

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED FIFTY-SECOND LEGISLATIVE DAY

JUNE 19, 1972

1:00 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 Tobias Barry - excused;  
Representative John H. Conolly - no reason given;  
Representative Corneal A. Davis - illness;  
Representative Raymond W. Ewell - illness;  
Representative Joseph Fennessey - excused;  
Representative J. Horace Gardner - death;  
Representative Thomas R. Houde - no reason given;  
Representative Harold A. Katz - no reason given;  
Representative Leland J. Kennedy - excused;  
Representative Henry J. Klosak - illness;  
Representative Wilbur Lauterbach - excused;  
Representative Elmo McClain - death;  
Representative Michael H. McDermott - illness;  
Representative Clarence E. Neff - excused;  
Representative George M. O'Brien - no reason given;  
Representative Romie J. Palmer - illness;  
Representative Daniel M. Pierce - illness;  
Representative William A. Redmond - illness;  
Representative Thomas C. Rose - excused;  
Representative Edward J. Shaw - death;  
Representative John W. Thompson - no reason given.



Hon. W. Robert Blair: "The House will be in order. The invocation this afternoon will be by the Reverend Arthur Smith, Assistant Pastor, First Presbyterian Church of Springfield."

Reverend Arthur Smith: "Let us pray. Dear Lord God, the days are hot, the hours are long, much remains to be done. We plan the debate, we consider the merits of issues in our midst. We are here today and do these things because we are trusted with the responsibility by the people of this State. Give us wisdom, give us strength, give us the ability to do the right when the debate is ended, the vote taken, those actions will effect the lives of millions of persons. Make us keenly aware of this reality. In these brief moments, we pause to consider the life and work of Representative McClain. Be with his family and strengthen them in this time of their grief. We seek thee permission and ask in this prayer in the name of Christ, Our Lord. Amen."

Hon. W. Robert Blair: "Roll call for attendance. The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Ah, Mr. Speaker, would you please direct the Journal to show that Representative Ray Ewell will be absent because of illness and that Representative Redmond and Pierce are excused as far their leadership on this side of the House is concerned for the day. And Representative McDermott is excused because of illness."

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



gentlemen from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, I wonder if the following gentlemen might be excused ah, they are the gentlemen you have appointed to represent the House at the funeral of Representative McClain and they are Representatives Kennedy, Fennessey, Barry, Rose, Lauterbach and Neff."

Hon. W. Robert Blair: "The Journal will so indicate. Senate Bills First Reading. Senate Bill 1558."

Fredric B. Selcke: "Senate Bill 1558. An act to amend Section 14 of an act in relation to 'The Illinois State Penitentiary'. First reading of the bill."

Hon. W. Robert Blair: "1598."

Fredric B. Selcke: "Senate Bill 1598. A bill for an act. . ."

Hon. W. Robert Blair: "Take 1558 out of the record."

Fredric B. Selcke: "Senate Bill 1598. A bill for an act to . . ."

Hon. W. Robert Blair: "All right, 1598. The gentleman from Livingston, Mr. Hunsicker."

Carl T. Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House, I'm the principal sponsor of Senate Bill 1558 in the House. I checked with the leadership of both sides of the aisle, and I'd like to ask unanimous consent to put this on the order of second reading without reference to a committee. What the bill does, anyone who is incarcerated in the State Penitentiary or participates in a riot or anything that is going to include any court costs, the State of Illinois pays the bills because they are incarcerated



in a penitentiary and a ward of the State."

Hon. W. Robert Blair: "All right, is there objection? Hearing none, then the rule, . . . the gentleman from Cook, Mr. Barnes."

Eugene M. Barnes: "Mr. Speaker, I don't have any objection, but I don't quite understand what was said."

Hon. W. Robert Blair: "Would the gentleman care to . . . would the gentleman care to explain further on his remarks?"

Carl T. Hunsicker: "If anyone that is incarcerated in the State Penitentiary, Mr. Barnes, and they are in any trouble or get into any trouble, whereby it is supposed to cost the taxpayers of the county for trials or whathave you, that the State pick up that tab since they are a ward of the State of Illinois."

Hon. W. Robert Blair: "Any further discussion? All right, is there objection? Hearing none, then the bill will be advanced to the order of second reading. 1598."

Fredric B. Selcke: "Senate Bill 1598. A bill for an act to add Sections 10 and 11 to and to amend Section 2 and 8 of an act in relation to safety inspections and so forth. First reading of the bill."

Hon. W. Robert Blair: "1599."

Fredric B. Selcke: "Senate Bill 1599. An act to amend 'The Workmen's Compensation Act'. First reading of the bill."

Hon. W. Robert Blair: "1600."

Fredric B. Selcke: "Senate Bill 1600. An act to amend 'The Health and Safety Act'. First reading of the bill."



Hon. W. Robert Blair: "1601."

Fredric B. Selcke: "Senate Bill 1601. An act to amend 'The Workmen's Occupational Disease Act'. First reading of the bill."

Hon. W. Robert Blair: "1602."

Fredric B. Selcke: "Senate Bill 1602. A bill for an act to repeal an act regarding Illinois employers to report certain occupational injuries and so forth. First reading of the bill."

Hon. W. Robert Blair: "All right, while we're waiting for the attendance to become larger, we'll call some of these concurrences. House Bill 1949 on which the Chair recognizes the gentleman from Winnebago, Mr. North, with respect to Senate Amendment Number One."

Frank P. North: "Ah, Mr. Speaker, on Senate Amendment Number One to House Bill 4149, there is a little ah, . . . I wish that would be taken out of the record for the time being, Mr. Speaker, there is a problem that I have and I haven't had time to check it yet this morning."

Hon. W. Robert Blair: "Take it out of the record. All right. 2684 on which the Chair recognizes the gentleman from Cook, Mr. Regner."

David J. Regner: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, ah House Bills 2684 and -85 are companion bills and they each have an amendment on them. I was wondering if we could hear them together, if I could have leave to hear them together?"



Hon. W. Robert Blair: "All right, is there objection? All right, hearing none, then ah we will also hear House Bill 2685 with respect to Senate Amendment Number One. All right, now, with regard to those amendments and bills, the Chair recognizes the gentleman from Cook, Mr. Regner."

David J. Regner: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, these are two bills creating the Race Track Security Force or investigative forces which we amended in the House. Ah, the Senate amended these two bills to eliminate the investigative service revolving fund and to clarify the arrangement whereby racing facilities will be responsible for their own security forces. Under this arrangements, the money to provide investigative services will be appropriated to the Department from the Agricultural Premium Fund. The Department will then build a racing association who will directly reimburse the agricultural premium fund. The abolishment of this revolving fund was suggested by Senator Partee's staff and their judgment is that establishing such an intermediary fund is a bad practice and I would move that the House do concur in Amendments Number One to House Bills 2684 and 2685."

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

Richard O. Hart: "Well, with the Senate Amendment now, what would this change in terms of security which was the basis for the bill really when they were going to furnish some kind of security to the race track, now what will be the



effect on the legislation?"

David J. Regner: "Well, that the only effect is that it eliminates the revolving fund that we established here in the House and provided that the money we appropriated to the Department of Agriculture Premium Fund and under the department bills of the Race Track Association who will directly reimburse the Agriculture Premium Fund, but there is no change in the investigative services."

Richard O. Hart: "Will the ah racing board have any say so in this about who is hired or work control or how many there will be or anything like that?"

David J. Regner: "No, this will be handled through the Department of Law Enforcement, the Department of Personnel will handle that."

Richard O. Hart: "Thank you."

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

Gerald W. Shea: "Ah, Dave on 2684, one of the Senate Amendments that I'm reading and it looks like it is Senate Amendment Number One, it deletes line 12 through 20 and ah on page 3 and then it says each one of these shall provide and maintain their own security personnel. Does that in effect mean a licensee would be the association that gets from the state the license to run racing dates?"

David J. Regner: "That is the way I understand it, yes."

Gerald W. Shea: "In other words, we are now saying that each licensee shall provide and maintain security personnel and then they'll be paid for out of the agricultural premium





fund, cause that's what I get out of this amendment."

David J. Regner: "That's what I understand, Jerry, yes."

Gerald W. Shea: "Well, could you tell me why licensees have the right to hire additional personnel for security purposes and then we end up at the state level reimbursing them for the licensee, because they don't get enough money now from their take it apparel mutuals?"

David J. Regner: "No, they are going to be billed by the Department and reimburse the Agricultural Premium Fund."

Gerald W. Shea: "Well, that isn't what I read. The way I read this is that each licensee will maintain his own security personnel and that they will be paid for if the licensee bills the state out of the Agricultural Premium Fund. I again refer to, it says each licensee shall provide and maintain his own security personnel and I I don't I thought the purpose of these bills were that the tracks and the licensees that there was some question by Mr. McCarther on the Racing Board about the security at race tracks and that the ah question seems to be that McCarther wanted the racing board to get more involved in something to do with security and if this is so, and you see a statement saying each licensee shall maintain his own security personnel, it looks like all we're doing is adding additional security personnel for the licensing and letting the state pick up the tab."

David J. Regner: "Well, do you think maybe we ought to go over these amendments for them? Mr. Speaker, will you take



these two bills out of the record for the moment, please?"

Hon. W. Robert Blair: "All right, take them out of the record. House Bill 4104. The gentleman from Rock Island, Mr. Pappas."

Pete Pappas: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, I move to concur with Senate Amendment Number Two to House Bill 4104. What this does is change the date from October 1, 1972 to January 1, 1973. Everyone involved with the glazing act has approved it and I would move to concur in it."

Hon. W. Robert Blair: "Is there any discussion? All right, the question is shall the House concur in Senate Amendment Number Two to House Bill 4104. All those in favor vote 'Yeas' and the opposed 'Nays'. Have all voted who wished? Yeah. All right, take the record. On this question, there are 99 'Yeas' and no 'Nays', Jimmy Carter, 'Yeas', and on this and McMaster, 'Yeas', and on this, Tuerk, 'Yeas', and Hill, Jack Hill, 'Yeas', and the House concurs in Senate Amendment Number Two to House Bill 4104. Under concurrences, House Bill 4130. In this connection, the Chair recognizes the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Thank you, Mr. Speaker. This bill is Mr. Burditt's bill, but in his absence, he has asked me to move to concur on Senate Amendment Number One which was the \$25,000.00 reduction of appropriation for the Pollution Control Board, it's an agreed amendment and I would move to concur in Senate Amendment Number One, I believe it is



Number One to House Bill 4130."

Hon. W. Robert Blair: "Is there discussion? All right, the question is shall the House concur in Senate Amendment Number One to House Bill 4130? All those in favor vote 'Yeas', the opposed 'Nay'. Have all voted who wished? Take the record. On this question, there are 115 'Yeas' and no 'Nay' and the House does concur in Senate Amendment Number One to House Bill 4130. Gibbs, 'Yeas' on the last roll call. The gentleman from Cook, Mr. Shea, is recognized."

Gerald W. Shea: "Mr. Speaker, when Senate, when a House Bill is sent into the Senate and the Senate amends it, does it automatically come back and go on our concurrence calendar or must the House member take some affirmative action? I'm specifically referring to House Bill 4551 which is a bill that came over from the Senate. I thought I heard a message on it and I can't seem to find it on the calendar any place. But it is is it not the normal procedure for it to go on the calendar?"

Hon. W. Robert Blair: "That is the normal procedure. We're going to check that one bill, Mr. Shea."

Gerald W. Shea: "Thank you."

Hon. W. Robert Blair: "On concurrences is House Bill 4149 and in this connection, take it out of the record. On concurrences, House Bill 4283 and in this connection, the gentleman from Winnebago, Mr. North is recognized."

Frank P. North: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, I move to concur with Senate Amendment Number



One to House Bill 4283. This sh was worked out on both sides of the aisle with a limit to federal funds when available and as soon as practical after the date of payment."

Hon. W. Robert Blair: "Is there any discussion? All right, the question is shall House concur in Senate Amendment Number One to House Bill 4283? All those in favor vote 'Yeas' and the opposed 'Nay'. Have all voted who wished? Take the record. On this question, Leon, 'Yeas', on this roll call. On this question, Houlihan, 'Yeas', on this question, there are 111 'Yeas' and no 'Nays' and the House does concur in Senate Amendment Number One to House Bill 4283. In answer to the inquiry from sh Mr. Shea, the Clerk informs me that the bill has not yet been reported from the Senate."

Gerald W. Shea: "Thank you."

Hon. W. Robert Blair: "On concurrences in connection with House Bill 2269, the Chair recognizes the gentleman from Cook, Mr. Wall."

John F. Wall: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur in Senate Amendment Number One to House Bill 2267."

Hon. W. Robert Blair: "Is there discussion? The gentleman from St. Clair, Mr. Krause."

James G. Krause: "What does the Senate Amendment do?"

John F. Wall: "I don't know, I don't have a copy of the amendment."



James G. Krause: "We don't either. Could we take it out of the record?"

John F. Wall: "Representative Krause, this bill was sent to the Senate about a year ago I guess and it just came back now and I didn't get a copy of the amendment."

James G. Krause: "We haven't got one either. I haven't got a copy of the amendment, I don't know what the hell. . ."

John F. Wall: "All right, let's take it out of the record, that's all right."

Hon. W. Robert Blair: "All right, take it out of the record. All right. All right, Senate Bills Third Reading. House Bill 1365. That's Senate Bill 1365."

Fredric B. Selcke: "Senate Bill 1365. A bill for an act to amend Section 25.05-2 of an act to revise the law in relation to counties. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Rock Island, Mr. Pappas."

Pete Pappas: "Mr. Speaker, I would ask leave to hear 1365, -66 and -67 as they are a package."

Hon. W. Robert Blair: "Does the gentleman have leave? Hearing no objection, leave Senate Bill 1366."

Fredric B. Selcke: "Senate Bill 1366. A bill for an act to amend the 'Illinois Municipal Code': Third reading of the bill. Senate Bill 1367. A bill for an act authorizing the Department of Revenue to make certain refunds. Third reading of the bill."

Hon. W. Robert Blair: "Wait just a moment. For what purpose



does the gentleman from Cook, Mr. Shea, rise?"

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I would just like to tell everybody our fine auditor of public accounts is on the floor, and if anybody needs any money, Mr. Howlett, I'm sure would be happy to take care of them."

Hon. W. Robert Blair: "The gentleman from Rock Island, Mr. Pappas."

Pete Pappas: "Mr. Speaker and Ladies and Gentlemen of the House, this series of bills sets up the mechanics for making refunds on excise tax overpayments on automobiles and small trucks which were purchased during August 11 and December 10 due to the federal price freeze. The appropriation for these are in another bill. I would urge your support."

Hon. W. Robert Blair: "Is there discussion? Hearing none, the question is shall House Bill 1365, I'm sorry, Senate Bill 1365, 1366 and 1367 pass? The Clerk will take three roll calls. Those in favor vote 'Yeas', those opposed 'Nay'. Have all voted who wished? The take the record. On this question, there are 122 'Yeas' and 1 'Nay' and the bills having received the constitutional majority is hereby declared passed. The gentleman from Cook, Mr. Hoffman."

Ronald K. Hoffman: "'Yeas'."

Hon. W. Robert Blair: "Mr. Hoffman, 'Yeas', on the last roll call. To repeat, these three bills having received the constitutional majority are hereby declared passed. House



Bills third reading. House Bill 4680."

Fredric B. Selcke: "House Bill 4680, an act to amend the Revenue Act of 1939. Third reading of the bill."

Rep. Kenneth W. Miller: "The gentleman from Johnson, Mr. McCormick.

C.L. McCormick: "Ah...Mr. Speaker, ladies and gentleman of the House, House Bill 4680 is a bill for the explicit purpose of putting a freeze, the very best that can possibly be done, constitutionally in Illinois, on the ever rising real estate taxes in this state. Now I want to make it perfectly clear that I know, I know that this is not a partisan deal. This bill is co-sponsored by many Democrats and many Republicans on both sides of the aisle. The importance of holding the line of the tax freeze has been recognized by George Dunn, President of the County Board in Cook County, in his own area. Also, the mayor has recognized and said that the ever increasing real estate tax cannot continue in the City of Chicago, and you and I know that the people in Illinois have reached a point of where its almost impossible to own property in the state because, you know, that each and every year the tax will go up and up and up. You know also, you know also that Superintendent of Public Instruction Bikalis and the Governor are working on for funding the schools, and we know that the court actions are very likely to come this year, are going to force a re-evaluation of our tax structure in Illinois. Now we have tried many things in the past few years in what we call tax reform in this state and its just like spending more money than what you've got out of your paychecks, sooner or later you have to stop



spending until you get more money coming in. The people in this state are ready for some kind of help and tax relief. Now this bill will give us a two year moritorium on the raises in this state and give us a chance to review the taxes in all of the programs that we have in Illinois. I think that it will cause us, as members of the General Assembly, to realize that we've got to find other means of financing some phases of state government than putting on the back of the home owner. We have made various correction in the bill, I think that it takes care of the growing school district. I think that ah... there will be some places in the state of Illinois, I'm sure, where there will be some reevaluation that have to be done this fall and maybe in January when we come back. But, I believe sincerely, I believe that the thing that the people in this state want more than anything else is a breather, and you know yourself that Governor Stratton, when we passed the sale tax divisions to the cities, you know yourself it was with the purpose of trying to hold the real estate tax down. Then we come along and we gave them more under Governor Kerner, and we said it would hold 'em down. Then we come along and we pass the income tax and give a twelvth of that money back and every year they increase, and they will increase continually if we don't do something to stop it because there is not a governmental unit in all of the state of Illinois that couldn't spend more money than what its got, if you give it to it. And Representative Shea, my friend on the other side of the aisle, has talked all during this session on the budget that we have absolutely got to do something about real estate taxes in this

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state, and everyone of the appropriation bills that we have talked about, we have said if we continue spending more and more it'll just put money back on the real estate taxes. And don't tell me that any governmental unit can't do without something. Because I saw in the paper this morning where the University of Illinois said they could squeeze out 900 people off of their payroll with the cuts they receive jointly from the Democrats and the Republicans in this House. And I know that if they can do that some of the other units of local government can do the same thing. And I think its a good bill, Mr. Speaker, and I'd appreciate and 'aye' vote."

Rep. Kenneth W. Miller: "The gentleman from Logan, Mr. Madigan."

E.R. Madigan: "Mr. Speaker, the sponsor of this bill a few moments ago, indicated an interest in helping me improve my voting record and I wonder if he would yield to a question?"

Rep. Kenneth W. Miller: "He indicates he will."

E.R. Madigan: "Mr. McCormick, in the elementary school district in which I live the current levy, the 1972 levy, is 82 cents per \$100.00. A few months ago, the voters in that district passed a referendum that would allow the school district to raise their levy to a dollar and thirteen cents per \$100.00. With the understanding, the committment from the school board, that that increase would not be registered with the clerk, or would not take effect until the 1973 taxes. Now, if you're freezing taxes at the 1972 level and they were at the maximum, and if they've made a committment not to file this with the clerk of the county until September of this year, what happens



to that referendum?"

C.L. McCormick: "I ah...I cannot tell you what happens to it if they didn't file it legally like they were suppose to when it was passed. I don't know how that you could have an agreement with the clerk that you won't file a referendum when its passed."

E.R. Madigan: "Well, it was in the wording of the referendum that it would be effective with the issuance of the 1973 tax bills."

C.L. McCormick: "Did the people vote the increase?"

E.R. Madigan: "The people voted to increase the levy from a dollar.

C.L. McCormick: "Then it would be excepted, it would be an exceptic in this bill."

E.R. Madigan: "Alright, now I understand that your bill excepts actions by referendum, but as I read it it would be after the effective date of the bill. This referendum has already been obtained."

C.L. McCormick: "Your referendum was passed last year?"

E.R. Madigan : "No early this year. But its not on the 1972 tax bill."

C.L. McCormick: "It is exempt, it is exempt. I'm right Charlie, am I not? Yes its exempt."

E.R. Madigan: "Thank you."

Rep. Kenneth W. Miller: "The gentleman from cook, Mr. Juckett."

Robert S. Juckett: "Mr. Speaker, I wonder if the gentleman would yield for a question or two?"

Rep. Kenneth W. Miller: "He indicates he will. Proceed."



Robert S. Juckett: "Ah...you indicated that the sales tax was passed in order to be able to assist the local governments ah...first for the cities and then for the schools. Would you anticipate that this moratorium would last more than the two years?"

C.L. McCormick: "Well, now ah...you know, Representative Juckett, to anticipate this legislature even next year would be ah... a follie I think, and I wouldn't want to make that anticipation. Now I might call on Jeannie Dixon, and she might make a check on that for you."

Robert S. Juckett: "Well, let me take it a step further then. Would you ah...think that this type of legislation would ah... give time to the General Assembly to devise a new plan for local taxation?"

C.L. McCormick: "Yes Sir, and that's the exact reason for it ah... Bob, so that we as the members of the General Assembly can stop and look at the thing thats happening to us in Illinois, where you can't even own a home and that's the purpose of the bill."

Robert S. Juckett: "Well, would you then anticipate then that what we now know as the local property tax would ah...pretty well dissappear or be changed by State Legislation?"

C.L. McCormick: "I would anticipate that when we look at the school ah...financing next year, that there will have to be changes, but I can't forsee dissappearing of any ah...complete dissappearing of property tax."

Robert S. Juckett: "Well would you ah..."

Rep. Kenneth W. Miller: "Just...just a moment please. Let's have a little more quiet in here to listen to this question and.

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answer and debate. Please hold the noise down. Proceed."  
 Robert S. Juckett: "I recall that in your previous discussion on your bill, that you had indicated that California had their property taxes overruled and Minnesota and Texas and that this could be the vehicle by which Illinois could change their real estate taxes in support of schools and other local governments. Is this what you envision from this bill?"

C.L. McCormick: "My vision on this bill, yes, it's a stopping of the upward trend and it gives us as members of the General Assembly and the Administrations, whoever they are after November the 7th, to see what can be done to fairly tax the people of this state for governmental, for governmental business, instead of just keep feeding a bureaucracy that just eats up everything that you can give it."

Robert S. Juckett: "In other words the local tax would be kept either at the level that you've got it now from this freeze or perhaps lowered and then the additional monies which would be necessary for the operations of the schools and local governments would come from the state. Sort of a revenue sharing."

C.L. McCormick: "Yes, and I believe in the Governor's statement endorsing this bill, he said it might be the first step towards even a lower real estate tax in the future, when we did get this re-evaluation done."

Robert S. Juckett: "Well, Mr. Speaker and ladies and gentlemen of the Assembly, before I understood this principle about this bill I thought it was a pretty good bill. But I think that



if we're going to institute complete revenue sharing in the State of Illinois, I think that all the people on the local level are going to have to realize that if we prevent them from taxing themselves and spending their money that the way they want to do it and if we give them the money from the State of Illinois Treasury to which they have paid in, then we are going to utterly strangle the local communities, we are going to strangle the local school districts and we are going to tell them exactly how they are going to spend their money, how their going to cross their 'tee's' and dot their 'i's'. And although it was a very wellmeaning sounding bill when it was originally introduced, I think that the explanation of the sponsor has uncovered the true and hideous meaning that we are in effect going to destroy our local governments. And we are in effect going to take over all their operations, and I for one will be happy to cast a 'no' vote and urge you to do likewise, because I think the local governments are far more able to determine what they want to spend for themselves and how they want to tax themselves than we in Springfield. And I urge a 'no' vote on this bill."

Rep. Kenneth W. Miller: "The gentleman from cook, Mr. Mann is recognized."

Robert E. Mann: "Well, Mr. Speaker and members of the House, as the sponsor knows, I have the highest regard for him, but I would feel like a hypocrit if I voted for this bill because it is sheer gimickry. All that glitters is not gold, Mr. Speaker and members of the House and this bill, while it glitters,



is not gold. The money must come from somewhere to support our needs, especially in the field of education. And if we contain the local real estate tax base then we must increase the sales tax and other taxes in order to provide the necessary fund for education from a state level. And I don't think that we can honestly say to our constituents in our districts; 'Mr. Constituent, Mr. Taxpayer, I have saved you taxes by putting a lid on one tax so that I might force another tax to be raised over which I had theoretically no control. That is gimmickery, Mr. Speaker, and Members of the House, that is Tomfoolery and I think we underestimate the intellectual capacity of the taxpayers. We forget that, despite the fact that they don't like to pay taxes, they do want services. The educational system in Chicago is on the verge of collapse. Last week we refused to appropriate the necessary funds to keep that collapse from occurring. Now we're saying we're going to give an impetus to that collapse by putting a freeze on local real estate taxes. Let's not treat the symptom while the disease lingers. If you want to talk about getting rid of waste and loafing, if you want to talk about patronage reform, if you want to talk about other things as a means of lowering or containing taxes this is the way to go about it. The way to go about it however, is not to kid our constituents, they're a little too smart and so are the rest of us. And so, ah... C.L., with all due respect for this idea, I know it comes sincerely, I'm going to have to oppose it, because I do not think its tax reform, I think its tax Tomfoolery."



Rep. Kenneth W. Miller: "The gentleman from Cook, Mr. Glass, is recognized."

Bradley M. Glass: "Thank you Mr. Speaker, ladies and gentlemen.

I have a high regard for the sponsor of this bill, an extremely high regard and for the objective that he seeks to accomplish. However, I see so many flaws in the approach that I simply cannot oppose....or support the bill, and I urge you to join me in opposing it. I'd like to point out a few of the main problems that I see in this bill. I think at the outset the first one that strikes you is that it does not effectly limit the city of Chicago since it omits the general corporate fund. And as the Tribune put it; 'leaving Chicago out of a plan of this sort is like trying to end world war two without including the Germans in the surrender treaty.' So I think this is a fairly significant ommission. Now, as some of the earlier speakers have mentioned, Representative Juckett in particular, this bill would remove the basic decision making power from officials at the local level. Ladies and gentleman, this is big-brotherism pure and simple. I think what we do by this bill is presume for each local area, that we, the State of Illinois, knows what is best for it despite what its local ellected official might feel. In other words, we are sitting down here in Springfield not knowing whether people in local governments ah...throughout the state and in local school districts in fact, may want more services and may be willing to pay for them. So I think it's a bad policy for us to make decisions for people at the local level. Now another major problem with the bill, of course,



is that it lumps together all schools districts in the state. That is, those with high real estate tax rates and low real estate tax rates, and it paints with a broad brush and freezes all of them. And this thus will eliminate the possibility of more revenue to the districts that need it, that may have been fiscally responsible up to now, and may in fact need ah...more taxes and yet be unable to pass a referendum to obtain them. If the whole state of Illinois, ladies and gentlemen, were taxed at the same rate on property taxes this bill might make sense. As it is, it does not. Now I would say to you it particularly intensifies the hardship on many of our school districts which are currently providing somewhat marginal standards of education and freezes them in, and is therefore unfair ah...to the school children. Another problem with the bill is that it discriminates between home rule and non home rule municipalities. As you know, home rule units of government are free to levy other kinds of taxes and they can therefore obtain additional revenue while non home rule municipalities could not, since their only source would be to increase the property tax. I'd like to make one observation on this bill too. You will note that it bears the highest number of any bill that we've had in this session. And it was introduced late, very late, in the session. And it is therefore been quite difficult for local governments to comment on the bill. Nevertheless, I have received letters and calls and one telegram from municipalities opposing this. Now I think ah...these are some of the reasons for opposing the bill. I don't think that anybody denies that real estate tax relief





is needed, but I think there are other ways of achieving that. We certainly should consider giving partial credit against the state income tax for payments of real estate tax. So although this bill is politically, almost irresistible I believe the responsible vote is 'no' and hope you will join in that vote to help defeat this bill."

Rep. Kenneth W. Miller: "The gentleman from Cook, Mr. Kosinski, is recognized."

Roman J. Kosinski: "Mr. Speaker, will the gentleman yield to a question?"

Rep. Kenneth W. Miller: "He indicates he will, proceed."

Roman J. Kosinski: "Mr. Speaker, ladies and gentleman of the House and Representative McCormick, despite the comments of Mr. Mann, and I would like to think he was perfectly correct in the voter interpretation of issues, I nevertheless, and I must precede my question with several premises, if you'll forgive me, in the light of the results in the recent gubernatorial primary, where a tax issue was involved, it appears to me that where we can vote against this type of bill, because of the emotionalism, we would be ripped to shreds by our constituents. At the same time, in the light of the preceding comments, and this being a political year, should we vote for it we would be accused by the media of putting up a vote for a popular bill for the votes therein, without regard to the value. We have too often been guilty of providing bills which have had political significance. Sometimes it's proved unconstitutional, much to our embarrassment. Now the question sir. In your original



statements I understood you to say that you are of the opinion, despite the problems apparent, this would be a constitutional bill. On what do you base this assertion, Mr. McCormick?"

C.L. McCormick: "Alright, now I ah...first now you made a few permissive marks, get my tobacco out of my mouth here, a constitutional bill back twenty years ago, when I came to this legislature, we had about 15 lawyers on the floor and I never did hear of an unconstitutional bill. And after we've got up to where we have about 50 or 60 almost every bill that we pass is unconstitutional, according to the courts in the last few years. So, being just a layman, I certainly can't guarantee you that any bill that we pass will be constitutional. But I will tell you this, I had, I had after I did the research work through the legislative counsel from the states that have proposed this act and have passed it, then I called in the taxpayers federation, Mr. Scott, and I asked him then to help me prepare the specifics that I wanted in the bill and he did it and he was on the constitutional convention and then I took it down to the legislative reference bureau and had them to draw the bill. Now I can't guarantee you its constitutional but it has just as good a chance of being constitutional as any other bill I think that we'll pass in this general assembly. Wait a minute, and one more thing before I finish, and another thing, as I said in the beginning, there was no question but there may be some things in this bill that have to be changed, even in the Senate as we go along or in the Fall before it actually takes effect. But there's no way that we can ever



get any thing done if we don't pass the bill in order to give it an opportunity."

Roman J. Kosinski: "Ah...then would I be correct, or I think I am correct in the light of my previous comments relative to the voter and the emotionalism toward this sort of thing, the press in its skepticism and the possibility of the Supreme Court turning down this issue, that this....."

C.L. McCormick: "Just a minute now, I read into your remarks a skepticism..."

Roman J. Kosinski: "Not a negativism to your bill. As a lay person I have an emotional positive reaction. But as a legislator I am beginning to feel that this is one of those; 'that we're damned if we do and damned if we don't, Mr. McCormick."

C.L. McCormick: "No, this bill is not...I don't know. It's easy you know, when your trying to find a way to be against something good, and maybe you're not, but there is people that's doing it. It's easy then to start finding something wrong with it. But let me tell you this, I come from the very farthest end of this State and I'm not bragging, but I believe that if any man in this House can be reelected I believe that I can be reelected along with my other colleagues down there. If I'd never heard of this bill I believe that sincerely. Now I'm not the least bit interested in this from the point of whether its a Democrat or a Republican improvisation. I just know that I live with people and you live with people and every body in this room goes home and everytime you pick up the paper its a letter to the editor about whats happening to our taxes.



everytime you go down the street they say I got my tax bill and its 20% higher and all you down state republican's and democrats alike know that you're getting a multiplier. And its going up anywhere from 15 to 20 to 30% in your multiplier. I don't know how your going to face the people back in your districts if you don't start looking at the tax structure in this state and equalizing it. If it gets to where you can't own property in this state then you might as well live in Russia

Roman J. Kosinski: "Well, then to reassure you Mr. McCormick, while as a legislator I have some misgivings in this regard, as a politician who's running for re-election, in terms of the prayers and hopes of my constituents who fear tomorrow for additional taxes, I will necessarily have to vote for the emotionalism of this bill. Thank you."

Rep. Kenneth W. Miller: "The gentleman from cook, Mr. Schlickman, is recognized."

Eugene E. Schlickman: "Mr. Speaker, I should ask if the speaker would yield to a question, but before doing so I should like to pose a parlaimentary inquiry. According to the New Constitution Article VII, Section 6, Paragraph G, the General Assembly, by a law approved by the vote of three fifths of the members elected to each house, may deny or limit of power of tax and any other power or function of a home rule unit not exercised to perform by the state other than a power, or function specific in sub-section I of this section. I inquire Mr. Speaker, as to whether three fifths would be required to pass this bill, or a simple constitutional majority of 89?"



Rep. Kenneth W. Miller: "Ah...Mr. Schlickman, why don't you proceed with your questions or your comments for the moment."

Eugene E. Schlickman: "Would the gentleman yield for a question, Mr. Speaker?"

C.L. McCormick: "I'd yield to anything, I may not be able to answer it."

Eugene E. Schlickman: "Thank you. Ah. Representative McCormick, I understood you to say at the outset that this bill provided for a moratorium on tax collections, is that correct?"

C.L. McCormick: "That is the intention and ah...of the bill and that's the reason I had it drawn."

Eugene E. Schlickman: "Alright. Do I also recall correctly, Representative McCormick, that you indicated that what you are attempting to do here is the same as what Cook County has done?"

C.L. McCormick: "Well, no. No, I was just trying to show you where, that even the mayor had noticed in his statement, and I have it here somewhere if I can find it, that the people were overly fed up with the constant increase in the real estate taxes in the state. And that he had advocated a small reduction in the cities general fund. And at the same time, or the day later, George Dunn, who is president of the county board, come along with the same thing as far as the county's general fund was concerned."

Eugene E. Schlickman: "Well then is it true, Representative McCormick, that what the county board apparently will be doing, or has it done already, would be to freeze the tax rate rather than tax



collection?"

C.L. McCormick: "Well, then if that is a fact, then your not going to do very much good for anybody. Are you?"

Eugene E. Schlickman: "Mr. Speaker, and ladies and gentleman of the House, I think we have a good idea here if it was a moratorium on tax rates, rather than on tax collection. By having a moratorium on tax collection we make no allowance and provide no allowance for those fast growing areas in our state and particularly those in the Northwest and Southwest suburban area of cook county and the adjoining down state area where population increases would put an intolerable squeeze on services that already are inadequate. Mr. Speaker and ladies and gentleman of the House, today I was advised that one village in the northwest suburban area in cook county if this bill were to be passed and approved into law, would suffer in 1973 a \$65,000 loss of income and in 1974 a loss of income of \$140,000. In another letter received by a unit of local government in the northwest suburbs it states; 'the growth community such as the suburban areas of Chicago and other metropolitan areas would be adversely effective by any such restriction. There'd be serious cut backs in municipal service, rather than the expected healthy growth of the municipal bodies effected. Another municipality states that the ability of local official to respond to public needs would remain....should remain, should remain a responsibility of local governing officials. Those communities which have reached taxing limits may be the hardest pressed by such a bill. Mr. Speaker, and



and ladies and gentlemen of the House, there have been many attempts in the past of this General Assembly to provide tax relief. Most of them in the past have encountered difficulties because of constitutionalities. Other attempts have involved gimmickry, with the objective of appealing to certain segments of the population. Now we have this bill, which the sponsor himself suggested at the time he introduced it, may be unconstitutional. And which, Mr. Speaker, ladies and gentlemen of the House, certainly appears to violate the spirit, if not the letter of the home rule article of our new constitution. I ask Mr. Speaker, and ladies and gentlemen of the House, rhetorically, why are some of our state leaders so reluctant to approve sure means of permanent tax relief? Seems to me that we of the state level should be initiating state tax relief rather than posing dubious restraints on units of local government."

Rep. Kenneth W. Miller: "The gentleman from Kane, Representative Hill, is recognized."

John Jerome Hill: "Yes, Mr. Speaker, I wonder if the sponsor would yield to a question?"

Rep. Kenneth W. Miller: "He indicates he will, proceed."

John Jerome Hill: "In Aurora Township the county of Kane just put an additional multiple factor on which would increase the taxes up there by 11%. If this bill passed would it hold that 11% percent increase in obedience?"

C.L. McCormick: "Now, You're talking about the multiplier?"

John Jerome Hill: "That was put on by the county Of Kane on Aurora Township. Would it hold that in obedience?"



C.L. McCormick: "What it does, it doesn't keep the multiplier from being put on, but it doesn't let them raise more money than what they raised in 1972. So what it will do, it goes on, it will lower the rate so the amount of money will be the same. In other words, there won't be an increase in taxes even though their evaluation might be up."

John Jerome Hill: "Alright now, if the state now comes in and puts an additional factor on the county of Kane, will it also do the same thing to that?"

C.L. McCormick: "It will also do the same thing there. In other words, in my county it went up 20%, the multiplier did, 21%, what it does, it simply, but my amount of money will have to raise the some amount, so it will lower the rate and it will not raise the tax on the individual owner, other than an adjustment they had to make if somebody's too low."

John Jerome Hill: "Ah., Mr. Speaker, I'd like to say a few words in regards to this piece of legislation. I think this piece of legislation is going to be very beneficial to the taxpayers of our districts. Its about time that we take interest in those people that have to pay the property taxes in all of our districts in the state of Illinois. This is only a moritorium for two years. But it seems to me that we have to find out what is happening in regards to property taxes and especially in my district. I point out to you that we have gone through a assesment in our area of Kane county. Those assesments have been increased and the county of Kane has put on an 11% increase with their multiple factor. And I would assure that the state





is going to also put one on in Kane county. And I assure you, that this is not a political vote. If you will go back home and you talk to the people that have to pay the property taxes to keep up these local governments you will find out that it is breakin their backs. And it seems to me that we have to take a look at this. And this bill will create a moritorium for two years to allow us to take that look. And in the meantime it will keep the property taxes of those people at a steady rate instead of a steady increase. Thank you."

Rep. Kenneth W. Miller: "The gentleman from cook, Mr. Bluthardt, is recognized."

Edward E. Bluthardt: "Mr. Speaker, and members of the House, it seems to me that it takes about as much courage to vote for this bill as it did to vote against the income tax. This is a bill, in effect would straightjacket local government. And it comes to my mind as to why in the world we even elect local government officials if we're going to take away their ability to govern their own communities. Let's look at what might happen. In my town, we anticipate the construction of a few motels that are underway, that there will be an increase of assessed valuation of some \$10,000,000. We will be expected to give those ah...motel owners the services, if necessary, that municipalities are required to give. Yet, we will receive no money in return for those services. It just seems to me, ah...Mr. Speaker, that we're going at this the wrong way. Let's freeze tax rates, fine, let's freeze the multiplier fine, but let's not limit the dollar revenue. Let's not limit the revenue"



that is to be received by a municipality. If we were really serious about freezing taxes, then let's start with the state government, let's freeze all tax levy's. Let's freeze all new taxes. Let's not adopt any new taxes. Start there. Let's put a ceiling also on the City of Chicago Corporate Fund. Why should we have an exception. Why should the city of Chicago be allowed to levy to their hearts content. Most of your screaming is come from the Chicago Area where the taxes are so high, the real estate taxes. Let's not strap the hands of local government officials. I, while I am not brave enough to vote no on this bill, certainly I'm going to vote present, Mr. Speaker."

Rep. Kenneth W. Miller: "For what purpose does the gentleman from Cook, Mr. Kosinski, rise?"

Roman J. Kosinski: "Ah...Mr. Speaker, a point of personal privilege."

Rep. Kenneth W. Miller: "Ah...state your point."

Roman J. Kosinski: "Ah...personal privilege of symantics of talking with Mr. McCormick. Ah...Mr. McCormick, a bit ago, I indicated, because of the tremendous emotional potential from the voters point of view that I would be forced to be in accord with this bill. Therein, lies some symantics. What I actually meant, was that I could not afford to be against this bill. Thank you, Mr. Speaker."

Rep. Kenneth W. Miller: "The gentleman from Livingston, Mr. Hunsicker is recognized."

Carl T. Hunsicker: "Mr. Speaker, and ladies and gentlemen of the House, I've listened with interest to the arguments both for



and against this particular legislation. You know, we in the general assembly, and Representative Bluthardt touched on this, we mandate increase spending and rising costs in government at the local level by passing legislation down here in the general assembly, requiring such increases. Local governments would hold down spending in most instances if they were given the chance. They do a pretty good job of operating locally, and rendering the service that the people want. Locally the public votes down most referendum that are going to increase taxes, and the only reason they do is because they're completely fed up with them. I know because I've worked my district thoroughly well and I hear this every day when I'm out on the highway, when we're not down here. Our local taxes in my county are going to rise about 15% this year. And they made a good jump a year ago. Now local governments are receiving a pretty good amount of tax from the state government. They got an increase of a quarter percent a few years ago when we put the income tax on. They got a twelfth of a one percent of the income tax and state government is re-imbursing them for the loss of personal property tax in their townships. Now it doesn't make any difference how much money we're going to give them from the state level and I've gotten communications from a few of the mayors in my district telling me to vote against this bill. I served on the city council once too. Now they'll spend everything they get. There's no question about that. But we're going to have to start here at this end and quit mandating what they have to pay in increases at the



local level. And I think real estate taxes will either stabilize or come down."

Rep. Kenneth W. Miller: "The gentleman from Christian, Mr. Tipsword, is recognized."

Rolland F. Tipsword: "Thank you Mr. Speaker, Mr. Speaker and ladies and gentlemen of the House, there have been very serious and important points raised in the debate on this by people who are opposed to this bill. And their points, I find ah... most of them, are very well taken. It has been suggested, however, that perhaps to vote for this bill might be irresponsible and I would like to suggest that there is nothing about this bill, in and of itself, that is irresponsible, to any degree. The irresponsibility can only arise if once we have enacted this bill, and I hope that we do, that we do not then, as members of this body, except the responsibilities that this bill is going to force upon us. And those responsibilities are many. Three of whom, Three of which I think are very important. First of all, that we must recognize problems when they do arise for governments throughout this state of Illinois and for the State of Illinois, that we may have to solve by piecemeal legislation. And as the matters come before us for consideration, we must do that. Secondly, we must re-evaluate what the state, and from the state level, provides for all local units of government. And we must do all that we possibly can to provide from the state funds, the money which every unit of local government legitimately, and I say advisedly, legitimately need to provide the services



that they must provide. And thirdly, that we should review, and take upon ourselves that task of reviewing the revenue provisions of the state of Illinois. In the hope of completely reforming the revenue structure of this state, not only for the welfare of the state, and the welfare of all local units of government, but especially for the welfare of the taxpayers of this state. In addition, I would hope that we would, at the same time, place an obligation upon all areas of government not just the legislature, not just the state. The school districts, the municipalities and everywhere. To review their spending, to determine where they are spending money that wouldn't need now to be spent. Where they can cut down on their spending just as we need to. And then together we can arrive at that kind of a revenue system in this state, and a funding for government on all levels that would be equitable, would take care of that which is needed, and could provide reductions for the people of the state of Illinois, instead of ever increasing the spending that they must face. I think in excepting that responsibility we can do very much to bring about that kind of a system that the people of the state of Illinois are demanding, and that they so richly deserve after these years of increased taxation. Our Governor has told us that he wants no new taxes during this term. And I will tell you that I am very willing to go along with his very good advice in that regard. I hope we have no new taxes during this term. Either taxes that are paytent on their face, or those that may be hidden in other kinds of actions that we might take in this general assembly.



I'm sure that it's the goal of every member of this House that we can keep new taxes from happening. This is one tool that we can use to cut down the pressures for increased spending and increased taxation. I'm going to vote for this bill even though I know there are two problem areas that are going to arise in my very district. Its problem areas that I recognize that I've discussed with the sponsor of this bill. My Senator, I've prepared an amendment for him. The sponsor has been very kind, and has indicated that he thought they were good amendments to take care of two very minor but important specific items that occur in my district alone. And I'm sure that we can, in the future, address ourselves to taking care of problems such as those, as they arise in every other community or any community wherever it maybe throughout the State of Illinois. I urge the adoption of this bill."

Rep. Kenneth W. Miller: "The gentleman from Lake, Mr. Matijevidh."

John S. Matijevidh: "Mr. Speaker and members of the House, I too would like to reiterate some of the remarks that Representative Tipsword has made, and I commend C.L. McCormick ah...on the introduction of this bill. Ah...this bill has been called gimickry, if this bill is gimickry, then it was gimickry too, that we had the revenue study commission. Ah...which is my estimation in all of my years ah...that commission and other commissions to study way to study taxes have only led to more taxes or to new tax sources. I haven't seen tax reform surely in my three terms in the legislature. Someone said that this bill is big-brotherism at its worst. Well maybe there comes a



time when big brother has got to say; 'this is the end.'

I know in my particular area in my jurisdiction ah...we received our tax bills last week, and let me tell you, I didn't hear a word about the equal rights amendment in my district, not one word. All I heard about was the high taxes. And I think we do have a responsibility. Let's think back about the state income tax. When that was passed, didn't we say that the local governments would use their revenues that we gave them to abate the property taxes. That was their responsibility and I think it was our responsibility to make sure that local governments did abate property taxes. Well they didn't do it, and the property taxes keep skyrocketing. So now its our responsibility, I think, to do something drastic. Yes this is drastic, but thats what the people want. They want us to stop and take a look, and they want us to say this is the end in real estate taxes. No we haven't been good examples in state governments, but maybe we ought to take this step so that local government does take some action of their own. We saw that when we gave them revenues that they spent more. My guess is, now that we put a lid, they'll spend less. So I think that this will lead to tax reform. You talk about straighjacketing local government. Let me tell you, in my home district I fought for home rule for our county. And all I heard from those who were running for the county board, they told the people; 'don't vote for home rule, because it means unlimited spending.' I know what they wanted, they wanted us to take all the heat. They could blame all of the taxes on



the legislature. Well maybe its catching up to us. All of those permissive bills that we've been allowing to increase the tax rate. Their catching up to us, and the heat is on the legislature. The local governments are putting it on the legislature. All of the tax raises that you received in your local tax bills, their all local governments. But who's getting blamed for it? The legislature. And its about time now that the legislature take positive action, put the lid on taxes and lets start some real tax reform."

Rep. Kenneth W. Miller: "The gentleman from cook, Mr. Simmons."

Arthur E. Simmons: "Ah...Mr. Speaker, I move the previous question."

Rep. Kenneth W. Miller: "Alright, the previous question has been moved. All those in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. For what purpose does the gentleman from cook, Mr. Wolf arise, Mr. B.B. Wolfe."

B.B. Wolfe: "Mr. Speaker, I think that ah...there are many members on the floor that would like to make a comment on the bill, this is probably the most important piece of revenue legislation that has come to the house in the last decade. And perhaps in the last fifty years, and ah...I think we ought to give it the deliberation in the time required, and I would suggest a roll call vote on the motion for a previous question."

Rep. Kenneth W. Miller: "The gentleman from cook, Mr. Simmons."

Arthur E. Simmons: "Well, Mr. Speaker, when I made the motion, I did it sincerely because the bill is only two pages long and two or three small amendments and anybody wanted to understand what they were to do ah...could read it, but ah...because





it is an important subject, I'll withdraw my motion for the time being."

Rep. Kenneth W. Miller: "Alright, the gentleman withdraws his motion. The chair recognizes the gentleman from macon, Mr. Borchers."

Webber Borchers: "Mr. Chairman, fellow members of the House, ah... I made a little survey in my area, and the consensus of opinion of those people and those units of government that I represent was that this would be a good thing. That it would force, and I quote Mr. John Pick, President of the School Board, or ex-president of our school board, but still a member, I quote him in saying that ah...he said it would help, force us, tighten out belts and I think that's exactly what the people of this state want and therefore I urge a yes vote."

Rep. Kenneth W. Miller: "The gentleman from cook, Mr. Shea."

Gerald W. Shea: "Will the sponsor yield for a question, please?"

Rep. Kenneth W. Miller: "He indicates he will, proceed."

Gerald W. Shea: "C.P., you and I have talked about taxes most of this session. And what concerns me a little bit about this bill is one of the amendments, amendment no. 3 talked about reducing levies if the Supreme Court upholds the personal property tax amendment. Now you and I both know the governor has gone into washington and appeared before the supreme court and many of us hear feel that the overwhelming referendum should have done away with the personal property tax. As I understand this, and I've talked to some people down state, and some of your county people, and about 22% of their tax income, property tax



property tax income, comes from the personal property tax. Let's just take a county that levies a million dollars, gets a million dollars in money. If the personal property tax is done away with by our Supreme Court, and amendment no. 3 is followed that million dollars would be reduced to about \$780,000. Is that right?"

C.L. McCormick: "I don't know the figures, but we'll assume your right."

Gerald W. Shea: "Alright, but it would be substantially reduced, is that right?"

C.L. McCormick: "There's no question, but what the amount of the evaluation of the personal property, whatever that amount would be would be off, yes."

Gerald W. Shea: "Alright, now if we've already sold tax anticipation warrants based on 75% of our proposed levy, they tell me that in many instances, that they won't have the money to pay off the tax anticipation warrants, and would put them in default."

C.L. McCormick: "Now, Representative Shea, ah...let's...back just a moment. If you recall the statement that was issued by the Governor on the result, if this happens, the Governor specifically stated, and I think that you remember it too, that if the Supreme Court reversed the Illinois Supreme Court, that he would make available in his budget, or he would make available, dollar for dollar refund to local governments for the loss. So there wouldn't be any purpose in...if your getting dollar for dollar back, there would be no purpose in worrying about whether you could borrow it or not, cause you wouldn't borrow what you had given to you."



Gerald W. Shea: "Well, in down state Illinois there's some \$221 million dollars in lost revenue under what the Governor says. And there's almost \$200 million in cook, I figure about \$440 million dollars in lost revenue. Could you tell me where, in the state budget, we've got \$440 million dollars?"

C.L. McCormick: "No, Gerry, no I can't tell you that and I certainly am not an expert enough to know. And I don't know that your figures are right, I mean any more than I know that some of my guessing is wrong. But I do know this, I do know this for sure, I do know this for sure, that you don't know what the Supreme Courts are going to do and I don't know either. And you know that if this bill passes that you know that if this bill passes, that in the September session or whenever the court makes the decision we're going to be back up here before this year is over. And you know that we'll have to, regardless of this bill, regardless of this bill, if this bill wasn't passed at all, regardless of this bill, we would have no choice but to do something about the refund to the local units on the personal property tax. Now you know that, Gerry, this bill has nothing to do with actually, this amendment was put on to please your, the boys on your side of the aisle, but I tried to get it left off until fall to see what the decision was, but your fellows, Representative Choate and Representative Tipword and Representative Alsup insisted, and I agreed to it early, that this should be on before it left the House and that's the reason. But you know that makes not one iota of difference, because if the Supreme Court rules in favor of the Governor



and Bill Scott's petition, what ever that is up there, that you still have to come back here in the fall and do something with that money. Because everybody's paying their taxes under protest and we've got Representative Matijevich's bill here somewhere that sets all of it aside. And in cook county your circuit court has already ordered that all of it be set aside."

Gerald W. Shea: "I'd like to speak to the bill, Mr. Speaker."

Rep. Kenneth W. Miller: "Proceed, Mr. Shea."

Gerald W. Shea: "I've...I've heard some of my colleagues better describe this bill, certainly than I could have. As Representative Mann said; 'all that glitters is not gold.' Representative Schlickman and Glass point out some of the falousies of the bill. I think what we're attempting to do is take away from all local government the right to run their own affairs. If you look at what could happen under some of the provisions of this bill, and I've talked to the comptroller of the city of Chicago as late as this morning, it would seem to me it would freeze the school levy at the exact rate it's at now so that passage to House Bill 4550 and the passage of bills allowing any borrowing from bond funds to keep the Chicago school district open would become a nulity. And what ever funds might become available because of increased evaluation or that loan would be impossible to get. With regards to schools in the city of Chicago we could not build the Lawndale high school, or the Taft High school. There's two new highschoools proposed on 103rd Street that couldn't be built, and a new grammar school proposed at 103rd and Cottage Grove that could not be



built. It would stop any rebuilding or refurbishing of the Chicago Library. The Police and Fire buildings that are due to be built in the city within the next year or two could not be filled. There's a proposed new Police facility at Kedsie and Harrison Street that could not be completed. There are supposedly an increase in the levy to pay for the bonds that are already out by the public building commission, some four million dollars that could not be levied. In the opinion of the people up there that certainly we'd be in default on our bonds. We mandated every county in this state of over 40,000 by nineteen seventy four to supply voting machines or vot-a-matics for all the voters. Where would we get the money to pay for them if we couldn't increase our rates at all? There are other areas. We've mandated, and I'm sure you voted for the bill, C.L., 4511, which increases the benefits of municipal employees pension. We've increased what we say we must pay school teachers and firemen and policeman, but if we don't let the municipalities find the where with all to pay it I don't know where the money's coming from. But certainly if this bill became law several of our pension funds would be in jeopardy because of what we cannot fund them at a proper level. I think that your idea is good, but I can't see going this route to do it. And I think that we ought to defeat this bill, thank you."

Rep. Kenneth W. Miller: "The gentleman from Rock Island, Mr. Pappas:

Pete Pappas: "Mr. Speaker, I move the previous question."



Rep. Kenneth W. Miller: "Alright, the previous question has been moved. All those in favor say 'aye'. Opposed 'nay'. The 'ayes' have it. We'll return now to the gentleman from Johnson, Mr. McCormick to close the debate."

C.L. McCormick: "Now Mr. Speaker, the bill's been discussed thoroughly and I'm not going to make a long closing statement. But let me remind you one thing for sure, in the state of Illinois the natural growth of the economy this year and next year if it continues, and its growing, you know that, the increase in the amount of taxes collected by the state of Illinois on the present tax structure in the state of Illinois amounts to \$200,000,000 a year increase without us increasing a cent on the rate. As far as the State of Illinois is concerned. Now if that's true, or if it's close to true, then the local governments are going to receive more sales tax, their going to receive more of the income tax. And then here's another statement too; Mr. Speaker, and ladies and gentlemen of the House, there is no question but what every person in this state every individual homeowner could use a raise in pay this year. There's no question but what the city of Chicago, the county of cook, the county of Johnson, or any other city or county could spend all of the money that you give it. This is not a bill with the intention of trying to hold any community from expansion. The only thing this bill is for is to freeze real estate and property taxes in the state of Illinois for this one trial period with the intention of trying to look at the overall structure, recognizing the simple fact that you cannot tax and tax and tax every homeowner in the State of Illinois,



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out of the very home that he's worked a lifetime to get. Look at a \$10,000 dollar home five years ago in my county today, and it costs you 17 or 18 thousand to buy it now. The taxes in my county are up 25% or 20 to 25% in the last year. And you people know that the multiplier all over the state of Illinois this year is going up anywhere from five to twenty percent in the township counties too. If you can go home and tell your people that they can live with what they have with just the normal increase and the normal growth for a year or two I can see nothing wrong with that. When I reach the amount that I can spend I either have to stop spending and relook at my income, and it isn't wrong for the people that vote and the people that pay and the people have a hard time sending their kids to school to ask us to stop the complete rise in taxes for this period of time, in order to look at it. And I think, Mr. Speaker, this bill's a good bill and its worth a try and I know it isn't perfect, and I know it'll have to be changed when it gets maybe to the Senate on an amendment or two and I know that when we come back in the fall we may have to make some adjustments, but it will renew the confidence of the people in this General Assembly and at the present time you walk down the street and your the spendthrift of the century, and you know it. I'd appreciate an 'aye' vote."

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

Eugene E. Schlickman: "Mr. Speaker, I was off the floor earlier, I had made a parliamentary inquiry as to the number of votes



that would be required in passing this bill. Referring specifically, I think, to Paragraph G of Section 6 of Article VII of the constitution."

Hon. W. Robert Blair: "Yes, would you like to further ah...comment on what your position is with regard to that?"

Eugene E. Schlickman: "My only comment, Mr. Speaker, and ladies and gentlemen of the House is that the section sighted by me states specifically; 'The General Assembly, by a law, approved by the vote of three fifths of the members elected to each House, may deny or limit the power to tax or any other power or function of a home rule unit not exercised or performed by the state other than a power or function specified in sub-section I of this section.' House Bill 4680, while we are regulating the tax extension authority of a county clerk, the county clerk is acting in an agency capacity with respect to units of local government. I therefore, Mr. Speaker, ladies and gentleman of the House, would respectfully suggest that the passage of House Bill 4680 would require a three fifths majority of this House and the Senate."

Hon. W. Robert Blair: "Is there any further comments ah...concerning ah...this parliamentary inquiry? If not then ah... the chair would rule that the gentleman from cook, Mr. Schlickman's point is well taken. That the passage of this bill will require a three fifths vote, because it would appear that it would be limiting the power to tax ah...of a home rule unit and ah... the constitution section 6 G, it provides that if that is the case, that a three fifths vote is required. So it will require 107 votes for passage. Alright, the question is; Shall House

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Bill 4680 pass? All those in favor will vote 'aye' and the opposed 'no'. Gentleman from Franklin, Mr. Hart."

Richard O. Hart: "Mr. Speaker, and ladies and gentleman of the House, you've heard alot of debate today about limiting the power of local government. And I don't see anything wrong with limiting the power of local government. I think Representative McCormick put his finger on the real purpose of this bill and that is that try to do something, to try to do something to restore the confidence of the people in its government. To paraphrase the gentleman ah...once said; 'everybody talks about taxes, but nobody does anything about it.' And I congratulate Representative McCormick on this effort to do something about it. I think the taxpayers of the 59th district, which he and I represent, with Representative Choate, and everybody else in this state of Illinois have had it up to here. I think they had a gut full of increased taxes, increased governmental expenses arrogant to the taxpayers pocketbook and I think one of the real issues in this election coming up this fall is gonna be the pocketbook. Because what have we done up to now to help the taxpayer? I think we've got alot more government than we need anyway. We gave the cities and the counties a portion of the income tax and they sopped it up like a sponge. And if we don't do something about limiting their power to increase taxes, and increase expenses then taxes will get higher and expenses will get larger. But I'm glad to join my colleague in the 59th district. Representative McCormick to give the taxpayers some hope, some hope that somewhere there



is a place where politicians are concerned about the rising taxes of the taxpayer. To give them some hope that somewhere some politicians are listening to the plight of the taxpayer. And I believe this bill is that kind of thing. That we can go and say that we do listen, that we are concerned about your problems. And that we're not up here to represent some municipality or some county or some local government, we're here to represent the interest of the taxpayer in doing what we think is best to help you out, to give you a place where you have someone you can talk to, to someone who is concerned with your situation. And I'm glad to vote 'aye', with my colleague, Representative McCormick."

Hon. W. Robert Blair: "The gentleman from cook, Mr. Epton."

Bernard E. Epton: "Thank you Mr. Speaker. Mr. Speaker, ladies and gentlemen in our, my seat mates and I combine 26 years in the legislature, we have heard alot of adjectives used alot of adverbs, and I never cease to be amazed at the license some of my colleagues take with a particular bill. Somehow, in their description of what a bill does or does not do, the facts seems relatively unimportant. Without any disrespect to those who voted against the bill, I suggest that perhaps they did not read or listen to C.L. McCormick when he described what this bill does, and what its purpose is. I resent the comment about political gimmickry. I don't need it either. I think that the people who are voting for this in the main do so out of honest conviction, perhaps even moreso than my colleagues in the House who get up and speak eloquently about



the service of the people demanding in the State of Illinois. As a matter of fact, it'll behooves my colleagues in cook county to speak so eloquently about the services because nobody pays less than the people of cook county on the personal property tax. I'm ashamed of my constituents and some of my colleagues not from my district, of course, I'm ashamed that those who constantly talk about the personal property tax when everybody but those in cook county pay it. I think if the local governments have some trouble in meeting some of their bills, they might be well advised to enforce some of the existing laws. And that would apply in cook county for the small taxpayers as well as the large tax payers. I do agree with Representative Mann when he talks about the school system in Chicago. But there's only one thing that he perhaps overlooked. The school system in Chicago is bankrupt, and as Warren Bacon said; 'Its not only financially bankrupt but educationally as well.' This bill very simply says to the people in Chicago as well as the rest of the state; you must live within your budget. It does not turn a deaf ear to those municipalities who will have increasing needs. Representative McCormick has made provisions for those municipalities who will have additional demands upon their services. And most assuredly I say to those of you who favor local government; this is not in anyway an attempt to straightbind, or to straightlace or to tell them how to run their government. It simply says do so within the bounds of the money that you presently have. And that has been allocated."



Hon. W. Robert Blair: "Alright, will the gentleman bring his remarks to a close."

Bernard E. Epton: "I'd appreciate your attention, ladies and gentlemen. And I solicit your vote in favor of this bill which simply asks all government to live within the budget they presently have."

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

Henry J. Hyde: "Ah...point of parliamentary inquiry, Mr. Speaker, is it a fact that ah...if this bill passes with 89 votes that it will be applicable to all non home rule units and the failure to receive 107 votes does not invalidate the bill it just renders it inapplicable to home rule units?"

Hon. W. Robert Blair: "Yes that ah...on that point it would be the chair's ruling that section 6G ah...insofar as the three fifths requirement, would only be applicable insofar as the application of this bill to home rule units. And therefore that if the bill receives 89 votes that it would pass insofar as non home rule units are concerned. Further explanation of votes? Gentleman from cook, Ah...Mr. Duff."

Brian B. Duff: "Ah...Mr. Speaker, in explanation of my vote, I've been puzzling pretty hard about this bill but the decision of the chair in regards to 89 votes vs. 107 votes on the very same bill put me in a rather total state of confusion. Ah... I'm not sure in fact that it would be appropriate for us to cast a bill without any certainty as to what the total effect is going to be. Its kind of like groping in the dark in terms of whether or not we're going to effect the people of Illinois



and in a very serious way. I'm inclined, in fact, to vote for the bill but under the circumstances, I doubt very much that I will."

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

Clyde L. Choate: "Parliamentary inquiry, Mr. Speaker, if I have listened correctly ah...the speaker has advised that House that for the bill to be effective as far as home rule units are concerned or counties that it would take the three fifths vote. Ah... if I listened correctly to the response to the majority leader's question, 89 votes would be only required for a...units of governments that is not under the home rule ah...amendment. I would therefore ask what would happen, and I know its a hypathetical question, but in a county that was not under home rule but one of their one or two municipalities in that county was under the home rule amendment. I would further suggest that there might even be special districts ah...throughout the state of Illinois, that a part of that district would be within the home rule unit, and a part of it would not be within a home rule unit creating utter havoc or caos as far as taxing those bodies as far as that special district is concerned."

Hon. W. Robert Blair: "Well, I think that the ah...gentleman's point ah...is an interesting one. Its one though that unfortunately is created by the language in the constitution itself. On my first ruling it clearly states that ah...in order to limit the taxing powers of the home rule unit that it requires a three fifths vote. On the other hand, this bill would have



applicability to a vast number of non home rule units and there's no requirement under the constitution for a three fifths vote there. So ah...even though it would resolve in a...the kind of situation that your ah...discussing, ah...still the ruling would ah...have to apply. Now the gentleman from Johnson, Mr. McCormick, for what purpose does he rise? Did you have a...

C.L. McCormick: "Ah...Mr. Speaker, ah...I understand your ruling. It takes the 107...well you know and everybody in this house knows there's not a man in here but what's old enough to know how to read and write and think that it would be the greatest follie that this General Assembly could ever do to pass a bill or to let a bill become law, in this type of a measure where it was trying to do something for the real estate taxpayers of Illinois, and exclude the home rule units. And, you know, that I just think, I just wouldn't have enough nerve, I just wouldn't have enough nerve or enough guts or enough face to go back home. And I would hate awful bad to walk out of here and answer any man in the street; 'what's wrong with you C.L. So I can tell you very frankly, I'm not going to tell you that I won't ask for a postponement. But I'm going to tell you very specifically now, and every member of this House, that if it doesn't get the 107 today, and maybe I get one more chance at it, if it doesn't get it today when there's some people here that I know would vote for it, then Mr. Speaker, I would never keep the bill alive. If it doesn't cover the units of government like its suppose to. And I would like, Mr. Speaker, when it gets down to it I would like for you to call the roll of the



absentees, for sure, even before that I have to ask for a postponement, if I do have to ask for it."

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

Clyde L. Choate: "Well I'm only going to say one thing, Mr. Speaker.

because this bill for the past couple of hours has been extensively debated, and I don't think that there is a member on the floor of this house but what understands the, every section of this piece of legislature and the full importance of it, to every citizen of the state of Illinois. But I'm going to say this in explanation of my vote. That unless remedial legislation such as this is taken, in the near future your on the brink of the largest taxpayer revolt here in the state of Illinois that has every existed in any state. And I vote 'aye'."

Hon. W. Robert Blair: "The gentleman from cook, Mr. Scariano."

Anthony Scariano: "Parliamentary inquiry. What is the requirement with respect to what a bill must state within the bill to be applicable or not applicable to either home rule or non home rule ah...units?"

Hon. W. Robert Blair: "Ah...Yea, there is actually no drafting requirement ah...inso far as any specific language is concerned to be placed in the bill as to whether it is applicable to home rule or not to home rule its a matter of looking at what the legislative intent is as far as the bill is concerned and I read the bill and I've ruled that it would have applicability to limit the taxing powers of home rules units. And that does require three fifths vote."



Anthony Scariano: "Well, then its not only the intent but the number of votes that determines whether or not its applicable to one or the other of the units?"

Hon. W. Robert Blair: "Well, the bill, as I read it has general applicability insofar as limiting the tax powers of both home rule and non home rule units. The constitution ah...requires that insofar as it would limit ah...the taxing powers of home rule units that that requires a three fifths vote. There is no such requirement insofar as non home rule units are concerned and I have ruled that if this bill receives 89 votes ah...and goes over to the Senate, of course, and passes over there, that that would be sufficient for it to have applicabilit to ah...non home rule units. Gentleman from ah...Knox, Mr. McMaster."

A.T. McMaster: "Ah...Mr. Speaker, I think Mr. Choate mentioned the fact that we have special districts that overlap both home rule units and non home rule units. And I want to reiterate this, we have many of those. Many Sanitary districts, for instance, that go beyond the city limits, of a city that is over 25,000 is therefore automatically home rule. And I think that we cannot have legislation that will effect home rule uni....or not effect home rule units of government but will effect other units of government. I think it must be all included if we are to pass this legislation. And I certainly feel that it is a good legislation and I would hope that it would get the necessary 107 votes in order to pass."





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

John S. Matijevich: "Ah...Mr. Speaker, I just wanted to say to C.L. McCormick, I appreciate his graciousness to all of the people of the state of Illinois, but I would hope that if he doesn't get the 107 votes that he bring it back for an amendment to...because much of the opposition evidently is from those who represent home rule units of government. And I would hope that all the rest of the people of the state of Illinois would not suffer because the representative who wouldn't ah...are actually are trying to kill this bill ah...want it that way. I would think the better, of course, would to bring it back and at least have some of the people of the state of Illinois benefit by it."

Hon. W. Robert Blair: "Ah...the gentleman from cook, Mr. Duff."

Brian B. Duff: "Mr. Speaker, I don't know ah..enough about the history of legislation in Illinois, but I wonder if ever before there has been a bill, which was before the house which could have two different numbers of votes required to make the bill pass. Ah...while I grant there may be nothing in the rules of this House as passed to have that affect, I must feel that there is something in this case in Robert's Rules of Orders which would make it a contradiction in fact. Ah..I think that to put the members of the House in a noman's land between 89 votes and 107 votes in terms of the uncertainty of the vote they cast, its a very complicated thing. Now Mr. Speaker, while I recognize the necessesity of your making a ruling on that effect, at that point in time you did not have the stated



intention of the sponsor, that he intended the bill to have an effect to all communities. And I wonder if in the light of his statement, you can't make another ruling ah....that it does require 107?

Hon. W. Robert Blair: "Well, if I understand your question, you're saying that the bill either has to have 107 votes or it doesn't pass and I said that that's true with regard to its applicability insofar as home rule units are concerned. But if it receives 89 votes it would be the chair's ruling that the bill would be effective insofar as non home rule units are concerned. Gentleman from cook, Mr. Duff."

Brian B. Duff: "Mr. Speaker, I recognize that there have been some distractions and so I would like to briefly state my point again. I think that probably never before in the History of the State has there been a situation where a bill had to require had two potentially effective majorities and the members who are caught in a noman's land between 89 and 107 in terms of the effect of their votes not literally knowing ah...what effect their vote might have. And I recognize the necessity of your ah....ruling and yet it was made prior to the statement of the intention of the sponsor that he did in fact, intend the bill to have a universal effect. And in the light of his statement is it possible for you to make a ruling now that the bill would require 107 votes."

Hon. W. Robert Blair: "Well, it would be the chair's ruling that for that to be effective it would have to be written into the bill ah...so that it would be very clear that that is the intent."



that it is ah...to apply only if 107 votes are passed. As the bill now stands it ah...it indicates that it would have applicability to non home rule as well as home rule units. And ah...gentleman from cook, Mr. B.B. Wolfe."

B.B. Wolfe: "I was just about to make that same suggestion, Mr. Speaker, and I think that the applicability, its going to be difficult from an administrative view point if a bill passes for one who is subject to the bill to go back to what we call legislative intent, or the rule under section 6 of: article VII requiring the three fifths vote to determine what the scope and extent of the bill is. So that the sponsor to clarify that point, and I think you've made the correct ruling up to now with respect to this bill, its the first impression bill, that the sponsor would then have to bring the bill back to second and clarify the language so that it would be applicable to all units of local government, including the home rule units."

Hon. W. Robert Blair: "Well, as a practical matter, as I understood the Gentleman from Johnson, Mr. McCormick, if at that point we are over 89 it would be his intention to give validity to his applicability on the bill to 107 that he's going to ask for some action to be taken at that time. Is that the gist of what the gentleman said?"

B.B. Wolfe: "I'm sorry, I guess I'm getting deaf or something."

Hon. W. Robert Blair: "Yea, what I said was that the questions now being raised about the intention that you announced ah... concerning the applicability of the bill to ah...all units of



government ah...not just to ah...non home rule units. And ah..that ah...in light of my ruling that the only way that that could be effected ah...if ah...the indication would be that there would be 89 or greater number of votes up to but not including 107. That you would ask recognition ah...at that time ah...to have the matter postponed or taken from the record or whatnot. Ah...is that right?"

C.L. McCormick: "Let me make it perfectly clear, I do not intend to ever agree to the passage of my bill if it eliminates one kind of a government from another. I don't think its fair, I think its contemptable to even think about it, I think it would cause the people of Illinois to lose complete confidence in the program that we're trying to do. And I think that, Mr. Speaker, that if I cannot have whatever you say that I have to have on that board I may, if its close enough, ask you later on in the proceedings for a postponement, not to take it out of the record cause I want a roll call of this in case something happens that you all get in turmoil and go home and leave me stranded, I want that roll call. Now very frankly, if it doesn't go through where it applies to everyone like it is, I just don't intend to try to pass the bill other than I'll give it one more shot if you let me."

Hon. W. Robert Blair: "O-K, well thats what I suggested in my comment to you, that ah....I understood that if it did not receive 107 it was your intention to ask for recognition at that time to take action concerning postponement. Gentleman from cook, Mr. B.B. Wolfe, what's your point?"



B.B.Wolfe: "Ah...a point of parliamentary inquiry, Mr. Speaker.

If this is the intent of the bill, and this house passes this bill in its present posture, the Senate, which will consider this bill, will have the language of this bill before the Senate and whether or not they come to the same conclusion is hypothetical. So that if the sponsor really wanted to move this bill according to his intent, I think it would almost be imperative that he amend the bill to include his intent so that if it does reach the Senate they're voting on a bill as intended by the sponsor."

Hon. W. Robert Blair: "The gentleman from cook, ah...Mr. Meyer."

J. Theodore Meyer: "Mr. Speaker, I think I'd be remiss in my legislative duties to my constituents and those constituents to the city of Chicago if I didn't point out to the best of my knowledge there isn't a city of Chicago Democrat that is voting for this bill. I can't understand why. It does...the only people that this would protect as far as they're concerned or not protect but put their jobs in jeopardy those precinct captains, would be the Sanitary district, the Forest Preserve district and the ah...park district. And I think that they have, that this should be pointed out and C.L. I'm glad that you're going to save the roll call because I am sure that there won't be two Chicago Democrats on here."

Hon. W. Robert Blair: "Gentleman from Peoria, Mr. Day."

Robert G. Day: "Ah...Mr. Speaker, I see nothing wrong with the Chair's present ruling on this matter. So far as the problem with ah...home rule and non home rule units are concerned.



Whether they be Home rule units, whether they be non home rule units if they are units of local government and have taxing authority they have their own tax rates and they have their own assessments rules. And all this would require would be that the county clerk, when he makes the extension of taxes, he would simply separate those units within his county which were home rule units, such as a city, and it would not, the bill would not apply to them. But he would apply the bill when he extends the ah...taxes for all of the other units of government. And if you have a county home rule situation where they have voted in ah...home rule, and you have non home rule units such as the Sanitary District operating within that county, clearly the bill ah...would not apply to the county tax rate but it would apply to the Sanitary District tax rate. And it seems to me that the Chair's ruling is completely in accord with the philosophy of the constitution which provides for home rule ah...free and clear of restrictions on the part of the legislature except for the three fifths vote. With the proviso that those who are not satisfied with that arrangement can vote to become non home rule units. Ah...those who vote to become home rule units are saying in effect that we do not want our particular unit of government to be restricted by the legislature except by a three fifths vote. So it seems to me that the Chair's ruling is completely in accord with the constitution and workable."

Hon. W. Robert Blair: "The gentleman from cook, Mr. Richard Walsh."



R.A. Walsh: "Mr. Speaker, may I be recorded as present?"

Hon. W. Robert Blair: "Record the gentleman as present. Have all... gentleman from cook, Mr. Bluthardt."

Edward E. Bluthardt: "Mr. Speaker, and members of the House, I can't help but feel that the proposal is basically unfair to local government. I'm not afraid to get up here and say so. One gentleman asked; 'what happened to the 12% that share of the state income tax that went to local government?' Why doesn't he ask what happened to the state appropriations in the last six years? They've multiplied three or four ah...times. What happened to that 12%? Did you ever hear of inflation? In my town revenues have increased 81% in the last five years. Salaries have increased 150 plus % in that time. Let's not blame local government officials for all the ills of our time, our tax bills. Let's blame ourselves. I think we're the ones who are more responsible with the legislation we're passing here than local government officials are. I said I would vote present. Mr. Speaker, will you so record me?"

Hon. W. Robert Blair: "Record the gentleman as present. Gentleman from cook, Mr. William Walsh."

W.D. Walsh: "Well Mr. Speaker, and ladies and gentlemen of the House to briefly explain my present vote. I'd like to point out that there are at least two members supporting this bill up there, who last week urged that this house support a tax rate increase without referendum for Junior College districts and by their vote today are prohibiting those very Junior College districts from deriving additional revenue because of increased assessed



valuation. Seems very inconsistent to me, Mr. Speaker, and I vote present."

Hon. W. Robert Blair: "Record the gentleman as present. Ah... the Gentleman from Perry, Mr. Cunningham."

W.J. Cunningham: "Present."

Hon. W. Robert Blair: "Present. The lady from DuPage, Mrs. Dyer."

Mrs. Robert C. Dyer: "Present."

Hon. W. Robert Blair: "Present. Gentleman from cook, Mr. Glass, present. Gentleman from cook, Mr. Carroll, present. Alright, Mr. Lechowicz desires to talk."

Thaddeus S. Lechowicz: "Very briefly, Mr. Speaker, I believe that unless we impose the same restrictions on the state wide basis as far as the expenditures within this state, I think this bill is ineffective. For this reason I vote present."

Hon. W. Robert Blair: "Record the gentleman as present. Mr. Berman present. Mr. Maragos, present. Mr. Kosinski, present. Mr. Lec present. Mr. Taylor, present. Mr. Merlo, present. Mr. B.B. Wolfe, present. Mr. Rayson, present. Mr. Caldwell, present. Mr. Menard, present. Mr. Jaffe, present. Mr. McGah, present. Now, Mr. B.B. Wolfe wants to explain his vote."

B. B. Wolfe: "Ah...thank you Mr. Speaker, briefly. I don't know whether I'm a city Democrat or a suburban Democrat or just a Democrat or just a plain old citizen that took a good hard look at this bill which is deficient in two areas in my opinion. It does not build in the so called replacement promises of revenue to the local units of government and this is bad. It does not build it in, and we've had bills, I've had bills in





revenue committee to give the home owner direct relief. And these bills lost. And in that direct relief I built into that bill a replacement of lost income to the local units of government. So that was fiscal responsibility. I see this bill only as a promise to the voter in November, and nothing else. This can be changed in January. Now if we're to give it a good hard look, we can give it a good hard look after November and if its a necessary bill and if its got the built in safety guard I'll vote for it. At the present I'll vote present."

Hon. W. Robert Blair: "Gentleman from cook, Mr. Scariano."

Anthony Scariano: "Mr. Speaker, in explaining my vote, I'd like to tell the gentleman from cook, Mr. Walsh, if that's the only problem he has he may as well vote for the bill because there will be an amendment excepted in the Senate placing Junior Colleges in the same position that the common schools have. Which, the amendment, was advertently left out when we drafted the school amendment. And ah...for the reason, having put an amendment on I feel that I cannot vote against the bill, but I should be voting for it."

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

Aaron Jaffe: "I just want to explain my vote."

Hon. W. Robert Blair: "Alright."

Aaron Jaffe; "I, in my particular district, the reason I'm voting present is as follows; if we have a non home rule unit coming under the 89 votes what we would have is school districts in my area being locked in and at the same time my township, which

is a home rule unit would not be locked in and therefore I have

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to vote present."

Hon. W. Robert Blair: "Duff, present. Alright, have all votes who wished? Brandt, present. Clerk will take the record. Gentleman from ah...Johnson, Mr. McCormick."

C.L. McCormick: "I'd like to poll the absentees first, Mr. Speaker."

Hon. W. Robert Blair: "Alright, clerk will read the absentees. Yes, ah...we've got the present down here but if ah...it still takes the clerks reading of it if he reads all but the ones that show on the print out there ah... as not voting there, understood that in a number of instances those are people that have voted present. Proceed."

Fredric S. Selcke: "Arrigo, Barnes, Berman, Bluthardt..."

Hon. W. Robert Blair: "Wait a minute, Barnes, present."

Fredric B. Selcke: "Brandt, Burditt, Caldwell, Capuzi, Carroll, Jimmy Carter, Richard Carter, Otis Collins, Craig, William Cunningham, Davis, DiPrima, Downes, Duff, Dyer, Ewell, Fary, Fennessey, Glass, Granata, Hanahan, Gene Hoffman, Jaffe, Karmazyn, Katz, Kennedy, Klosak, Kosinski, Laurino, Lauterbach, Lechowicz, Lenard, Leon, Maragos, Markert, McDermott, McGah, Merlo, Murphy, Neff, G. O'Brien, Palmer, Pierce, Rayson, Redmond, Ropa, Ike Simms, Taylor, Terzich, Jack Thompson, R. Walsh, W. Walsh, H. Washington, Frank Wolf, B.B. Wolfe."

Hon. W. Robert Blair: "101 'ayes', 14 'nays', and 22 present. Now that's where the roll call is now. Chair recognizes the gentleman from Johnson, Mr. McCormick."

C.L. McCormick: "Mr. Speaker, I would like unanimous consent of the House to postpone consideration?"



Hon. W. Robert Blair: "Alright, is there objection? Hearing none the bill will be placed on the order of postponed consideration. 4681."

Fredric B. Selcke: "House Bill 4681. An act to amend the Revenue Act of 1939. Third reading of the bill."

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

John S. Matijevich: "Mr. Speaker, members of the House, House Bill 4681 is a bill that would mandate that county collectors in Illinois deposit in escrow personal property taxes paid by individuals. The escrow account will be held pending the decision in the Lake Shore Auto Part Co. vs. Corzon, case presently pending in the U.S. Supreme Court. If the U.S. Supreme Court reverses the lower court decision under this bill, the county collectors shall refund to each person who paid such taxes the amount of such personal property taxes so extended and collected. If the decision is upheld the county collectors shall pay over the monies in the escrow account to the appropriate taxing bodies pursuant to a court order. I think all of you have heard that the people who have paid personal property taxes, the individuals ought to pay their personal property taxes under protest. House Bill 4681 would be an automatic protest by legislative action. I think that the people in the state of Illinois, in their vote in 1970 in the state wide referendum, showed us conclusively that they wanted to eliminate the personal property tax as it pertains to individuals. I do not believe that they should take any further initiative. I believe that we, as the legislature, ought to introduce this automatic protest.



so that the government, rather than the people, take the initiative to guarantee that if the Supreme Court decision is reversed every individual taxpayer receives his just refund. I think all of us know that no matter ah...how much we exhort people to make protest of their personal property taxes, that the great majority will not do so. This bill will assure that all individuals would receive their just refund. And I ask for your favorable consideration of House Bill 4681."

Hon. W. Robert Blair: "Discussion? Gentleman from ah...cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, a point of parliamentary inquiry?"

It seems to me that this bill again is ah...telling the local government what it must do with tax funds that it has collected. And ah...it would seem to me to come within the proscription of section 6G of the Illinois constitution. And therefore, my question is: If this bill is to be effective against Home Rule units, ah...will it require 107 votes? And if it falls short of that, but does get 89 or more, will it then only be effective in those units which are non home rule?"

Hon. W. Robert Blair: "It would be the chair's ruling that the same rulings that I gave with regard to the last ah...measure the Gentleman from Johnson, Mr. McCormick, would be applicable here. That indeed, in as much as the bill would apply to home rule as well as non home rule units, that ah...it would take 107 votes in passage insofar as limiting home rule units, but ah...it would only require 89 votes insofar as ah...non home rule units are concerned. Gentleman from lake, Mr. Matijeovich."



John S. Matijevich: "Mr. Speaker, first of all I'd like to say that I'm not going to add to the confusion, I hope, but I would get that I would get the 108 votes. In cook county by court order they are doing this right now, so I would guess that everybody in cook county would vote for me, because it doesn't negate anything that's being done right now. I think all of us outside of cook county ah...feel that we ought to have this rather than having all the circuit courts issuing orders. So I would hope that I have no problems with that, and that I would get the support of both cook county and the other 102 counties in Illinois."

Hon. W. Robert Blair: "Any further discussion? Alright, the gentleman from Effingham, Mr. Keller."

Charles F. Keller: "Mr. Speaker, if this bill would receive, let's say, 90 votes here in the House it wouldn't apply to home rule counties but if it went over to the Senate they put an amendment on it, it received two thirds vote in the Senate, came back to the House and we concurred with more than a two thirds vote what would happen?"

Hon. W. Robert Blair: "When we get there I'll rule on it. Alright, is there any further discussion? Has the gentleman closed? You've closed, alright, the question is shall this bill pass? All those in favor will vote 'aye' and the opposed 'no'. Ah... Fleck, 'aye'. Jake Wolf 'aye', and Simmons 'aye'. No, Fleck's 'aye'. Alright, Mann, 'aye'. Clerk will take the record. On this question there are 138 'aye's', no'nays'. And this bill having received a required vote is hereby declared passed."



Hart, 'aye'. 4668."

Fredric B. Selcke: "House Bill 4668. An act to make an appropriation to the Superintendent of Public Instruction for special education grants. Third reading of the bill."

Hon. W. Robert Blair: "Gentleman from cook, Mr. Schlickman."

Eugene E. Schlickman: "Mr. Speaker and ladies and gentleman of the House, House Bill 4668 is a companion bill to House Bill 4420. By House Bill 4420 we establish a program of Scholarships grants to those teachers to desire to be certified in the area of special education and then teach special education in the poverty areas of the state. House Bill 4668 appropriates the money for the implementation for the program already past approved by this House, and I solicit your support of it."

Hon. W. Robert Blair: "Further? Gentleman from cook, Mr. Richard Walsh."

R.A. Walsh: "Well, Mr. Speaker, just briefly in stating my opositio to this bill and the concept, I don't believe that any appropriation should be made through the scholarship which are going to provide for grants to people who have not established financial need. Now I do know there is an amendment on House Bill 4420 which would provide for some kind of repayment, however, ah... those repayment provisions are difficult to administer and if the person is out of state it is also very difficult to effect collection of an amount which may be due. Although this type of program may be laudable in that its good to encourage teachers ah...to involve themselves in special education, I do not believe that we should have special grants to anyone who has not



been able to establish financial need. And I intend to vote no on this measure."

Hon. W. Robert Blair: "Gentleman from cook, Mr. Kosinski."

Roman J. Kosinski: "Mr. Speaker, will the gentleman yield to a question?"

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

Roman J. Kosinski: "Ah...Gene, am I confused or was this the bill with the hook in it that ah...these grants would be available only to teachers who would teach only in areas they considered undesirable?"

Eugene E. Schlickman: "Representative, House Bill 4420 already passed by this house, establishes a program to be administered by the Offices of the Superintendent of Public Instruction whereby, scholarship grants would be made to teachers who presently are uncertified ah...to teach special education and once they became certified to teach special education, they would serve for a minimum of two years teaching special education in areas of the state designated as poverty areas by of office of Economic Opportunity."

Roman J. Kosinski: "Then this is not the same bill."

Hon. W. Robert Blair: "Further discussion? Gentleman care to close, Gentleman from cook, Mr. Schlickman."

Eugene E. Schlickman: "Mr. Speaker, and ladies and gentlemen of the House, I solicit your support of this bill. It is a companion to a bill already ah...passed by the House. Its a bill that is needed to implement the mandatory special education act of 1969. And I would respectfully solicit your support of it."



Hon. W. Robert Blair: "The question is; shall this bill pass? 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 111 'ayes', no 'nays' and this bill having received a constitutional majority is hereby declared passed. 4133"

Fredric B. Selcke: "House Bill 4133. An act to authorize the direction of the Department of Transportation to make a feasibility study on the bridge across the mississippi river. Third reading of the bill."

Hon. W. Robert Blair: "Alright, the gentleman from Union is handling this bill for Representative McClain."

Clyde Choate: "Well, Mr. Speaker, ladies and gentlemen of the House this is a bill sponsored by our former colleague and member Representative Elmo McClain. This is one of the things that he had asked me early in the session, was it possible for him to do for his district was to pass an appropriation to the department of transportation for a feasibility study for the location of a bridge across the mississippi river. Its a \$90,00 appropriation, its needed as far as the city of Quincy is concerned and I would appreciate the entire vote of this membership, Mr. Speaker, for our departed commrad and colleague, Mr. McClain."

Hon. W. Robert Blair: "Discussion? Alright, the question is shall House Bill 4133 pass? 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 150 'aye's, no

'nays'. And this bill having received a constitutional majority

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is hereby declared passed. "

Rep. Arthur A. Telcser: "On the order of concurrences appears House Bill 2267 for which purpose the gentleman from cook, Representative Wall is recognized."

John F. Wall: "Mr. Speaker, ladies and gentlemen of the House, earlier this concurrence was called up because we did not have the amendment. We had to take it out of the record, but now that everybody has a copy of the amendment, I discussed this with the members of the other side and they agreed, and I do concur in Senate Amendment no. 1 to House Bill 2267."

Rep. Arthur A. Telcser: "Is there any discussion? Gentleman from cook, Representative Simmons."

Arthur F. Simmons: "Would the sponsor tell us what the amendment does?"

Rep. Arthur A. Telcser: "He indicates he will."

John F. Wall: "Well, I can read you the amendment, says amends House bill 2267 to which is the Detective of Licensing act on page 4 line 25 by inserting the following; it strikes lines 25 through 35 and inserts the following: Who has not been convicted of a felony or who has been dishonorably discharged from any armed service of the United States or from any police force of any state or political subdivision thereof. However, if a person has been convicted of a felony or of a crime involving immoral perpetrate or has been dishonorably discharged from the armed services or police force of any state or the political sub division thereof, and twenty years shall have expired from the time of discharge or any sentence opposed therefore, or



from the time of the dishonorable discharge without the person being convicted of any crime except minor traffic offenses he shall be eligible for registration if he meets the other qualifications. The other part of the bill says the same thing for a person who is employed by the holder of a certificate of a detective agency. Only in his particular case, if he is involved in a crime involving immoral perpetration or discharge from any police or from the armed services after 10 years, if he doesn't do anything wrong then he is entitled to work for the fellow who has a detective agency certificate."

Rep. Arthur A. Telcser: "Is there further discussion? If not, the gentleman has moved that the House concur Senate amendment no. 1 to House bill 2267. All those in favor of concurrence will signify by voting 'aye', the opposed by voting 'no'. This is a final action, it will take 89 votes. Have all voted who wish? Take the record. On this question there are 110 'ayes' 2 'nays' and the House concurs with Senate amendment no. 1 to House Bill 2267. On the order of concurrences appears Senate Bill 3619 for which purpose the gentleman from Cook, Representative Glass is recognized."

Bradley M. Glass: "Thank you Mr. Speaker, and ladies and gentleman, I would move that the House concur with Senate amendments 1 and 2 to House Bill 3619. The first amendment was worked out with members of both sides of the aisle in the Senate ah...to make the bill more workable. Many of the amendments were technical in nature ah...the purpose of the bill is to provide authority for a recapture ordinance will, which will allow developers



of ah...subdivisions and other property to put in ah...sewer water and other utilities and later recapture the cost from undeveloped property which ah...those facilities serve, ah... giving the municipalities the authority to do this. Ah... amendment no. 2 is a ah...an amendment which excludes home rule municipalities."

Rep. Arthur A. Telcser: "The gentleman from St. Clair, Representative Krause."

James G. Krause: "Ah...Mr. Speaker, I think there's a technical error in amendment no. 1. On line 25, on line 24 it says; shall collect such fees to charge to owners of property, and then on line 25 says; no within the subdivision, it should be not. Ah...I don't think we can correct that in enrolling and engrossing in the House, this is Senate amendment. I think the proper thing we'd have to do here is non concurr and have them straighten it out and bring it back."

Rep. Arthur A. Telcser: "Representative Glass, for what purpose do you rise Sir?"

Bradley M. Glass: "To respond to Representative Krause. That was called to my attention Representative ah...Krause. And ah... I checked with the reference ah...bureau on that to see whether a conference committee would be necessary. Mr. Bobbitts opinion, for whatever that's worth, was not. In other words, there could be no way that this could be misconstrued. Ah...and therefore I'd ah...assume that we could proceed even though that word was no rather than no, and ah..."



Rep. Arthur A. Telcser: "Let's take that out of the record for now.

Let Representative Glass discuss it with Representative Krause.

On the order of concurrences appears House Bill 4282, for which purpose the gentleman from Champaign, Representative Hirschfeld is recognized. Take that out of the record. On the order of concurrences appears House Bill 1949, for which purpose the gentleman from Winnebago, Representative North is recognized."

Frank P. North: "Ah...Mr. Speaker, ladies and gentlemen of the House, I'd like to move to concur Senate Amendment no. 1 to House Bill 1949. This is an agreed amendment between both sides of the aisle, worked out in the Senate."

Rep. Arthur A. Telcser: "Is there any discussion? If not the gentleman has moved that the House concur with Senate amendment no. 1 to House Bill 1949. All those in favor of concurrence signify by voting 'aye', the opposed by voting 'no'. 1949. Have all voted who wish? Take the record. On this question there are 108 'ayes', and no 'nays', and the House concurs with Senate amendment no. 1 with House bill 1949. On the order of concurrences appears House Bill 4149, for which purpose the gentleman from Winnebago, Representative North is Recognized."

Frank D. North: "Mr. Speaker, ladies and gentleman of the House, I would move to nonconcur with Senate amendment no. 1 to ah...House Bill 4149."

Rep. Arthur A. Telcser: "Gentleman has moved the House to nonconcur with Senate amendment no. 1 with House Bill 4149. All in favor of non concurrence signify by saying 'aye', opposed 'no', and



the House refuses to concur with Senate amendment no. 1 with House Bill 4149. The order of concurrences appears House bill 1954 for which purpose the gentleman from cook, Representative Taylor is recognized."

James C. Taylor: "Mr. Speaker, ladies and gentleman of the House, House bill 1954 was designed to be a refuge collection bill in the city of Chicago. The Senate amendment no. 1 to House Bill 1954, makes in an entirely different bill, what I would like to do is request of the speaker to set up a conference committee to work out the problem with the downstate legislator, because there's a problem dealing with police and fire chiefs in the downstate areas. Therefore, Mr. Speaker, I'd like to move that we nonconcur with Senate amendment no. to House bill 1954."

Rep. Arthur A. Telcser: "O-K, Now Representative Taylor, if the House does nonconcurr, your must first see if the Senate would reced from its amendment before a confernce committee is appointed. Gentleman from cook, Representative Taylor, has moved that the House nonconcurr with Senate amendment no. 1 to House bill 1954. All those in favor of nonconcurrence, signify by saying 'aye', the opposed 'no', and the house refuses to concur with Senate amendment no. to House Bill 1954. On the order of concurrences appears House Bill 2472, for which purpose the gentleman from cook, Representative Bluthardt is recognized.

Edward E. Bluthardt: "Mr. Speaker, and members of the House, amend- ment no. 1, Senate amendment no. 1 to House Bill 2472 changes the date by striking 1969 and inserting in lieu thereof the following; 1970, I would move to concur."



Rep. Arthur A. Telcser: "Is there any discussion? Gentleman has moved the House concur with Senate amendment no. 1 to House bill 2472. All in favor of the concurrence will signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wish? Dan O'Brien, 'aye'. Take the record. Terzich, 'aye'. On this question there are 125 'aye's, 1 'nay', and the House concurs with Senate amendment no. 1 to House Bill 2472. On the order of concurrences appears House bill 3619, for which purpose the gentleman from Cook, Representative Glass, is recognized."

Bradley M. Glass: "Ah...thank you Mr. Speaker, ladies and gentleman I've had a chance to discuss this with Representative Krause, and I believe the correct course of action, because of the misspelling in the amendment is to nonconcur, I therefore move Mr. Speaker, that the House nonconcur, in Senate amendment no. ah...I don't think we have to bother with Senate amendment no. 2, but just Senate amendment no. 1."

Rep. Arthur A. Telcser: "O-K, gentleman has offered to move the House to nonconcur Senate amendment no. 1 To House Bill 3619. All in favor of nonconcurrence signify by saying 'aye', the opposed 'no', and the House does not concur with Senate amendment no. 1 to House Bill 3619. Now Representative Glass, do you wish to proceed with amendment no. 2 Sir? You may do so if you wish."

Bradley M. Glass: "Ah...Mr. Speaker, it may be necessary to amend amendment no. 2 as well because of the change in a number of a section, and therefore, Mr. Speaker, so there is no confusion, I will move to nonconcur Senate amendment no. 2 as well."



Rep. Arthur A. Telcser: "The gentleman has moved the House to not concur with Senate amendment no. 2 to House Bill 3619. All in favor of non concurrence signify by saying 'aye', the opposed 'no', and the House refuses to concur with senate amendment no. 2. On the order of concurrences appears House bill 4128 for which purpose the gentleman from Cook, Representative Fleck is recognized."

Charles J. Fleck: "Mr. Speaker, ladies and gentleman of the House, I move that the House concur Senate amendments one and two to House Bill 4128. What the amendments do is ah...I'm sure Bob Craig will be happy to know that the Senate ah...removed the moving violation for littering from a vehicle, and amendment no. 2 ah...moves out the exemption of Home rule districts making the application of this legislations concurrent with the areas municipalities and any ordinances which they might pass."

Rep. Arthur A. Telcser: "The gentleman from St. Clair, Representative Krause."

James G. Krause: "Question to the sponsor, Mr. Speaker."

Rep. Arthur A. Telcser: "He indicates he'll yield."

James G. Krause: "Did I understand you right, that this amendment would make littering from a moving vehicle ah..."

Charles J. Fleck: "It took that out as a moving violation. That's correct."

James G. Krause: "It took it out?"

Charles J. Fleck: "Took it out."



Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Douglas."

Bruce L. Douglas: "Charlie, what is left, I'm sorry but it seems to me that that what I recall, was the major provision of the bill?"

Charles J. Fleck: "That was the major provision of the bill, but there is quite a bit left. What it does, it's a comprehensive piece of legislation on littering now, it has a number of fines. And another important aspect which the Senate did want to remove but didn't was the presumption that when a vehicle is abandoned the person last in the chain of title is deemed to have abandoned that vehicle unless they can show otherwise. As you know, in Cook County this is a very troublesome problem we're having with abandoned vehicles. And this is one way to get at it. Under the bill the court has the power to ah... in addition to fines, order the defendant to, at his own expense, under supervision of the bailiff of the court, remove any litter which he might have left along the highways, parks, or city streets."

Rep. Arthur A. Telcser: "Is there further discussion? If not that gentleman has moved that the House concur with Senate amendments no. 1 and 2 to the House Bill 4128. All those in favor of the concurrence signify by voting 'aye', the opposite by voting 'no'. Have all voted who wished? Take the record. On this question 124 'aye's, no 'nays', and the House concurs with Senate amendments no. 1 and 2 to House bill 4128. On the order of concurrences appears House Bill 4282. On the





which purpose the gentleman from Champaign, Representative Hirschfeld is recognized.?

John C. Hirschfeld: "Thank you Mr. Speaker, and ladies and gentlemen of the House, Ah...I move that we concur in Senate amendment no. 1 to House Bill 4282. At the time the House was having some troubles with our colleagues from across the rotunda, it was felt wise to put a small appropriation on this bill to make certain it would be heard over there. That appropriation has now been deleting by the amendment and it not necessary anyway so I move we concur in the amendment."

Rep. Arthur A. Telcser: "Is there any discussion? Gentleman has moved the House concur with Senate Amendment no. 1 with House bill 4282. All in favor of concurrence signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the record. Campbell, 'aye'. Duff 'aye', On this question there are 129 'aye's, no 'nay's and the House concurs with Senate Amendment no. 1 with House Bill 4282. On the order of concurrences appears House Bill 311 from which purpose the gentleman from cook, Representative Scariano is recognized."

Anthony Scariano: "Mr. Speaker, and ladies and gentleman of the House, I move that we concur in the Senate amendments. They simply provide that the hearing officer in the case of a dismissed teacher need not be an attorney. There are many members of the American Arbitration Association who are not attorneys but are good hearing officers. And the bill as originally drafted would have precluded employment. I think its a good amendment



and we ought to adopt the Senate amendment."

Rep. Arthur A. Telcser: Is there any discussion? Gentleman has moved that the House concur with Senate amendments no. 1 and 2 to House Bill 311. All in favor of concurrence signify by voting 'aye' opposed by voting 'no'. Have all voted who wish? Take the record. On this question there are 119 'ayes' 2 'nays', and the House concurs with Senate amendments no. 1 and 2 with House Bill 311. Hall, 'aye'. House Bills third reading. House Bill 3074."

Fredric B. Selcke: "House Bill 3074. An act to amend the Environmental Act. Third reading of the bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Rayson."

Leland H. Rayson: "Mr. Speaker, and members of the House, this bill, House Bill 3074, amends the Environmental Protection Act. by changing 45B of the act when one can obtain a relief to allowing the pollution control board to be discretionary as to awarding costs ah....in any action they determine. The bill also implements article 11 of the constitution with regard to a healthful environment by writing in the constitutional words, and making it appropriate that there are common law remedies of suite which are not contained in this bill. Now this particular bill was worked on at length, and ah...it has the approval of the committee and ah....subsequently the approval of various groups including the Illinois Chamber of Commerce, and Illinois Manufacturers Association, and so I at this time urge the adoption of this bill."



Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Schlickman."

Eugene E. Schlickman: "Mr. Speaker, and ladies and gentleman of the House, I can't find my copy of the bill and I'm wondering if the sponsor of the bill would define to us, by what he means healthful environment."

Eeland H. Rayson: "Ah...Representative Schlickman, the bill as... presented in the bill book, is changes insofar as there's no definitions of a healthful environment. It's just a reference to the constitutional words only and singularly. And only nothing derogates against common law rights but the significant change was that change which allows the discretion aboard the ward cost as equity might permit. And that meets the approval of all these business groups. And I think it is a step forward in the area of balance. And that's why I urge the support of this bill."

Rep. Arthur A. Telcser: "Gentleman from Champaign, Representative Hirschfeld."

John C. Hirschfeld: "Will the sponsor yield for a question please?"

Rep. Arthur A. Telcser: "He indicates he will."

John C. Hirschfeld: "Representative Rayson, Representative Rayson at the time we passed this out of committee, ah...I remember you making the statement that you were going to check with a couple of organizations who had shown some opposition to the bill. I'm perfectly willing to take your word for it if they approved the bill as it came out."



Leland H. Rayson: "ah...representative Hirschfeld, you can take my word for it, we met with seven or nine different people and it took about a week to get all clearances and we tabled committee amendment no. 1 and put on their amendment no. 2 which is what we have before us. And ah...I urge your support."

Rep. Arthur A. Telcser: "Gentleman from DuPage, Representative Hudson."

George Hudson: "Will the sponsor yield?"

Rep. Arthur A. Telcser: "He indicates he will."

George Hudson: "Ah...Representative Rayson according to my digest here, and I do not have a copy of the bill in front of me, but this provides that ah...provides for the right of an individual to enforce his right to a healthful environment. Would you clear up for me just how far reaching this is. If I walk into a, into a room where somebody is polluting the air with cigar' smoke, excuse me, cigarette smoke, some of the gentlemen here have cigars, ah...under the provisions of this bill then, is he violating my rights to a healthful environment? Or on a subway car, or etc?"

Leland H. Rayson: "Well, ah...common sense suggests no because the evolvment of the constitutional right has got to be tested and of course, used hence. But at the present time, no. This bill merely says that when the pollution control board determine the decision, the prevailing party shall have caused, we've changed it to The Board may have descretion to ward costs as equity requires. Now in addition, we just re institute the constitutional language, the exact constitutional language



on the right to a healthful environment. So anything with reference to past definitions that were in the bill, are now out. So its merely a bill to recognize there is a constitutional right, to recognize are other common law rights without spelling them out. But the change is one provision to have costs determined by the board as equity permits. And this is what the business men want because they feel so much shafted in that restringent provision under 45b."

Rep. Arthur A. Telcser: "Is there further discussion? Does the gentleman wish to close the debate?"

Leland H. Rayson: "I think thats sufficient, I would urge a favorable vote."

Rep. Arthur A. Telcser: "Question is; shall House Bill 3074 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the record. On this question there are 96 'aye's', Fleck 'aye', no 'nays'. And this bill having received a constitutional majority is hereby declared passed. Representative Houlihan, for what purpose do you rise Sir?"

John J. Houlihan: "Mr. Speaker, ladies and gentleman of the House, we have some visitors in the gallery today from Boys State. One of them is from my district, ah...Robert Harsberger from Plainfield."

Rep. Arthur A. Telcser: "Representative Springer, are you ready on your conference report sir? O-k on the order of conference committee reports which have been distributed appears conference committee repor' relative to House Bill 2622, for which purpose



the gentleman from Randolph, Representative Springer, is recognized."

Norbert G. Springer: "Mr. Speaker, and ladies and gentleman of the House, first of all there is an error in transposition on the 7th line. They have House Bill, in the copy here is printed 2262, but the original is correct, 2622. First of all the ah...Senate recessed from Senate amendment no. 1 simply because they did not ah...take out the complete air field, or air ports within the language of the statute of the original ah...bill on the Cascaskia port district. There was some other language that was added and if there's any questions I'll be glad to answer them, if not I move the adoption of House conference committee report to House Bill 2622."

Hon. W. Robert Blair: "Alright, discussion? The question is shall the House concur in the Senate, or adopt the conference committee report? All those in favor will vote 'aye'. Those opposed 'no'. Have all voted who wished? Have all voted who wished? Clerk will take the record. Gentleman from Cook, Mr. Mann."

Robert E. Mann: "Ah...Mr. Speaker, seated in the balcony ah... is the lovely wife of Senator Richard Newhouse. Ah...Mrs. Kathy NewHouse, and I wonder if she would stand up."

Hon. W. Robert Blair: "On this question there are 115 'aye's and no 'nays'. And this, and the House adopts conference committee report with respect to House Bill 2622. Senate Bills first reading. 1550."



Fredric B. Selcke: "Senate Bill 1550. An act to provide for the ordinary and contingent expenses for the distribution expenses for the Department of Public Aid. First reading of the bill."

Hon. W. Robert Blair: "Alright, 1406."

Fredric B. Selcke: "Senate Bill 1406. An act creating an Illinois commission for Economic program analysis defining its powers and duties and make an appropriation in connection therewith. First reading of the bill."

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

Fredric B. Selcke: "House Resolution 736, Choate et. al. House resolution 34, Lechowicz, et. al. House Resolution 735, Juckett et.al. House Resolution 736, Choate, et..al."

Hon. W. Robert Blair: "Alright, Gentleman from cook, Mr. Hyde, on the agreed resolutions."

Henry J. Hyde: "Mr. Speaker, ladies and gentleman of the House, House Resolution 734 congratulates Paul and James Jozefat upon their attainment of the rank of eagle scout. House resolution 735 ah...urges shell oil company not to impose a credit surcharge upon their credit card business. Ah...House Resolution 736 will be read by the clerk, Mr. Speaker."

Hon. W. Robert Blair: "Alright, proceed."

Fredric B. Selcke: "Ah...House resolution 736, Choate, et.al. Whereas, the House of Representatives of this Seventy-seventh General Assembly was shocked and saddened by the sudden and untimely death of our close friend and highly respected colleague the Honorable Elmo 'mac' McClain, distinguished Representative from the 50th District, Quincy, Illinois; and Whereas, Represent



tive McClain was born August 4, 1917 and graduated from Quincy Academy and Quincy College, receiving a Master's degree in education from Western Illinois University; and Whereas, He had been a teacher of Government and basketball coach in Illinois High Schools for over 20 years and provided the benefits of such experience to the House Committees on Elementary and Secondary Education and Higher Education of which he was a member; and Whereas, 'mac', McClain answered the call to duty by serving 30 months in North Africa, Sicily and Italy during World War II and answered the call to social responsibility by serving as a Boy Scout Counselor, Little League Supervisor, and member of Knights of Columbus, Parent'-Teachers Association and Quincy College Alumni; and Whereas he was serving his fourth term in the House where he sponsored many education bills for the improvement of the Illinois school system at all levels while retaining the interests of the citizens of this State foremost in mind; and Whereas, he leaves a proud heritage to mourn his passing in the persons of his wife, Margaret and eight wonderful children and he will be sorely missed by his many friend and constituents; therefore, be it Resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we express our deeply felt loss upon the unexpected death of the Honorable Elmo McClain, our good friend and close associate in the House of Representatives; that we extend our heartfelt sympathy to the members of his bereaved family; and that a suitable copy of this preamble and resolution be presented to his widow, Mrs. Margaret McClain; and, be it further resolved, that as a further mark of respect to his memory, this House do now

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stand adjourned."

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

Clyde L. Choate: "Well, Mr. Speaker, and ladies and gentlemen of the House, I'm sure that I share in the sentiments of every member of this House who has had the brief privilege of personally calling Representative McClain, their friend. That on a moment such as this oft times and most times, words seem to fail you. I can only say that Elmo McClain in the years that I have been privileged to know him, was probably one of the finest examples of the ability of an American to dedicate himself to a purpose of unselfishness, but a purpose that would work for the benefit of all his fellow human beings. I have served in this legislature for several years and I can say without fear of contradiction whatsoever, that Elmo McClain had the ability to truly express himself, in the best interest of the people in his area which I am sure was in the interest of a majority of the people of this great State of ours. His district and this legislature is going to sorely miss his counsel and his advice on many issues that will be brought before this legislature. Mr. Speaker, I would hope that we could all dedicate our lives to be the type of an individual that was Elmo McClain. Thank you very much"

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

Henry J. Hyde: "Mr. Speaker, on behalf of the Republicans I would like to say that the years I knew Mr. McClain, I have never known him to say an unkind word to ever be guilty of an ungentle action. He was a thorough going gentleman, he was a scholar, he was kind



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and considerate, and he was extremely knowledgeable. You know, it is a stereotype to paint legislators often times in conversation and in the media as bafoons and I've even seen us labelled as gorillas in one ah...newspaper, and we have our share I suppose as any large group of people, but we have our share of Heroes too, and ah...Elmo McClain was a hero, in the sense that he literally died doing his duty, he was ill before we went into scssion last week, he had an attack even the day before. But his duty was here on the floor, and he fulfilled his duty by coming in when a many the lesser man would have been home or been in a hospital. But in fulfilling his duty he literally died and ah...this is the sort of heroism, really and dedication that if we are to be the beneficiaries of criticism as a body, perhaps we ought to also be the beneficiaries of a respect for duty that was exemplified by Mr. McClain's action. I'm confident that ah...Elmo McClain is in a place of peace and refreshment, and ah...we are all much lesser for having lost him, just as our lives were enriched by having known him. And I move, now, Mr. Speaker, that we do adjourn in respect of Elmo McClain, until the Hour of 10:a.m. tomorrow morning."

Hon. W. Robert Blair: "All those in favor of the resolution say 'ay' opposed 'nay', the 'aye' have it. Then we now stand adjourned. There's an announcement or two you might want to catch, gentlemen from cook, Mr. Randolph."

Paul J. Randolph: "Ah...Mr. Speaker, members of the House, the Revenue Committee will convene immediately upon the floor of the House."



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Hon. W. Robert Blair: "Alright, there will be a meeting of the Rules committee at 9:45 tomorrow morning, just a short meeting of the Rules committee. 9:45."

ADJOURNMENT AT 4:15 O'CLOCK P.M.

6/19/72

mdw

