

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

FIFTEENTH LEGISLATIVE DAY

FEBRUARY 15, 1973

9:30 O'CLOCK A.M.

THE HONORABLE W. ROBERT BIATR, 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 Robert G. Day - illness in family;
Representative Peter C. Granata - illness;
Representative Richard O. Hart - no reason given;
Representative Robert S. Juckett - death in family;
Representative Charles F. Keller - no reason given;
Representative Henry J. Klosak - no reason given;
Representative James G. Krause - illness;
Representative Frank P. North - no reason given;
Representative Peter Pappas - no reason given;
Representative Peter Piotrowicz - illness;
Representative George E. Sangmeister - illness;
Representative Joseph G. Sevcik - illness.



W. Robert Blair: "The House will be in Order. The Invocation will be by Mr. Davis."

Mr. Davis: "As the Holy Spirit leaves me.. ah.. um.. Let us Pray this morning. Eternal God, Our Father, only the fool has said in his heart 'There is no God.' Hear us, Oh God, because we love to dwell in your house, the place where your honor lies. Not because we're worthy, we're not so much worthy to gather the crumbs from under your table, but because you have invited us to come. And, we come this morning seeking your peace for our colleagues, for our loved ones whose work with us. Thou are here, Thou art there, Thou art everywhere. Omnipotent and omnipresent. Be with Representative Sevcik this morning and Peotrowicz, Frank Wolf, Pete Granata and his wife, Representative Sangmeister. Remember the wife of Representative Bob Hayes and the family of Representative Tom Hood. You have said 'My peace I give unto you. Not as the world giveth, give I unto you.' Let not their hearts be troubled. Then, Oh Lord, we pray for this Nation and for the nations lead us. For the veterans who gave the last full measures of their devotion to this Nation, help us to be remindful of their needs and to thank Thee for bringing them safely. And to pray for the families of those whose names we may never quite know, but who was left with the guns yonder in some foreign land. For all of those in authority, we pray this morning for the President of the Nation, for the mayors of our cities and for the governors of our states; May they understand that government is a divine institution



and, ordained of God, may they do the things and say the things that will be well-pleasing in your sight. We pray in the name of Jesus. Amen."

W. Robert Blair: "Roll Call for Attendance.".... Alright, we've finished with ah.. ah.. Order Number 1 and we're now moving to Order Number 2, which is the Reading of the Journal. "

Fredric B. Selcke: "No Journal ready for reading yet."

W. Robert Blair: "Order Number 3, Petitions and Messages."

Fredric B. Selcke: "No Messages."

W. Robert Blair: "Any Committee Reports."

Fredric B. Selcke: "No Committee Reports."

W. Robert Blair: "Gentleman from Cook, Mr. William Walsh, for what purpose do you rise."

W. D. Walsh: "Well, Mr. Speaker, back to the Order of Roll Call, I neglected to ask that the Journal show that the following people were absent. Ah.. Representative Sevcik, Representative Granata and Representative Piotrowicz, all for reasons of illness, Representative Juckett because ah.. his mother passed away, and Representative Day because of an illness in his family."

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

C. L. Choate: "Ah.. Mr. Speaker, I would ah.. request that the Journal indicate that Representative Krause and Representative Sangmeister are absent due to illness."

W. Robert Blair: "The Journal will so indicate." Alright, are there any Reports of Special Committees or Joint Committees and Commissions. Introduction and First Reading of House



Bills."

Fredric B. Selcke: "House Bill 318, Douglas, et al., An Act in relation to the regulation of smoking in public places where people are required to be, by law, in order to carry out their responsibilities as citizens or public officials. House Bill 319, Douglas, Amends the Civil Administrative Code, First Reading of the Bill. House Bill 320, Douglas, Amends the Blood Donations Act, First Reading of the Bill. House Bill 321, Douglas, Amends An Act concerning hypodermic syringes, First Reading of the Bill. House Bill 322, Douglas, Amends the School Code, First Reading of the Bill. House Bill 323, Douglas, Amends the Criminal Code, First Reading of the Bill. House Bill 324, Rayson, et al., Amends An Act relating to eminent domain, First Reading of the Bill. House Bill 325, Rayson, et al., Amends An Act Relating to eminent domain, First Reading of the Bill. House Bill 326, Rayson, Amends the Election Code, First Reading of the Bill. House Bill 327, Rayson, Amends the Election Code, First Reading of the Bill. House Bill 328, Rayson, et al., Amends the Election Code, First Reading of the Bill. House Bill 329, ah.. Committee on Townships Bill, Amends an Act relating to the election of county board members in township counties, First Reading of the Bill. House Bill 330, Committee on Counties and Townships, Amends the Election Code, First Reading of the Bill. Ah.. House Bill 331, Committee on Counties and Townships, Amends An Act relating to State revenue sharing, First Reading of the Bill. House Bill 332, Committee on Counties and Townships, Amends An Act in relation



to county zoning, First Reading of the Bill. House Bill 333, Committee on Counties and Townships, Amends the Counties Act, First Reading of the Bill. House Bill 334, Committee on Counties and Townships, Amends the Highway Code, First Reading of the Bill. House Bill 335, County.. Committee on Counties and Townships, Amends the Township Act, First Reading of the Bill. House Bill 336, Committee on Counties and Townships, Amends the Illinois Inheritance Tax Act, First Reading of the Bill. House Bill 338, Committee on Counties and Townships, Amends sections to Counties Act, permitting wheel tax, First Reading of the Bill. House Bill 339, Committee on Counties and Townships, Amends the Revenue Code, First Reading of the Bill. House Bill 340, Committee on Counties and Townships, Transfer authority to pay certain township funds to organizations, First Reading of the Bill. House Bill 341, Committee on Counties and Townships, Amends the Municipal Code, First Reading of the Bill. House Bill 342, Anderson, Amends the ah.. Anderson et al., Amends the Vehicle Code, First Reading of the Bill. " No further Introductions."

W. Robert Blair: "Agreed Resolutions."

Fredric B. Selcke: "Ah.. House Resolution 53, Simms et al., House Resolution 54, Londrigan. "

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

W. D. Walsh: "Well, Mr. Speaker, House Resolution 54, ah.. resolves that the following named person be and is hereby elected officer of the House, Assitant Chief Clerk, John F. O'Brien. And I think that's a good idea and I move the adoption of House Resolution 54."



W. Robert Blair: "Alright, ah.. questions on the adoption of the Agreed Resolution. All those in favor say Aye."

Members: "Aye."

W. Robert Blair: "Opposed No. We've adopted 52. There's a 53 apparently, too."

W. D. Walsh: "Ah.. this is a Resolution for Representative Carter's Birthday and ah.. I move the adoption of House Resolution 53 as well."

W. Robert Blair: "Alright, all those in favor of the adoption of the Resolution say Aye."

Members: "Aye."

W. Robert Blair: "Opposed No. The Ayes have it and the Agreed Resolution is adopted. Now, back to First Reading. For what purpose does the Gentleman from Cook, Mr. Yourell, rise."

H. Yourell: "Mr. Speaker, I would ask leave to add as a Co-Sponsor to House Bill 259, of which I am the principle sponsor, Representative Berman."

W. Robert Blair: "Alright, does the Gentleman have leave. Hearing no objection ah.. he may be added as a sponsor. Alright, for what purpose does the Gentleman from Cook, Mr. Merlo, rise."

J. Merlo: "Ah.. Mr. Speaker, I would ask leave of the House to add as Co-Sponsor ah.. to House Bill 17 and House Bill 69, Representative Art Berman. I am the principle Sponsor of these bills."

W. Robert Blair: "Alright, does the gentleman have leave. Hearing no objection the Journal will so indicate. Go back to ah.. Introductions now, First Reading."



Fredric B. Selcke: "House Bill 343, Shea, et al., Amends the Revenue Act of 1939, First Reading of the Bill. House Bill 344, Yourell, et al., Amends the Municipal Code, First Reading of the Bill. House Bill 345, Yourell et al., Amends the Municipal Code, First Reading of the Bill. House Bill 346, Yourell, Amends the Municipal Code, First Reading of the Bill. House Bill 347, Yourell, et al., Provides for the termination of township government in corporate capacity under a favorable referendum, First Reading of the Bill. House Bill 348, Yourell, et al., Amends the Municipal Code, First Reading of the Bill."

W. Robert Blair: "For what purpose does the Gentleman from Cook, Mr. Sims, arise."

I. R. Sims: "A Point of Order, Mr. Speaker."

W. Robert Blair: "Ah.. what's your point."

I. R. Sims: "Mr. Speaker, I'd like to have the last Resolution introduced by Representative DiPrima read please."

W. Robert Blair: "Alright, well it's a little out of order, but ah.. it was an Agreed Resolution so the Clerk will go back ah.. to the Order of Agreed Resolutions and if you would read, then.. it's been adopted, but go ahead and read it."

Fredric B. Selcke: "Ah.. House Resolution 53, Sims, et al., Whereas exactly 57 years ago today a miracle did't occur in a humble household in Chicago and they did call the result of this miracle 'Miracle Richard'. And Whereas, Richard grew into a man who came to be called Richard A. Carter.



And Whereas he attended Richard T. Crane Junior College and Moorehouse University, Atlanta, Georgia, and served valiantly during World War II as a member of the feared and famous 761st Tank Battalion under General George S. Patton, receiving five battle stars. And Whereas he has further served his fellow man with the Chicago Department of Streets as Manager of Parking Lots, a member of the Roman Catholic Church, the Chicago Chapter of the Urban League, the Catholic War Veterans of America, and other local and national civic service organizations too numerous to adequately mention. Therefore Be It Resolved by the House of Representatives, 78th General Assembly of the State of Illinois that this Body takes great pleasure in noting the 57th birthday of our honorable colleague, Richard A. Carter, and that we welcome this opportunity to commend his achievements and his dedication to public service. And Be It Further Resolved that a copy of this Preamble and Resolution be presented to him."

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

I. R. Sims: "Mr. Speaker, may we ask Representative Tipword to lead us in a little Happy Birthday to my former running mate, Representative Richard Carter."

W. Robert Blair: "Alright, it's a little early in the morning, we ought to see if Mr. Tipword's in good voice."

R. F. Tipword: "This will be beautiful. Happy Birthday to you. Happy Birthday to you. Happy Birthday Dear Richard. Happy Birthday to you."



W. Robert Blair: "Gentleman from ah.. Cook, Mr. Carter, ah.."

R. A. Carter: "Ah.. Mr. Speaker, this comes as a shock to me. I stopped celebrating birthdays a long time ago. But I see that it is apropos in the House and I thank you all very much."

W. Robert Blair: "Alright, we're on Order 8, Consideration of Measures in Committee of the Whole House. There are none of those, the Clerk advises, so we'll go back to Introductions First Reading of House Bills."

Fredric B. Selcke: "House Bill 349, Londrigan et al., Amends the Illinois Income Tax Act, First Reading of the Bill."

W. Robert Blair: "House Bills on Second Reading. House Bills on Third Reading. For what purpose does the Gentleman from ah.. Moultree, Mr.. Stone, rise."

P. Stone: "Mr. Speaker, I would like a House Democrat Conference if I may."

W. Robert Blair: "That.. we'll arrange that for you in just a minute. Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Ah.. I wonder if the Gentleman, Representative Stone, would yield to a question."

W. Robert Blair: "Ah.. Gentleman yield.. ah.. He indicates he will."

P. Stone: "Yes."

W. D. Walsh: "Paul, how long did you anticipate that your conference would be."

P. Stone: "Not more than thirty minutes."

W. D. Walsh: "Thirty minutes at the most."

P. Stone: "Yes, Sir."



W. D. Walsh: "Alright, then, Mr. Speaker, I would request that ah.. there be a Republican Conference in Room 212 for thirty minutes and that we return to the Floor at ah.. 10:45."

W. Robert Blair: "Alright, ah.."

P. Stone: "And we may have Room M-5, Mr. Speaker."

W. Robert Blair: "Right. Right. M-5 for a Democratic Conference. Ah.. 212 for a Republican Conference."

P. Stone: "And I would ask the Democrats to report right away because we do have a considerable amount of.. of business to discuss."

W. Robert Blair: "Alright, we'll recess then ah.. if that's agreeable and ah.. be back on the Floor at quarter 'til 11."

....

W. Robert Blair: "Alright, the House will be in Order. For what purpose does the Gentleman from Moultrie, Mr. Stone, rise."

P. Stone: "Ah.. Mr. Speaker, I would like to say in response to the Honorable Majority Leader's inquiry, the Democrats were back on the House Floor thirty minutes after we recessed. In fact, 28 minutes after."

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

W. D. Walsh: "Well, we.. we used up about twenty minutes then. You owe us an hour and a half."

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

C. L. Choate: "Well, accordin to my Agnew watch, we're even."

W. Robert Blair: "Alright, when we left here we had ah.. gone to the Order of Third Reading. So, the Clerk will, in ac-



cordance with the Rules, proceed to ah.. go down ah.. those bills that appear on the Order of Third Reading, numerically."

Fredric B. Selcke: "House Bill 89, An Act making Appropriation to the Department of Transportation for certain transportation operation grants, Third Reading of the Bill."

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

B. Garmisa: "Mr. Speaker and Ladies and Gentlemen of the House, to preface my summary on House Bill 89, I must call attention of this House to Article XIII, Section 7, of the new Illinois Constitution, entitled 'Transportation' and this section states, 'Public transportation is an essential public pur..'"

W. Robert Blair: "Ah.. just a moment please. For what purpose does the Gentleman from Cook, Mr. William Walsh, rise."

W. D. Walsh: "Mr. Speaker, I raise a Point of Order. House Bill 89 is an appropriations bill and has other substantive matter in it and is in violation of Rule 26-F."

W. Robert Blair: "Does anyone desire to be heard on the gentleman's point. Gentleman from Lake, Mr. Matijevich."

J. S. Matijevich: "Ah.. yes, Mr. Speaker, I think that Point of Order is out of order. As you know, I made that same request on Se.. on Second Reading and I think if we're going to determine if that House Rule is going to be used ah.. so that we as House Members can determine something that's placed in a bill will put it into constitutional jeopardy let's do it when it can be done, at the amendment stage. Now, to say and ask you, Mr. Speaker, to make a ruling. You know, and I'm not getting personal, but you know in the



Speakership battle I called you some nasty things. But I didn't call you a Supreme Court Justice. And I don't think that you can make a ruling as to constitutionality because that's what an interpretation of that Rule would do at this stage. We cannot kill that bill by a ruling. We can only kill that bill by voting it down. So, Mr. Speaker, I say at this time that that Point of Order is not timely, it's Out of Order."

W. Robert Blair: "Does anyone else desire to be heard on that question. Gentleman from Cook, Mr. B. B. Wolfe."

B. B. Wolfe: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, I think that yesterday we engaged in quite a bit of preliminary and parliamentary gymnastics. The posture of the Rules of this House is to permit legislation to flow through the House and the complete legislative process includes a bill going through the Senate and the further legislative process includes the Governor's approving or vetoing that bill. Now, there is no member of this House, including the Speaker, that can veto a bill, can remove it from the Record, can do anything to stop the legislative flow because what we say here this morning with respect to the 'unconstitutionality' of the bill may make.. may by the time it reaches the Governor's desk be in constitutional form. Now, the power.. the.. what the Speaker can do, though, under the Rules, and we enumerated those Rules yesterday, on Second Reading, one of the responsibilities of the Speaker is to ah.. take a look at the amendments and on Points of Order from the Floor to



rule on those Points with respect to the amendments. One, do they confine themselves to the nature of the ah.. bill before the House and, in cases of appropriations bill, whether they are 'germane', the amendments, to an appropriation bill, is also one of the functions of the Speaker. But, by the time that bill reaches Third Reading, Mr. Speaker, in my opinion, even ah.. the Chair can determine on a Point of Order from a member whether or not he feels it's constitutional or not, but it still doesn't affect the legislative flow and the legislative process, because if it did then any bill which is before this House can be killed on Third Reading on a Point of Order as to constitutionality. I think at that point the Chair is advisory and the bill has to proceed through its natural ah.. legislative processes."

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

G. W. Shea: "Could I make an inquiry as to.. if the Chair were to rule that there were substance measures in there, would it.. that be just his opinion as a Speaker of the House and then the bill would go to a vote, or would it be that you could rule that that bill was nonconstitutional." Because there's ah.. it.."

W. Robert Blair: "Well, I'm going to make my ruling after I've heard the arguments on the matter ah.. from the Floor and at that time why you can state for the Record whatever you wish to."

G. W. Shea: "Well, what I.. I was trying to get at, Mr. Speaker, was I know that the Speaker of the House is the Speaker for all of the members and that I wouldn't want to



find anybody in a position where he had life and death power over every appropriation bill that came through the House by saying 'In my opinion it's unconstitutional; therefore it cannot go to a Roll Call vote.'

W. Robert Blair: "Gentleman from ah.. Cook, Mr. Garmisa."

B. Garmisa: "Ah.. Mr. Speaker, and Ladies and Gentlemen of the House, if through these tactics the people in the State of Illinois are deprived for any period of time, be it short or long.."

W. Robert Blair: "Are you speaking to the Point of Order that's been raised."

B. Garmisa: "I'm speaking to the Point of Order."

W. Robert Blair: "Alright."

B. Garmisa: "If through these tactics the people of the State of Illinois are going to be deprived of the financial assistance they need to alleviate the problems they have in their mass transit systems, well then I say that this House is going to look awful bad. In the years that I've been down here, whenever we've come across legislation on Third Reading that needed cleaning up we cleaned it up somewhere along the line. Be it in the other House or when it came back for Conference Committee, but the full effect of the legislation that we're going to be discussing here today should be voted up or down in this session today and I would appeal to the Speaker, to the Members of this House, to move along with the orderly business of the day and let's come up with a vote, either up or down, on House Bill 89."



- W. Robert Blair: "Is there any further ah.. discussion. Gentleman from ah.. Cook, Mr. Harold Washington."
- H. Washington: "Ah.. on the.. on the Point of Order and specifically addressed to the Speaker, Mr. Speaker, I don't quite understand the ah.. Order of Business. Is it your intent to rule first on whether or not you have the right to rule whether or not a bill is constitutional and then, if that question is in the affirmative, you plan to proceed to a ruling. Is that what you plan to do."
- W. Robert Blair: "I thought I'd rule ah.. specifically on the Point of Order raised by the Gentleman from Cook, Mr. Walsh."
- H. Washington: "Well, Mr. Speaker, that would confuse us because there is embodied in that Point of Order two points. One, do you have the right to rule, and two, if you so have the right, what would be your ruling. I would ask for a severability if you're going to rule on that Order, because there is a very pregnant question, shall I say, as to whether or not you have the constitutional right to rule on the question of constitutionality of a bill."
- W. Robert Blair: "Well, that's not the Point of Order, ah.. that was raised by the Gentleman from Cook."
- H. Washington: "Mr. Speaker, it's embodied. It's implicit in the Point of Order. He's asking you to rule on the constitutionality of this House Bill."
- W. Robert Blair: "No, he's raising a Point of Order under the House Rules."
- H. Washington: "Well, pursuant to whatever Rule you're relying on.."



- W. Robert Blair: "I'm not relying on any.... He raised the question with regard to a specific House Rule, and that is all he's done and that I.... after I hear the arguments on the matter would be prepared to rule on."
- H. Washington: "Well, Mr. Speaker, irrespective of what point of order he is raising, it seems to me my question is relevant. If you rule, do you plan to divide it into two parts? One, to rule as to whether or not you have the constitutional power. Seems to me that's first no matter what Rule he's calling this under. May I have an answer to that question?"
- W. Robert Blair: "I'm going to answer, make a ruling with regard to the gentleman's point of order, which is that this Bill is out of order for consideration because it does not comply with provisions of Rule 26F."
- H. Washington: "All I'm asking now, conclude Mr. Speaker, do you plan to divide that into two parts as I have asked? Mr. Speaker? Now everybody else has got a share of the new bear, and I'd like to get a piece of him too."
- W. Robert Blair: "Alright, well, it seems to me that it's clear under Rule 4G that among the duties of the Speaker are included the duty to decide all points of order, subject to appeal, and to speak thereon in preference to other Members. So I think that that Rule gives me the authority to decide points of order."
- H. Washington: "Yes, but then the question, Mr. Speaker, would be whether a point of order could go to the question of



a constitutionality of a Bill."

Hon. W. Robert Blair: "That's not what he's raised. He's raised the question about a point of order concerning House Rule 26F. Gentleman from Cook, Mr. Berman."

A. L. Berman: "Ah.... Mr. Speaker, ah.... I presume that what we are doing in this process is allowing debate on the point of order. Is that my understanding? By consent."

Hon. W. Robert Blair: "I thought it was a very unique point and ah.... I wanted to be ah.... hear arguments that might want to be advanced on the matter before I make my ruling, which I expect to make shortly. Go ahead."

A. L. Berman: "Mr. Speaker, within those confines, I would like to submit to you that the point of order is not timely. I would suggest that if we recalled the proceedings yesterday at each juncture of the offering of an amendment to House Bill 89, I think without exception, as each amendment was offered, some Member on this floor raised the question relating to Rule 26F. And if I am not mistaken, the Chair ruled in each instance before we were permitted to proceed with votes on each of those amendments, that those Bills were in order, those amendments were in order. And I would respectfully submit to the Chair, at this point, that the question as to whether House Bill 89 as it is enrolled and engrossed this morning, that the question as to whether it complies to Rule 26F is, in fact, moot because the Chair has previously ruled that each part of 26F that comprises the whole of House Bill, of each part of House Bill 89, as we



considered it yesterday, which comprises the total House Bill 89 before us this morning, has in fact been ruled upon by the Chair as being in compliance with 26F and I would like to submit that argument to the Speaker for his consideration."

Hon. W. Robert Blair: "The Chair made no specific rulings with regard to 26F yesterday. Gentleman from Cook, Mr. Berman."

A. L. Berman: "Well, Mr. Speaker, I stand to be corrected, but I thought specifically ah.... I thought Representative Matijevich, for one, I remember Representative, I believe, Lechowicz, for another. Ah....I...."

Hon. W. Robert Blair: "I re... I specifically reserved the ruling on the basis of that 26F to address itself to the consideration of appropriation bills and not to the subject of amendments."

A. L. Berman: "Well, I ah.... I don't recall it that way, but I'm sure that the transcript ah.... will reflect it, but I again submit to you that that was my understanding and I think that that was the tenure of the motions that were made that ah.... and I would suggest to the Chair that the that the proper way ah.... to conform with, if not the rule, certainly the intent of those motions was certainly to see that we were proceeding in a proper way in accordance with not only the constitution, but specifically as to 26F. I think that was the impression that was given throughout the Body and I would submit that the intent of those requests and your rulings yesterday was to indicate that each of those



amendments along the way were in compliance. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Journal will show what.... the transcript will show what the rulings were that were made by the Chair yesterday. I confine myself to my recollection to the question of Rule 34 on amendments. Gentleman from Cook, Mr. Shea."

G. W. Shea: "Mr. Speaker, yesterday when the Speaker left the rostrum, and took the floor to offer amendment #2, Mr. Lundy specifically asked of the temporary speaker the question of an appropriation bill containing matter that was of substance. In each and every inquiry that was raised at that juncture, the then speaker that was on that rostrum gave a definitive ruling. That was requested of you at the time that Mr. Lundy offered the amendment by Mr. Matijevich. I would hate to find this in the posture now where you and I specifically asked you this yesterday about the reserving the right to rule, that you again would be in the position where you would have to rule on the constitutional aspects of a Bill, at that juncture."

Hon. W. Robert Blair: "On that particular point, ah.... there were no matters that were not within the subject of appropriations in Amendment #2. Now the question is being raised by the gentleman from Cook, Mr. Walsh, with regard to that question as to House Bill 89 as it appears on third reading. There is a very clear distinction between what is in House Bill 89, now on Third Reading, and Amendment No. 2, when that



ruling was made. As you know, Amendment No. 2 was not adopted. Gentleman from Cook, Mr. Shea."

G. W. Shea: "Yes, I'm wondering if the Clerk could make yesterday's transcript available for our perusal at this juncture. It's my understanding that the debates are to be transcribed and typed, and I would presume that yesterday's debates have been transcribed and typed, and I would at this time like to look at them."

Hon. W. Robert Blair: "Alright, I think we will probably have to recess for awhile to accomplish that. Mr. Clerk."

Fredric B. Selcke: "As far as the transcription of yesterday's debate is concerned, at this juncture, there is no way that we can have it, because that was a nine hour session, and it's on the tape, and it has to be typed from the tape. Now the ah.... there is a possibility that we could have it sometime next week, but obviously we don't have it today."

Hon. W. Robert Blair: "Alright. Mr. Madigan, you've spoken on the issue once and eh.... Mr. Shea indicates he's through. Mr. Beaupre."

J. R. Beaupre: "Mr. Speaker, I'm a bit unclear at this point as to what we are in the process of doing. I would suggest to the Speaker for instance, that Representative Matijevich made a point of order and asked for the Chair to rule on whether or not the point of order made by Representative Walsh was correct. I don't believe that the Chair has addressed itself to that. I think that Representative Washington was absolutely correct when he indicated that we



were dealing with two separate propositions. One, whether or not the point of order raised by Representative Walsh was indeed in order, and secondly, whether or not the Chair had the right to decide whether or not this Body was right or wrong. I think that this Body preserves the right to be wrong. And I don't think the Chair can decide whether or not we are acting constitutionally. I would hope that we would address or that the Speaker would address himself to making a ruling on whether or not Representative Walsh's motion is in order."

Hon. W. Robert Blair: "I think that my comments up to now have made it clear that the point of order raised by Mr. Walsh is not a point of order concerning the Illinois Constitution. It is a question concerning House Rule 26F which I'm specifically authorized by Rule 4G, to decide, and I am going to do that as soon as we get through here hearing what anybody wants to say. Ah.... gentleman from Peoria, Mr. Schraeder."

F. J. Schraeder: "Mr. Speaker, I'm not completely a new comer, this being my second term, but I do feel that I don't have the expertise that the Speaker himself does or perhaps should have with his tenure in the House of Representatives. Since this is his second term as Speaker, it would seem to me that he would clearly understand the constitutional provision covering the three branches of government, Legislative, Judicial and Executive. It appears to me that the Speaker is taking prerogatives that belong to the Courts and



not the Speaker of the House of Representatives."

Hon. W. Robert Blair: "I haven't done anything yet."

F. J. Schraeder: "You're about to, Sir."

Hon. W. Robert Blair: "You are prejudging me."

F. J. Schraeder: "I beg your pardon, I wouldn't want to do that. Assuming that the ruling is going to be made, I would like to admonish you that I believe in a long, strong legislative branch of the government. However, I don't believe that we should use certain powers of the Executive or Judiciary. And I would hope that this legislative body has in its House an order which we present legislation through the House and through the Senate to the Governor and then to the Courts if necessary. But I don't think the Speaker has any right to declare any Bill or any part of it unconstitutional and prohibit that Bill from receiving the full consideration of this House of Representatives. Mr. Speaker, I would just like you to reconsider what you are going to do in the light that you are the Speaker and not a Judge of the Supreme Court."

Hon. W. Robert Blair: "Gentleman from ah.... Would it be alright if I go over and recognize one of my own Members? I've been over here since we opened up. Is that all right? Thank you very much. The gentleman from Lake, Mr. Murphy."

W. J. Murphy: "Mr. Speaker and ladies and gentlemen of the House. The Speaker did rule on whether the amendments were germane yesterday, but he made it perfectly clear in answer to questions that now that the Bill had 8, 9, 10 amendments



on it that when it was printed and ready for today's calendar that it would be gone over very carefully, and he made it very clear that he would rule on the Bill as it now stands in this morning's session when the Bill is on Third Reading. He made that point very clear yesterday and I think he is within his absolute right in ruling on how we are treating our own House Rules, House Rule 26F, so I think the Speaker is perfectly within his own right to make that ruling as he promised he would make it."

Hon. W. Robert Blair: "The gentleman from McLean, Mr. Bradley."

G. A. Bradley: "Yes, Mr. Speaker and ladies and gentlemen of the House. I ah... certainly don't intend to suggest or try to predetermine what the Speaker's ruling is going to be, but only to help ah... help him in any way that I can. I think sometimes if the precedent has taken place and I recall, I would like to recall to the Speaker that in the last session, although we are operating under different rules, but in the last Session of the 77th General Assembly, on a particular piece of legislation that I had, the same question arose on second reading, which the Speaker made the same ruling that was made yesterday, and to refresh your memory, was on a Bill to get half the jobs for the ah... highway workers and half the jobs for the Secretary of State. We finally, after many attempts, got the amendment on Second Reading, acceptable to the appropriation. The Speaker made that ruling at that time on the following day. We addressed ourselves to the Bill on Third Reading, voted it up or down,



and I'm just standing to remind the Speaker that we went ahead and addressed ourselves to the Bill as amended, just as we, I hope, do today to address ourselves to House Bill 89 as amended yesterday and had a ruling from the Chair and the temporary speaker and the Speaker that the amendments were in order and were germane to the appropriation. Ah... to the Appropriation Bill. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Now, we are on, you've already spoken once, Mr. Wolf and ah... we're on the gentleman's ah... point of order and I think we've allowed sufficient time on a, his point, on Mr. Walsh's point. Alright, Mr. Jaffe."

A. Jaffe: "I would like to asked a question of the Majority Leader. I would like for him to be a little bit more specific on the Bill. I would like to asked you what portion of the Bill you're referring to as being unconstitutional?"

Hon. W. Robert Blair: "The question that is being raised by the gentleman is on any specifics. And really you've put a general question to the Chair as to whether or not House Bill 89, in the form it's now in, is in compliance with 26F. I think that's the point the Chair has been asked. And I..."

A. Jaffe: "What specific things is he referring to as being unconstitutional? What portion of the Bill is he talking about?"

Hon. W. Robert Blair: "The Chair is prepared to make a general ruling with regard to the gentleman's question and ah.... Alright, now... the Chair is prepared to rule that ah.... on the gentleman's point of order that it is well taken with



respect to House Bill 89 in the form that it is now in, that that Bill does contain matters not within the subject of appropriations and there is a requirement, under the provisions of Rule 26F, that appropriation bills shall be limited to the subject of appropriations. Therefore, it would be the Chair's ruling that at this time it would not be in order to further consider House or ah.... would you please let me talk. I let you. That it would not be in order at this time for the reasons that I have just given to further consider House Bill 89 on Third Reading. I'm trying to ascertain which order of business we are on. There are no further bills on Third Reading. Is that correct? No further Bills on Third Reading. Alright, Mr. Choate certainly you are recognized, Sir."

C. L. Choate: "Well, I'm glad that I am recognized, Mr. Speaker, because until you did not recognize one of my colleagues who was asking for recognition, prior to your changing the order of business or anything else, I was not asking for recognition, but inasmuch as you have recognized me, I would request the Chair to recognize the rights of the gentleman from Cook, Representative Washington, who was seeking recognition."

Hon. W. Robert Blair: "The problem of the Chair, Mr. Choate, is that you had more than one Member over there trying to get the Chair to recognize them. You had Mr. B. B. Wolfe, and I think ah.... he was first in order. May I finish?"

C. L. Choate: "Yes, you may."

Hon. W. Robert Blair: "And then, Mr. Harold Washington ah...."



sought recognition. Now at that time, I had a perplexing problem as to which of those gentlemen to recognize and it seemed to be the easier of that decision to recognize you. Now, I'll be happy.... I think it would be better for the Chair to recognize, you know, the people, the Members that are on the floor, rather than taking direction from the Minority Leader as to which of the Members on his side want to be recognized. Now, if you want me to follow... who you want me to recognize on your side, I will be happy to accommodate that and if you prefer me recognizing Mr. Washington before I recognize Mr. B. B. Wolfe, I will be happy to do that. I just want to accommodate you."

C. L. Choate: "Now, can I say something? Have you finished?"

Hon. W. Robert Blair: "I've finished on that point."

C. L. Choate: "Then for your information, Mr. Speaker, I don't care how cute you are with words and how you attempt to intimate that someone else is attempting to tell you your business, but while you were discussing whatever it was that you were discussing with your Parliamentarian, Mr. Washington was the first Member on this side of the aisle that stood up and asked for recognition, prior to Representative Wolfe calling a point of order. And if you want to be fair, as you've often lately at least, intimated to the media that you want to be fair, then I think that you would recognize the Members when they desire recognition regardless of what the proposition is before this House, because this Member, that Member or any Member, and you and I well know, under



the Rules of this House are entitled to recognition as well as any Member on your side or my side, and for your information, inasmuch as you were not looking out at the floor of the House, Representative Washington was the first Member on this side that desired recognition."

Hon. W. Robert Blair: "Well, it is a difficult problem and I know that the Minority Leader appreciates that on the subject of recognition of Members and unfortunately the... I've tried to recognize everybody that seeks recognition. The order in which they are recognized is a bit ticklish. There's no provision in the Rule that directs the Speaker when there are a number of people seeking recognition, as to which one he should select, so until we have the next rules committee, let me suggest that we proceed in this fashion. Now we'll write down Mr. Washington's name, and I'll try to get everybody down in the order we want to recognize them, so we're going to start with Mr. Washington and then Mr. B. B. Wolfe. Now Mr. Calvo, I think you were up earlier than Mr. Rayson, isn't that... do you agree with that, Mr. Rayson? I... o'okay, Rayson says alright. Calvo after B. B. Wolfe and then Rayson. Alright, now Mr. Washington. We'll proceed, for what purpose do you rise?"

H. Washington: "To make a motion, Mr. Speaker."

Hon. W. Robert Blair: "We're not on that order of business."

H. Washington: "Mr. Speaker, may I simply say this. The Speaker has ruled on House Bill 89, pursuant to Rule 26F. It seems to me the following logical sequence, that a person



should have a right to address himself to that ruling, since the House has duly noted your ruling, and I now move, Mr. Speaker, that we suspend the provisions of Rule 26F as you have applied them to House Bill 89."

Hon. W. Robert Blair: "I'm consulting with my Parliamentarian, if you'll just give me a minute or two here. You'll get your's Clyde. The problem that I have right now, that we are trying to ascertain, maybe you could think about this and give us some help. We're actually on Senate Bills, Third Reading, and my problem is in order to entertain your motion, I have to get back, I guess, to House Bills Third. I'm trying to see what the requirement is to do that. Who can? No, Mr. Ewell's the parliamentarian on that issue. Gentleman from... no, wait a minute, I'll get in trouble, because I've got to go to Wolfe, Calvo and Rayson, so you'll have to.... Alright, I'll have some free advice. Go ahead Mr. Ewell."

R. W. Ewell: "The other day, you were kind enough to read to me the rule that the Speaker may go, may change the order of business at any time he desires, and we duly noted the ruling. I'll get it for you in a second."

Hon. W. Robert Blair: "Alright, Mr. Ewell is the Floor authority with regard to the...."

R. W. Ewell: "Section 10."

Hon. W. Robert Blair: "10 A."

R. W. Ewell: "10 A. Any order of business may be changed any-time by the Speaker."



Hon. W. Robert Blair: "O'kay, then the Members on the floor, though, they can do it to, but...."

R. W. Ewell: "But only upon motion supported by five additional Members, and an affirmative vote of 89."

Hon. W. Robert Blair: "I see. Well, I certainly wouldn't want to put that question to the test of getting 89 votes to require a change in the order so the Speaker will, pursuant to 10A, in order to clear up this problem of Mr. Washington, move from the order of Senate Bills Third Reading back to the order of House Bills Third Reading and the, gee, now wait a minute, I thought I was, you know, getting the situation straightened out on what I did here. Ah.... he's put a motion ah.... now, which he reports that he wants to suspend the provisions of Rule 26F, ah.... to obviate I gather the Chair's ruling, ah.... on the fact that House Bill 89 in the form that it is now is in is not in compliance with that Rule, so that the thrust of the motion is that it won't need to be in compliance with it, because we are going to suspend it. I guess that's the motion as best as I can explain it. Now, Mr. B. B. Wolfe, is raising a point of order... Ah... on this motion, is it on this motion, Mr. B. B. Wolfe?"

B. B. Wolfe: "I have a point of order that I've been trying to make and ah... it doesn't interfere with the motion or the business of the House. And Mr. Speaker, I'm talking to the new Bob Blair, who wrote these rules with the Committee and with both sides of the House, and who, I believe is



attempting to make honest decisions and rulings in connection with a new set of rules, but Mr. Speaker, the rule has to be read in its entirety. You just can't take that 'F' sentence and read it because Rule 26 says 'Introduction subject to the following provisions, each Member may introduce Bills on the order of introduction and first reading of House Bills' and then there is your subject 2, 'only in those categories and orders of business'. It says nothing about Second or Third Readings. I'm asking the Chair, in the light of that rule, to reconsider your ruling because I'm not concerned with this House Bill 89, but I'm concerned with the right of every member in this House on appropriation bills or bills of their own being caught off first base at third reading with the same type of ruling. And I know you want to be consistent as the session rolls on, and I'm asking you to read the introduction to 26 and then F which is the subject to the introduction and First Reading of House Bills."

Hon. W. Robert Blair: "Alright, my staff pointed that out to me rather clearly in the memorandum that they prepared, and I ... quite frankly, there was not a point of order raised on that subject at that time, and so it ah.... there's no restriction in 26F about that question being raised on any other reading, and so it would be the Chair's ruling that ah.... the question that was put by the, or the point of order that was put by the gentleman from Cook, Mr. William Walsh, ah.... was correctly ruled upon by the Chair in his



original ruling. Now, we are on the motion to suspend. That's not debatable, unless we ordinarily offer anybody that might want to say anything an opportunity to say just a few comments, one or two. Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I'd like briefly to ah... address myself to the gentleman's motion. The Rules say that appropriation bills shall be subject to matters dealing with appropriations only. This is the exact language from the Constitution. Now, while our motion earlier addressed itself to Rule 26F, and we feel incidently that it was timely made and really that it was made at the only time that it could be made because then is the only time that we have the Bill in the final form on Third Reading. And the Rule specifically, and the Constitution specifically refers to Bills, not to Amendments. Now, Mr. Speaker, since the Rule contains language that is identical to the language in the Constitution, what the gentleman is asking us to do right now is to suspend the Constitution, not just the Rule. And I would suggest that the gentleman's motion should be defeated."

Hon. W. Robert Blair: "Alright, the gentleman from Cook, Mr. Washington, to close. This is not a debatable matter and we ordinarily just accommodate the situation."

H. Washington: "I understand that, Mr. Speaker, but very briefly in answer to the Majority Leader; the Majority Leader has stated that if we suspend Rule 26F, we are suspending



the Constitution. I want to remind him and I will paraphrase the words of the Speaker, he was not addressing himself to the Constitutional question at all, he was ruling specifically and solely pursuant to Rule 26F, so the Majority Leader's remarks are certainly not legitimate."

Hon. W. Robert Blair: "Alright, the question then is on the gentleman's motion, yes the gentleman from Cook, Mr. Maragos."

S. C. Maragos: "Mr. Speaker, I still do not know, upon the basis which you made your ruling, in response to the Majority Leader's request, and what portion of the Bill is not, for my own information, is not dealing with appropriations?"

Hon. W. Robert Blair: "Well, I think I was very clear in my ruling on the gentleman's point of order and I would be happy to have the Clerk furnish you with a copy of the transcript."

S. C. Maragos: "When you made your ruling, you did not specify in which way, what part of the Bill was not dealing with appropriations. You did not delineate this."

Hon. W. Robert Blair: "That's right. I did not. I simply said that there are matters not within the subject of appropriations that are in House Bill 89 in the form that it is now in."

S. C. Maragos: "But you refuse to give us the basis for which sections or which parts of the Bills are not?"

Hon. W. Robert Blair: "I think it's quite apparent, if you'll read House Bill 89. Ah...."

S. C. Maragos: "I just want enlightenment from the Chair, better than my humble means on the floor to delineate that."



Hon. W. Robert Blair: "I understand that. Alright, the question is on the gentleman's motion to suspend provisions of Rule 26F. So, all those, 118. 89. The question is, shall House Bill, or shall House Rule 26F be suspended. All those in favor will vote 'aye' and the opposed 'no' and the gentleman's motion takes 89 votes to prevail. Alright, now if you'll just bear with me while we get the order. Mr. Washington, I believe, was up first. Then Mr. B. B. Wolfe. Then, who else? Mr. Lundy. Anybody over here. Alright, we've got the order now of recognition. Mr. Washington, do you want to proceed?"

H. Washington: "Mr. Speaker, Members of the House. Let me very briefly, in explaining my vote, to attempt to describe just what situation we are in here. Now, there's no question about the urgency of this legislation. It's been discussed, not only here in the halls of this House, in the press, but also throughout the State of Illinois. Not confined exclusively to the City of Chicago. There is no issue more pressing than this confronting the people of this State or this General Assembly. I might also note and I want you to please bear this in mind, that the constitutional question that we are dealing with here is not very clear. It's a quagmire. This is new territory that we are treading upon. I dare say that the Speaker might well be wrong in his interpretation, but when you just suppose those two problems one, the language of the constitution, the uncertainty as to exactly how it applies to appropriation bills, plus the



urgency of this legislation, it seems to me that ever if we would suspend the rules, this would be the appropriate time to do so. I also say to you this, this legislation has to be signed by the Governor and this legislation is subject to the interpretation by the Courts. And I say to you this, even if you have doubts, even if you have doubts, about the constitutionality of this particular bill, the urgency of the situation is so great that I think we would be recountenant in our responsibilities to our people, if we did not let it follow its orderly course of going to the Governor's desk and ultimately land up in the Courts. That is the responsibility we have and I think we should waive any constitutional doubts in favor of this urgent problem confronting the people of the State. I urge you to vote 'aye'."

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

B. B. Wolfe: "Point before this House, Mr. Speaker, here is not the merits of House Bill 89 and the suspension of this Rule. The order before this House is the new Bob Blair going to read these rules in the light in which they were written, or are they going to be made from day to day on the floor of the House, and if your legislative aides gave you a memo which says in violation of clear language that I can read. It says 'Introduction of Bills, subject to the following provisions' and you cannot imply powers to anybody in this House, including the Speaker, which are not given to the Speaker in the Rules. And if they are not



given in the Rules, we go to Robert's rules of order. And Robert's rules of order does not provide for a vote to be taken or for the procedure that this House engaged in today. And I'm not concerned with the Bill before the House. I've got two years before me in this House, and every Member does, and I want to have rules that I can read and interpret without mumble-jumbo. And this is an important Rule. It says on the First Reading or the Introduction and the intent and purpose of that is that you can't introduce a Bill, which violates this Rule. And you can't take it on Third Reading and veto a Bill, only the Governor can do it. Now, Bob, you've got to sit down with your staff and if that's not the clearest test of this rule, let's make it the clear intent."

Hon. W. Robert Blair: "O'kay, Bernie. The gentleman from Cook, Mr. Lundy."

J. R. Lundy: "Mr. Speaker, I have some interest in how this vote comes out. Let me say to me, what's an issue here is not whether we get to vote on a few million dollars more or less to the CTA. What we're really talking about and I address myself especially to those on the other side of the aisle who have had occasion to suffer under arbitrary decisions of the Chair, what we are deciding today, is whether this House will be run according to Rule and according to Principal, or whether it will be run according to whim and caprice and the arbitrary discretion of the Speaker. Now Rule 26F, was raised yesterday when Amendments 2, 9 and 10



were introduced at least and perhaps others. On Amendment 2, the Chair ruled immediately. On Amendments 9 and 10, or at least on 10, the Chair, in spite of pleas from many people in this House for guidance, refused to rule on whether that Amendment was appropriate. Now I submit to you it is unconscionable for the Speaker to refuse guidance from the Members of this House at the time an Amendment is considered and then later to use that very same Amendment for the grounds for ruling the entire Bill improper. Let me, let me submit that what that does in effect is to turn 26F into an absolute veto by the Speaker over every appropriation bill every considered by this House. Now if you want to give the Speaker that kind of absolute power over the legislation of this House, it's really up to all of you, but I think the issue really goes far beyond the question of one simple CTA assistance bill. Let me also say for those who are concerned about the form of the Bill, that there's a long road ahead, as Representative Washington indicated. The improper amendments, if they are improper, may be taken out by the Senate by a Conference Committee, or by the Governor with an amendatory veto, but the issue here is whether it is fair and right for the Speaker to refuse to rule on an amendment in the Second Reading and then use that Amendment or those Amendments as grounds later on to reject the entire Bill. I repeat, what you are doing is giving the Speaker an absolute veto over appropriation bills, based on his power to interpret that Rule, 26F."



Hon. W. Robert Blair: "Alright. I'm going to go over here. But the Assistant Minority Leader is up. Do you want to hold? Alright, the gentleman from Winnebago, Mr. Simms."

W. T. Simms: "Mr. Speaker, Ladies and Gentlemen of the House, in explaining my vote, I might mention to the previous speaker, and we on this side of the aisle do appreciate his wisdom, considering the fact that it is his amendment that has caused all the problems. I might suggest to him, knowing that he is a Freshman Member, that perhaps he should check with his Leadership before introducing Amendments that might prove embarrassing to his party at a later date."

Hon. W. Robert Blair: "Alright, now we are back over here, and I don't know who got up first. Mr. Shea or Mr. Barnes. Mr. Shea says Mr. Barnes got up first. Wait a minute, let me get this down. Barnes and then Lechowicz. Who else. Alright, we've got Mr. Barnes."

E. M. Barnes: "Thank you very much, Mr. Speaker, and Members of the House. In explaining my vote, I think that some of the Members have gotten rather comprehensive with something that affects the very lives of many people in this State. I think to have to go to the point of being obstructionists to the fact that many people will suffer by actions being taken here this morning and to tie that web some kind of comment on whether or not some person should be mind over amendment that he has put on legislation in terms of his leadership, I think is extremely, extremely dangerous on



any Member of this House. I think what's involved here is an urgent matter that has been delineated over the last few weeks in the printed media, in testimony here before many of our members on more than one occasion. I think that one of the things that all members should consider in taking this vote today is that there is emergency problems that exist for countless thousands of people in the City of Chicago, immediate. We cannot put it off. I think that many Members, especially Members from the City of Chicago, on both sides of the House, should take that into consideration when they cast a vote or sit there and not be heard, not be counted on this issue, which I think in the end results mean the same thing to those many people who have to utilize the services that this legislation go to the heart of the matter of. I think it's unconscionable, I think we all should either stand up and be counted on this issue one way or the other, and to insure to let the People of this State, and especially the people of your District, know whether or not your interests lie in their best interest or your interest lies solely in your own particular attitudes toward your party politics that has been shown here today. I solicit your support and I think you should all in good conscious support this particular motion."

Hon. W. Robert Blair: "Alright. Mr. Shea, Mr. Matijevich is up, but he's after you unless you want him to go first. Alright, Matijevich, Shea says."



J. S. Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. And I apologize for rising a couple of times in a day. But I explain my vote because I feel strongly about Rules and that Rules ought to be used to help the operations of the House and to help the Membership. I think that Rule 26F was a good Rule, and I think that Rule 26F was brought into the Rules Committee and adopted by us to help us as individual members to realize that when we introduce Bills, when we introduce appropriation bills, that they shall be limited to the subject of appropriations, and I think that that was the purpose of it. And if a further purpose of it was that in applying that rule, that we members of the House to live up to it, are going to amend a Bill to make sure that when it's on Third Reading, that it be limited to the subject of appropriation bills, that we further do it on Second Reading. But to allow a rule to be used to be interpreted by the arbitrarinists and I think everybody knows how I stand on that issue, to kill a bill through that use, I think is highly improper. I think, Ladies and Gentlemen, we've introduced a means by which every appropriation bill that is introduced in this legislature can be killed strictly by majority rule, by applying on second reading an amendment to add substantive matter. It's a new way to kill all appropriation bills, and I don't think that the Rules Committee meant that, and therefore, I think that the only way to go around this arbitrary ruling of the Chair, is by a suspension of the rules. I think it's too bad that Representative



Washington had to do this, but it's the only way that we can counteract our arbitrary ruling of the Speaker, and I submit and say again, that I don't think things have changed this session. Ah.... things are the same."

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

W. J. Murphy: "Mr. Speaker and Ladies and Gentlemen of the House. In replying to my good friend, Representative John Matijevidch, I want to call his attention to the fact that the speaker, is in no way, killing House Bill 89. He's just saying it is not in proper form the way it is now on the calendar, and so he is not killing House Bill 89 at all, John, by this or any other ruling. He's not killing it."

Hon. W. Robert Blair: "Well, I had Lechowicz in here somewhere, Mr. Shea, you want to let him. O'kay, then Mr. Pierce is up."

T. S. Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.. This point was raised when the Amendment was offered on second reading and I would hope that it was the policy in the past that a ruling from the Chair would be made at that time. I think there is a very bad precedent being set, Mr. Speaker, and turn any appropriation Bill, depending upon what faction is interested, we can adopt the Amendment and declare the Bill void. Mr. Speaker, I would hope the Members would realize what is transpiring here this morning, because it was adequately explained last night when this Amendment was offered and being adopted. And the



amazing thing, the votes that are read now, were the same votes that were voting green last night for Amendment No. 10."

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

D. M. Pierce: "Mr. Speaker, I only want to echo what Mr. Lechowicz said. I voted against this Amendment yesterday, not because I didn't think it was good, but because I felt ah... that using the rules of the constitution, that you today, would make the ruling that you did, and you required the gentleman from Cook, who offered that Amendment, to anticipate your ruling when he asked you to rule yesterday. And I think this is unfair to the Member. He was trying to improve the Bill. He was trying to help the Bill and I think he is entitled to know at that time, when he offers it, if his amendment will make the Bill in violation of our Rules, because that is something, of course, the Speaker will rule upon, and should rule upon at the time he asks for that ruling on Second Reading. I think I saw this coming. We all saw it coming. We are playing games here today. I voted against the Amendment yesterday, not because I opposed the substance of it, because I felt the ruling would come today that did come, and you and many members of this House, voted for the Amendment yesterday, not because you are for it, but to kill the Bill by ruling today knowing that we have the 89 votes to pass this Bill, knowing the people want the CTA aid, knowing they need it. Knowing this House wanted to help the people receive that aid, this Amendment was voted for by many Members on the other side of the aisle yesterday to kill



this Bill, to thwart the will of the House, and I say that is wrong."

Hon. W. Robert Blair: "Have all voted who wished? Now Mr. Shea."

G. W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House. We've got 83 or 84 votes on this side of the aisle due to some sickness, so we certainly don't have enough votes to suspend this rule ourselves. Now, I've always found out when you do things for whim or for caprice, they sometimes come back to haunt you. And I would asked, perhaps I could find five or six of my colleagues across the aisle to asked them to help us get this Bill to a vote today. Now, I certainly don't ever want to get personal or I try not to with any member, with anything. I think what we've got here is an amended bill, and it was my amendment, and I suppose I led the opposition to another amendment that was going on Representative Garmisa's Bill, and that Amendment got beat. And then by a majority of votes, my Amendment got put on the Garmisa Bill and was further amended. But I think what we've got here today is a situation where somebody says if I didn't get the ball game my way, you'll never get it your way. I got no pride of authorship in this Bill or my Amendment. I feel that it is this House's amendment, this House's Bill. A majority of the members wanted it in the form that it's in now and I would asked if I couldn't get four or five of my colleagues to join with me and suspend the provisions of this Rule to get this bill just to



a vote. I don't ask your support of the Bill, but I do asked you and I'm pleading with you and I'm asking you to think about it. We've put every vote we can on that Board, and I ask some of my Republican colleagues, particularly those members from Chicago, from suburban Cook County, if they won't give us just a couple of votes, just let us get the issue before the House. Let us debate it. Just let us get the issue out. It only takes a couple of votes up there. And I say this to you quite sincerely. We are forty-five days or thirty-five days in a new session, and if we start off this way, the only people that are going to suffer are the People of this State, because we are letting our own greed, our own self-interests, our own egos get in the way of the needs of the people, and I don't think any of us want to do that, and I would plea with my colleagues...."

Hon. W. Robert Blair: "You're into three minutes, now."

G. W. Shea: "to give us a few votes."

Hon. W. Robert Blair: "Alright, have all voted who wished?"

The Clerk will take the record. For what purpose does the gentleman from Cook, Mr. Harold Washington, rise?"

H. Washington: "I request a poll of the absentees, Mr. Speaker."

Hon. W. Robert Blair: "Alright, the Clerk will poll the absentees."

Fredric B. Selcke: "Borchers. Capuzi. Catania. Day. Fleck. Gibbs."

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



Record the gentleman as 'no'."

Fredric B. Selcke: "Granata. Hart. Juckett. Keller. Klosak.

Krouse. North. Pappas. Piotrowicz. Sangmeister. Sevcik.

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

Does he desire recognition."

R. K. Hoffman: "Mr. Speaker, how am I recorded?"

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

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

R. K. Hoffman: "Will you change my vote to 'nay' please?"

Hon. W. Robert Blair: "Change that to 'no'. Alright, there are 84 'ayes', 77 'nays', and the gentleman from Cook, Mr. Fleck."

C. J. Fleck: "Will you record me as voting 'aye'."

Hon. W. Robert Blair: "Alright, how was the gentleman recorded, not voting? Record the gentleman as voting 'aye'. Now, what do we have?"

Fredric B. Selcke: "85 'ayes', 77 'nos'."

Hon. W. Robert Blair: "85 'ayes', and 77 'nays' and the gentleman's motion to ah... suspend the provisions of Rule 26F, fails. Senate Bills, Third Reading. There are none. Senate Bills, Second. Senate Bills, First. No House and Senate Bills on postponed consideration. Motions. Gentleman from Cook, Mr. Matijevich indicates he has a motion."

J. S. Matijevich: "Yes, Mr. Speaker, I'd like to have leave of the House to Table House Bill 294. I didn't have my digest and I introduced that Bill yesterday unaware that Representative



Gibbs has introduced a like measure, which I ah... would like to be a Co-sponsor to his Bill, but I see no further need of my Bill."

Hon. W. Robert Blair: "Alright, does the gentleman have leave to Table his, the Bill that he referred to?" Alright, hearing no objection, we will Table House Bill 294. Similar type situation, Mr. Berman? Alright, we are on motions now."

A. L. Berman: "Mr. Speaker, I am the principal sponsor of House Bills 82 and 185 and I would ask leave to add Representative Mugalian as additional co-sponsor on those Bills, please."

Hon. W. Robert Blair: "Alright, does the gentleman have leave? Alright, we'll so indicate. The gentleman from Cook, Mr. Merlo."

J. Merlo: "Mr. Speaker, I would ask leave of the House to have added to House Bill 17 the name of Representative Mugalian as a co-sponsor, and I am the principal sponsor of this Bill."

Hon. W. Robert Blair: "Alright, is there objection to that? Hearing none, the men will be added. Same type thing, Mr. Hanahan? The gentleman from McHenry, Mr. Hanahan."

T. J. Hanahan: "Mr. Speaker, many Members have asked me to be allowed to be put on as co-sponsors on House Bill 307 and Mr. McGrew, Mr. Calvo, many Members on this Democratic side, and some on the Republican side, and I would like leave to anyone going to the Clerk to be added to the co-sponsor on 307, that wishes to do so."



Hon. W. Robert Blair: "We're on the order of motions. For what purpose does the gentleman from Cook, Mr. Shea, rise? No reason. On the order of motions.... we're on the order of motions. Gentleman from ah.... Cook, Mr. Garmisa."

B. Garmisa: "Ah, Mr. Speaker, and Ladies and Gentlemen of the House, I'd like to ask that House Bill 89 be brought back to Second Reading for the purposes of amending. And if this is not in its proper order, I would ask leave to come back to that order of business."

Hon. W. Robert Blair: "All right, Ah.... objection's been heard to the Gentleman's request for leave."

B. Garmisa: "Ah..... then Mr. speaker, I would move to suspend the proper rules.... ah.... Sir...."

Hon. W. Robert Blair: "Ah..... with moving to go back to the Order of business, House Bill 30, I take it, and at that time, take the Bill back to the Order of Second Reading for purposes of an Amendment. Is that about where we are, Mr. Garmisa?"

B. Garmisa: "I ask for leave, Mr. Chairman. I believe leave was denied."

Hon. W. Robert Blair: "Well, now that's right. Gentleman from Cook, Mr. Shea."

Shea: "I do presume that the Speaker did go back to Third Reading?"

Hon. W. Robert Blair: "I haven't gotten that quite yet."

Shea: Well, then I think until we get there.... Are we going to get there, because then I have a question?"



Hon. W. Robert Blair: "I have been accommodating that situation about moving back and forth between orders of business. As you know, I did that once earlier, so if you'll just give me a moment while I discuss something, then I'll address myself to...."

Shea: "Then you'll address yourself to Mr. Garmisa's question?"

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

William Walsh: "Well, Mr. Speaker, I would move that at this time we break for lunch and return here at 2:00 O'Clock. That gives us an hour and a half, and I would request that immediately after we recess that the Republicans meet in Room 212 for the purposes of conference. We would confer for maybe a half hour or forty-five minutes and then have forty-five minutes for lunch."

Hon. W. Robert Blair: "All right, the gentleman is asking for a recess for purposes of a Republican Conference. All right, we will ah.... recess then until the hour of 2:00 PM. For what purpose does the gentleman from Cook, Mr. Yourell, rise?"

Yourell: "I would ask leave of the House, if we're on that order of business, before we recess, Mr. Speaker, to ah... have leave to include Representative Mugalian as a co-sponsor of House Bill 262, of which I am the chief sponsor."

Hon. W. Robert Blair: "All right, does the gentleman have leave for those purposes? All right, the journal will so indicate that he is added. And now, Republican Members will



be at ease. All right. We will be at ease for just a few minutes now. All right we're.. when we left this morning we were on the order of motions and ah.. they're, I think Mr. Garmisa had moved to go back to Third or asked for leave and ah.. leave wasn't granted. So consent calendar, Second Reading.. For what purpose does the Gentleman from Cook, Mr. Shea raise?"

Shea: "Ah.. Representative Garmisa had moved to get back to Third Reading. Is that what you said?"

W. Robert Blair: "He had asked for leave."

Shea: "Was there objection?"

W. Robert Blair: "Yes."

Shea: "Could you tell me who was the objector and let the Journal show it, please?"

W. Robert Blair: "Ah.. it ah.. was Timothy Simms ah.. as I recall."

Shea: "Ah.. Representative Timothy Simms is the one that denied unanimous consent? I don't see him on the floor."

W. Robert Blair: "Yes he's standing back there. I think there were a number of them who had objected."

Shea: "Ah.. well is Mr. Garmisa in a position now to make a motion to return to Third Reading. No Third. He's got to go back to Third. Yeah, is Representative Garmisa in that position where he can make the motion to go back to Third Reading now since the unanimous consent was denied?"

W. Robert Blair: "Ah.. yeah, he can move ah.. if he's supported,



I think the rule requires, by five or six people. Mr. Shea and Mr. Tip sword and Mr. McPartlin, Mr. Lechowicz, Mr. Laurino, Mr. Carter, Mr. DiPrima, Mr. Washington.. Getting to be a real name dropper. Okay. The Gentlemen ah.. What we're dealing here is that ah.. Mr. Garmisa has moved to change the Order of Business ah.. from the Order of Motions to the Order of House Bills, Third Reading. And that requires 89 votes and ah.. all those in favor will vote.. Mr. Shea."

Shea: "Would you restate the motion again? I didn't quite.."

W. Robert Blair: "Well, let's see. Um.. you made it for Garmisa."

Shea: "No, Garmisa I requested to make it. And we just want to make sure it's in the proper form."

W. Robert Blair: "Well, I had it in the proper form. Ah.. he moved ah.. Mr. Garmisa moved to change the Order of Business from Motions to the Order of House Bills, Third Reading under the provisions of House Rule 10b. Now, Mr. Garmisa would like to be heard on his motion."

Garmisa: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, I would like to move House Bill 89 from the Order of Third Reading back to second for the purposes of an amendment."

W. Robert Blair: "No, that's not the motion that can be put now. You've got to get back."

Garmisa: "Well, then I would ask for a motion to move the House back to Third Reading for that purpose, Mr. Speaker."



W. Robert Blair: "Well, ah.. yeah. That's the understanding.. that's why you would want to get back there. So I think for the motion.."

Garmisa: "I would ask the House to come back to the Order of Third Reading."

W. Robert Blair: "Yes, that's right. A motion is being put under provisions of Rule 10b. The Gentleman is requesting.. or is moving to take the House from the Order of Business of Motions to the Order of House Bills, Third Reading. So the quest.. Gentleman ah.. well I better come over here once. Gentleman from Cook, ah.. William Walsh and then I'll get you."

W. D. Walsh: "Well, I object, Mr. Speaker and would like to be heard very briefly on why. And, of course, this could be considered I suppose dilatory but I think if every dilatory tactics were in order ah.. it is now. Now when we are faced with a proposal for \$40,500,000 as against \$12,500,000 then I think that perhaps we ought to take a little look at it. And also Mr. Speaker, we're considering here some proposals that do not involve the principle subject, the subject that is of great urgency, namely mass transportation. AH.. I might also point out, Mr. Speaker, that the Senate is not in Session now. They will be in Session tomorrow but do not plan on returning until next Wednesday. So if we passed a CTA bill today then the Senate would not be able to do anything with it.. except read it a first time."



tomorrow and refer it to the Transportation Committee. It would take some time for that committee to arrange hearings. And ah.. Mr. Speaker, I think that while this may look like it's dilatory ah.. it's really in the interest of pouding out a piece of legislation that is good for all of the people of the State of Illinois."

W. Robert Blair: "All right. The question is ah.. on the ah.. now let's see. Mr. Harold Washington was up."

H. Washington: "Yes, Mr. Speaker. I have a parliamentary inquiry."

W. Robert Blair: "Yeah."

H. Washington: "When we adjourn or recess, I was under the impression that Mr. Garmisa's motion was pending and that was the Order of Business. Now we've come back and I thought we would simply take up where we left off. If my interpretation is correct, it's not to change the Order of Business but to go right ahead with his motion. Which, if true, would not need 89 votes."

W. Robert Blair: "No. That's not the question. We were on the Order of Motions. I was very careful about that and I did not go back to House Bills, Third Reading. And I.. we were at the point where he had not received leave to withdraw or ah.. leave to ah.. All right. If the House will be at ease for just a few moments. One of our Members is receiving attention from the nurse. All right. We'll proceed now. Mr. ah.. Washington was up and your point's not well-taken. We were on the



Order of Motions. Ah.. and he had.. Mr. Garmisa had asked ah.. for leave to go to the Order of House Bills Third. And ah.. it was.. he did not get it. There were objections and when we recessed we were still on that Order of Business of motions. And now he's made his move to go from there up to.. Yes."

H. Washington: "May I just say this, Mr. Speaker?"

W. Robert Blair: "Yes."

H. Washington: "May I request of the Speaker that when you move from Order of Business to the next, you clearly enunciate that and then ask the Members of the Floor if there is any business under the Order of Business that you're leaving. But to jump almost so quickly that there's no hiatus between one and the other gives no one the opportunity to move. If you would simply ask if there is anything additional on that Order of Business, I think we can avoid this problem. I put that as a request."

W. Robert Blair: "Well, certainly I thought that I had been announcing each Order of Business rather methodically ah.. and ah.. as a matter of fact, if you'll look on the Order of House Bills, Third, and then go on down it's rather apparent from the calendar that there just isn't any business ah.. in those Orders of Business down to Motions. So ah.. I.. that's where we are." Mr. Garmisa, do you want to be heard again? Ah.. you're closing now?"



Garmisa: "Well, Mr. Speaker, ah.. ah.. could you not at your descretion move this bill to Second Reading because what we're trying to do here is clean up the constitutionality of the bill and put it in the position and the posture that we want it in. And the majority leader on the other side of the aisle made the remark that these tactics may appear to be dilatory. Ah.. Mr. Speaker they do not appear to be dilatory, they are dilatory. And the Speaker does have the descretionary power to move this to second reading and I see no reason at all and I have never come across an instance at any time that the sponsor of a bill asks that his bill be moved from Third back to Second that he had been denied that right."

W. Robert Blair: "You're not being denied that right at all. All we're simply doing is giving you the opportunity to change the order of business before this House. And House Rule 10b provides that a Member can do that when he's supported by five other Members and has 89 affirmative votes. And that.. that is the motion that is before this House."

Garmisa: "But Mr. Speaker, if you deny me that right you are in effect.."

W. Robert Blair: "I'm not denying you a thing. All you have to do like any other Member in similar circumstances is get 89 votes to change the Order of Business."

Garmisa: "I am asking you, at your descretion and you have that



descretion."

W. Robert Blair: "Well, you know, you've asked that question twice and I've told you twice that you're proceeding under House Rule 10b which requires you to get 89 votes to go back ah.. to the Order of House Bills, Third Reading."

Garmisa: "I'll ask for those 89 votes."

W. Robert Blair: "Then the question is ah.. Surely, the Gentleman has asked for ah.. All right. The Gentleman has moved under the provisions of House Rule 10b that the Order of Business be changed from Motions to House Bills, Third Reading. All those in favor will vote 'aye' and the opposed 'no'. And this requires 89 affirmative votes. Gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, in soliciting your support to make a simple change of the Order of Business, we're only trying to do under the rules, that which is necessary to address ourselves to a very serious problem. You're not just voting on whether or not we go back because we can go back at the whim of the Speaker whenever he chooses.. one minute from now, two minutes, half hour. But now, we on this side, need your good will. We need a little help in order that we can address ourselves to a problem that is indeed plaguing the state. And for you to stand there as obstructionist and hide behind the bare tenor of the rules is to deny us the right to either express ourselves or to have an opportunity to have this



particular measure voted upon. I think it is indeed tragic because, Gentlemen, we shall have to be here for a long time. You on that side of the aisle will need us more than just us. We will meet upon this same bridge time and time again. And at this time, all we're asking is a little good will. A little consideration and a small thought for us who are trying so hard. And if you bare in mind as the Session goes on and when you are short that vote, or two, or three we will again meet upon the bridge. And at that time we shall ask you, where were you? Gentlemen, I ask you. It's only a small thing. But to allow us to go back means everything."

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

Berman: "Thank you, Mr. Speaker. In explaining my vote, I would like to refresh the Speaker's memory and to advise the Members of the House some of the discussion that went on in the Rules Committee meeting and I would refer you specifically to the discussion that took place when we were debating the adoption of what is now Rule 4s. And if I recall correctly, the Speaker at that time indicated in urging that we give him the opportunity to do what that rule sets forth. Namely, to decide without debate all questions relating to the priority of business. And in good fellowship and with a feeling of trust in the desire of the Speaker to move the House forward in confidence that we would have the opportunity to move from



Order of Business to Order of Business. The Speaker said at the time of that debate, that he wanted that privilege that set forth in Rule 4s in order to move the House along in an orderly manner. Well Mr. Speaker, I submit to you that this House can move forward in an orderly manner and all it takes under your leadership is for your button to go green and with the persuasiveness of your leadership, I'm sure many members on your side of the aisle would join you to allow the House to move forward. We are trying to put a bill into the shape that the sponsor is requesting that it be in. I don't recall offhand anytime that that prerogative has been denied to a sponsor. I think we're seeing here a situation which is setting a very.."

W. Robert Blair: "Bring your remarks to a close, you're two minutes are up."

Berman: "And I would urge you, Mr. Speaker, to exert the responsibility that you asked for in that Rules Committee and support Representative Garmisa's motion to bring this to.. back to Third Reading and then back to Second."

W. Robert Blair: "Gentleman from ah Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker, and Ladies and Gentlemen, I'd like to explain my vote in voting for this motion that has been presented by Representative Garmisa. This is a matter of courtesy. I don't always agree with all of



reasons that someone may want to move back to another Order of Business. I don't always agree with amendments that may be presented in Committees by various sponsors of bills. But it is a matter of courtesy, generally, if I can possibly do so that I try to support. Because I feel that before committees if someone wishes to amend their bill and put it in the shape they'd like to have it, that is the manner in which he should have the obligation and the opportunity to present the legislation he wants this House to consider. In addition, if someone has a matter of business before this House that he would like to have presented and have this House consider. I think it's a matter of courtesy that we give him that consideration. I may not be for the item of business that that particular member may be supporting. But nevertheless, I believe he has the right and the duty in representing the people of his district and, yes, the people of the State of Illinois as a whole to present his matter, to present it right, to have it presented timely and in proper fashion before this House and for this House to consider it upon the merits and not upon the basis of denial of procedure before this House. This is a rare thing that occurs when an Order of Business is denied to any Member of this House. We shift in Order of Business from time to time. The Speaker shifts in Order of Business. In fact, specifically under the rules we have given the



Speaker the right to move from one piece of business to another. And I think that is correct but I think we owe that right and that privilege to every Member of this House to have the right to proceed upon his legislation in a proper fashion and a proper sequence of time. Thank you."

K. W. Miller: "Gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, while it's perfectly clear that my vote up there is the only one that doesn't need explanation, I'm going to explain anyway. These Gentlemen from ah.. Decatur or close to Decatur, Representative Tipword, ah.. points out that we're doing something here that should not be done and we're denying the Member or ah.. a Member a ah.. privilege that he's entitled to. And if that's the case, I would call his attention to Rule 10b and ask him and anyone else over there what the justification for Rule 10b is if not to do just exactly this. Now the Speaker having the prerogative to move from an Order of Business to another Order of Business was given to him and we all gave it to him with our eyes wide open. This was discussed at some length in the Rules Committee meeting and also on the Floor of this House when we ah.. adopted the Rules. So I suggest to you that we're doing exactly what should be done according to the Rules of this House and we cannot operate unless we have Rules that are functional and that we work



with. And I submit that all the Gentleman has to do is get 89 votes to suspend this rule and he can have his way. If he can't get the 89 votes, he can't get his way."

K. W. Miller: "The Gentleman from Cook, Mr. Garmisa."

Garmisa: "Well Mr. Speaker and Ladies and Gentlemen of the House, the Majority Leader wants us to follow the rules of the House and I'm willing to do just that. Now under 10a, under the changing Order of Business it specifies that any Order of Business may be changed anytime by the Speaker. And this is the point I'm getting to Mr. Speaker. I would ask you to apply that rule now so that we can get on with the business of the House and proceed with this bill in an orderly fashion. I have at no time in my period that I have spent in this House can recall when the sponsor of a bill has been turned down when he asks for this. And I urgently request that you, Mr. Speaker, make an application of Rule 10a which you can do at your descretion and proceed with the business in front of this House."

K. W. Miller: "The Gentleman from Cook, Mr. Davis."

Davis: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, I've been here a long time. I suppose I've been here too long. But, it has been the custom of this House for many years when a bill is on Third Reading and a Member feels that his bill is not in order or someone has called to his attention some objectional language in the



bill, it has been the custom that that Member would arise and ask the Speaker for consent to return his bill to second reading for the purpose of amendments. And usually it is granted. Very seldom is that courtesy denied a Member. And I leave it up to most of the old-timers especially. They let him return his bill to Second Reading to get it in order. Now all of us know what this bill is all about. If.. I don't know how many people are going to lose their jobs if the CTA don't get this money. Somebody said 1200. But I do know what is going to happen if that service is reduced up there. Industry is moving to the suburbs, all of you know that. And everyone ah.. dont' have the privilege of owning an automobile and some of those who probably have the money to buy are not able to drive a car. I'm a member of the Committee on Public Aid, the Advisory Committee that meets all the year around. And the appropriation is well over a billion dollars now. A billion dollars now. We're going to have to do something about this problem and if we don't we're simply going to make it impossible for a lot of people who would work to be able to get to their work and do that job. And where are they going to wind up? They're going to wind up on public aid.. And we're going to hear the argument about people who don't want to work and people who ought to pull themselves up by their own boot straps. And if you take the CTA away from them, you'll



be taking the very boots away from them so they cannot get to their work. Now let me say this. This session is in its early stages. Sure, we can lick a lot of dilatory motions and we can talk about the rules. But I think that if we're going to accomplish anything, if we're going to get anywhere in this session it's time to through out the road blocks or the bridge.. shall I say time to throw out the bridge between these aisles. The brige of good will. Because it's the people who are speaking through us down here. Or they should be speaking through us. And if the people are actually speaking through us, you would know what the people would say. They'd say that we want some public transportation. That's what the people would say. And I don't see any reason why you ask me to pray every morning and I do the very best I can when your regular Chaplain is not here. For good will, for peace and all of those sort of things. But I'm asking you why don't you let the Gentleman bring his bill back so he can get it in order. You ruled it's unconstitutional, so he can make it constitutional. And that we can get about the people's business and give them some public transportation. Because if you kill the inner city of Chicago, you're going to kill the goose that's laying the golden egg. It'll be deader than a do-do. And what happens? The state treasure, the general revenue fund will suffer. Because the people who work are the taxpayers and when you



stop them from going to work, you're cutting off revenue for this State. Please reconsider your action. In the name of the good Lord, why don't you let the Gentleman bring his bill back and get it into shape? And make it constitutional."

K. W. Miller: "The Gentleman from Lake, Mr. Matejevich."

Matejevich: "Mr. Speaker, I move that we adjourn the House until 9:00 a.m. tomorrow morning."

K. W. Miller: "The Gentleman from Cook, Mr. Walsh is recognized."

W. D. Walsh: "It's not a point of order.."

K. W. Miller: "Just a moment. Just a moment, please."

W. D. Walsh: "Mr. Speaker I have a point of order. First, of all.. My point, Mr. Speaker, is that the Gentleman's motion is in conflict with the adjournment resolution approved earlier in the week which says that when we adjourn today, we will convene at 9:30 a.m. on Tuesday, February 20th"

K. W. Miller: "That's right. I think the point of order is well-taken, Mr. Walsh. And ah.. the Gentleman from Cook, Mr. Matejevich's motion is out of order."

W. Robert Blair: "All right. Are there any further people that desire recognition on this question.. on the matter that is before the House which is the ah.. roll call on Mr. Garmisa's motion. Are there any more explanation of votes? Hearing none, the Clerk will take the roll. On this question, there are 82 'ayes', one 'nay' and the



Gentleman's motion ~~fails~~. For what purpose does the Gentleman from Cook ~~raise~~?"

Shea: "Mr. Speaker, before you announce the vote, I would like to have the absentees polled. The Gentleman from Lake, Mr. Murphy."

Murphy: "Well, Mr. Speaker, I ah.. I do move that the House do now adjourn."

W. Robert Blair: "All right. All those in favor of the Gentleman's motion say 'aye' and all those opposed say 'no'. Well, the Gentleman's motion failed.. ah.. I think. For what purpose does the Gentleman from Union, Mr. Choate raise?"

Choate: "Mr. Speaker ah.. I before I put the question which I might or might not put, I would ask the Membership to turn to Rule 61 and it appears to me that that rule is quite explicit in the Order of Business that this House would be involved in. It appears to me that if a Member of this House desired to question a quorum that the Speaker would then call the roll to ascertain whether a quorum is present or not. And when a call of the House or a roll call upon any bill, resolution, or motion discloses the absence of a quorum then the following Order of Business is in order. (1) A motion to produce a quorum by compelling the attendance of absent members. (2) A motion to fix the time to which to adjourn or recess. (3) A motion to adjourn or recess. (4) A motion to call the House. At this time, Mr. Speaker, a couple



of my members have requested of me to question a quorum of this House."

W. Robert Blair: "All right. That certainly is in order.

And ah.. ah.. a quorum call has been requested. All the Members present will vote 'aye'. Take the record.

At which time there are 74 on the board. For what purpose does the Gentleman from Lake, Mr. Murphy rise?"

Murphy: "Mr. Speaker, I request that you poll the absentees."

W. Robert Blair: "We certainly will." Now, the Members will be in their seats and we are going to poll the absentees. And I suggest that there are a number of people now leaving the Democratic side of the aisle that are Members. And I suggest that we get the doorkeepers to shut the doors so that these Democratic Members will stay on the floor because they're the one's that are making the request for a quorum call. All right ah.. the Clerk will poll the absentees slowly."

F. B. Selcke: "Anderson. Arnell. Barnes. Bary. Beaupre. Berman. Blades. Bluthardt. Borchers. Brinkmeier. Campbell. Capuzi."

W. Robert Blair: "Capuzi's here."

F. B. Selcke: "Carter. Clabaugh. Collins. Cox. Cunningham. Davis."

W. Robert Blair: "Mr. Davis is absent? No, he's here. Now wait a minute. Are you going to explain your absence?"

Davis: "No, my no vote. You talk about an exercise in futility.



What was that word the lawyer used over there above dilatory, this is..if there is anything extraordinary dilatory. You know what we want, we want this Bill back on second reading, so we can give the people a vehicle to go to their jobs up in Chicago."

W. Robert Blair: "Let the journal reflect that Mr. Davis who is shown as absent.. just a.. made those remarks explaining his absence."

F. B. Selcke: Day. Deavers. Duester. De..Duester. Get em to answer. Duff. Ralph Dunn. R. L. Dunn. Dyer. Ebbesen. Ewell.

W. Robert Blair: "Ewell's here"

F. B. Selcke: "Fary."

W. Robert Blair: "Fary's here."

F.B. Selcke: "Flinn. Friedland. Geo-Karis. Getty. Gibbs. Giglio."

W. Robert Blair: "Giglio is here."

F. B. Selcke: "Granata. Grotberg. Harpstrite. Hart. Gene Hoffman. Ron Hoffman. Jimmy Holloway. R. Holloway. J. Houlihan. Hudson. Hunsicker. Huskey. Emil Jones. Dave Jones. Juckett. Keller. Kelly. Kempiners."

W. Robert Blair: "Kempiner's is here."

F. B. Selcke: "Kent. Klosak. Krause. Kriegsman. Kucharski. LaFleur. Lauer. Leinenweber. Macdonald. Mahar. Matijevich. McAuliffe. "

W. Robert Blair: "McAuliffe is here. Right there he is. You weren't lookin the right way.



F. B. Selcke: "McAvoy. McCormick. McGrew. McMaster. McPartlin. T. Miller. Molloy. Nardulli. Neff North. Palmer. Pappas. Patrick. Philip. Piotrowicz. Randolph. Rayson. Rigney. Rose. Ryan. Sangmeister. Schisler. Schneider."

W. Robert Blair: "Schneider is here. No, he's right here in the aisle."

F. B. Selcke: "Schoeberlein. Sevcik. Sharp. Ike Sims. Soderstrom. Springer. Stiehl. Taylor. Telcser."

W. Robert Blair: Telcser is here."

F. B. Selcke: "Totten. VonBoeckman. Waddell. Wall. Washburn. Williams. J. J. Wolf. Yourell."

W. Robert Blair: "Alright, now let's add Harpstrite. Let's add Ralph Dunn. Let's add Geo-Karis. Let's add Huskey. Let's add Roscoe Cunningham. Let's add J. David Jones. Let's add Mr. Gibbs. And you got Mr. Davis on there."

F. B. Selcke: "No I haven't."

W. Robert Blair: "Oh, put Mr. Davis on there.' That's right."

Arthur A. Telcser: "The Gentlemen from Will, Speaker Blair."

W. Robert Blair: "Mr. Speaker, I'd like the opportunity to explain my vote, which we accorded to Mr. Davis..a...and I just want to point out, that a...we are in no way attempting to hold up a situation which is not of its own situation..a...necessarily being held up, now the fact of the matter is that the Senate is going to be in session tomorrow. There are already adjourned today and there could be no second reading or no first reading of any



measure that came out of this House in the Senate today. If they were still in, perhaps that could be considered, but they are not in session over there now, they've adjourned until 11:30 tomorrow and a...tomorrow I have been advised by their leadership that they are going to adjourn until Wednesday of next week. Now, there was a consensus of my members in our conference that there are a number of things that are wrong with House Bill 89 that needed to have attention that the weekend could properly provide for some amendments to be considered to this proposal to shape it up in the way that it should be. For example, there is no way under that proposal that the people in suburban Cook County...a...would be getting any operating subsidy for their private rail commuters because there is a requirement for a hard match and those carriers cannot make that hard match. So we want to have the opportunity to amend that situation so we can keep those fare increases from going into affect that are now...a... pending...and I say that we have as vital concern about our suburban area as you have about the City of Chicago, Mr. Davis, and?...a...you on the one hand want us to put loads and loads and loads of money into the City of Chicago and not give any relief to suburban Cook County, so we want to address that problem and also we going to address a regional mass transportation plan for the northeaster part of this State, and this program as its drawn up will not permit



that. There is nothing in House Bill 89 that holds mass transportation carriers to the level of rates where they are now. There's nothing in that Bill that would require them to maintain there level of service where it was as of February 1. These are vital concerns for the members on this side of the aisle, and we're going to address those things in a responsible manner when we have the opportunity to do that next week when we'll be considering this measure further on second reading."

Arthur A. Telcser: "The Gentlemen from Cook, Representative Davis."

Representative Davis: "I want to ask Mr. Speaker, I'm not angry with you."

W. Robert Blair: "I'm not with you either."

Representative Davis: "Now may I ask you this question. May I ask you this question? Are you going to let us break the Bill back to second reading so that we can do some of these things you talked about?"

W. Robert Blair: "This is a bit unusual because I don't ordinarily talk on subsedent matters on the podium, but just let me say this."

Representative Davis: "Alright."

W. Robert Blair: "I am just as concerned about the problems of the C.T.A. as I know you are, but that we are concerned about some problems involving the amount of money that's in this project. It's for a whole year, we frankly think we ought to be able to get by on a six-month basis and that



might help us get this reasonable plan. We've got to make some provision for those commuter rails that come out into the suburban part of Cook County...to...be able to obtain some operating subsidies just like we're providing for the C.T.A. Now, we're not trying to..to be obstructionists, we want to be, and there's nothing going to be lost by giving us the weekend to consider amendments because there's no way that there can be action in the Illinois Senate to pass this measure by February 18. There only going to be in session tomorrow, and there going to adjourn tomorrow until Wednesday of next week. So there is just simply not a rush to accomplish ..a..this thing right not, today. I didn't become aware of that until the middle of the afternoon frankly, because I..working..and let me say this. I was working..a..close to your leadership on Tuesday of this week. For example, let me tell you something. The committee report came in from the Appropriations Committee on Garmisa's Bill No. 89. How if I had wanted to slow this thing up, and wanted an extra day, you would have had just a committee report on Tuesday, but I had that committee report read at 9:30 on Tuesday morning at the perfunctory and had it then printed on the calendar for second reading, first legislative day, so that we could even be in the posture that we're in today, so if I hadn't accomdated you with regard to that, we would not be on third reading on this Bill until tomorrow, so I would hope that that fact would be recognized as far as my co-

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operation on problems that revolve your area."

Telcser: "The Gentlemen from...."

Representative Davis: "We are going to get some consideration."

W. Robert Blair: "You certainly are."

Representative Davis: "Poor people..poor people are involved.

If you don't believe it, come down to Public Aid Committee.

W. Robert Blair: For what purpose, the Gentlemen from Union,
Mr. Choate rise."

Representative Choate: Mr. Speaker, inasmuch as Representative
Davis and you have explained your votes I though I might
ask.."

W. Robert Blair: "You certainly know that you'll be accorded
that privilege Mr. Choate."

Representative Choate: "Thank you., Mr. Speaker, and I have
not, at any time, and I want you to listen, accused you of
being dilatory in attempting to resolve this problem that
confronts this House. But I have disagreed in the manner
in which you have disallowed some of the Members on this
side, at least, the opportunity to do to this Bill and
to bring it to a final vote, in which you have. I was
amazed, Mr. Speaker, when I heard some of the remarks that
you just made because I can vividly recall in the last
session of the General Assembly, and I shared those feelings
with you, that the other side of the rotunda was not going
to dictate the activities of this House of Representatives.
That we, in the House, were going to act in a responsible
manner, and that we were going to confront the issues as



they were presented in this House of Representatives, and we would discharge the duties that we felt obligated to discharge because the people of the State of Illinois had sent us into this House of Representatives. I was amazed to hear you say that because of the lack of activity and because of the lack of attendance of the Senate is the reason that we were not going to be able to consider this Bill today, and in addition, some of the reasons that you gave, Mr. Speaker, if you would read House Bill 89 as it exists today, you would find that in Section 5, the one thing that you mentioned as an objection, is entirely included. It says no carrier shall be eligible for payments pursuant to Section 2, 3, and 4 of the this Act unless such carrier shall enter into an agreement with the Secretary of Transportation stipulating that fare rates and the level of services allowing for seasonal variation in effect on January 1 of '73 will remain until December 31st of '73. So this does what you question what the Bill might or might do. And Mr. Speaker I would like to point out when we're talking about discharging the duties of this House, that up until an hour or two ago, there were some 140 or 150 Members in attendance on the floor of this House. Ample membership, ample membership to be given an opportunity to vote not only on amendments, but to discharge our duties and have the Bill come up for final passage, whether it passed or whether it failed. Mr. Speaker, I think that this House is not acting in a responsible manner today.



I said that we are not doing the things under your leadership up there today, that the people have said that we should do. And I would say Mr. Speaker, that we on the democratic side, are staying here, we're going to stay here as long as you will let us stay here without adjourning on us, until we can confront this problem that does confront the House of Representatives."

W. Robert Blair: "Alright, now we have some more names that we have to...a..place..that are a..on the roll call and we'll add to that Mr. Philip. Mr. Ron Hoffman. Mr. Waddell. Mr. Rigney. Mr. Ryan. Mr. Grotberg. Mr. Malloy. Mr. J.J. Wolf. Mr. Phil Collins. Mr. Jack Lauer. Mr. Neff. Mr. Hudson. Mr. Springer. Mr. Wall. Mr. McAvoy. Mr. Kucharski. Mrs. Kent. Mrs. Stiehl. Mr. McMaster. Mr. Yourell. Are you here.

Representative Yourell: "Am I here, Mr. Speaker."

W. Robert Blair: Wait a minute I'll check the roll call. No you're not."

Representative Yourell: "Please record me as being present."

W. Robert Blair: "Alright, Mr. Yourell is here. Alright, Mr. Kelly is here. Mr. Flinn is here. Mr. Beaupre is here. Mr. Nardulli is here. Mr. Alsup is here. I'm sorry, you gettin those? Beaupre, Nardulli, Holloway, Getty, Barnes. Mr. Deavers. I got you Ron. Mr. Williams and Mr. McGrew. Mr. Hill? Hill's already here. Mr. Matijevich is here now. I have you on the roll call Mr. Shea. Mr. McPartlin is back on the scene, alright. McPartlin's here. Is Mr.



Stone here? Mr. Sharp, is he here? Mr. Sharp. Put him down. And Mrs. Macdonald is here. Mr. Clabaugh is here. Mrs. Macdonald is here. We are on a very important piece of business. There's only been once or twice in my time here that we have had a quorum call requested, and I'm trying to complete ...this very important ..request that was made by the minority leader, the question of a quorum is very serious business, and I'm tryin to get sure..make sure that everybody is on the roll call that is here, Mr. berman, do you want to be here now? Mr. Berman, put him on the call. Mr. Dunn, he's here. Ike Sims is here. Alright, does everybody here on the call now, we've got 129 members answering the roll call. Does the Gentlemen from Cook, Mr. William Walsh desire recognition?"

Representative William Walsh: "Well, Mr. Speaker, I'd just like to make the point that we have been in session since 9 o'clock this morning and it is 5:30 now and it has been a long time and we're trying to get some business done and there is clearly a quorum here and I can interpret the call of the Gentlemen for a quorum is nothing but dilatory."

W. Robert Blair: "I think the Gentlemen's point is well taken. The Gentlemen from Union Mr. Choate."

Representative Choate: "Well my only response to that Mr. Speaker, ...ah...naturally the majority leader can call it dilatory if he likes to , but I heard him admit a moment ago that he was going to be dilatory. My only response to that is that if it is dilatory, it sure produced a lot of



Republican bodies."

W. Robert Blair: "There are some more people that came in, I want to make sure that there on here. Jim Taylor came back in. Arnell is here. Tom Miller is here. Mahar is here. Mr. Alsup, for what purpose do you rise?"

Representative Alsup: "May I be excused?"

W. Robert Blair: "Yes, the journal will indicate that Mr. Alsup is excused. No. For what purpose, the Gentlemen from Cook, Mr. Shea rise?"

Representative Shea: "I know I have a motion up there and I would assume that the Clerk would call it at its proper time and we are on the order of motions. Ah.. what I wanted to do was rise on a point of personal privilege, Mr. Speaker ...a Bill that adopted an amendment that I offered, Amendment No. 6, to House Bill 89 was discussed by the Speaker when he took the floor of the House. Now if the Speaker, would you have the sole and absolute power in your hands right now, would bring House Bill 89 back to the order of third reading and then let Mr. Garmisa return it to the order of second reading for amendments. He and I have discussed it and we would be more than happy to accommodate your situation, or the situation with the commuter railroads. Now you have that sole and absolute power in your hands by the rules of the House and I would ask you Mr. Speaker, if you would now bring House Bill 89 back to the order or go back to the order of third reading and recognize Representative Garmisa for the



purposes of an Amendment and we would accomodate your request of an Amendment?"

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

Representative W. Walsh: "Mr. Speaker, we just completed a roll call on the question of changing the order of business which is what the Gentlemen from Cook is asking us to do and I submit to you, Mr. Speaker, that he is being dilatory."

W. Robert Blair: "Well, the Gentlemen's motion, the Gentlemen's motion is out of order. Yes, here's your motion right here and were on the business of motions. Yes. Mr. Shea."

Representative Shea: "Mr. Speaker. I know full well that we just attempted to get the Bill back to third reading, but you chose to take the floor of the House and very eloquently described the situation with regards to the commuter railroads and their matching problems and I have offered to accomodate you. Mr. Garmisa has offered to accomodate you, and since you have the sole power in your hands to move that Bill back to at this time, I ask the Speaker, in accordance with the rules of this House, if he would move to the order of third reading, and allow Mr. Garmisa to take his Bill back to second reading and you have that sole power in your hands right there Mr. Speaker, and we will do what you wish."

W. Robert Blair: "Do you want me to consider your motion first, or your request first?"

Representative Shea: "Just the request. If you want done what



you asked to get done... "

W. Robert Blair: "Well I asked for far more than you set out in your remarks, Mr. Shea, and you know full well that I.. offered this afternoon to adjourn ..a..now and keep our membership here and that you and others members of the leadership on both sides would stay here over the weekend and hammer out an agreement. Now ...

Representative Shea: "Mr. Speaker, you told the floor of this House that one of the things that was a problem, was the match for railroads. "

W. Robert Blair: "You're right, one of the things..."

Representative Shea; "I'm willing to accomodate to take the first step to solve this problem if you will move the Bill back, or you'll move back to the order of third reading and then allow Mr. Garmisa to offer an Amendment on second reading, we'll attempt to accomodate your request, and I think if we get back to the order of second reading, perhaps we could get the Bill in the shape it should be in and then we could pass it hopefully, and not worry whether we are again being ruled by the Senate or not."

W. Robert Blair: "Does that include the accomodations on the time change to June 30, the money change back to 16 million?"

Representative Shea: "We'll be happy to discuss ..."

W. Robert Blair: "Well, does that include that? That's what I want to know."

Representative Shea: "That isn't what you just stated ..."

W. Robert Blair: "Well, you're putting conditions to me that,



Representative Shea: "I said I would accomodate you Mr. Speaker, on your request."

W. Robert Blair: "I'm trying to find out the extent to which you will accomodate the things which we discussed. Now I don't think its the proper place to ..a..to..a.. involve in completed issues like this, if..a...at this hour."

Representative Shea: "I think that this is the proper place."

W. Robert Blair: "Well, I'm ruling your motion that is here before me, out of order, and a..I'm a...I'm not accomo- dating your request now."

Representative Shea: "Would you read my motion please". Mr. Speaker, I have a motion there. "

W. Robert Blair: "Well, there's no purpose served in reading it, you made it."

Representative Shea: "Well, I would like the Clerk to read it, I'm following the rules."

W. Robert Blair: "Alright read the motion which has been ruled out of order."

F. W. Selcke: "Motion. I move that consideration on House Bill 89 on the order of third reading be postponed until February 15, 1973 at the hour of 6:00 P.M. Gerald W. Shea."

W. Robert Blair: "And that motion's out of order. Now, consent calendar. Why absolutely, you're attempting to a go back from the order of motion, to the order of House Bill's third reading, and as the majority leader pointed out and that's exactly what we disposed of on Mr. Garmisa's request that all that motion is and its out of order."



Representative Shea; "The motion is to postpone until an hour certain, a piece of pending..."

W. Robert Blair: "The motion is out of order for the fourth and last time. Consent calendar...Senate messages..alright read it."

F. W. Selcke: "Message from the Senate from Mr. Fernandes' secretary. 'Mr. Speaker I am directed to inform the House of Representatives that the Senate has concurred with the House on the adoption of the following preamble and joint resolution to wit House Joint Resolution No. 3 resolved by the House of Representatives 78th General Assembly, State of Illinois, Senate concurring herein that when the House of Representatives adjournes on Thursday, February 15, 1973, it stand adjourn until, Tuesday, February 20, 1973, at 9:30 o'clock A.M., and when the Senate adjourns on Friday, February 16, 1973, it stand adjourn until, Wednesday, February 21, 1973, at 11:30 o'clock A.M., concurred in by the Senate, February 15, 1973.' Edward E. Fernandes, Secretary of the Senate."

W. Robert Blair: "This is a message, it's not a roll call and a message, what do you mean? Oh, all that was that it was the Senate advising us that they had concurred in the House Joint Resolution concerning adjournment. All we're doing here is receipting for that ...a..that phase. Now, Senate messages other than Bills referral to committees, constitutional amendment resolutions, and motions with regard to vetoes, general resolutions...no, what are they.."



F. B. Selcke: "House Resolution 43, Schlisler, et al. House Resolution 45, Douglas, et al. House Resolution 47, Bary, et al. House Resolution 48, Giorgi, et al. House Joint Resolution 4, Borchers. House Joint Resolution 5, Huskey, et al. House Joint Resolution 6, Borchers, et al."

W. Robert Blair: "All right. Death Resolutions."

F. B. Selcke: "Ah.. House Resolution 49, Choate, et al. Whereas this body has learned with great sorrow and death regret of the passing on Sunday, February 11, 1973 of Miss Betty Kennedy. And whereas Miss Kennedy was known by all legislators as an interested citizen. And whereas she was an astute observer of governmental workings including committee meetings, court hearings, and press conferences. And whereas she maintained a working knowledge of current events and could always be called upon to express an intelligent opinion. Therefore, be it resolved by the House of Representatives 78th General Assembly, State of Illinois, that we express our sorrow at the passing of Betty Kennedy and that a suitable copy of this preamble and resolution be forwarded to the executor of her estate."

W. Robert Blair: "Gentleman from Union, Mr. Choate on his resolution."

Choate: "Only to say, Mr. Speaker, that this is one person that for the edification of some of the members who didn't recognize her but took as deep of interest in state



government as any one person I've ever seen by an absolute attendance at every function ah.. of this House of Representatives that I can ever remember. Ah.. she died evidentially without ah.. any family at all. We didn't know where to send a copy of the resolution to is the reason that it is going to the executor of her estate and I would assume be included in her estate wherever it may go."

W. Robert Blair: "Ah.. Mr. Mann on the resolution."

Mann: "Ah.. it's a point of order Mr. Speaker."

W. Robert Blair: "Well, we're on death resolutions. I ah.."

Mann: "Mr. Speaker, non-controversial."

W. Robert Blair: "Ah.. well.."

Mann: "Really, Mr. Speaker, I just want to know what the Gentleman from Cook's intentions are with regard to the Executive Committee. Could.. could he clarify that, Mr. Speaker? I'm not going to argue with him. I'd just like to know what his position is."

W. Robert Blair: "All right. It's the request of Mr. Collings.. Well, that's what I thought we ought to do too." Question is on the adoption of.. Question is on the adoption of House Resolution 49. You want to vote? All those in favor will say 'aye'."

Members: "Aye."

W. Robert Blair: "Opposed, 'no'. Oh, I'm sorry. Dave, did you want to be heard on that? The Gentleman from



Sangamon, Mr. Jones."

Jones: "I just want to add my support to this resolution because Betty Kennedy was my immediate neighbor in the court where I live. And she did have this intense interest in government and it might be for the Members to know that her father was one of the Birdmen and was the General that developed Scott field where the POW's will be coming back to down in Belleville this next few weeks. And she does have a relative here in Springfield where this resolution should be sent to and ah.. I think that Betty Kennedy did contribute to ah.. the affairs of this legislature by this intense interest."

W. Robert Blair: "Ah.. Gent.. for what purpose does the Gentleman from Union, Mr. Choate, rise?"

Choate: "Ah.. Mr. Speaker, inasmuch as Representative Jones has just stated that the lady in question.. ah.. the departed lady in question did have a relative, I would ah.. ask leave of the House for the Clerk to change the resolution and direct the resolution to her relative and ah.. he can get the address from Representative David Jones."

W. Robert Blair: "All right. Is there objection? Hearing none.. Oh, ah.. Mr. Jones, you want to give that correction to ah.. give that change to the Clerk of that address there? He can change the resolution right now. There's leave of the House to do that. Proceed with the other.. There are about three death



resolutions. We are on that order of business. If you would then proceed. Now, wait a minute. Phil wants to make his announcement on the Executive."

P. Collins: "Ah.. yes, Mr. Speaker. In response to Representative Mann, the Executive Committee will meet immediately after adjournment and I would like to remind the Members that it's in Committee Room D-1 which is one of the new Committee Rooms in the New State Office Building."

F. B. Selcke: "Ah.. House Resolution 50, Hyde, et al. Whereas it is with the deepest sadness this august body notes the passing of Mrs. Gladys Probst of 151 North Kenilworth, Oak Park, mother of our colleague the Honorable Robert S. Juckett, and whereas the dedicated life-long Republican of hardy, sturdy, Black Hills pioneer stock, she attended a one-room school in the great American tradition. And whereas always a strong and determined woman, she raised three children and insisted upon her independence even after the death in 1961 of her husband, Edward E. Probst, of the famous architectural firm of Graham, Anderson, Probst and White, builders of such Chicago landmarks as the Union Station, the Chicago Post Office and numerous banks.. And whereas she is survived by one daughter, Betty Ferguson of Glencoe, two sons, Harold F. Juckett of Ohio, and our colleague, Robert S. Juckett, 11 grandchildren, one great grandchild, two brothers and one sister, therefore be it



resolved by the House of Representatives 78th General Assembly, the State of Illinois, that we salute a fine daughter of the prairie for her courage, independence and dedication. That we deeply regret the loss of this admirable woman and that all our sympathies are with her family and friends. And be it further resolved that a copy of this preamble and resolution be presented to the Honorable Robert S. Juckett on behalf of the family."

A. Telcser: "The Gentleman from Cook, Representative Hyde."

Hyde: "Ah.. Mr. Speaker, I move suspension of the appropriate rule and immediate consideration and adoption of the resolution."

A. Telcser: "Gentleman has moved that the appropriate rule be suspended for immediate consideration of the adoption of the resolution. All those in favor signify by saying 'aye'."

Members: "Aye."

A. Telcser: "Opposed, 'no'. The resolution is adopted. Are there further resolutions?"

F. B. Selcke: "House Resolution 51. M. K. Anderson, et al. Whereas it is with profound regret that this body notes the passing of one of Illinois' most compassionate and respected congressmen, Leo E. Allen. And whereas an ever true Representative of the 16th District, Congressman Allen never failed to listen to, advise and assist his constituents whenever possible and is remembered with affection by all who knew him. And whereas during his



service in the U. S. House of Representatives from 1933 to 1961, he devoted his time and energies to his duties as Chairman and ranking Republican of the House Rules Committee with tireless determination. And whereas he served America and his state without waivering under three presidents, Franklin D. Roosevelt, Harry S. Truman, and Dwight D. Eisenhower. Therefore, be it resolved by the House of Representatives, 78th General Assembly, State of Illinois, that we salute the memory and many achievements of Representative Leo E. Allen, and his dedicated service to the 16th Congressional District. His state and America have become an intrigal part of our history. And that express our deepest sympathy to his family and friends. And be it further resolved that a copy of this preamble and resolution be presented to the Galena Hospital Tribute Fund."

A. Telcser: "Gentleman from Cook, Representative Walsh wish to move its adoption?"

Walsh: "Mr. Speaker, I move the adoption of the death resolution."

A. Telcser: "Representative Shea, for what purpose do you rise?"

Shea: "I'm sorry. I too would like to join and the Members of my side of the aisle would like to join in this. But I just want to make sure that the Clerk didn't read that the House would stand adjourn when we adopted this resolution, did they? I just want to make sure that that



wasn't part of the resolution."

F. B. Selcke: "The last resolve, Mr. Shea, was that a copy of this preamble and resolution be presented to the Galena Hospital Tribute Fund."

Shea: "Thank you."

A. Telcser: "Further discussion?"

F. B. Selcke: "What?"

Shea: "There is nothing about the House.."

F. B. Selcke: "Nothing."

Shea: "Thank you."

A. Telcser: "Is there further discussion? Gentleman has moved that the appropriate rule be suspended for immediate consideration of the adoption of the resolution. All those in favor signify by saying 'aye'."

Members: "Aye."

A. Telcser: "The opposed, 'no'. The resolution is adopted. Representative Yourell, for what purpose do you rise, sir?"

Yourell: "Ah. Thank you, Mr. Speaker. I as the chief sponsor of House Bill 260, I would ask leave to ah.. add Representative Shea.. ah.. Shafer's name to that bill.. Representative Schraeder."

F. B. Selcke: "House Resolution 52. Waddell, et al. Whereas in the due course of time and seasons, each of us will have stayed our time on this earth. And whereas Joseph Frett of 2204 West Johnsburg Road, McHenry, has stayed his time and now departed leaving those of us behind



a little sad but very gratified to have known him. And whereas a life-long resident of McHenry, Joe, married the former Sue Froin and settled down to raise two sons, Walter and Robert and two daughters, Cynthia and Nadine who gave him 11 grandchildren. And whereas a civic minded man he was a strong and trusted member of the McHenry business community, a dedicated Republican and a solid member of the John Burke Community Club and the Elk's Lodge in Woodstock. And whereas sport and in particular basketball were very important to Joe and kept him occupied in his free time as player, manager and booster of John Burke's teams throughout his life. Therefore be it resolved by the House of Representatives 78th General Assembly, State of Illinois that Joe Frett is and will be missed by family, friends and all who knew him. That the sports world has lost an enthusiastic fan and a powerful supporter and that we speak for McHenry and the entire state in mourning this loss. And be it further resolved that a copy of this preamble and resolution be presented to the family."

A. Telcser: "The Gentleman from Kane, Representative Waddell."

Waddell: "Ah.. Mr. Speaker, I move its adoption."

A. Telcser: "Gentleman has moved for the adoption of House Resolution 51. All those in favor signify by saying 'aye'."

Members: "Aye."



A. Telcser: "Those opposed, 'no'. The resolution is adopted. Representative Collins, for what purpose do you rise, sir?"

Collins: "Ah.. Mr. Speaker, I move that this House do now adjourn."

A. Telcser: "All those signify by saying 'aye'."

Members: "Aye"./

A. Telcser: "The opposed, 'no' and the House stands adjourned."

