

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED TWENTY-SEVENTH LEGISLATIVE DAY

MAY 3, 1972

12:00 O'CLOCK NOON

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 Eugene M. Barnes -- illness;

Representative John H. Conolly - no reason given;

Representative J. Horace Gardner - death;

Representative Henry J. Klosak - illness;

Representative Michael H. McDermott - illness;

Representative Edward J. Shaw - death.



Doorkeeper: "All those who are not entitled to the floor, will you please retire to the gallery. Thank you."

Hon. W. Robert Blair: "The Doorkeeper will see that those persons not entitled to the floor are removed therefrom. The House will be in order. The invocation will be by Dr. Johnson."

Dr. John Johnson: "We pray. Gracious heavenly father, as we come together in this House to be about the affairs of government in our state, give us both patience and understanding in dealing with the issues before us and also in dealing with each other. As we speak and debate, remind us that a word fitly spoken is like apples of gold in a setting of silver. As we listen and ponder, remind us that a wise reprovee is a man who is gifted with a listening ear. As we represent those who have commissioned us to office, remind us that a faithful messenger is one who refreshes the hope of those who have sent him. As we weigh the merits of legislation which is before us, remind us that while it is the glory of God to conceal things, it is the glory of kings to search things out. Teach us to know that with patience, even a ruler can be persuaded, while a man without self control is like a city broken and left without walls. And now, O Lord, be present with us as we undertake the duties of this day. Amen."

Hon. W. Robert Blair: "Roll call for attendance. Ah, we have on the podium, ah, President David Burge of Southern Illinois University and we've asked him to say hello."



David Burge: "Thank you, Mr. Speaker, Distinguished Members of the Assembly. It's a memorable occasion for me to return here after 17 years to the State of Illinois and to deliver official greetings of Southern Illinois University, Carbondale, Illinois, to this body. We're very proud of Southern Illinois University, Carbondale, and very grateful for the decision of this assembly to create a great university in the south and continuing support of that university. Thank you very much."

Hon. W. Robert Blair: "Messages from the Senate."

Fredric B. Selcke: "Messages from the Senate, by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of bills of the following titles, to-wit: House Bills 44, 232, 1747, 2509, 3545, 3702, 4202. Passed by the Senate, May 2, 1972. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title, to-wit: House Bill 3736. Together with the following amendments thereto, in the adoption of which I am instructed to ask the concurrence of the House, to-wit: Passed the Senate, as amended, May 2, 1972. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Repres-



entatives, to-wit: Senate Joint Resolution 70. Adopted by the Senate, May 2, 1972. Kenneth Wright, Secretary. No further messages."

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

John P. Downes: "Mr. Speaker and Ladies and Gentlemen of the House, can the record show that Representative McDermott is absent due to illness."

Hon. W. Robert Blair: "The Journal will so indicate. Committee reports."

Fredric B. Selcke: "Mr. Blades, from the Committee on Conservation and Water Resources - Division of Environment, to which House Bill 4595 was referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bill, as amended, do pass. Mr. Regner, from the Committee on Appropriations, to which House Bills 3794, 4086, 4087, 4099, 4123, 4130, 4164, 4180, 4185, 4247 were referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bills, as amended, do pass. Mr. Regner, from the Committee on Appropriations, to which House Bills 4095, 4098, 4103, 4142, 4143, 4154, 4158, 4160, 4161, 4175, 4198, 4199, 4276 were referred, reported the same back with the recommendation that the bills do pass. Mr. Lester Cunningham, from the Committee on Cities and Villages - Division of Municipal Corporations, to which House Bill 3619 was referred, reported the same back with amendments thereto, with the recommendation that the amendments



be adopted and the bill, as amended, do pass. Mr. Lester Cunningham, from the Committee on Cities and Villages, - Division of Municipal Corporations, to which House Bill 4265 was referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bill, as amended, do not pass. Mr. Lester Cunningham, from the Committee on Cities and Villages - Division of Municipal Corporations, to which House Bill 4383 was referred, reported the same back with the recommendation that the bill do not pass. Mr. Lester Cunningham from the Committee on Cities and Villages - Division of Municipal Corporations, to which House Bills 4637 and 4638 were referred, reported the same back with the recommendation that the bills do pass. Mr. McDevitt, from the Committee on Judiciary - Division I, to which House Bills 4353 and 4354 were referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bills, as amended, do pass. Mr. McDevitt, from the Committee on Judiciary - Division I, to which House Bills 2257, 3741, 4240, 4243, 4343, 4355, 4356, 4510, 4525, 4529, 4546 were referred, reported the same back with the recommendation that the bills do pass. Mr. McDevitt, from the Committee on Judiciary - Division I, to which House Bill 3779 was referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bill, as amended, do pass. Mr. McDevitt, from the Committee on Judiciary - Division I,



to which House Bill 4077 was referred, reported the same back with the recommendation that the bill do not pass. Mr. McDevitt, from the Committee on Judiciary - Division I, to which House Bills 4157, 4346, 4371, 4431, 4432, 4450, 4476, 4503, 4509, 4577 were referred, reported the same back with the recommendation that the bills do pass and that they be placed on the Consent Calendar. Mr. McDevitt, from the Committee on Judiciary - Division I, to which House Bill 4170 was referred, reported the same back with the recommendation that the bill do pass and that it be re-referred to the Committee on Appropriations. Mr. Sevcik, from the Committee on Personnel and Veterans Affairs - Division of Executive Committee, to which House Bills 4301, 4363, 4368, 4369, 4393, 4394, 4409, 4446 was referred, reported the same back with the recommendation that the bills do pass. Mr. Sevcik, from the Committee on Personnel and Veterans Affairs - Division of Executive Committee, to which House Bills 4364 and 4592 were referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bills, as amended, do pass. Mr. Phil Collins, from the Committee on Elections, to which House Bills 14, 3742, 4194, 4196, 4241, 4257, 4304, 4314, 4475, 4486, 4494, 4531, 4542, 4547, 4593, 4594 were referred, reported the same back with the recommendation that the bills do pass. Mr. Phil Collins, from the Committee on Elections, to which House Bills 2415, 4181, 4483 were referred, reported the same back with amendments thereto, with the re-



commendation that the amendments be adopted and that the bills, as amended, do pass. Mr. Phil Collins, from the Committee on Elections, to which House Bills 3770, 4242, 4272 and 4530 were referred, reported the same back with the recommendation that the bills do not pass. Mr. Neff, from the Committee on Transportation, to which House Bill 4309 and 4559 were referred, reported the same back with the recommendation that the bills do pass. Mr. Neff, from the Committee on Transportation, to which House Bills 4557 and 4558 were referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bills, as amended, do pass. Mr. Neff, from the Committee on Transportation to which House Bills 4608 and 4609 were referred, reported the same back with the recommendation that the bills do pass and that they be re-referred to the Committee on Appropriations. Mr. Springer, from the Committee on Pensions - Division of Financial Institutions, to which House Bill 3703, 4126, 4296, 4425, 4462, 4511, 4541, 4552, 4631 were referred, reported the same back with the recommendation that the bills do pass. Mr. Springer, from the Committee on Pensions - Division of Financial Institutions, to which House Bill 4411 was referred, reported the same back with the recommendation that the bill do not pass. No further committee reports."

Hon. W. Robert Blair: "With leave of the House, we'll go to resolutions so we can get the adjournment resolution out and on its way over to the Senate."





Fredric B. Selcke: "House Joint Resolution 128, Hyde. Resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, the Senate concurring herein, that when the House adjourns on Friday, May 5, 1972, it stand adjourned until Tuesday, May 9, 1972 at 9:30 O'Clock A.M. (C.D.S.T.), and when the Senate adjourns on Friday, May 5, 1972, it stand adjourned until Tuesday, May 9, 1972, at 10:00 O'Clock A.M. (C.D.S.T.)"

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

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, ah, if I could have your attention, I'll give you the schedule. We're going to have a floor session tomorrow at the moment, it will commence at 10:00 A.M., it might be 11:00 A.M., we'll let you know in a little while, but plan on being here tomorrow for a floor session and of course, there will be committees meeting tomorrow, as well. Ah, there will be a perfunctory session Friday, a perfunctory session Monday, I assume, but in any event we will return next week on Tuesday, at 9:30 A.M., when we will come in on Tuesday morning at 9:30 A.M., because our floor work will be considerable next week. But we will be in session tomorrow, so the House Joint Resolution sets our time schedule up, and plan on being here Tuesday on May 9th at 9:30 A.M. I now move Mr. Speaker for adoption of House Joint Resolution Number 128."

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

Henry J. Hyde: "There will be no perfunctory Monday, there



will be a perfunctory Friday, but no perfunctory Monday."

Hon. W. Robert Blair: "Any further discussion? All those in favor of the adoption of the resolution say 'Yeas', the opposed 'No', the 'Yeas' have it and the resolution is adopted. For what purpose does the gentleman from Cook, Mr. Fary, rise?"

John G. Fary: "On a point of personal privilege, Mr. Speaker.

I would like to introduce some distinguished guests up in the gallery. I don't do this very often you know that and I hope that you will bear with me, members of the House. From my district and that of Representative John Wall and Frank Smith and Babe McAvoy, we have just above you are 31 ladies to represent, they're all executive officers of 31 ladies clubs in Back of the Yards wake up neighborhood club area which is a Daily Wake Up Mayor Daley. They came here for a two day visit of the Lincoln Shrines and they're here with Joe Meagon, I think everybody knows Joe Meagon from the days way back when we had the deal for the kids some years ago, Joe come right along, with them is Joe Patts. Joe is a tv polka specialist and a member of the Polka Hall of Fame. Joe is entertaining the girls. Nice to have you, Joe. And Sunday is the 33rd anniversary of the Back of the Yards Neighborhood Council, it's the oldest community organization in the country. And at this banquet they are going to honor the three policemen who saved the little boy whose arm was caught in that that contraption of the Zayre Store in Chicago and his arm was tore off and



they picked up his arm and rushed it back to the hospital and sewed it back on the boy. The Council is going to honor three policemen. Thank you very much for bearing with me and we welcome the girls and ladies here for their visit to the State Capitol."

Hon. W. Robert Blair: "With leave of the House, we'll go to back to Introduction and First Reading of House Bills."

Fredric B. Selcke: "House Bill 4640, O'Brien, et. al. Amends 'The Illinois Municipal Code'. First reading of the bill."

Hon. W. Robert Blair: "For what purpose does the gentleman from Stark, Mr. Nowlan, rise?"

James D. Nowlan: "Mr. Mr. Speaker, House Bill 4544 was inadvertently not posted for our Motor Vehicles Committee meeting this afternoon. I have checked with the Chairman Pappas and also Representative Shea on the other side and ah, they have okayed it to be heard if I might have leave to suspend the appropriate provisions of Rule 17 which would allow 4544 to be heard this afternoon in Motor Vehicles Committee."

Hon. W. Robert Blair: "All right, the Chairman's agreed to post. All right, the gentleman from Cook, Mr. Regner."

David J. Regner: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, I'd like to ask unanimous consent for the suspension of Rule 17 so that when the Appropriations' Committee meets tomorrow morning at 9:00 A.M. on the House floor, we can hear certain bills and after I get unanimous consent I will read the numbers. This has been cleared



with the leadership on both sides."

Hon. W. Robert Blair: "Does the gentleman have leave? All right, he'll leave's been granted and he may so proceed."

David J. Regner: "The bills to be heard tomorrow are 4453, these are all House Bills, 4245, 4248, 4250, 4251, 4253, 4254, 4256, 4258, 4259, 4280, 4281, 4308 and 4305."

Hon. W. Robert Blair: "All right, I have heretofore referred House Bills 4517 and 4518 to Cities and Villages Division of the Committee on Municipal Corporations, and I will now reassign those bills to Counties and Townships Division. The gentleman from Perry, Mr. Cunningham, for what purpose do you rise?"

William J. Cunningham: "Mr. Speaker, I'd like to have unanimous consent to suspend the provisions of Rule 17 so that House Bills 4515 through -20 can be heard this afternoon in Counties and Townships. This is agreeable with the membership of Counties and Townships Committee."

Hon. W. Robert Blair: "Is there objection? All right, does the gentleman have leave to have those two bills heard in Counties and Townships? All right, the gentleman from Kane, Mr. Schoeberlein, for what purpose do you rise?"

Allen L. Schoeberlein: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, I would like House Bill 4513 heard today in the Education, Elementary and Secondary Education bill. It has not been posted. I have talked to Representative Shea on it and it is a very simple bill. And Superintendent Bakalis will have a witness over here on it."



Hon. W. Robert Blair: "Okay. Ah, Mr. Soderstrom, the Chairman of the Committee?"

Allen L. Schoeberlein: "I've talked with him. He's agreed to post it."

Hon. W. Robert Blair: "Okay. All right. House Bills second reading. House Bill 4200."

Fredric B. Selcke: "House Bill 4200. A bill for an act to make a supplemental appropriation to the Industrial Commission. Second reading of the bill. One committee amendment. Amendment Number One. Amend House Bill 4200 on page 1, line 9, by striking \$131,000.00 and inserting in lieu thereof '\$75,000.00'; and on page 1, line 11, by striking \$6,300.00 and inserting in lieu thereof '\$4,155.00'; and on page 1, line 12, by striking \$1,650.00 and inserting in lieu thereof '\$1,638.00'; and on page 1, after. . ."

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

Philip W. Collins: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, Committee Amendment Number One reflects a reduction in the personal services item of the Industrial Commission from \$131,100.00 to \$75,000.00 and with corresponding reductions in the state contributions for the state retirement and social security. And also inserts a \$9,000.00 appropriation for travel. This amendment was agreed to in the Appropriations Committee and agreed to and I move for the adoption of Committee Amendment Number One."

Hon. W. Robert Blair: "Is there discussion? If not, the ques-



tion is shall the House adopt Committee Amendment Number One to House Bill 4200? All those in favor will say 'Yeas' the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments? Third reading. All right, I'm going to be moving these bills from second to third so let me know if you have some requests and we'll get them moved up. 4090."

Fredric B. Selcke: "House Bill 4090. A bill for the ordinary and contingent expense of the Medical Center Commission. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 4101."

Fredric B. Selcke: "House Bill 4101. A bill for an act to make an appropriation to the Board of Trustees General Assembly Retirement System. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 4218."

Fredric B. Selcke: "House Bill 4218. A bill for an act to Section 61.1 through 61.4 to 'The Revenue Act of 1939'. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 4082."

Fredric B. Selcke: "House Bill 4082. A bill for an act to provide for the ordinary and contingent expense of the Selective Service Commission. Second reading of the bill. No committee amendments."



Hon. W. Robert Blair: "Any amendments from the floor?"

Fredric B. Selcke: "Amendment Number One, Lauterbach. Amends House Bill 4082 in line 12 by deleting \$133,800.00 and inserting \$154,000.00 and line 14 by deleting 67 and inserting 77. . ."

Hon. W. Robert Blair: "The gentleman from Peoria, Mr. Lauterbach, to explain the amendment."

Wilbur H. Lauterbach: "Mr. Speaker and Members of the House, House Bill 4082 appropriates \$174,800.00 for the ordinary and contingent expenses of the State Civil Service Commission for the fiscal year beginning July 1, 1972. As a result of the increased case load and an increase in the number of employees covered by civil service, we'd like to add Amendment Number One to this bill. This amendment provides additional sum of \$23,500.00 for the employment of two more employees to this division, a technical advisor and a secretary and has been cleared by the Bureau of the Budget. I might add this entire appropriation is funded 93% by federal funds. I ask for your approval of this amendment."

Hon. W. Robert Blair: "The gentleman from Bureau, Mr. Barry."

Tobias Barry: "Will the sponsor yield to a question?"

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

Tobias Barry: "Yeah, was this amendmet approved by the Appropriations Sub-Committee and Full Committee?"

Wilbur H. Lauterbach: "This amendment was not approved by the sub-committee, it was to be brought on the floor of the House, we missed that."



Hon. W. Robert Blair: "The gentleman from Bureau, Mr. Barry."

Tobias Barry: "Was it presented to the sub-committee or full committee of Appropriations, House Appropriations?"

Wilbur H. Lauterbach: "I'm sorry, I didn't get the question."

Tobias Barry: "I said was this amendment considered by the sub-committee and full committee of the House Appropriations Committee?"

Wilbur H. Lauterbach: "It was not, sir, it was brought to me after that was concluded."

Tobias Barry: "All right, thank you very much."

Hon. W. Robert Blair: "Is there further discussion? The question is shall the House adopt Amendment Number One to House Bill 4082? The gentlemen from Bureau, Mr. Barry"

Tobias Barry: "Roll call."

Hon. W. Robert Blair: "Requesting for a roll call now?"

Tobias Barry: "Yes, sir, do I have time?"

Hon. W. Robert Blair: "All right. All right. All right, just one, for what purpose does the gentleman from Peoria, Mr. Lauterbach, Mr. Lauterbach, rise?"

Wilbur H. Lauterbach: "Mr. Speaker, was there further questions on my bill?"

Hon. W. Robert Blair: "Well, we asked if there were and there was not an indication that there was. There's been a roll call requested, though, on the adoption."

Wilbur H. Lauterbach: "Mr. Speaker, would you take this out of the record for a moment?"

Hon. W. Robert Blair: "A11 right, take it out of the record."





4152."

Fredric B. Selcke: "House. . ."

Hon. W. Robert Blair: "Oh, for what purpose does the gentleman from DuPage, Mr. Hudson, rise?"

George Ray Hudson: "Mr. Speaker and Members of the House, I rise to a point of personal privilege to introduce some very good friends and distinguished colleagues of mine from DuPage County who have traveled 180 miles to be with us today and to watch us in operation. In the balcony to my right, Mr. and Mrs. Carroll Ross Lehman from Hinsdale, Illinois."

Fredric B. Selcke: "House Bill 4152. A bill for an act in relation to the marking of a program for eggs. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. Any amendments from the floor? Third reading. 4138."

Fredric B. Selcke: "House Bill 4138. A bill for an act to add Section 24-1.6 to 'The School Code'. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 3802."

Fredric B. Selcke: "House Bill 3802. A bill for an act to promote the welfare of wage earners by regulating the assignment of wages and prescribing the penalty for violation thereof. Second reading of the bill. No committee amendments."



Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 4120."

Fredric B. Selcke: "House Bill 4120. A bill for an act to make a deficiency appropriation to the Legislative Reference Bureau for expenses connected with the legislative digests. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any from the floor? Third reading. 4121."

Fredric B. Selcke: "House Bill 4121. A bill for an act to make an appropriation for the ordinary and contingent expense of the Illinois Reference Bureau. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 4209."

Fredric B. Selcke: "House Bill 4209. A bill for an act to make certain fiscal changes in the student guarantee loan program by amending certain acts and repealing part of an act. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 4189."

Fredric B. Selcke: "House Bill 4189. A bill for an act to amend 'The Highway Code'. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 4634."

Fredric B. Selcke: "House Bill 4634. A bill for an act to



make an appropriation to the Secretary of State for the rehabilitation of the House chambers. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. 4189. House Bills third reading. House Bill 3783."

Fredric B. Selcke: "House Bill 3783. House Bill 3783. A bill for an act to add Section 3.1, to an act to encourage and promote the establishment of free libraries in cities, villages and townships of this state. Third reading of the bill."

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

Paul J. Randolph: "Mr. Speaker and Members of the House, House Bill 3783 amends 'The State Free Public Library Act' to enable research library to amend their articles of incorporation. Presently the act makes no appropriation for the amendment or change of basic rules of operation. The acts which permit research libraries to incorporate throughout the state was first enacted in 1891. This bill will revitalize our case law which has not permitted research libraries to grow, expand and to meet the new challenges of the 20th Century. This bill was put in at the request of the Newbury Library located in Chicago and it is an example of the outstanding intellectual and scholaristic opportunities which research libraries have afforded the scholars of Illinois. They asked that the act be amended, the number of trustees be changed from seven to twenty-five and I urge that you



vote favorably on this bill."

Hon. W. Robert Blair: "Is there discussion? The question is shall House. . .the gentlemen from Cook, Mr. Bluthardt."

Edward E. Bluthardt: "Mr. Speaker, I wonder if the sponsor will yield for a question or two?"

Hon. W. Robert Blair: "Yes, he indicates he will."

Edward E. Bluthardt: "Ah, Paul, I asked you during the Committee hearing what the real purpose of enacting the legislation was? I wasn't able to get an answer, a satisfactory answer at that time. Can you explain why you feel or why the sponsors of the moving toward the behind this field that it is necessary for them to enlarge the board of directors or why they feel it is necessary to change the wording and the powers and the charter?"

Paul J. Randolph: "Thank you very much for that question.

The Newbury Library was incorporated as a free public library on April 13, 1892. Under the provisions of the act dated June 17, 1891, the act before reads and revised last year allowed libraries incorporated under it to have from seven to fifteen trustees. Since the amendment to the act was to have the number has been changed from seven to twenty-five, but the above amendment that I just mentioned does was made at the request of the John Freer Library and so far as we know, the only other free library incorporated under the act which is now able to increase its number of trustees up to twenty-five. However, this does not apply to the Newbury Library, because their certificate of cor-



poration states that there shall be thirteen. Under ordinary circumstances, they would be able to amend their certificate of incorporation, except that the act itself has no provision for such an amendment."

Edward E. Bluthardt: "Well, is the real purpose then to enlarge the number of trustees on the board of directors?"

Paul J. Randolph: "That is the real purpose of it. That is, yes, sir."

Edward E. Bluthardt: "Is this the library across the street from Bughouse Square in Chicago?"

Paul J. Randolph: "Ah, yes, it is located directly across from Washington Park known as Bughouse Square in the City of Chicago."

Edward E. Bluthardt: "All right, thank you."

Hon. W. Robert Blair: "Is there any further discussion? The question is shall the House pass House Bill 3783? All those in favor shall vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are 154 'Yeas' and 2 'Nays' and this bill having received the constitutional majority is hereby declared passed. House Bill 3788."

Fredric B. Selcke: "House Bill 3788. A bill for an act to amend 'The Municipal Code'. Third reading of the bill."

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

Paul J. Randolph: "Mr. Speaker, Members of the House, House Bill 3788 and its companion bill, 3789, may I hear the two together, Mr. Speaker?"



## GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Hon. W. Robert Blair: "Does the gentleman have leave? Read the 3789."

Fredric B. Selcke: "House Bill 3789. A bill for an act to amend Section 3 of 'The Hotel Operators' Occupation Tax Act'. Third reading of the bill."

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

Paul J. Randolph: "Mr. Speaker and Members of the House, House Bill 3788 and 3789 amend 'The Chicago Hotel' and 'Operators Occupational Tax Act' and the 'State Hotel Occupational Tax Act' to place in the statute a practice that has been carried on since the inception of the two acts. As the act was originally drafted, the tax is on a hotel or motel operator and is subject to be paid by him, but as a matter of practice, this tax was passed on to a person staying in the motel or hotel. These two bills simply place in the statute the permission for the hotel or motel operators to then pass this tax to the hotel users. This legislature last year passed House Bill 2176 and 2177 and which gave the same permission to local retailers in the Retailers' Occupational Tax Service Act. As you remember, for the same, for the 1% municipal occupational tax the retailer passed this on the consumer, even though he had no specific permission in the act. Last year we gave the retailer this permission and I urge you to vote favorably on these two bills."

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

John Jerome Hill: "I wonder if the sponsor would yield to a



question?"

Hon. W. Robert Blair: "All right, he indicates that he will, but let's see if we can't get a little order in here. We are on third reading, gentlemen. Just wait a minute until it quiets down. All right, do you want to proceed now, Mr. Randolph, oh, Mr. Hill."

John Jerome Hill: "Isn't this illegal to pass it on to the individual that is staying at a motel or hotel right now according to the statute, isn't it illegal? And this would make it legal to pass it on to. . ."

Paul J. Randolph: "This this will ah clarify the act. This amendment does not change the act, but clearly clarifies in the amendment and allows the tax to be passed on. A friend of mine. . ."

John Jerome Hill: "Ah, Mr. Speaker, I'd like to speak on the bill."

Paul J. Randolph: "Thank you."

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

John Jerome Hill: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, this piece of legislation will allow the hotels and motels to charge direct to the customer in regard to these various taxes. As the law now states, it is illegal to pass this on to the customer and this will make it legal to do it. I would appreciate very much if you would vote in opposition to this piece of legislation."

Hon. W. Robert Blair: "The gentleman from DuPage, Mr. Hudson."

George Ray Hudson: "Would the sponsor yield for a question?"



Paul, is it my understanding that this is creating, is this the creation of a new and additional tax? My understanding is that this does not create a new tax, the tax has already been imposed, but it is not necessary under the existing statutes to show this on the to show this on the bill, therefore the consumer would be denied the advantage of showing this as a deduction of some kind. Is this part of what you're saying?"

Paul J. Randolph: "Ah, the hotel and motel operators are now passing the tax on. This only clarifies and makes this legal, saying that as we permission we gave the retail merchants last year."

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

Samuel C. Maragos: "I'd like to ask the sponsor if he'll yield for a question?"

Paul J. Randolph: "Yeah."

Hon. W. Robert Blair: "Yes, he indicates he will."

Samuel C. Maragos: "Paul, is it not true that in effect all retail and all retailers occupation tax and all used taxes were always passed on by the taxpayers and primarily the retailer and motel or hotel operator even before the new constitution was in effect but they used to use it as a service charge because there was a prohibition on the old constitution, is that not right?"

Paul J. Randolph: "It's right."

Samuel C. Maragos: "Is it not true, therefore, that under the new constitution of 1970, there is no prohibition to consider





it a sales tax directly to the consumer or the ultimate user under the words of the old constitution."

Paul J. Randolph: "Right."

Samuel C. Maragos: "And therefore the user now because it's really clarification under the new constitution, in fact it might be called in fact a constitutional implementation bill, isn't that correct?"

Paul J. Randolph: "That's right."

Samuel C. Maragos: "And the Department of Revenue just wants to clarify usage and not opposing the new tax, it is just making a use, which is hotel or motel operators has been able to do up to now by passing it on as a service charge, he now can do it in the form of a tax and designate it as such and it is not changing any of the circumstances and therefore I ask that we support this piece of legislation."

Paul J. Randolph: "That is absolutely correct. Thank you."

Hon. W. Robert Blair: "Any further discussion? The gentleman from Madison, Mr. Walters."

Robert J. Walters: "Will the gentleman yield to question, please?"

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

Robert J. Walters: "Representative Randolph in the synopsis in our digest it says that this permits Chicago hotel operators, does this include hotel operators throughout the State of Illinois?"

Paul J. Randolph: "Ah, yes, it does."

Robert J. Walters: "Thank you."



Hon. W. Robert Blair: "Is there any further discussion? The gentleman from Bureau, Mr. Barry."

Tobias Barry: "Will the sponsor yield to a question?"

Hon. W. Robert Blair: "Yes."

Tobias Barry: "Paul, in a nutshell, last year we passed law that suggested that this tax should not be passed on to the consumer and this year the administration prefers to change their mind on the subject, does that put it in a nutshell?"

Paul J. Randolph: "It might."

Tobias Barry: "Thank you very much."

Paul J. Randolph: "This measure has the approval of the Department of Revenue."

Tobias Barry: "Thank you very much."

Paul J. Randolph: "Okay."

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

Robert S. Juckett: "Mr. Speaker, will the sponsor yield to a question?"

Hon. W. Robert Blair: "Yes."

Robert S. Juckett: "Ah, Paul, is this the current tax which is added on to, like similar to the one that is added on to our motel bills here?"

Paul J. Randolph: "Yes, it is."

Robert S. Juckett: "Okay. If it is the same tax, then why do they need the authority? Is it now illegal for them to pass that on and to add that on to our hotel bills?"

Paul J. Randolph: "This was the original intent, but they



would not ever have the actual authority and this gives them the authority now to pass it on, which they have been doing all along. And this measure of these two bills have the full support of the Department of Revenue."

Robert S. Juckett: "What legalized what they have been doing?"

Paul J. Randolph: "Yes."

Hon. W. Robert Blair: "Any further discussion? The question is shall, does the gentleman care to close?"

Paul J. Randolph: "I solicit your favorable vote."

Hon. W. Robert Blair: "All right, the question is shall these two bills pass? All those in favor will vote 'Yeas' and the opposed 'No' and the Clerk will take two roll calls. The gentleman from Cook, Mr. William Walsh."

William D. Walsh: "Mr. Speaker and Members of the House, I don't think any of the discussion on this bill has really hit on what it really does. This tax that is referred to here is not the state hotel - motel tax which is presently at 5%. This is the city of Chicago tax which we enacted or permitted the city to levy a few years ago which at the time was said to go for tourism and indeed, that is where it does go. Now, no one benefits more from tourism than the hotels and motels and so it was thought that they should absorb the tax rather than have it in effect fall on the hotels and motels. Now, what these bills propose to do is take that off of the hotels and motels and permit them to pass it on to the hotel users and in effect have a 10% tax in Chicago, when we have a 5% tax in the rest of the State.



GENERAL ASSEMBLY

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I think these are bad bills and they should be defeated."

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

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, I take a slightly different view and explaining my vote and my distinguished colleague, Bill Walsh. The tax exists the tax is not absorbed by the hotel-motel operators, it is passed onto the consumer, the user in the form of an increase in hotel bill, so what it amounts to is that the hidden tax. I'm all for the public knowing that they're being taxed and the amount of the tax is. I think the public ought to know all of these hidden taxes so they can get some idea of who is imposing these taxes and what they amount to and so this really is like a truth in lending bill, it's a truth in renting a hotel bill to let you know that you're being caught for a tax and the amount of the tax, and so rather than concealing it, it reveals it and I think it's they're both excellent bills."

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

Paul J. Randolph: "Ah, Mr. Speaker, Members of the House, all these bills do House Bill 3788 and 3789, amend the Motel Tax Act and what they do will serve essentially the same purpose for hotel operators as they did for the retail merchants last year. These bills codify the long standing practices and procedures concerning hotel taxes and clarifies the right and duties of hotel operators and their tax in connection with the state and municipal taxes. This will



assist in a smooth and a consistent administration of hotel taxes and will benefit the state as well as the hotel and motel operators and their guests and I would appreciate a favorable vote on the two majors."

Hon. W. Robert Blair: "The. . ."

Paul J. Randolph: "The bills last year sponsored by the Retail Merchants Association and the Department of Revenue they sponsored these so they would have no objection to the same things being done now with taxes in regard to state and local hotel operators occupational tax. I please ask for your support."

Hon. W. Robert Blair: "The Clerk will take the record. The gentleman from Cook, Mr. Randolph."

Paul J. Randolph: "Ah, Mr. Speaker, I ask that the two bills, 3788 and 3789 be postponed. 88 and 89."

Hon. W. Robert Blair: "All right, does the gentleman have leave to place them on postponed? Postponed consideration. All right, they will be postponed. The gentleman from Lawrence, Mr. Cunningham."

Roscoe D. Cunningham: "Mr. Speaker and Members of the House. We're honored today to have some of the Petrolia School Students from Lawrence County in the balcony on the east side, would you please stand up. The Principal is Martha C. Brookhart, my sister."

Hon. W. Robert Blair: "The gentleman from . . .3645."

Fredric B. Selcke: "House Bill 3645. A bill for an act to amend Sections 3 and 7 of 'The Illinois Industrial Develop-



ment Authority Act'. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Franklin, Mr. Hart."

Richard O. Hart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This bill was projected by the Governor. It would amend 'The Illinois Industrial Development Act' to expand the landing authority to include lawns for recreational purposes. This is a very important piece of legislation to my district and to the counties in southern Illinois in the area of economic depression. And I would appreciate the support of the House. The bill was in Executive Committee, passed out with a vote of 12 to 6, I believe, and I would appreciate your support."

Hon. W. Robert Blair: "Further discussion? The question is shall House Bill 3645 pass? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are Dan Pierce, 'Yeas', Pate Philip, 'No', Hirschfeld, 'Yeas', Walters, 'Yeas', Bartulis, 'Yeas', Phil Collins, 'Yeas', Glass, 'Yeas', Scariano, 'Yeas', Day 'Yeas', Dyer, 'Yeas', Bluthardt, 'Yeas', Fleck, 'Yeas'. On this question, there are 110 'Yeas', 6 'Nays', 2 'Present' and this bill having received a constitutional majority is hereby declared passed. Introduction and First Reading of House Bills."

Fredric B. Selcke: "House Bill 4641, Jones, et.al. Appropriates \$21,250.00 to the Capitol City Railroad Relocation Authority. First reading of the bill. House Bill 4642, Barry,



et.al. Appropriates \$682,672.00 to the Legislative Council. First reading of the bill. House Bill 4643, Barry, et.al. Appropriates \$25,000.00 to the Legislative Council for science research unit and consulting panel. First reading of the bill."

Hon. W. Robert Blair: "Further committee reports."

Fredric B. Selcke: "Mr. Henss, from the Committee on Higher Education to which House Bills 4323 and 4451 were referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bills, as amended, do pass. Mr. Henss, from the Committee on Higher Education, to which House Bills 1719, 4447, 4448 and 4496 were referred, reported the same back with the recommendation that the bills do pass. Mr. Henss, from the Committee on Higher Education, to which House Bill 2428 was referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and that the bill, as amended, do not pass. No further committee reports."

Hon. W. Robert Blair: "Resolutions."

Fredric B. Selcke: "House Resolution 600, Hirschfeld. House Resolution 601, Lechowicz, et.al. House Resolution 602, Berman. House Resolution 603, Palmer, et.al. House Resolution 604, Palmer."

Hon. W. Robert Blair: "Agreed Resolutions."

Fredric B. Selcke: "House Resolution, House Joint Resolution 69, Harold Washington. House Joint Resolution, excuse me,



Senate Joint Resolution 69, Harold Washington and House Joint Resolution 129, Clabaugh, et.al."

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

Henry J. Hyde: "Ah, Mr. Speaker, the Agreed Resolutions are House Resolutions 600, commends and congratulates the Nets, a women's basketball team from Urbana, Illinois, upon winning their second year in a row, the University of Illinois Women's Intramural Basketball championship. House Resolution 603 congratulates the Sisters of St. Mary upon their 100th anniversary. House Resolution 602 urges President Nixon to solemnly appeal to the Soviet leader to end the discrimination against the people of the Jewish faith when he visits the Soviet Union. House Resolution 601 commends the Polish National Alliance and its President Aloysius Mazewski, on the 181st anniversary of the adoption of the Polish constitution. Senate Joint Resolution 69 urges Congress to pass legislation restricting the interstate sale of hypodermic needles and syringes. House Joint Resolution 129 requests that the Governor direct the State to oppose the appropriation of new federal money or the release of carry-over funds for land acquisitions or the construction of Lincoln Lake during fiscal 1973. House Resolution 604 congratulates the Village of Merrionette Park on its 25th Anniversary. I move adoption of the agreed resolutions."

Hon. W. Robert Blair: "Any discussion? The gentleman from Lawrence, Mr. Cunningham."





Roscoe D. Cunningham: "Ah, Mr. Chairman, I would like to ask a question of the Majority Leader concerning the Lincoln Lake resolution. What was the effect of it?"

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

Henry J. Hyde: "Ah, Mr. Speaker, in response to the question of Representative Cunningham, I'll make the suggestion that we take House Joint Resolution 129 out of the agreed list and hold it for a day and I'll let Representative Cunningham look at this. It is a little complicated and I possibly should have some more info on it. I see the Chief Sponsor is not here, so with the proviso that House Joint Resolution 129 be held on the Speaker's desk until tomorrow, I will renew my motion to adopt the agreed resolutions."

Roscoe D. Cunningham: "Thank you."

Hon. W. Robert Blair: "All right, with the exception of House Joint Resolution 129, all these in favor of the adoption of the agreed resolutions say 'Yeas', the opposed 'No', the 'Yeas' have it and the agreed resolutions are adopted. Further resolutions?"

Fredric B. Selcke: "House Joint Resolution 129, Speaker's table."

Hon. W. Robert Blair: "All right, introduction and first reading of House Bills."

Fredric B. Selcke: "House Bill 4644, Duff, et.al. Amends 'The Illinois Income Tax Act'. First reading of the bill."

Hon. W. Robert Blair: "The gentleman from Winnebago, Mr. Anderson."



Merle K. Anderson: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to announce that the Public Utilities Committee will meet in M-4 at 9:00 A.M. tomorrow morning."

Hon. W. Robert Blair: "M-4 at 9:00 A.M. The gentlemen from Cook, Mr. Laurino."

William J. Laurino: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to ask leave to waive rules for the subsequent filing date in order to hear to have House Bill 4316 heard in Motor Vehicle Committee."

Hon. W. Robert Blair: "All right, the Chairman has indicated that that's all right, so, does the gentleman have leave to have that bill posted for hearing? For what purpose does the gentleman from Cook, Mr. Peter Miller, rise?"

Peter J. Miller: "Mr. Chairman, it's that time of year for me to announce that we have a challenge from the Senate for the 23rd of May and as customary, we have a couple workouts, so if all the ball players will bring their equipment down next week so we can have a work out next week and one the following week, then we'd be ready to take them on, so ah bring your spikes and a shirt and an old pair of trousers along for next week. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Oh, the gentleman from Cook, Mr. Phil Collins."

Philip W. Collins: "Ah, Mr. Speaker, I'd just like to urge the members of the Sub-Committee One of Appropriations to come immediately to Room 218 for the hearing of House Bill



4433. We have very little time before the Full Committee Meeting, so I would ask them to come immediately upon adjournment."

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

Henry J. Hyde: "Mr. Speaker, I now move the House stand in adjournment until the Hour of 11:00 A.M. tomorrow morning, 11:00 A.M. and there will be committee meetings this afternoon and everyone is to attend them, particularly Republicans are urged."

Hon. W. Robert Blair: "Does the Minority Leader demand equal time?"

Clyde L. Choate: "I demand equal time and I want to know one thing."

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

Robert S. Juckett: "Mr. Speaker, The Executive Committee will meet immediately following adjournment in Room M-5 and what we don't accomplish today we'll start tomorrow morning at 9:00 A.M. in Room M-5."

Hon. W. Robert Blair: "All right, now, those committees that are hearing this afternoon, if they don't conclude, we would expect them to recess and convene tomorrow morning or until tomorrow after adjournment here, because as you know, Friday is the last day for bills other than the exempt bills to be out of committee. The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Ah, Mr. Speaker, it might be a good time for me to review with the membership a conversation that the



Speaker and I had about the replacement of members on committees and I'm in full accord with the Speaker when we do not replace committee members simply because they might have a meeting that they want to go to or something of that nature, but they will be replaced only in the instance of severe illness or a death in the family or something of that nature."

Hon. W. Robert Blair: "All right, just a couple more bills here for introduction and first reading."

Fredric B. Selcke: "House Bill 4645, McPartlin. Amends 'The Township Zoning Act'. First reading of the bill. House Bill 4646, McPartlin. Amends an act concerning public utilities. First reading of the bill."

Hon. W. Robert Blair: "All right, the House will be adjourned until 11:00 A.M. tomorrow."

Adjournment at 1:35 O'Clock P.M.

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