

STATE OF ILLINOIS
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hereby declared passed. House Bill 831, Representative Hudson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 831, a Bill for an Act to amend Sections of an Act in relation to terms, conditions and provision in contracts of employment, Third Reading of the Bill."

Speaker Collins: "The Gentleman from DuPage, Representative Hudson. Please give the Gentleman a little order."

Hudson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In keeping with a promise to my constituents, my colleagues here in the House and as a matter of conviction I bring before you a measure, I believe, to be worthy of your attention, your consideration and your support. This proposal is in a very real sense a link in the chain of American liberty. This measure does in a very real sense epitomize the age old struggle between compulsion and freedom. House Bill 831 simply provides the first Amendment right of our citizens to associate or to refrain from associating in a labor union. House Bill 831 would make it contrary to public policy in Illinois for any individual to be required by contract or agreement to become or remain a member of any labor organization or any employer organization as a condition of employment., this of course, is a right to work proposal offered in a straight forward manner and without ranker or ill will toward any of my colleagues to whom the merits of this concept may seem obscure. ...all you have my hopes for a clearer vision perhaps or for enlightenment for a firmer resolve but you will never have my lack of respect for your right to vote your conscience on this issue. House Bill 831 is designed to protect by law the rights of an individual who may not chose to join a labor union or employer organization. By statute it is already contrary

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to the public policy in Illinois for either employer or employee to contract or promise not to join, become or remain a member of a labor union or employers organization. Were you aware of this? By statute it is already contrary to public policy for employer or employee to agree to withdraw from an employment relation in the event he joins, becomes or remains a member of a labor union or employer organization. Thus, we observe the employee protected by law in his right to join the union and to remain a member of a union but we look in vain for the commensurate right to refrain from joining a union if the contract stipulates the closed or union shop. So, why should there not be one further protection? Oh, leave the others in place, of course, but one further protection add just one more item and that is that it shall also be contrary to public policy, holy void, not enforceable in court, etcetera for either party employer or employee to be required to become or remain a member of a labor organization or any employers organization as a condition of employment. This seems fair. It provides freedom of choice for the worker. It not only seems fair, it is fair. The worker joins or doesn't join but either way he has a job. The union gains because its members are on the rolls paying dues, contributing to Pension Funds and all of the rest of it not because he or she is forced to but because that employee wants to. Because they see in their membership something they really believe is worth having and keeping voluntarily. Of course, this voluntary membership would test the union's metal. Of course, this voluntary membership would require responsive and responsible union leadership, but is that so bad? I don't think so. Why not give the Illinois worker this fundamental right of free choice? Now, I want to say something to the Members on the

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other side of the aisle and I hope they'll listen. Because in the past twenty-four hours I've heard a great deal of rhetoric over there. One Gentleman whom I respect very much, stood up this afternoon and he said, 'its' our duty on this side of the aisle to stand up for traditional liberties'. That's what he said. It's our duty to stand up for traditional liberties. Well, if that's so, I say the time has come, my friends, let's stand up for those traditional liberties. And I happen to believe and thousands of other people happen to believe, too, that one of those traditional liberties that we talk about and we boast about and were so eager to defend is the right of a man and woman, a man or woman to either join or not to join the labor organization. Why should anyone be forced to join a labor organization as a condition of employment. What makes that so right? Why isn't that one of our traditional American liberties that they talk about on the other side of the aisle? I happen to think it is an I happen to think it's worthy of your support. And I would solicit your votes, my comrades, over there and over here. I would solicit votes from any one of you that believe a worker has rights and those rights ought to be protected. This is your opportunity and I earnestly solicit your vote. I ask you to search your hearts. I ask you to search your consciences and I urge your support for House Bill 831."

Speaker Daniels: "The Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, perhaps an explanation of the labor laws in this country would be appropriate at this time so that we can understand what we're voting on here. In 1935, the Wagner Act, the NLRA came into existence giving workers throughout this country the right to organize bargain collectively and

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strike if they so disagreed with their employers. The Taft-Hartley Act passed in 1947 severely limited the NLRA Act which was passed twelve years earlier and let me explain to you the rights and privileges of employers and employees under that law today. If you wish to have a union at a particular plant, you vote on it. We live in a democracy. You vote to have a union or not to have a union. If the majority of workers at a plant vote for a union then they can be recognized and represented by that union. They also have the right after they are represented by that union to bargain with their employer over a contract. That contract may require that workers who are hired by the employer pay union dues after being there for thirty days. Let me repeat that. They have to pay union dues after being there for thirty days. Taft-Hartley says 'that they may tender dues and that is all'. In other words, if a worker who is against a particular union refuses to go to union meetings, refuses to honor a strike called by his union, goes on a wild cat strike on his own and causes his union to be penalized, does everything in his power to not be a member in good standing with his union he cannot be fired by the employer. The only thing that is required of that employee is to pay union dues, to pay his fair share. Now, why is that important? It is important because federal law requires that the union, if a union is voted in, federal law requires that that union represent everyone at the plant. They must negotiate fringe benefits, salary increases, holidays, all of their benefits. Not just for union members in good standing but for everyone at the plant. If someone has a grievance they must represent that person at grievance hearings against the employer. Since there are associated costs that the union has in negotiating contracts and representing people

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at grievance hearings unions feel that workers who share in the benefits of a union should pay for the cost associated with the union. And that's all the law says. That there can be no free loaders at a given plant. That since everyone benefits from a union everyone should pay for the cost of that union. You might compare this to a local village that has a referendum on whether or not they should build a new firehouse. Those people that vote against referendum, if it passes, are none the less obligated to pay their taxes. They are not allowed under our system of government to enjoy the benefits of a new firehouse without paying for it. We do not allow free loaders in Democratic voting nor do we allow free loaders at our plants under present law. You might ask, who is for this law and who is against it. Without boring you I have a couple of interesting letters I thought you might enjoy hearing from a couple farmers. This is from one farmer speaking about right to work. It says, 'I remember when we had no organized labor. Haircuts cost fifteen cents but people couldn't buy haircuts. Shoes cost two dollars and fifty cents a pair but no one bought shoes. Hogs sold for two sixty-five a hundred weight but you couldn't sell a hog. You know why? Because they weren't paying near enough in the cities. They wish to divide the farmer against the worker but we're all the same. We all work for our living. Unions are people and they make our country stable. Without them we'd have hard times again. People often forget that unions are just people who work, earn a living, buy homes, and eat the food that farmers grow. What exactly does the role the unions play in our society? You might be interested to know there are sixty thousand local unions in this country that negotiate one hundred and fifty thousand contracts every year for working men and women.

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Without those negotiations wages would be set in two other ways. You can set wages arbitrarily as was done in the 1800's by employers or you can have the state set wages. So unions in this country today serve as a mediating agent between employers and employees and without them our economic society would not be as it is today. It is recognized in those countries in the world that are not free that the first, the first forms of organization in the society that must go are unions. Whenever we have totalitarianism in this world we do not have unions because they recognize that unions protect the workers against the state and that unions protect the workers against the employers'. I think it's interesting today as I said the other night that the world today applauds the success of the trade union movement in Poland. And yet, the Republican Party in Illinois attempts to destroy or weaken the trade union movement in this state. That is what this Bill is. It's a right to work Bill. It's a right to work for less, less benefits, fewer holidays, longer hours, less pay, no dignity. That's what right to work stands for. That's what it has always stood for and that's why a million trade union people in Illinois have opposed it. I said the other day, I said yesterday that this was a vicious attack by the Republican Party against working men and women and some people stood over there and said, 'no these unemployment Bills don't hurt much'. And they'll stand up today and say right to work really doesn't hurt that much. And they'll say the Bill on the calendar that requires one year notice to strike doesn't hurt much and the Bill on the calendar that cuts unemployment benefits by forty percent doesn't hurt much and the Bill on the calendar that turns Worker's Compensation back to the 1890's doesn't hurt very much and on and on and on. Repeal

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the prevailing wage. Repeal of the 'Scaffold' Act. Never in a hundred years have we seen such an attack by the Republican Party on working men and women. And this the worst. Right to work in Illinois should not be debated. If you want to debate it you should go to Mississippi or Arkansas or Louisiana. But in a northern industrial state, in a state where Abraham Lincoln came from, in a state of a million AFL-CIO union workers we should not debate right to work. We should not discuss it. We should not give it to consideration to be on this House floor. We should destroy it now and forever. I ask for a 'no' vote."

Speaker Collins: "I would remind our guests in the gallery that our rules prohibit demonstrations. The Lady from Cook, Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. That was indeed an eloquent speech and I want that speaker to know that Representative on the other side of the aisle that I stand here, not as a Republican representing the Republican Party but as a free citizens of this country that feels that that freedom is indeed inherent and should be extended to every single worker, every single person in this country. I certainly do conceive that early in this century that the unions played a very very vital part in the development of the industry and the industrial help of this country. Carl Sandburg wrote of Illinois some very eloquent lines portraying us as one of the giants of the industrial world. And since I have been an elected official in this General Assembly for ten years I have seen deterioration of that strong relationship and that strong partnership between business and labor. And I have become very alarmed. When I first came down here I really did not take the strong position that I take today. And I guess that we all can interpret

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how we feel about this issue in different ways and possibly we could equate it with beauty as in the eye of the beholder. To me, mandatory union dues are nothing more than the poll tax was that was eliminated by the fourteenth Amendment of the Constitution. I feel very strongly that working men and women would not be writing to me during the strikes that have occurred. Those men and women who live in my district and have asked me to remain anonymous but to have urged me to go forward with my plea on their behalf. To eliminate the, apparently the oppressive leadership of their unions and to go forward to seek a right to work status for the State of Illinois. I hold no malice. I certainly grant everybody who believes strongly and who has benefited from unions in this state and in this country and I would like to see us come back to a working relationship on the basis that we have always enjoyed in this country. But apparently there is an aggressive and an obsessive movement in the labor world and particularly among the leaders that is really not serving the best interest of their members. And it is because I do respect working men and women that I would like to see them have an inalienable right continued to be extended to them and that is their right to choose whether or not they should join or not join the union. I only will end by saying to you that in a time when transportation at all levels is in such jeopardy and such a crisis and I have served on the special Committee and I have heard union leaders say that they cannot renegotiate their labor unions when I have seen my son-in-law works for an airline and I have seen that certain airlines cannot and are on the brink almost of bankruptcy and cannot make any changes because of union opposition. And when I on the other hand see that Delta Airlines who has, is not a unionized airline, is alive and

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well and prospering and making profits and sharing those profits with their employees as any company should. I can say that they're indeed are two sides to this issue. There are twenty states and admittedly they may not be strong, industrial states but I will tell you they are becoming strong, industrial states because of the oppression of right to work, lack of right to work in this state and also Workmen's Unemployment Compensation that is driving the business and industry of this state to those very states who are right to work states. So I would say to you and I am not speaking for the Republican Party because there are many Members on my side of the aisle who will not vote for this particular issue. But I am saying that I ask you with caution those of you who have influence with your labor leaders and with your people, I ask you to join with this state to keep us alive and well and for us to go back to a kind of partnership where there is understanding instead of the system that has occurred. I ask you to think about this and to vote your conscience and to support this very fine Bill. A very sincere man who has worked for a long, long time to bring right to work to Illinois."

Speaker Collins: "The Gentleman from Bond, Representative Slape."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The previous speaker said that she spoke as just an independent citizen. I'd like to speak to the House today as a person who views himself as a historian and point out the basic fault in this Bill or the basic mistake in this Bill, is that the Sponsor is trying to address the labor movement on May 15, 1981. This is incorrect assumption to take in addressing the labor movement in the State of Illinois or in the United States of America. The labor movement has to be viewed as a continuum that started back with sacrifices that have been made in this state and other

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states of this country over a tremendous number of years. A lot of people, I'm sure, have given the opportunity to go into a plant would probably select not to join the union. But you should ask the basic question, why do they go to that plant in the first place? They went to the plant because it had the highest wages in the area. It has the best fringe benefits. It has other contract concessions that have been made to the workers. Not by the people that are probably even working in that plant at that time. But by concessions that have been won, by labor movement in the State of Illinois over the last sixty and seventy years. To say that we're going to defend one person on May 15, 1981 and say that he should have the right not to join the union, it's going back and forgiving all the work and all the sacrifices that have been made in this country by people years ago in the thirties when people stayed out of work for weeks and months at a time, gave up wages so they could have conditions of better working procedures in their plants. It's to forgive all those, all those sacrifices that have been made by the workers. I would urge a 'no' vote on this Bill because I think it addresses the wrong problem in the State of Illinois at this present time. Thank you."

Speaker Collins: "The Gentleman from Effingham, Representative Brummer. Representative Bradley."

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

Speaker Collins: "The Gentleman has moved the previous question. The question is, shall the main question be put? All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. Representative Hudson, to close."

Hudson: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, we've heard some interesting testimony here this afternoon. Some of it true, some of it myth. House Bill

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831 will not, as it's the implications are, destroy the labor movement in Illinois. It will loosen the union leaders strong hold on the throats of the working man and woman in Illinois. A stranglehold that has helped drive hundreds of businesses out of Illinois and I don't say solely but I say it has helped drive hundreds of businesses out of Illinois and into twenty other states, many in the Sun Belt. States that have a right to work and which give employees the freedom of choice. It should be noted that a, that right to work states posted in that population gain of over three million citizens between 1970 and 1977. Right to work states showed a total gain of over a million, well over a million jobs between 1968 and 1978, while compulsory union states lost four hundred and eighty-one thousand six hundred jobs. There is a greater disposable income in right to work states so right to work is not right to work for less but right to work for more. When local costs of living and taxes are taken into account there is lower unemployment in right to work states. The jobless rates were nearly two percentage points below compulsory union states throughout the seventies and I would have just a few closing thoughts for you, Ladies and Gentlemen. A voluntary organization of workers united for self help is stronger than one composed of unwilling, disgruntled or recalcitrant workers. Now we've heard in times past about the free rider argument. It is said that the members who are not, those citizens who are not members of the union become free riders. They have the benefit of the policies in the contracts promulgated by the union and the management but they pay no dues but I'm going to say in many cases those people are not free riders. They are captive passengers and they are captive passengers on the union bus and they have to pay dues. Only part of which is

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used for negotiation contracts and what you would say would be legitimate union business. The rest of the money, the rest of those dues go for political campaigns, social and economic propaganda and all the rest of it and it is to that that many workers object. But, nonetheless, they are compelled to contribute whether or not he is convinced that all of these things are to his benefit. Now, I will maintain that what I'm proposing today is not anti-labor and I don't believe it is because it provides that any employee shall be free from employer coercion just as well as any other coercion. To join or not to join the union. How can a law be anti-labor that sustains freedom of labor. The union leaders seem to be saying that if the union approves of employer coercion then it is anti-labor to insist that the employee be kept free from the tyrannical use of the employers power. Against which unions have always claimed to be the sworn enemy. Finally, the concept of freedom, and I hope you will hear me out if you haven't listened to anything else, my colleagues, and I will say my esteemed colleagues, I wish you would listen but the concept of freedom is tenacious. It is persistent. It is enduring. And it is part of our heritage and I was shocked, frankly, I was shocked to hear one of my colleagues and get up on, get up on his feet and say that this an issue that shouldn't be debated, shouldn't be debated here today. I thought we came down here to debate any legitimate and reasonable issue. I don't consider that to be a concept of freedom and liberty. When a man stands up one of my respected colleagues stands up and says we shouldn't debate this. This shouldn't be talked about. I don't understand this. Any issue, it seems to me, of reasonable import should be talked about and debated here in this hall and in this chamber. So I say right to work

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is freedom concept. It will not fade away and it cannot be wished away and it cannot be voted away permanently. Maybe today but not permanently. And should it be defeated here today I caution the opposition against exultation because eventually right to work will be the law in Illinois. Eventually our business organizations will find in right to work a cause they too can vigorously support, and I say vigorously support. Labor unions will eventually view right to work as an ally and it can be. It doesn't have to be an, their enemy. They will view it as an ally not an enemy and yes, the people's Representatives, those of us in chambers such as this, those of us in public office will some day be voting for this, if not today. But we do have a chance today to do just that and I urge you, my colleagues, to vote for House Bill 831."

Speaker Collins: "The question is, shall this Bill pass? All those in favor will indicate by voting 'aye', those opposed by voting 'no'. The Gentleman from Kane, Representative Murphy."

Murphy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As long as we're talking about labor unions let's talk about the heart of what they've done. They've led to fight, they've led to fight for education, liberty institution that came along and pushed republic education. They led the fight. They led the fight on civil rights. These people that look at us out here and say that the labor people are out to take business. I am very disturbed at some of the statements that were made here during the week, that they aren't trying to hurt labor. All the legislation that came out of the Labor and Commerce Committee has been detrimental to the working man. They said it wasn't a public policy of either party. If you'd have been in at the Committees and I heard some people

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around here saying something about the Committees being greased you should have been in that one. That was pretty well greased. That's why you're debating this one on the floor today."

Speaker Collins: "I would ask everyone to look at the Board and before they ask to explain their vote.. The Gentlemen from"

Murphy: "And vote 'no'."

Speaker Collins: "The Gentleman from Wayne, Representative Robbins."

Robbins: "I'm going to join all of my good colleagues that are voting 'no' on this Bill because I believe that we must keep the people to where they have to provide money for the unions so that they can try to defeat me next election so I can spend my time with my family as I travel to various states where they make more money than they do in Illinois and where they are working at factories that are not union because the union refused to back them when they were on strike two years in Mt. Vernon, Illinois and they brought scabs in and backed the company scabs. I think they should be proud of themselves and I don't think they, a person should have a right to work law on this state. I think we should continue to move industry out and keep them here where they have to work for lower wages in, where they own their own homes so that the business agent can have a new car for getting a good contract from the company. Thank you."

Speaker Collins: "The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, I hope this shows that finally even most of the Republicans and the people in this state have rejected scab labor and going back to sweat shops in the State of Illinois. This is only one of the

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labor votes, only one of the issues and I hope labor realizes that. I hope they'll wake up and see who their friends are and realize there are many issues that surround this particular one. And many issues which they need to vote on for the people who support them. I'm happy to see this is going down the tubes where it ought to be. It's not been here for a vote. Positively for 45 years and I hope it doesn't come back in 45 years. A 'no' vote's the only vote anyone could cast that's ever seen what unions have done to help people in this state and country. I'm proud to be from a union family of three generations and proud to be a Democrat who supported unions and I'm going to on every Bill. Not just this one."

Speaker Collins: "The Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, it would be amusing if it were not so sad to see that the labor leaders in this state are so terribly afraid of competition."

Speaker Collins: "The Gentleman from Cook, Representative Kelly. (Dick)"

Kelly, Dick: "Thank you, Mr. Speaker. I'm not so much to speak on the issue I supposed as to call for a point of personal privilege. I know that the Sponsor had, is who I respect very much, had accidentally listed the name of Dick Kelly on this Bill as a Cosponsor and the, instead of my colleague, my fellow Kelley across the aisle. And I know the Clerk has made every opportunity to correct this problem but I am still getting calls from individuals obtaining Bills from up in the Bill Room and I'm listed on numerous publications throughout the United States as a Cosponsor. I am not only a Cosponsor but I am a very strong opponent of this legislation. My entire background, my family was in the union movement when I was born. I

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feel very strongly on the issue and I wanted for the record that I am very much in opposition to this legislation."

Speaker Collins: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, it's obvious this isn't going to pass but I think maybe it should be a signal to those who are the heads of the unions of this state that it's about time they start taking a look around to see some of the things they've been doing wrong. Otherwise, this Bill would not have progressed this far. It's about time, for example, that they start, ...quit protecting the dead beats who are hiding behind the labor unions and start getting around to increasing production so that we don't have to worry about Japanese imports. I think also it's wrong that they support Bills which make it a better deal to sit your hind end than it is to work and they end up paying the Bill for it. So hopefully this will have a good effect even though it does not get the number of votes to pass it."

Speaker Collins: "The Lady from Cook, Representative Stewart."

Stewart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I remember once, quite some time ago now when I was first made aware of the whole concept of right to work and I thought well, my God this is a misnomer if I ever heard one. I would hope that the, that the positive defeat of this Bill by such an enormous margin would help to reassure those of us in this House that, yes, Illinois is a state that is committed to unions that before we had unions we had other subjugation of working people. We had children in sweat shops. We had adults working for nothing. We were, in fact, one step above slavery and that can be argued. I would hope that people on both sides of the aisle would take a good look at the number of red votes on

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that Board and understand that the people put those red votes up there, committed to them and that's not going to change. And perhaps we would not have to waste time on this kind of (cut off)."

Speaker Collins: "The Gentleman from Cook, Representative Jack Dunn."

Dunn, Jack: "Mr. Speaker, Ladies and Gentlemen of the House, I think that the vote up there shows that the Republican Party should not be stereotyped as being against labor unions. That was said a little bit earlier and I submit to you that the labor unions have done more to raise the lot and the dignity of the working man than anything else in this century. The Sponsor said give the people their liberties and I say we had a world without worker protection. It didn't work. We had abominable working conditions and wages. The entire standard of American living is raised by the union environment. The only liberty we would see are the ones being taken by the employer. Thank you."

Speaker Collins: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, I think the record ought to show that this House has more respect for people who might want to burn books or for people that want to dance together than they have for Hudson's right to work law and it seems like the (cut off)."

Speaker Collins: "The Gentleman from Lake, Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, my grandfather was the first president and organizer of the Brotherhood of Electrical Workers in Milwaukee and the people joined his union because they thought it ...I'm sorry if there's some people that don't want to hear

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anything. The people joined that union because they thought it was right and because it was good and because it stood for things they believed in and in those days they called them free trade unions not slave trade unions. This Bill here is not going away, Representative Stuffle. This is the wave of the future. Union membership is dropping. I think if you just look at the teacher unions you'll see in the teacher unions more and more teachers choose because they're educated people with a conscience they choose not to join that union when that union is representing something that they think that's wrong. I happen to know that because I'm married to a person who's chosen not to join a union with fellow teachers because that union was down here doing something wrong. Just today the Democrats and Republicans in this House had conferences to discuss matters that were contrary to the conscience of individuals members and Democrats on that side of the aisle (cut off)."

Speaker Collins: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Mr. Speaker, I move the previous. Take the record."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Bill there are 25 voting 'aye', 138 voting 'no', five voting 'present' and this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. House ...House Bill 835, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House 835, a Bill for an Act to amend Sections of the Illinois Horse Racing Act, Third Reading of the Bill."

Speaker Collins: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 835 is legislation that