed to adopt this amendment, what would happen to this bill then?"

George W. Lindberg: "Ah, Representative Tipsword, I think that that would be more appropriately addressed to the Speaker. It calls for parliamentary procedure determination, I don't think I'm qualified to make that. . ."

Rolland F. Tipsword: "Then, Mr. Speaker, I'd like to make a parliamentary inquiry. In case this amendment, this amendatory language that the Governor has sent to us were not adopted by this House, what would be the result, and what would then happen to this bill procedurily?"

Hon. W. Robert Blair: "If that happens, then I'll rule at that time."

Rolland F. Tipsword: "I think, that it's important for us to know. We're not interested in killing a bill, we're interested only some of us in this particular amendatory language. We have supported the bill in the past, but it gives some pause constitutionally, we'd like to know what happens to this bill if that would occur."

Hon. W. Robert Blair: "Well, the the reason for my ruling is there are a variety of things that could happen. For example, the sponsor of the motion could ask for postponed



consideration and things could be worked, I mean there are a whole variety of things, and then I'm not going to stand up here and and rule on those things, when the specific issue is not before me. Gentleman care to close? All right, the question is, ah, shall the House adopt the amendment to House Bill 1875. All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Well, just in order to give everybody a enough time to get on the a board, I might take this opportunity to explain my vote. The basic provision of this bill is to escalate court reporters' salaries to a maximum of \$13,000.00, instead of the former maximum of \$11,500.00. You'll remember we had another bill in here to increase it to \$16,000.00, but basically the essence of this bill was passed by both Houses and sent to the Governor. Now it comes back for the imposition of this Executive Order of language which is characteristic of so many of the bills that we're considering here now. So certainly if you're reluctant to vote on the basic concept, I just point out that you already passed it last Spring. I would encourage the support of all members."

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

Gerald W. Shea: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'd like to be recorded as present. It would be my interpretation or thought and I would hope the Speaker would go or rule this way, that if this bill did not re-



ceive 89 votes, it then would be returned to the Governor, so that he could act on it, and I think that he would then have the opportunity to veto or sign it and certainly any action he took would be subject to the President's raise, Presidential wage freeze, so therefore, when this bill becomes law, I think that any raise these people are entitled to, could not happen until such time as the Presidential raise freeze was lifted."

Hon. W. Robert Blair: "Have all voted who wished? The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Mr. Speaker, and I presume and therefore it's an inquiry as well as explaining my vote, I presume that the other bill that was had a higher stip⁷ into the court reporters was vetoed by the Governor, if Representative Lindberg could give us the . . . was the bill vetoed by the Governor, was the other bill vetoed by the Governor outright?"

Hon. W. Robert Blair: "The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Ah, I don't see, I think Representative Blades was a sponsor of the other bill on the \$16,000.00, is that correct?"

Hon. W. Robert Blair: "All right, now, wait a minute. The gentleman from Wayne, Mr. Blades, care to respond?"

Ben C. Blades: "Yes, I sponsored on the bill, but I didn't get it passed. It didn't pass."

Samuel C. Maragos: "It passed the House, did it not?"



Ben C. Blades: "No, hun-uh."

Samuel C. Maragos: "I thought it had."

Ben C. Blades: "No."

Samuel C. Maragos: "That's all."

Ben C. Blades: "No, Shea hung me out on it, I couldn't get it."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Shea, care to respond?"

Gerald W. Shea: "I didn't understand what Representative Blades ask me."

Hon. W. Robert Blair: "Said, 'you hung him out on it'."

Gerald W. Shea: "Well, if he said I did it, I must've done it."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Maragos, through?"

Samuel C. Maragos: "Yes, I just vote 'Yeas'."

Hon. W. Robert Blair: "All right, uh, have all voted who wish? The Clerk will take the record. The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Ah, Mr. Speaker, I think that again, there is some misinformation on this bill. We passed this basic concept last session that we established that the maximum that court reporters could be paid would be \$13,500.00 under this bill. Apparently, the bill calling for \$16,000.00 as the maximum which is the federal rate, was rejected by the House or the Senate or both, so that is, ah, I think a modest proposal for court reporters."



There is a shortage of court reporters, and I think this will encourage more people to come into the field, so I certainly hope that some of those people who are familiar with the plight of the court reporter with would give us the extra four or five votes that we need."

Hon. W. Robert Blair: "Calvo, 'Yeas'. How is the gentleman from Cook, Mr. B. B. Wolfe recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'Yeas'."

Hon. W. Robert Blair: "Kennedy, 'Yeas'. Houlihan, 'Yeas'. Hill, 'Yeas'. Corbett, 'Yeas'. Brummet, 'Yeas'. Flinn, 'Yeas'. Stedelin, 'Yeas'. Stone, 'Yeas'. Boyle, 'Yeas'. On this question, there are 95 'Yeas', 5 'Nays', and the House adopts the amendment. Clerk put one present. On the order of Amendatory Vetoes, under Motion, appears House Bill 1628, on which the Chair recognizes the gentleman from DuPage, Mr. Hoffman. The Clerk will read the motion."

Fredric B. Selcke: "Motion. Pursuant to Section 9, (e) of Article IV of the Constitution of 1970, I move that the House accepts the specific recommendation for changes to House Bill 1628 as set forth in the Governor's message of August 4, 1971, that the Clerk inform the Senate thereof and request that the Senate concur herein. Gene L. Hoffman."

Gene L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I move that the House concur in the amendment to



House Bill 1628. During the a process of negotiating on this Bill in the Senate, I agreed and the co-sponsor of the bill agreed to an amendment which established 1968 equalize assessed evaluation of property which was required in the western project, vis a vis, the wording that the bill came out of according to Section 18-4. In the process of the last days of the session in the Senate, we had thought this amendment was adopted, it was not adopted. This was in line with what we agreed to do in the Senate, and we concur in this amendment and I would ask your concurrence."

Hon. W. Robert Blair: "Is there discussion? Question is, shall the House adopt the amendment? All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. Shapiro, 'Yeas'. Nowlan, 'Yeas'. Carroll, 'Yeas'. Richard Carter, 'Yeas'. Lauterbach, 'Yeas'. Freedman, 'Yeas'. Choate, 'Yeas'. Regner, 'Yeas'. Meyer, 'No'. 133 'Yeas', 1 'No', and the amendment having received the constitutional majority is hereby declared adopted. All right, leave of the House, we'll go to messages from the Senate."

Fredric B. Selcke: "Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that pursuant to the recommendations of the Governor, the Senate has adopted amendatory provisions to a bill of the following title in the adoption of which I am instructed to ask the concurrence of the House. Senate



Bill Number 1096, a bill for an act to amend Section 2 of the 'Personnel Code'. Action taken by the Senate, October 13, 1971, Kenneth Wright, Secretary."

Hon. W. Robert Blair: "Leave of the House to go to introduction and first reading of House Bills."

Fredric B. Selcke: "House Bill 3585, Madigan. A bill for an act to amend 'The Revenue Act of 1939'. First reading of the bill. House Bill 3586, Katz. An act in relation to payment for state services, fees or taxes. First reading of the bill. House Bill 3587, Alsup. Amends 'The Revenue Act of 1939'. First reading of the bill. House Bill 3588, Terzich, et.al. Bill for an act to amend 'The Illinois Insurance Code'. First reading of the bill. House Bill 3589, Borchers. Amends the 'The Environmental Protection Act'. First reading of the bill. 3590, Harber Hall. Amends 'School Code'. First reading of the bill. 3591, Harber Hall. Amends 'The Illinois Vehicle Code'. First reading of the bill. 3592, Harber Hall. Amends 'The Vital Records Act'. First reading of the bill. 3593, McDevitt. Amends the 'Insurance Code', article, compensation of auto accident victims. First reading of the bill. 3594, Houde. Amends 'Charitable Trust Act'. First reading of the bill. 3595, Day. Amends the wage deductions for the benefit of creditors act. First reading of the bill. 3596, Day, et.al. Amends 'Probate Act'. First reading of the bill. 3597, Day, et.al. Amends 'The Illinois Vehicle Code'. First reading of the bill. 3598,



Day, et.al. An act making an appropriation to the Logan Printing Company. First reading of the bill. 3599, Hall, okay, just sit them down there, Hall, et.al. Amends 'The Highway Code'. First reading of the bill. 3600, Fary. Amends 'The Bingo Act'. First reading of the bill. 3601, Matijeovich, et.al. Amends 'The Election Code'. First reading of the bill. 3602, Hirschfeld. Amends an act codifying the powers and duties of the Department of Mental Health. First reading of the bill. 3603, Hirschfeld. Amends 'The Highway Code'. First reading of the bill. 3604, Philip. Amends 'The Revenue Act of 1939'. First reading of the bill. 3605, Philip. Amends 'The Public Aid'. First reading of the bill. 3606, Philip. An act to add Section 2.1, et.al., an act establishing the judicial districts. First reading of the bill. House Bill 3607, Caldwell. Amends 'The Limitations Act'. First reading of the bill. 3608, Douglas. Establishes 'The Illinois State Lottery Law'. First reading of the bill. 3609, Douglas, et.al. Amends 'State Finance Act'. First reading of the bill. 3610, Douglas. Permit an act concerning experimental use of animals by secondary school students and science club members. First reading of the bill. Senate Bill, House Bill 3611, Simms. Amends 'The Revenue Act of 1939'. First reading of the bill."

Hon. W. Robert Blair: "Ah, resolutions. Agreed resolutions list."

Fredric B. Selcke: "House Resolution 401, Philip, et.al."



House Resolution 402, Fary, et.al. House Resolution 403, McDevitt, et.al. House Resolution 404, Ropa, et.al. House Resolution 405, Conolly, et.al. House Resolution 406, Craig. House Joint Resolution 92, Shapiro, et.al."

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

Henry J. Hyde: "Mr. Speaker, these are the agreed resolutions. House Resolution 401 and this is a very important resolution. It memorializes the U.S. Postal Service to issue a stamp honoring the 100th anniversary of the invention of the automatic screw machine. Anybody that wants to co-sponsor that could come down and give their names to the Clerk. House Resolution. . . automation is moving along. House Resolution 402 will the Clerk, will the Clerk read House Resolution 402, please?"

Fredric B. Selcke: "House Resolution 402, Fary, et.al.,

Whereas, on September 12, 1971; the Honorable Louis Janczak, better known to his colleagues and many friends as "Uncle Louie", celebrated his 75th birthday; and, Whereas, "Uncle Louie" was honored by a surprise birthday celebration at which were present his four children, ten grandchildren, twelve great grandchildren, relatives, friends, political cronies, legislators, judges, and members of Congress, great tubfuls of Polish sausage and sauerkraut being rapidly devoured by this mighty host who danced the night away to the happy strains of live, 'red hot' Polka music; and, Whereas, these frivolities occurred across the road from a cemetery wherein 'The Grim Reaper' darkly attired



and sitting on a tombstone, tested the blade of his nine foot sickle with a bony thumb and swore, 'this defiance will only make sweeter the hour of my inevitable triumph', and similar evil tidings toward the unwary celebrants; and, Whereas, Uncle Louie is a man of marvelous reserve and is not given, as are some of his colleagues, to vain rhetoric, pompous monologues, and bombastic harangues on the floor of this House, and has been erstwhile aroused to deplore a social condition he found personally abhorrent, namely ladies wrestling, for, after witnessing a ladies wrestling match announced, 'there was nothing more disgusting', proceeded to expunge this evil by introducing a bill, to forever ban lady wrestling in this State, and the bill which received immediate national acclaim drew the wrath of a certain professional lady who sent Uncle Louie a letter challenging him to a wrestling match and enclosed with her letter a picture of herself in a tank with the alligator she occasionally wrestled, the alligator appearing to the better advantage; and, Whereas, Uncle Louie having shown this letter to his seat mate, the Honorable Bill Murphy of the fabled legislative team of Fary, Murphy and Janczak, Murphy unbeknown to Uncle Louie, went to Western Union and sent this lady a telegram to wit: that Uncle Louie accepted her challenge, that he never met the lady he couldn't out-wrestle and that she had only to name the time and place; Whereafter Murphy's treachery was discovered, Uncle Louie being fearful of his life, formed a training committee



of 'Red' Hillstrom, Gabe Ditore, John Cusack, Bill Perkins and the late Bill Noorlag, all esteemed members of the 'Third House', the training committee headed by the Honorable John G. Fary, in a courageous attempt to get Uncle Louie 'in shape' for the great contest, trained vigorously every evening at the St. Nicholas Hotel, however, the only portions of Uncle Louie's anatomy showing noticeable improvement were his elbows, but providentially the bill died in committee and the match was called off; and, Whereas, Uncle Louie has been a member of this body for fifteen years, and attained fame and publicity as a life long member of the legislative team of Fary, Murphy and Janczak, and this dynamic triumvirate will be memorialized in the hearts of the people of Illinois for their unrelenting efforts and ultimate success in legalizing bingo in this State; and, Whereas, the Honorable John G. Fary and the Honorable Bill Murphy wish well the third member of this colorful legislative team, Uncle Louie, and hope that he will continue on this earth as long, long time but especially another 29 years, so that the team of Fary, Murphy and Janczak may meet to toast in the New Year 2000, A.D.; Therefore, Be It Resolved, By The House of Representatives of the Seventy-Seventh General Assembly of the State of Illinois, That this body warmly congratulates its esteemed colleague the Honorable Louis Janczak on the recent celebration of his 75th birthday; that we most heartily extend our sincere best wishes for a long life and good health;



and that a suitable copy of this Preamble and Resolution be forwarded to the Honorable Louis Janczak."

Louis Janczak: "I really don't know what to say about this Fary, he puts these things in all over, he's got the thing all backwards. Johnny, you did a lousy job."

Henry J. Hyde: "House Resolution 403 congratulates Eugene and Jennie Rogers on their 92nd and 90th birthdays. House Resolution 404 congratulates Honorable Vito Marzullo on being chosen by the Marshall Square Chicago Boys' Club as the Man of the Year. House Resolution 405, wishes Happy Anniversary to Edith and Horace Gardner upon their 40th year of marriage. I've been asked to read House Resolution 406, ah, and . . . Whereas, Time and tide wait for no man, as our aging, ancient, bearded colleague, Charles M. 'Chuck' Campbell has become aware; and, Whereas, the distinguished 'hippie' from Vermilion County now faces the unpleasant task of accepting Old Age Assistance; and, Whereas, Representative Campbell's creaking body and bones can no longer function with his calm, brilliant legislative mind; and, Whereas, the traumatic experience of passing from middle age to old age would demoralize a lesser man; and, Whereas, one cannot help but wonder what would be the shape of this aching body if it were not for Representative Campbell's total abstinence and strong will and constitution against the evils of 'wine, women, and song'; and, Whereas, it is where it is right and proper to honor a man when his age cycle reaches a round figure, and, by the way, Represent-



ative Campbell has one; and, Whereas, Representative Campbell, on October 11, 1971, did reach the golden age of fifty years; Therefore, Be It Resolved, by the House of Representatives of the Seventy-Seventh General Assembly, that we, including his counterpart in the 49th Representative District, Representative Robert Craig, do hereby wish Representative Campbell the happiest of birthdays on this his 50th birthday and hope that he has many more healthy and happy birthdays. House Joint Resolution 92 designates the Mount Morris' Let Freedom Ring bell-ringer as the official bell-ringer of the State of Illinois. I move the adoption of the agreed resolutions."

Hon. W. Robert Blair: "All those in favor of the adoption of the agreed resolutions say 'Yeas', the opposed 'No'. The 'Yeas' have it, and the agreed resolutions are adopted. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, I wish to announce that tomorrow will be the last day for introduction of house bills. I now move that this House do stand adjourned."

Hon. W. Robert Blair: "The gentleman from Cook, Mr., no. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "All right, I now move that this House do now stand adjourned until 10:00 A.M. tomorrow morning."

Hon. W. Robert Blair: "All those in favor of the adjournment resolution, motion say 'Yeas', the opposed 'No', the 'Yeas' have it, and we'll be adjourned until 10:00 A.M. tomorrow morning."



Adjourn at 3:55 O'Clock P.M.

10/13/71
skn.

