

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

SECOND SPECIAL SESSION - FOURTH DAY

JANUARY 5, 1973

1:13 O'CLOCK P.M.

THE HONORABLE W. ROBERT BLAIR,

SPEAKER IN THE CHAIR



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

A Roll Call for attendance was taken and indicated that all were present with the exception of the following:

Representative Webber Borchers - no reason given;
Representative George M. Burditt - no reason given;
Representative Charles W. Clabaugh - no reason given;
Representative Otis G. Collins - illness;
Representative Lawrence DiPrima - illness;
Representative Dyer (Mrs. Robert C.) - no reason given;
Representative Joseph Fennessey - no reason given;
Representative Benedict Garmisa - no reason given;
Representative Harber H. Hall - no reason given;
Representative Gene L. Hoffman - no reason given;
Representative Thomas R. Houde - illness;
Representative Henry J. Klosak - no reason given;
Representative James G. Krause - illness;
Representative Edward Lehman - illness;
Representative George W. Lindberg - no reason given;
Representative Michael J. Madigan - illness;
Representative Robert E. Mann - no reason given;
Representative Louis A. Markert - no reason given;
Representative Bernard McDevitt - no reason given;
Representative James D. Nowlan - illness;
Representative Romie J. Palmer - illness;
Representative Matt Ropa - no reason given;
Representative Eugene F. Schlickman - no reason given;
Representative David C. Shapiro - illness;
Representative John W. Thompson - no reason given;
Representative Gale Williams - no reason given.



Doorkeeper: "All who are not entitled to this House Chamber, will you please retire to the Gallery. Thank you."

Hon. W. Robert Blair: "The House will be in order. The invocation will be by Doctor Johnson."

Johnson: "We pray. Almighty God, gracious Father, you have once again restored light to our world, enabling us to live out another day of our life. Give us grace, Oh Lord, this day to live it well. Open our eyes to the wonder of your presence and to the kindness that surrounds us on all sides. Above all, give us a renewed vision of our purpose in life, so that this day we might serve in carrying it out. Send us a fresh measure of Your spirit this day; that we may avoid all false choices and walk unhaltingly the way you would have us go. Whenever we stand in doubt or in uncertainty, inview us with the good sense not to forget you, our creator and redeemer, but to turn to you for guidance and direction, granted I may so conduct myself this day, that at its end you may be able to say 'well done, good and faithful servant'. In the name of Him, who served us, we pray. Amen."

Hon. W. Robert Blair: "Roll Call for attencance. Senate Bills, Second Reading. Oh, gentleman from Cook, Mr. Kipley."

Kipley: "Ah... Mr. Speaker, would you please have the records show that Representative Nowlan and Representative Shapiro are absent because of illness."

Hon. W. Robert Blair: "The Journal will so indicate. Gentleman from Cook, Mr. McLendon."



McLendon: "Mr. Speaker, will the records show that Representative Otis Collins is hospitalized and would like to be excused."

Hon. W. Robert Blair: "Journal will so indicate. Gentleman from Union, Mr. Choate."

Choate: "Will you please have the Journal show that Representative Krause is still hospitalized."

Hon. W. Robert Blair: "The Journal will so indicate. Gentleman ah.... from Cook, Mr. Ike Sims."

Sims: "Mr. Speaker, will you please have the Journal to show that Representative DiPrima is absent because of illness."

Hon. W. Robert Blair: "The Record will so indicate. The gentleman from Cook, Mr. Barnes."

Barnes: "Mr. Speaker, may the records show that Representative Collins is also out because of illness."

Hon. W. Robert Blair: "Yeow, the records will so indicate. Otis Collins, right. All right, Senate Bills, Second Reading. Gentleman from Cook, Mr. Brandt. The Journal will indicate that ah.... Michael Madigan is ah... ill... is absent because of illness. All right, Senate Bill 1."

F. B. Selcke: "Senate Bill 1. An Act to amend Section 1 of an Act concerning fees and salaries and to classify the several counties of this State with reference thereto. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor?"

F. B. Selcke: "Amendment No. 1, Roscoe Cunningham. Amend Senate Bill 1 by striking the enacting clause."



Hon. W. Robert Blair: "Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Mr. Speaker, Members of the House. Senate Bill

No. 1 is described as a Bill to fix the salaries of various State officials in the Executive Branch, but make no mistake about it, it's a Bill to raise the income tax or the State sales tax. Now there are only seven State employees involved in this Bill, and the combined annual increase on the taxpayers back is only \$75,000 per year, but the fact remains that there are a great many more employees in the State of Illinois, 113,491 to be precise, and if each of these 113,491 were to receive an annual salary increase, 1/10th, only 1/10th as large as is proposed here, the increase on the State budget would be one hundred million dollars. Is there one among us, who doubts for a moment, that if this Bill is passed, that there will be an irresistible demand made on behalf of all of these other equally deserving State employees for a comparable raise, and the fact that if this raise were granted, the budget could not stand it without an increase in the sales tax or the income tax needs no laboring. In the situation at hand, these seven people neither ask or demand the raise that is sought to be forced upon them. Indeed as to the highest priced man involved, it's mere tokenism, because he has demonstrated an ability to receive far larger sums of money from other employment, and none of us should be unduly concerned about our esteemed colleague. It's nonsense to say that he will go with payless days if we do



knuckle under. In the situation that we're presented, we hear the argument that somehow, an increase in salary would increase the caliber of public officials. That's an ill-concealed insult to the present office holders, who ran for the office, knowing what the salary was going to be in that office after they were elected. We should recognize in this situation that it is not the prerogative of an outgoing General Assembly or an outgoing Governor to booby-trap the fiscal solvency of the State of Illinois in the manner that's threatened, and I would hasten to add that my comments are not intended in any manner to be critical of the Governor. None think more highly of he than I. I think he's the best Governor and the poorest politician that we've had in Illinois for a great many years. The Amendment that I offer here today for you will solve all of these ills that I've enumerated in a manner that will make you glad tomorrow that you voted for it and when you get back home this evening, among your constituents, you will find it very easy to explain how you voted and why you voted for this Amendment. If you vote against my Amendment, and if you vote for this Bill, it carries with it the implied promise that you will vote for an increase in the income and sales tax, that its adoption will surely necessitate. I am not prepared to make that promise, and so I'm going to vote for the Amendment. You should ask yourself, at this time, whether you are prepared to make the promise, the implied promise, that you will vote for



an increase in sales and income tax rates, and if you are not prepared to make that promise, either, then you should vote for my Amendment. And you'll be glad that you did. Thank you."

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

Pierce: "Mr. Speaker, on the Amendment, I heard the ah....

Gentleman from ah... Lawrence say that we would have no protection against an increase in the Income Tax. if we passed this Bill in its present form. I want to inform him that he and the taxpayers of Illinois have protection against an increase in the income tax, and that is, the Members on this Side of the aisle, when your present Governor, asks for a 4% tax on individuals, fought him and reduced that to 2-1/2%. And that was done by the leadership on this side of the aisle, our Minority Leader, and the other Members. So the taxpayers of our State have protection. They have Governor-elect Walker, who is opposed to any increase in Income Tax or Sales Tax. They've got the Members on this side of the aisle, who fought the 4% Income Tax on individuals and forced the Governor to agree to reduce it to 2-1/2%. We don't need this Amendment. It's extraneous. The State officials, including George Lindberg, deserve this increase, and this Amendment should be defeated."

Hon. W. Robert Blair: "Further discussion on the Amendment?"

All right, the question is, shall Amendment No. 1 ah.... to Senate Bill 1 be adopted. All those in favor, say 'aye'.



opposed 'no'. The 'no's' have it and the Amendment fails. Yes, our there any..... The gentleman is right. He's asking for a roll call. He now has Mr. Neff and Mr. Richard Walsh and Mr. Walters and Mr. Gibbs. All right, question is, shall Amendment No. 1 be adopted. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 92 'nays' and 9 'yeas' and the Amendment fails. Are there further amendments? Second Reading. Third Reading. Senate Bill 2."

F. B. Selcke: "Senate Bill 2. An Act making a supplemental appropriation to the pay of certain officers of State government. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor?"

F. B. Selcke: "Amendment No. 1. Roscoe Cunningham. Amend Senate Bill 2, by striking the enacting clause."

Hon. W. Robert Blair: "Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Mr. Speaker, Ladies and Gentlemen of the House, I'll not trouble you with repeating all the things that I said... Woop, hold it, just a minute, and I'll be through. I did want to answer the Statement that had been made as the protection from other elected officials. The final responsibility rests with us here as to whether or not we're going to burden the People with increased taxes. We have the responsibility. We can't shift it to others and we can't make it a partisan dodge. It is remarkable



that those who argue in favor of fuller committee hearings do not feel the need to be stand up and be counted when it is the responsibility of the individual representatives to reflect the thinking of their constituents. I take the pulse of mine and I trust you take the pulse of your's, but we're not getting the same reading. You should re-consider and on your vote and vote on this amendment."

Hon. W. Robert Blair: "Further discussion on the gentleman's Amendment. Do you desire a roll call vote? No roll call. All right, all those in favor, say 'aye', opposed 'no'. The 'nays' have it and the gentleman's amendment fails. Are there further amendments? Third Reading." Senate Bill 3."

F. B. Selcke: "Senate Bill 3. An Act to amend Sections 1 and 2 and the title of and to add Section 4 to an Act to provide for and affix a compensation to Members of the General Assembly of the State of Illinois. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor?"

F. B. Selcke: "Amendment No. 1. Neff. Amend Senate Bill 3 on page 2, line 25, by inserting immediately before the period the following: But no member may receive such allowance for more that 125 days in any calendar year."

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

Neff: "Mr. Speaker, and Ladies and Gentlemen of the House, Amendment No. 1 to Senate Bill 3 would limit the number of days to 125 days for the ah... per year, for any



calendar year. Now in the past, I think the most we've ever served down here is 105 days. I don't think this will hurt the operation of the legislature. I don't think we should ever need a hundred and twenty-five days. But I do think to protect the public and so forth, on this extra cost, that we definitely need some kind of ah... limitation on the number of days down here and ah... I would think that all of us would support this Amendment."

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

Lechowicz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. This was brought up in our caucus yesterday, and the President Pro Tem of the Senate advised us that the dollar appropriation is really a limit and the figure which is being used within the Bill itself is an approximation of approximately 120 days. So I would hope that the House would not accept this Amendment for the reason being that the possibility of the Bill's being in jeopardy, if an Amendment is attached to it in this House, and being sent back to the Senate, as far as the total number of Members being there. I think the dollar appropriation is a maximum and what was told to us yesterday in our caucus that the figure, formerly used, was approximately 120 days."

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

Collins: "Ah.... Mr. speaker, Ladies and Gentlemen of the House. Rising to oppose this Amendment, I would like to suggest to the gentleman that he is perhaps in error on his ah..."



amount of days that we will be and have been in session. If I remember correctly in 1971, we were in session approximately 150 days or better, counting the recess session when we came back for two months after our Regular Session so I would suggest that it is unrealistic to try and put a limitation at 125 days or at any point when the ah... very real possibility may exist that we may be in session much longer than the limit suggested. Ah.... I share or I could share some of his fears, but as this Bill ah... this per diem would pertain, but I think we'd be making a severe mistake if we would attempt to put such a limitation on this Bill. Therefore, I think that perhaps ah... a separate Bill might be considered in the next session on this Subject, but at this time, we would be making a mistake to attempt to place this limitation on it, and I would urge all Members to vote against this Amendment."

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

Hyde: "Well, Mr. Speaker, Ladies and Gentlemen of the House. I, too, with great respect to the Sponsor of this Amendment, do oppose it. I think to restrict the number of days in which a per diem allowance is granted is a back-door method of restricting really the number of days ah... or inhibiting the number of days we will be in Session. Either we're entitled to 32 dollars a day while we're down here in session or we're not, and to impose artificial restrictions on the number of days that we can get this per diem, ah... is just wrong, and I think it's contrary



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to the ah... spirit and the intent of this legislation. In addition, I'm informed the gentleman's amendment ah... confuses the calendar year ah... with the legislative year, and this will cause problems. And I also suggest, not altogether, that we may well be in session 200 to 250 days just considering vetoes next year."

Hon. W. Robert Blair: "Is there any further discussion?
Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Mr. Speaker and Members of the House. I'm anxious not to jeopardize the chance of the gentleman from Stronghurst's recommendation by giving it my enthusiastic support. I think that rather than 200 days, when we have a \$32 per diem, the danger is, that we'll be here 365 days per day, including Sundays, and we need some limitation. And if 125 days is what the Budget Bureau thinks we're going to spend, why let's just put the limitation in there so none of us will be tempted to over stay our leave and welcome at the expense of the taxpayers here in this Body. I'm going to vote for it."

Hon. W. Robert Blair: "Is there any further discussion?
Gentleman from Henderson, Mr. Neff, to close."

Neff: "Ah... Mr. Speaker, I think that this Amendment is nothing unusual. We had it done to the Con Con delegates. And ah... this is nothing new presently being offered. I think the Public's pretty well upset anyway on this per diem basis, and I think.... the voters and the ah... citizens of the State of Illinois at least will appreciate



that they can on our part that we are not going to be down here 360 days a year, and I would hope that the Members would support this Amendment."

Hon. W. Robert Blair: "All right, the question is on the adoption of Amendment No. 1 to Senate Bill 3. Ah.... all those in favor say 'aye', opposed 'no'. The gentleman's requesting a roll call. He's joined by Mr. Hirschfeld, Mr. Schenider, Mr. Fleck, Mr. McMaster, Mr. Springer and Mr. Cunningham. Alright, question is on the adoption of Amendment No. 1 to Senate Bill No. 3. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? Clerk will take the record. On this question, there are 90 'nays' and 22 'yeas' and the gentleman's Amendment fails. Are there further Amendments? Third Reading. Amendment.... or Senate Bill 4."

F. B. Selcke: "Senate Bill 4. An Act to make a supplemental appropriation for expenses of the General Assembly. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor? Third Reading. Senate Bill No. 5."

F. B. Selcke: "Senate Bill 5. An Act to amend Sections 1 and 4 of an Act to make appropriations for the furnishing of legislative staff, secretarial, clerical, research, technical, telephone, other utilities, services, office equipment, and office rental costs to Members of the General Assembly. Second Reading of the Bill. No Committee Amendments."



Hon. W. Robert Blair: "Any Amendments from the Floor. Third Reading. Senate Bill 6."

F. B. Selcke: "Senate Bill 6. An Act to Amend Sections 3, 3.1, and 3.2 of an Act concerning fees and salaries and classify that several of this State with reference thereto. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor? Third Reading. Senate Bill 7."

F. B. Selcke: "Senate Bill 7. An Act making supplemental appropriation for the pay of certain officers of the Judicial System of the State Government, authorizing payment thereof, from specified funds of the State Treasury. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor? Third Reading. Senate Bill 8."

F. B. Selcke: "Senate Bill 8. An Act to amend Section 12. 1 of an Act concerning fees and salaries and is classified as several counties of this State with reference thereto. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor? Third Reading. Senate Bill 9."

F. B. Selcke: "Senate Bill No. 9. An Act to amend Section 3 of an Act to establish Appellate Courts. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any Amendments from the Floor? Third Reading. Gentleman from Cook, Mr. Hyde."



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Hyde: "Mr. Speaker, I now move that this House stand adjourned until the hour of 10:00 AM tomorrow morning."

Hon. W. Robert Blair: "All those in favor of the gentleman's motion, say 'aye', the opposed 'no'. The 'ayes' have it. The motion's carried and we're adjourned until 10:00 AM tomorrow morning."



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