

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED FIFTY-SEVENTH LEGISLATIVE DAY

JUNE 26, 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 John H. Conolly - no reason given;

Representative J. Horace Gardner - death;

Representative Thomas R. Houde - no reason given;

Representative Henry J. Klosak - illness;

Representative Elmo McClellan - death;

Representative Michael H. McDermott - illness;

Representative William A. Redmond - no reason given;

Representative Allen L. Schoeberlein - no reason given;

Representative Edward J. Shaw - death;

Representative John W. Thompson - no reason given;

Representative James R. Washburn - no reason given;

Representative Genoa S. Washington - illness;

Representative Gale Williams - illness.



Doorkeeper: "All those who are not entitled to the floor, would you please retire to the Gallery?"

Hon. W. Robert Blair: "The House Will be in order. The invocation this afternoon will be by Dr. Johnson."

Dr. John Johnson: "We pray. Remind us Oh Lord, this day and during this week, that inspite of the vastness of your Universe you are still and remain our God and our Redeemer. Let our communications with one another this day and this week call forth the best of the human spirit which knows that men must be bound together in understanding, in sensitivity to human needs, in the search for that truth the shreds of which are usually found in individual pursuit. Remind us that as we voice our own feelings and convictions we can remain eager to absorb the communication of the colleague, and understand his intensions as well. Teach us that if we are to remain personal, we must ask as moral agents and keep our inner speech tuned into each other. Above all grant courage and openness in your power, so that by your will we may accomplish that will and it may be done in and by us this day. Amen."

Hon. W. Robert Blair: "Roll call for attendance. Gentleman from cook, Mr. Graham."

Elwood Graham: "Mr. Speaker, will you let the records show that Representative Genoa Washington is absent due to illness."

Hon. W. Robert Blair: "The records will so indicate. The ah... gentleman from cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, ladies and gentlemen of the House, you will recall sometime back, Senate bills that were in

committee and ah... were on the calendar were tabled. And we

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



have a list that has been agreed to between the Republican and the Democratic leadership of bills that I will shortly move to be restored to the calendar ah...I want to announce, however, that the rest of the members may have bill that are not on this list, and they will be at liberty to seek recognition and make a motion to have them restored to the calendar ah...in the appropriate place. So if you would pay attention ah...these lists have been distributed and ah... however to clarify the record, I will read the bills and the position that they will assume on the calendar ah...if the motion that I will present, passes. And so, Mr. Speaker, I now move that the following bills be placed back on the Calendar in the following positions; Senate Bills to be placed on third reading 485, I believe the next number, I really can't make ah....858, 859, 1056, 1130, 1269, 1283, 1385, 1386, and 1387. Now Senate Bills to be placed on the calendar for second reading; 857, 1126, 1127, 1157, 1279, 1318, 1332, 1380, 1392, 1409, 1420, 1422, 1424, 1428, 1431, 1446, 1447, 1448, 1450, 1455, 1456, 1458, 1460, 1461, 1471, 1485, 1501, 1529, 1530, 1534, 1557, 1574 in addition on second reading Senate Bills 1436, Senate Bill 1590, Senate Bill 1413, 1494, 1532, and 1561. All of the later on second reading. I now move ah...that these bills be placed on the calendar as indicated."

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

Clyde L. Choate: "I'm just looking at my list, Mr. Speaker, to see that this checked out as far as we were concerned, and

I might say that it was my understanding on Senate Bills

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



third reading that included on that list, Representative Hyde, was 1279, 1471, 1557, now, I would suggest that on those three bills, and then there was two, four, six bills on second reading, which has just been added that we hold off on those three on third reading and six on second reading until the speaker and I have an opportunity to look at them. Mr. Speaker, its my understanding thã we will add three bills to the order of third reading. I will not question the six bills that was added, because after all we can always sit down and talk about them, and agree on them. And then there's two bills on first reading that was suppose to be added that was not sir. 1409 and 1574."

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

Henry J. Hyde: "Mr. Speaker, I'll amend my motion ah...pursuant to the minority leaders remarks and add ah...to the list for the bills to be placed on Senate Bills third reading, Senate Bill 1279, 1471, 1557. And then Mr. Speaker, add on first reading ah...Senate Bills 1409, 1574."

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

R. A. Walsh: "Will the gentleman yield for a question?"

Henry J. Hyde: "Yes, Sir."

R. A. Walsh: "Ah..Henry, there were two bills, and I don't have that list in front of me, Senate Bills 1524, and 1525. Both of which were heard in the House Revenue Committee. And I don't know if they...I guess they were tabled along with all those other bills, I'm just wondering, I don't think they should have been in the first place, but apparently they were. Are they on your list?"

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Henry J. Hyde: "No Sir. There was no agreement reached on those two bills."

R. A. Walsh: "Well, then I wonder, Henry, what ah...if maybe you might describe what the procedure's going to be. Because these two bills are revenue bills and really shouldn't have been tabled in the first place, and ah...apparently leadership has agreed on the bills you just enumerated."

Henry J. Hyde: "That's right. An individual member may rise, seek recognition and move that they be returned."

R. A. Walsh: "Well, can you tell me what the procedure is going to be for granting recognition...to individuals who are in the same boat and...that all these other people are in?"

Henry J. Hyde: "I'm...I'm sure that everyone who seeks recognition at this point, will be granted recognition and may make the motion."

R. A. Walsh: "So now is the time....."

Hon. W. Robert Blair: "Well, the thought was that we'd get this cleared up and then we'd go to those individual motions. Yes. Gentleman from Union, Mr. Choate, what was the question?"

Clyde L. Choate: "No, Mr. Speaker, I'm in agreement...in agreement as far as the list is concerned. I would suggest, as you just stated, that we hold the individual motions off until a later time, when other members will go through the same thing ah...Representative Walsh, and then dispense with that order of business all at one setting."

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

Henry J. Hyde: "Mr. Speaker, it has been suggested that once

my motion is adopted, if it is, ah...that every member withhold

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



their individual motions for 15 minutes. I will then move for a conference, and we will go down to 212, ah...Republican members, and have a 15 minute conference. Then we will return to the floor and the first order of business will be the individual motions. So, once my motion is adopted I will then move for a 15 minute recess."

Hon. W. Robert Blair: "Alright, is there discussion with regard to the gentleman's motion concerning these agreed Senate bills to be restored ah...as requested in the motion? If not, then all those in favor...better have a roll call. All those in favor of the motion will vote 'aye', and the opposed 'no'. Now this takes the same requirement as it took to table these bills to start with, and that is a simple majority. Gentleman from Christian, Mr. Tipsword."

Rolland F. Tipsword: "Mr. Speaker, I'm voting 'aye', on this motion of these bills in general. I wonder if I might be recorded as present on two bills?"

Hon. W. Robert Blair: "Certainly."

Rolland G. Tipsword: "The bills that I'd like to be recorded as present on are; Senate Bill 1157 and Senate Bill 1557, please."

Hon. W. Robert Blair: "Alright. Have all voted who wished? Gentleman from ah...Kane, Mr. Hill, asked for the same request ah....on voting present, and as does the gentleman from Bureau, Mr. Barry. On the same two bills. Barry and Hill. Have all voted who wished? Clerk will take the record. On this question there are 139 'ayes', no 'nays'. And the gentleman's motion to take those bills enumerated from the table prevails.

And they will be placed on the calendar on the order indicated

GENERAL ASSEMBLY



on tomorrow's calendar. Gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, Mr. Speaker, I now move that the House stand in recess for a period of 15 minutes, for purposes of a Republican conference, and would ask that all Republicans immediately go to room 212 so we can conclude our business and return. I so move, Mr. Speaker."

Hon. W. Robert Blair: "Alright, gentleman....wait a minute.... Gentleman from Union ah...Mr. Choate."

Clyde L. Choate: "Well, Mr. Speaker, I, if I had a Democratic Conference I'd only have one thing to advise the membership, so I'll advise the membership of that now. The leadership met this morning and contrary to some reports, especially from the news medium, it's our thinking that we can get out of this session and honorably discharge the duties of this legislative session prior to Friday, with the cooperation and the willingness of the membership, it would be our hope that we could get out of here even as early as Wednesday. Therefore, I will need no conference, Mr. Speaker."

Hon. W. Robert Blair: "O-K, we'll now go into recess and be back on the floor in 15 minutes, approximately 10 minutes of two. Alright, the House will be in session and the chair will recognize those of you who have motions that you desire to address to the chair concerning Senate bills that were tabled and that on this tabling bills some weeks ago. Gentleman from Lake, Mr. Murphy desire recognition?"

W. J. Murphy: "Ah...yes, Mr. Speaker. I have a little Senate bill that I'm handling for Senator Burny on third reading."



It affects no one but ah...a little local situation up in Lake County and it has the approval of the division of waterways to give a piece of land back to a person that they took it from some years ago. And Mr. Speaker, Senate Bill 1373, and I would move that that would be taken from the table and be put back on the order of third reading, please."

Hon. W. Robert Blair: "Alright, is there discussion on the gentleman's motion? All those in favor will vote 'aye', and the opposed 'no'. We're gonna vote on them, because we voted on them when they were tabled so....Have all voted who wished? Clerk will take the record. On this question there are 118 'ayes', no 'nays'. And Senate Bill 1373 ah...having been placed on the table when it was on the order of third reading ah...is taken off the table and is placed on the order of third reading. Gentleman from Cook, Mr. Ron Hoffman."

R.K. Hoffman: "Mr. Speaker, members of the House, I ask that Senate Bill 851 be taken from the table and restored to the calendar on the order of third reading. This bill is an act that provides for the distribution of township funds. Ah... it was passed from the Senate without a dissentive vote and I would ask for your support."

Hon. W. Robert Blair: "Is there discussion on the gentleman's motion? All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? Have all voted who wished? The clerk will take the record. On this question there are 111 'ayes', no 'nays'. And the Senate Bill 851 is taken from the table and placed on the order of second reading, from

where it was when it was placed on the table. Gentleman from

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



cook, Mr. Ron Hoffman:"

R.K. Hoffman: "Mr. Speaker, that was on the order of second reading and should have been placed on the order of third reading at the time it was tabled."

Hon. W. Robert Blair: "Well, it would have to be read a second time first. It'll have to have three legislative day readings and what I'm saying is, we couldn't do that...both of those in one day. Gentleman from cook, Mr. Ron Hoffman."

R. K. Hoffman: "Mr. Speaker, members of the House, just to clarify something, I believe the majority leader read Senate Bill 1494, was restored to the order of second reading....Henry?"

Hon. W. Robert Blair: "That's correct, I understand. Yes the gentleman from cook, Mr. Ron Hoffman."

R. K. Hoffman: "Then I would ask, Mr. Speaker, that Senate Bill 1364 be restored to the Calendar. Now Senate Bill 1364 was in committee and with the agreement between the leadership and the other side of the aisle and myself, was being held there ah...so that an amendment could be prepared. The amendment is prepared, and I would ask that the bill be by passed from committee and restored on the calendar on the order of second reading, as I do have their amendment."

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

Gerald W. Shea: "I'm wondering if the gentleman would hold that motion until I have a chance to talk with him?"

Hon. W. Robert Blair: "He indicates he will. Alright, the gentleman from cook, Mr. Glass."

Bradley M. Glass: "Thank you Mr. Speaker. I move that Senate

Bill 1504, which was on the order of second reading, I believe,

GENERAL ASSEMBLY

and was tabled, ah...be taken from the table and restored to the order of second reading. This is the bill that revises the procedure relative to suspension of ah...students in public school. And I have sponsored a similar bill in the House. Ah...It was tabled Over in the Senate. And I.... the Sponsor is Representative Palmer, and I know that ah.. he would like to have this bill restored. So I so move, Mr. Speaker."

Hon. W. Robert Blair: "Alright, is there discussion? All those in favor of taking this Senate bill from...Senate Bill 1504 from the table will vote 'aye', and the opposed 'no '. Have all voted who wished? Clerk will take the record. On this question there are 82 'ayes', and 1 'nay'. And this' bill is taken from the table and placed on the order of second reading. Gentleman from cook, Mr. Sevcik."

Joseph G. Sevcik: "Mr. Speaker, I'd like to move that Senate Bill 1487, which was in the committee on Registration and Regulation tabled, be taken from the table and be placed in its proper order. Ah...this bill provides a method for Illinois residence who are graduates of a foreign medical school to intern in an Illinois Hospital."

Hon. W. Robert Blair: "Alright, now this is the first one that we've had in this situation, I believe, the digest indicates that that bill was in the committee on Registration and Regulation. If it were to be taken from the table, with no further action being addressed to it, it would be in ah... registration and regulation. Then if you care to address



yourself to further motions concerning that, well, the chair would entertain them. Do you want to...first do you want to take it and place it ah...off the table into committee? Alright. Is there any discussion on that? 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 96 'ayes', no 'nays'. And this bill is taken from the table and ah...is in the committee on Registration and Regulation. Now the gentleman from cook, Mr. Sevcik."

Joseph G. Sevcik: "Mr. Speaker, ladies and gentlemen of the House, I would like to have Senate Bill 1487 ah...be taken away from the committee of Registration and Regulation, and placed on second reading. To advance it without reference...."

Hon. W. Robert Blair: "No, its been referred. Actually the proper motion will be one to discharge the committee."

Joseph G. Sevcik: "I ask to discharge the committee."

Hon. W. Robert Blair: "Alright, now is there discussion on the gentleman's motion to discharge ah...Registration and Regulation Committee of Senate Bill 1487? Well, we have one technical problem. Ah...the rule concerning discharging a committee, which is rule 79, provides that a member may move to discharge by giving a written notice there during the order of resolutions and the motion of discharge shall be carried on the Calendar of the next legislative day and shall not be acted upon until a notice is on the calendar. Now you can move to suspend ah...that rule ah....if you wish to, so that it may be placed on the calendar on the order of second reading. Alright,

the gentleman first asks for unanimous consent to suspend the
GENERAL ASSEMBLY



the provisions of rule 79. So that that Senate Bill, that that rule may be suspended so that the bill may be placed on the order of second reading. Ah..is there objection? Alright, hearing no objection then, rule 79 is suspended and the bill is now placed on the order of second reading.
Gentleman from cook, Mr. J.J. Wolf."

J. J. Wolf: "Mr. Speaker, members of the House I have the same request with reference to Senate Bills 1468 and 1469. They do have some fiscal implication. They would allow ah... negotiate leases from two years up to five years which could result in some savings to the state. And also provide for ah...competitive bidding and renewal clauses, or option to purchase in the lease. And I would move that ah...ah... these two bills be taken from the table."

Hon. W. Robert Blair: "Alright, ah...in order to perhaps, save time, why don't we say that the gentleman's asking for unanimous consent to...for the following purposes; to take those bills from the table, to suspend the provisions of rule 79 so that those bills may be placed on the order of second reading. Now is there objection to that? O-K, the gentleman from cook, Mr. Shea."

Gerald W. Shea: "Can I ask him a question about this bill? As I understand the purpose of this legislation, this would allow the Department of General Administrative Services, instead of two years leases to go right now, into five year leases?"

J. J. Wolfe: "That's correct."



Gerald W. Shea: "And this bill hasn't been heard in committee yet, has it?"

J. J. Wolf: "Not in the House Committee. It has been heard in Senate Committee, and then it was in the House Executive Committee, and that was the day it was turned up and tabled."

Gerald W. Shea: "Well, I think that this is kind of a bad procedure that right at this point we get into where we start talking about five year leases. And I think this is the kind of bill that should get heard in committee."

J. J. Wolf: "Mr. Speaker?"

Hon. W. Robert Blair: "Alright, then I think we'd better take it a step at the time. The first question that the motion that the gentleman put, is that these two bills be taken from the table. Just be taken from the table. Gentleman from Union, Mr. Choate, want to be heard on that motion?"

Clyde E. Choate: "Is this ah...I was off the floor for just a second, Mr. Speaker. This is a bill....I mean...this is a motion to take these two bills from the table and place them on the calendar, is that right?"

Hon. W. Robert Blair: "Well, no, its now....we were trying to consolidate ah...the ah..motions there. But now we have devised them once again, so that simple a motion to take these two bills from the table and....wait a minute now. It appears that on one of the bills that it was tabled by the committee?"

J. J. Wolfe: "Mr. Speaker, these bills were scheduled and posted for hearing in committee, and when the bill was to be heard

the necessary witnesses were there, and the chairman produced

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



a list of tabled bills on which these two bills appeared. And so we never did have a hearing that day. All I would like to do now, Mr. Speaker, is to have them taken from the table and then we could proceed and have them heard in committee."

Hon. W. Robert Blair: "Well, wait a minute....on the digest indicating on 1468, that that was tabled on June 6th. That was the day that there was the general tabling motion. On 1469 it appears that, it was tabled on June 5, which would have been the day before the general tabling, and that's... we're going to check in the clerk's office to see....."

J. J. Wolf: It appears that the digest would be in error, Mr. Speaker."

Hon. W. Robert Blair: "That's what we're checking right now. Gentleman from Union, Mr. Choate, we're still checking here."

Clyde L. Choate: "Well, Mr. Speaker, ah...I said a moment ago that I was off the floor when the bills were called and I heard them over my intercom, consequently I didn't hear all the motions and dialogue, but its my understanding that these bills have not been heard in committee?"

Hon. W. Robert Blair: "On these bills, now? Yea, ah...that appears to be correct, ah..."

Clyde L. Choate: "Then...Then Mr. Speaker, I would assume that the proper motion, if the gentleman wishes to make it, is to discharge the committee from consideration, or to bypass the committee, at which time it would take 89 votes to accomplish that purpose."



Hon. W. Robert Blair: "Alright, now there is...there is some confusion. The digest on 1459, we checked it out, and the tabling that took place on that bill we're advised is, was in the Senate. And that bill never came over here. 1469. It was never passed in the Senate."

J. J. Wolf: "Well, I was quite certain, Mr. Speaker, that they were both posted for hearing. Now, I could recheck that. But my motion with regard to Senate Bill 1468 is just to take from the table."

Hon. W. Robert Blair: "Alright, Why don't we do 1468, which is to take from the table, which if that prevails, will be in the House executive committee and if appropriate action is desired to be taken, a further motion will have to be made. Then on 1469, I suggest that maybe you'd better check that out with the Senate, because ah...the indication is that it never passed the Senate. Alright, the question is on the gentleman's motion to take Senate Bill 1468 from the table and place it before the executive committee whereit has been. 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 66 'ayes', and 51 'nays'. And the gentleman's motion to take from the table, have the bill once again before the House executive committee, prevails. Now does the gentleman care to make any further motions at this time on that one? Alright. Now the gentleman from cook, Mr. Schlickman."

Eugene E. Schlickman: "Mr. Speaker, and ladies and gentlemen of



the House, I move that Senate Bill 1381, which was on the order of second reading at the time the motion to table was adopted, be taken from the table and be returned to the order of second reading. Senate Bill 1381, which was heard by Judiciary II Committee, would give to municipalities and Sanitary districts quick take power, or for the purpose of expanding or constructing sewerage treatment facilities. Such municipalities or counties are authorized or required by law, to acquire land or interest there in. By Senate Bill 1381 we'd be giving authority to municipalities and Sanitary districts that is equal to the authority that this legislature and the Governor of this State, gave to the Metropolitan Sanitary district of greater Chicago in 1971 by House Bill 1660. In support of the bill, the environmental Protection Agency indicated that by granting quick take powers to certain communities would make an important contributions to Illinois program of improving water quality, in addition to helping speed construction of improved sewerage treatment facilities. This bill would also allow the state EPA to disburse Anti-Pollution bond funds more rapidly. I should also say, Mr. Speaker and ladies and gentlemen of the House, that the Attorney General Also has an interest in this bill. Again, Mr. Speaker and ladies and gentlemen of the House, I do move that Senate Bill 1381 be taken from the table and placed at the order of second reading."

Hon. W. Robert Blair: "Gentleman from St. Clair, Mr. Krause."

James G. Krause: "Well, Mr. Speaker and ladies and gentlemen of



the House, when we start talking about quick take for local sanitary districts, I think we're getting into a very bad field. Quick takes bad enough with the ah...Highway Department ah...much less getting it down into the Sanitary districts. And I would hope that this motion be defeated."

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

Charles J. Fleck: "Well, Mr. Speaker, regarding moving this bill from the table. It appeared in the Judiciary Committee where I'm a member and its under my impression, and I just talked to the House Sponsor, that there are some amendments which will be presented on second reading, which might resolve any problems that the Representative on the other side of the aisle might have."

Hon. W. Robert Blair: "Further discu....gentleman from Christian, Mr. Tipsword."

Rolland F. Tipsword: "I wonder if the gentleman could inform us what the amendments are to these bills?"

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

Eugene E. Schlickman: "Mr. Speaker and ladies and gentlemen of the House, the one amendment that I will be offer ing was prepared at the request of both the environmental protection agency and the Attorney General's Estate It makes specific that the quick take authority will be limited, restricted to ah...Sanitary sewer disposal projects ah...alone, not to be unrelated. Another part of the amendment would extend this authority to counties under 200,000. The bill was originally introduced, was limited to counties 200,000 or



or more. Again, Mr. Speaker and ladies and gentlemen of the House, I would like to call to your attention that the limited authority that we would be providing in Senate Bill 1381, and I don't intend to go into the merits of the bill at this time. I'm simply moving that it be returned to the order of second reading where it was, that the limited authority that we're providing in this bill is similar to the general authority that was given to the metropolitan Sanitary district of Chicago in 1971."

Hon. W. Robert Blair: "Gentleman from Macon, Mr. Borchers."

Webber Borchers: "Mr. Speaker, fellow members of the House, I earnestly urge vote no on this. This is opening up a door again, that is beginning the destruction of freedom and liberty. And I cannot see why we want to take away the rights of the people. The rights of the people should be the first thing we should consider and preserve. The municipalities can move in their due course. And the Sanitary districts and move in their due course. But to be able to take quickly, without proper...and make this a proper procedure of law, is just simply wrong."

Hon. W. Robert Blair: "Any further discussion? Gentleman from Cook, Mr. Schlickman."

Eugene E. Schlickman: "Mr. Speaker and ladies and gentlemen of the House, in closing the debate on this matter, I'm simply moving that this bill be returned to the order of second reading where it was ah...at the time the motion to table all Senate bills in this House was made and adopted. I've



deferred and restrained from arguing the merits of the bill because I don't think they are in order at thistime. I ask for the privilege that has been extended to other members of this House. By the introductory comments that I made, I want to indicate to you that it was a bill of significance, a bill of great importance to the State of Illinois. I do request, Mr. Speaker and ladies and gentlemen of the House, that I be extended the courtesy given to other members of this chamber today and that we give ourselves the opportunity of debating the matter at third reading."

Hon. W. Robert Blair: "Alright, the question is shall the gentleman's motion to take this bill from the table prevail. All those in favor will vote 'aye', and the opposed 'no'. Gentleman from Kane, Mr. Hill."

John Jerome Hill: "Ah...Mr. Speaker, does this only take a majority vote now? Of those voting?"

Hon. W. Robert Blair: "Yes, same number that's required to place a bill on the table, which is a simple majority."

John Jerome Hill: "Well, Mr. Speaker, if I may say just a few words. This is a very bad piece of legislation and I certainly appreciate very much if you would vote no on this piece of legislation. It only takes a majority of those people voting and certainly I don't believe that we should allow this piece of legislation to come to the floor of the House under those conditions. Thank you."

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

Brian B. Duff: "Mr. Speaker, just to explain my vote. First of



all, the gentleman has only asked to be accorded the privilege to return a bill to second reading, which has been given to everybody else on the floor at this stage in time, because of the accident of the earlier tabling. Second of all, this bill does ah...in a very limited way, what was very...offers of power that was given last year in amuch more general way to the metropolitan Sanitary District of Chicago. It seems eminently reasonable for me...to me, for us to be willing to listen to his efforts to try to extend that great power that we granted last year with a vote of approximately 131 to 10 ah...to this bill at least to get it to second reading."

Hon. W. Robert Blair: "Have all voted who wished? The clerk will take the record. On this question there are Scariano, 'no'. On this question there are 40 'ayes', and 69 'nays'. And the gentleman's motion to take from the table ah...fails. Gentleman from ah..cook, Mr. Moore."

Don A. Moore: "Thank you Mr. Speaker ladies and gentlemen of the House. Mr. Speaker on last week there was Senate Bill 1478 that was ah...the committee was discharged and the bill was advanced to the order of Senate Bills second reading without after the committee was discharged. This is a bill that pertains just to ah...my particular district. It authorizes the school building commission to convey lands to the trustees of schools so that in exchange of land can be made between the school district and someone else. Ah...the reason for the bill is that the authority has to be granted to the Illinois Building Authority ah...who has title to the land. Ordinarily



the township school trustees could do this, ah...the bill was advanced without reference in the Senate, passed unanimously there. The same thing happened here when we discharged the committee, and Mr. Speaker at this time, I would like to move that the bill be taken from the table and placed upon the order of Senate bills second reading."

Hon. W. Robert Blair: "Gentleman from Ah...St. Clair, Mr. Krause."

James R. Krause: "Thank you Mr. Speaker, Don, are you...what are you doing here? Creating land?"

Don A. Moore: "That's correct. At a value that is the value and desirability of any land exchanged shall be determined by the school building commission. We're swapping so many feet of land that is not adjacent to the school, for a larger number of square feet of land that is adjacent to the school. But the final determination is up to the school building authority."

James R. Krause: "O-K, thank you."

Hon. W. Robert Blair: "Alright, any further discussion? All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The clerk will take the record. On this question there are 117 'ayes', no 'nays'. And the gentleman's motion to take from the table, prevails. Gentleman from cook, Mr. Shea."

Gerald W. Shea: "Mr. Speaker, ah...Senate Bill 890 ah..was in the executive committee. I've discussed it with both sides of the aisle. I've discussed it with Mr. Juckett. It establishes the joint computer operations study commission."



I'd like unanimous consent to have it taken from the table and placed...or taken from the committee and placed on the order of Senate Bills second reading ah...second legislative day. Where I can get it in posture where I can get it amended today if I have to."

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

Henry J. Hyde: "Well, Mr. Speaker, I join the distinguished Assistant Minority leader in his motion, we have leadership has discussed this and we think this should be accomplished."

Hon. W. Robert Blair: "Alright, does the gentleman have consent to suspend the provisions of rule 79 so that the committee may be discharged and this bill placed on the order of second reading, second legislative day? Hearing no objection then that bill will be placed on that order. 890 right. Alright, now back to the gentleman from cook, Mr. Ron Hoffman."

R. K. Hoffman: "Thank you Mr. Speaker, members of the House. I would again ask leave to take Senate Bill 1364 from the Calendar and also to suspend the provisions of rule 79 and ah...discharge committee and move to the calendar on the order of second reading."

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

Gerald W. Shea: "Mr. Speaker, I've discussed this with Representative Hoffman, and he's assured me that if it gets out on second reading he'll hold it until we can either agree or that....so I think it would put his bill in a position to move if we get an agreement."

Hon. W. Robert Blair: "Alright, the gentleman's motion is to suspend



the provisions of rule 79 so that this bill may be placed on the order of second reading. Is there leave? Hearing no objection then the bill will be placed on the order of second reading. Gentleman from DuPage, Mr. Philip."

James Philip: "Mr. Speaker, I'd like to move that Senate Bill 1411 be removed from the table and put on the order of second reading. It's an act relating to water supply and drainage and flood control. It stems from January 1, 1972 to July 1, 1973. The date in which bonds issue may bear 7% interest. And after that may not exceed 6%."

Hon. W. Robert Blair: "Is there discussion on that? Question is shall it prevail. 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 78 'ayes', no 'nays'. And the gentleman's motion prevails. Now, on the gentleman from cook, Mr. Ron Hoffman's motion concerning 1364, we stood by the motion to take it from the table and advance it to second without reference on the suspension by consent. We need to go back and have him renew his motion to take that bill from the table. All those in favor will vote 'aye', and the opposed 'no'. On Senate Bill 1364. Have all voted who wished? Clerk will take the record. On this question there are 86 'ayes', and 1 'nay'. And the bill is taken from the table and as previously indicated the provisions of rule 79 were suspended so that it could be placed on the order of second reading. Now the gentleman from cook, Mr. J. J. Wolf."



J. J. Wolf: "Yes, Mr. Speaker, a few moments ago I made an error, I asked to have Senate Bill 1468 and 69 taken and 1469 was in fact ah...never passed by the Senate. It was 1467, that I should have asked for which is the companion to 1468. And so I would ask that Senate Bill 1467 be taken from the table so it can be heard in committee with its companion 1468."

Hon. W. Robert Blair: "Have all voted who wished.....or..... Alright, its on the gentleman's motion to take from the table. Gentleman from Union, Mr. Choate."

Clyde L. Choate: "His motion to take from the table is simply so that it could be referred to committee for a hearing as I understand it?"

Hon. W. Robert Blair: "yes, that's what....that's....when the bill was tabled it was in executive committee. So if his motion to take from the table prevails it will be in executive committee and will not have any impairment as far as being heard if the necessary rules are suspended so it can't be. All those in favor of the gentleman's motion will vote 'aye', and the opposed 'no'. Have all voted who wished? Clerk will take the record. On this question there are 72 'ayes', and 4 'nays'. And the gentleman's motion prevails. Gentleman from McLean, Mr. Bradley."

Gerald A. Bradley: "Mr. Speaker in regard to....was it 1468? That was tabled in the Senate that he tried to move a minute ago? 69? Thank you."

Hon. W. Robert Blair: "Alright, does that bring us up to date? Oh the Gentleman from Lawrence, Mr. Cunningham!"



R. D. Cunningham: "Mr. Speaker, members of the House, Senate bill 1462 is an insurance department bill to more carefully define the rights of the director where a insurance company is impaired for failure to maintain minimum required surplus. It was tabled here after it had been assigned to committee through a misunderstanding between Representative Miller and myself as to who was to handle the bill. Accordingly I would make a motion that it be taken from the table, if that succeeds we'll make a motion to suspend rule 79."

Hon. W. Robert Blair: "Discussion? Alright, the questions on the gentleman's motion ah...to take it from the table. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? Take the record. On this question there are 76 'ayes', 1 'nay'. And the gentleman's motion to take from the table prevails. Gentleman from....Madigan, ed, 'aye'. Gentleman from Lawrence, Mr. Cunningham"

R. D. Cunningham: "Mr. Speaker, I move that we suspend rule 79, and Senate Bill 1462 be placed on second reading, second legislative day. I ask unanimous consent."

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

Gerald W. Shea: "Well, Mr. Speaker, this is a very involved technical bill that has to do with insurance companies and surpluses. Ah...I've read the bill a couple of times and I think this is the kind of thing that ought to be heard in committee. Ah...and I'd object to any unanimous consent on this."

Hon. W. Robert Blair: "Objections been heard. Gentleman from cook, Mr. Peter Miller."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

P. J. Miller: "Well, Mr. Speaker, we could hear this bill tomorrow morning in committee, with the permission of the House. If that's what Representative Shea desires? O-K, Representative Shea?"

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

Clyde L. Choate: "Well, as I said earlier this morning, Mr. Speaker, ah...after the leadership meeting it was our hope that we could go ahead and attempt to pursue orderly and even hopefully get out of here as early as Wednesday or Thursday, but if we start having committee hearings and bringing bills back to the floor of the House, it would be on the order of first, second or third reading, we're not going to do it boys. And I would hope that the membership would cooperate, to the extent that we can orderly discharge this session as soon as possible."

Hon. W. Robert Blair: "Alright, ah...There's objection on the gentleman's ah...request for leave."

P.J. Miller: "I thought he went through his objection, Mr. Speaker, I was hopeful that Representative Shea had reconsidered."

Gerald W. Shea: "I'd ask the gentleman to hold his motion for a minute, I'd like to talk to him about the bill."

Hon. W. Robert Blair: "Alright, o-k, we now finished for the time being, I take it, with these motions to take from the table. House bills third reading. Ah...no? Alright, Gentleman from cook, Mr. Richard Walsh."

R. A. Walsh: "Ah...Mr. Speaker, Representative Harber Hall is handling Senate Bills 1524 and 1525, both of which were heard



in the Revenue Committee. And I think through advertense were tabled along with that slew of bills that were tabled on June 6th. These bills were reported out of the revenue committee favorably on June 2nd, and ah...it just seems to me they shouldn't have been tabled, and I would move ah.. Mr. Speaker, that they be taken from the table."

Hon. W. Robert Blair: "Alright, is there discussion? They would have been on second reading. At the time they were tabled. Gentleman from Peoria, Mr. Carrigan."

James D. Carrigan: "Mr. Speaker, what bill are we talking about?"

Hon. W. Robert Blair: "1524 and 1525."

James D. Carrigan: "Thank you."

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

Clyde L. Choate: "I'd like to ask the sponsor a couple of questions. Representative Walsh, what is the procedure determining the eligibility of a license holder or license applicant at the present time?"

R. A. Walsh: "The ah...my understanding is that these bills relate to distributors, cig arette distributors and there is apparently no standard that any applicant upon paying... submitting a \$250.00 bond, must be awarded a distributors license by the Department of Revenue."

Clyde L. Choate: "Do you mean to tell me that any...any applicant for a distributorships license at the present time, has absolutely no requirements to meet? Has absolutely no screening done by the agency, or any agency as far as his application is concerned?"



R. A. Walsh: "Ah...my understanding, Representative Choate, is that that's the case. These bills are merely to provide for the same standards for cigarette tax distributors as exists in the liquor control act for liquor wholesalers."

Clyde L. Choate: "Well, Mr. Speaker, I'm not going to ah..object to the reviving of these bills and having them brought on the calendar, however, I do want to point out that after hastily scanning them, ah... I could be wrong, but I do believe there is provisions that these people must meet today, Representative Walsh. And it appears to me that, after hastily scanning the brief, as far as the digest is concerned, that it's placing an extremely great amount of power in the director of this Department. And if I'm right, and after carefully screening them, I will oppose them on the floor of this House. I hope that I'm wrong, but as far as I'm concerned you can revive them, but we're going to take a good hard close look at them before they ah...are called on third reading."

Hon. W. Robert Blair: "Alright, ah...question is on the gentleman's motion to take from the table with respect to these two Senate Bills. 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 53 'ayes', and 1 nay'. And each of these bills are taken from the table and placed on the order of second reading. Gentleman from Effingham, Mr. Keller."

Charles F. Keller: "Mr. Speaker, I would like to make motion to take Senate Bill 1449 from the table and put it on order of second reading?"



Charles F. Keller: "Its an act relating to water authority and I have one particular district, I understand its the only one type in the state, that ah...does not have the right to appoint the members to the water authority board."

Hon. W. Robert Blair: "Is there ah...discussion. 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 70 'ayes', no 'nays'. And the gentleman's motion prevails. Gentleman from Tazwell, Mr. VonBoeckman."

James VonBoeckman: "Mr. Speaker, I would like to suspend rule 79 to advance Senate Bill 1554, which is an appropriation for the transportation of school children from second reading 1st day to second reading 2nd day."

Hon. W. Robert Blair: "Alright, the gentleman's asking for unanimous consent to suspend so it can be placed on the order of second reading, second day. Is there objection? Hearing none then it will be placed on that order. Alright, are we finished now with those? Alright. House Bills third reading. House Bill 800."

Fredric B. Selcke: "Houe Bill 800. An act to provide for reimbursement to depositors in the city savings association of Chicago. And make an appropriation therefore. Third reading of the bill."

Hon. W. Robert Blair: "Alright, whose ah...Gentleman from cook, Mr. Peter Miller."

P. J. Miller: "Mr. Speaker, ladies and gentlemen of the House House bill 800 as you well know, is a bill to reimburse the

victims, the depositors of the City Savings and Loan, who

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



lost their life savings in the Defunked bank which is now under Federal Liquidation. The bill originally called for \$30,000,000 and I amended it so that the liquidation of the or assets will bring in some eight or ten million dollars, and with the \$15,000,000 in the bill. I feel that these unfortunate victims can be reimbursed a portion of their losses. Now as I said previously, there are so many violations that occurred while the city savings and loan was in operation that it would take me a considerable amount of time to go over all of them, such as giving out millions of dollars in mortgages to co-conspirators with Menzik. And also declaring dividends in the '63, when there was some \$15,000,000 in jeopardy. The financial institution...Department of financial institution failed in handling the problems of the bank. They did not for one, see if they were insured. Number two they were closed and then reopened by the circuit court. Now with all of the violations, I feel that the state should show its faith in its citizens, taxpayers by making up for this loss. Now the man who was at the head of this institution is a fugitive from justice, having run away from the farm. A Federal Penal Institution, just when the head of the Illinois Crime Commission, its head investigator, Cerragos was on his way to ask some questions, he conveniently walked away from the farm. Now to the credit of the Illinois Crime Commission, they investigated and found that the state was in error. You all have copied of their report. And they felt that the state owed a duty to these depositors to see that they were reimbursed in...in...in...in part. Now I

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



hope that we can get this bill over in the Senate, and I know, with the good graces of you folks and the Governor, and the Senate, we may be able to avert a tragedy. There were 1600 people whose lives were effected. One of the members sits right in this very body, that's my present colleague from the eighteenth district, Larry DiPrima, who was a victim in this defunk bank. I am not going to spend because of the closing hours of the session, the time that this bill really needs to be explained, but I think your all warm hearted individuals, your all have the responsibility to vote your intentions on this bill. And I hope you'll favor me with an 'aye' vote, Mr. Speaker."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Capuzi."

Louis F. Capuzi: "Mr. Speaker, ladies and gentlemen of the House, city savings and loan is in my own district. I know literally hundreds of people who have lost a considerable amount of money in this bank. Now, I personally would appreciate every one of you if you possible can, to vote for this type of legislation. Thank you."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Granata."

Peter C. Granata: "Mr. Speaker, ladies and gentlemen of the House, I heard the impassioned plea by Representative Miller. This city savings and loan is just on the outskirts of my district. Just surrounding it. And all of these poor people that lost their lives saving through bungling by the state department by reopening when they shouldn't, it was closed. And the

GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES



attorneys, who received half a million dollars in fees handling this. That is disgraceful. It's the worse perpetration, on the poor people of the community. I beg you to pass this bill, and let the Governor do what he wants."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Rayson."

Leland H. Rayson: "I would like to ask the sponsor a few questions."

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

Leland H. Rayson: "Pete, the theory of reimbursement is that the negligence of the state was so gross? That it was the approximate cause of these losses?"

P. J. Miller: "Why yes."

Leland H. Rayson: "Well, I mean didn't ah...Menzeg and his crew embezzle the people before the state was negligent or the state was a hand in the whole thing?"

P. J. Miller: "The state closed the bank and then reopened it."

Leland H. Rayson: "Yes, they closed it and then reopened it but before that, weren't these crimes perpetrated before that time?"

P. J. Miller: "Not all of them?"

Leland H. Rayson: "Not all of them. . Now in a sense, ah...this was criminal activity, would you say?"

P. J. Miller: "On the part of the state, no. On the part of the individuals runnings, yes."

Leland H. Rayson: "That's what I mean. But there's not victim of crimes that we should be responsible for....."

P. J. Miller: "Well, I'm not saying. That wasn't part of the court investigation, I think that the those that should have



been held accountable one of the fugitives that I said in my opening arguments and the state....he was convicted on another charge. What ever theory you go on, I'd welcome your vote."

Leland H. Rayson: "Well, ah...my further curiosity thought, is why hasn't somebody sued the state for their negligence?"

P. J. Miller: Perhaps they will."

Leland H. Rayson: "I see, but we're talking about a 10 year period of time and there may be statute of limitations. Well anyway, Mr. Speaker, ah...well, I'm very much interested in getting that money, and I represent many clients who want their money. And that puts me in a very constraining position and I don't think its a good policy on an overview for the state to get into this business in this particular institution."

Rep. Arthur A. Telcser: "The gentleman from cook, Representative Glass."

Bradley M. Glass: "Will the sponsor yield for a question?"

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

Bradley M. Glass: "Pete, as I understand it ah...one of the incidence of illece~~d~~ negligence by the State was the approval of the bonding company for city savings which was ah...in fact not a sound company. Is that statement true?"

P. J. Miller: "You'recorrect."

Bradley M. Glass: "The question I've asked, and I haven't had anyone ah...answer it as yet, before came up for hearing is one of the questions I think Representative Rayson started to raise, and that is that we have a court of claims. The state has permitted it self to be sued in that fashion, and

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



I just wonder if that is an avenue open to the people who lost money ah...on account of the ill^{er}ged negligence of the state?"

P. J. Miller: "It would probably be too cumbersome for 16000 people, Representative Glass, to....."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Kosinski."

Roman J. Kosinski: "Will the sponsor yield to a question?"

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

Roman J. Kosinski: "Mr. Miller, ah...you and I and the rest of this assembly have been very concerned about people with fixed incomes and have gone through a great deal of trouble to assist these elderly. Wouldn't you say, Sir, that a great number of these 16,000 people are people, aged people of fixed income who were essential wiped out in life savings through this negligence of the state?"

P. J. Miller: "The vast majority of them."

Roman J. Kosinski: "Thankyou."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Katz."

Harold A. Katz: "Representative Miller ah...I know your chairman of the Insurance Committee and I wonder, could you give an estimate of the ah...just even a rough one, of the amount of money that ah...people in Illinois has lost ah...as a result of insurance companies ah...casualty insurance companies going broke in Illinois over, for example, the last ten years?"

P. J. Miller: "400,000 policy owners. I can't tell you the amount."



Harold A. Katz: "Well, now what worries me about your bill is, and this is what I really wanted you to comment on, I don't see why we should discriminate in favor of just the depositors in the state savings and loan association. It seems to me that if we're going to do it for them, that we have to do it for everybody who lost money as a result of everyone of those insurance companies that went broke. Now how can you say to one group we'll do it for you and not do it for all those poor people who were policy holders, and all of those companies that went broke in the insurance field?"

P. J. Miller: "Representative Katz, no insurance director ever allowed an insurance company that wasn't solvent to go back into business."

Harold A. Katz: "Well, you know well enough that the insurance department in those days had been doing their job ah...that certainly from an investigation would have been apparent that those companies were very near the point of insolvency."

P. J. Miller: "Granted, we passed some 57 bills since I have been the Chairman of the House Insurance Committee and I doubt if you'll ever again see those same things. We have bills here that require so much assets, but that doesn't compare with this problem and it has no similarity, I don't think."

Harold A. Katz: "Well, I just don't see why it isn't the same situation of the innocent citizen who lost alot of money as a result of some state officials who didn't do the job and we are sorry we wish they had done during that period."

P. J. Miller: "Yes, maybe we should have done this years ago, but now we're facing a situation here now, that has to be corrected."

GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES



Rep. Arthur A. Telcser: "Gentleman from cook, Representative Hyde."

Henry J. Hyde: "Well, Mr. Speaker, ladies and gentlemen of the House this presents one of the most unique ah...situations that I have ever encountered. The facts of the matter are that ah...alot of people ah...an awful lot of people, about 13,000 people lost their life savings when they invested in a savings and loan that had the words on the door, under state supervision. Now these people relied on that to put their money in the bank. Alot of these people are ethnics, many of them don't read English, and many of them do. But when you read those words on the door, 'under state supervision,' a certain confidence is instilled in you that everything is going to be run on the square. Evidently this confidence was very misplaced, because the state supervisions was woefully inadequate. As a matter of fact, the laws that governed the regulations of savings and loans at that time were woefully inadequate. The examiners had no power to go beyond the mere listing of a mortgage in the name of a trust. They couldn't find out if the beneficiary of the trust were officials of the bank, they didn't have their own appraisers to go out and see if the mortgage was phony, and if the lot was worth \$1,000 whereas the bank had loaned a million dollars on it. The laws were inadequate, the supervision was inadequate. And yet these people trusted in government and put their money in this savings and loan. Then when it got into trouble and was closed the circuit court of cook county ordered it to be reopened and a new bunch of depositors came in and put their money in the bank. Again, relying somewhat nievelyon the

GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES



words, under state supervision. Now this second group of depositors were represented by counsel and their counsel has obtained for them a preference, so that the assets of the bank which approximate 12 to 15 million dollars upon liquidation, will go to pay off the post 1959 depositors. The pre-1959 depositors have nothing but tragedy and heartbreak to look forward to unless we support them by reimbursing them this money. Now crime did intervene, Oran Memzik, there's not a question in my mind and other people were involved in great criminal activities. This has been documented by the Illinois Legislative Investigating commission. But isn't it strange, not one person is ever been convicted of any crime or rising out of this ah...tragic series of circumstances. Memzik was convicted on a Federal Charge, unrelated to this and the day that Mr. Saragosa was going to interview him on a Federal Prison Farm in Pennsylvania, Mr. Memzik walked away and hasn't been seen since. Now it's true that we are not responsible for Criminal intervention, but I submit that inadequate supervision and inadequate laws ah...fertilized the ground for the growth of this criminal act. Ah...these people have been led from pillar to post. They have gone to every law enforcement agency known to man and they have received no relief, they have received no encouragement until they came to this legislature. Now it may be said that grain elevators under state supervision have gone broke, that insurance companies under state regulation have gone broke, and is it the business of the state to guarantee no losses to people involved in those situations? I submit that insurance companies are vastly

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



different from lo sing your life savings. I submit that a grain elevator is an investment to make money, whereas deposits in a savings and loan, constituting life savings, constituting pension money are a morally different situation. And so this is unique and I submit it deserves the full support of everybody in this House. Thank you."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Ewell."

Raymond W. Ewell: "Will the sponsor yield to a question?"

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

Raymond W. Ewell: "Mr. Miller, I'm having a little difficulty in viewing this action in terms of our free enterprise system that I've heard to aspout so of:ten. Ah...would you not agree that perhaps this is just a risk that you take when you deposit yo ur money. That the people had a choice of places that they could have put their money? That they could have put it in a larger institution. They could have put it in a bank? Or they could have put it into another number of things. They could have put it in the stocks and bonds."

P. J. Miller: "Ordinarily yes, but when a state contributes ah... to this negligence ah...I...I think we're responsible."

Raymond W. Ewell: "Well, aren't we engaging in what might be attributed here to be charity, rather than something that we owe? There's no legal obligation for us to give this money, is there?"

P. J. Miller: "Well, you're free to call it what ever you like, morally we owe it."



Raymond W. Ewell: "I'd like to address myself ah...very briefly to the bill. I'd like to point out to the members of this ah...just body that in light, we must be just before we must be charitable. Now I've heard many of the apostles of ah...the free enterprise system, and all the risks that people take in life. I realize that there are...many times there are tragedies in life many of which the people have no control over themselves. It is indeed regrettable that people must lose money, but I might point out to the sponsors of this bill, and the people who always say that we want to do this at the time I introduced legislation to put some of the white-collar criminals away, meaning if you steal more than \$15,000 you get no probation. We got alot of hoofs and tears from the other side of the aisle, including this side of the aisle. I think what we're talking about here is criminal activity that ought to indeed by punished and it ought to be made subject to the criminal law. I'd suggest that the people in this position are no different than the people who are the victims of crime. And when we introduce legislation on this side or some of the members introduce legislation claiming that the innocent victim of a crime having to do nothing with their own fault, but simply a victim of a crime ought to be compensation at least to the medical injuries, we get alot of boos and ah...and saying that this isn't the function of state government. I would like to suggest to the entire body that this is not a function of state government. I will not oppose this bill because

it happens to be one of those things that is considered

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



charitable. But nevertheless, I feel constrained in my heart to ask the Speaker and the clerk also that I be recorded as only present. I will lay in abeyance and when I see that the hearts of men are indeed turning charitable, I too will again aspose their causes."

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

Walter McAvoy: "Mr. Speaker and members of the House, I believe that I would be remiss in my duty as a member of the General Assembly of the State of Illinois if I did not get up and join many of my colleagues in favor of this legislation. These unfortunate people were duped into the program by the words under state supervision as one of the previous speakers say. And I want to say to you today that the people who had their money invested in there had the thought that the state of Illinois is one of the greatest states that they ever lived in. And they would be protected under the laws of the state of Illinois. The negligence of the laws of the state of Illinois are those that were in charge of our ah.. the directors that they were the ones that were the cause of what happened to these unfortunate people. Now to have you life savings taken away from you by ah...actually many of them said it was a criminal procedure, probably it was. But nobody has been convicted of it other than Mr. Menzik and that was another charge as I believe. Under the state supervision the director of financial institutions was to see that these institutions were properly operated. That did not occur. Now, and another thing I say, I don't think

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



that there should be a separation. The people who came in after 1959 should benefit what is coming out of the liquidation. These people who were in prior to that 1959 should get an equal share, and by the passage of this legislation we will do something to help them. And I would appreciate favorable consideration of this bill."

Rep. Arthur A. Telcser: "Gentleman from Cook, Representative Taylor."

James C. Taylor: "Mr. Speaker and ladies and gentlemen of the House, I move the previous question."

Rep. Arthur A. Telcser: "Previous question has been moved. All those in favor signify by saying 'aye', opposed 'no'. The gentleman's motion prevails and Representative Miller to close the debate."

P. J. Miller: "Well, Mr. Speaker, we'd heard all of the arguments, and I've attempted to answer most of the questions, I hope to the satisfaction. But I feel we're obligated. It's a moral issue, and I don't think that there's any members in this assembly that I know you all to have the best interest and welfare of your constituents and you know that when you go to sleep tonight you'll sleep with a peace after you vote for this. Thank you."

Rep. Arthur A. Telcser: "Question is shall House Bill 800 pass? All those in favor signify by voting 'aye', and the opposed by voting 'no'. Gentleman from Livingston, Representative Hunsicker."

Carl T. Hunsicker: "Mr. Speaker and ladies and gentlemen of the



House, I'd like to explain my vote. I sympathize with the plight of the people who lost their savings through the failure of the city savings association of Chicago, but I also well remember the bank failures of 1933 when the same thing happened and I lost a little of my money at that time also at a state bank. I didn't see the state coming forward to pay me anything. This also included state banks as I said, and should these people also receive compensation? What about the rural folks who lose their income through elevator failures in the state of Illinois. The distinguished majority leader said that this was a different proposition, that insurance companies and elevators are in business to make money. That is true I'll grant you that but by the same token so are savings and loans and banks. And I'm going to have to vote 'no'."

Rep. Arthur A. Telcser: "Gentleman from Macon, Representative Borchers."

Webber Borchers: "Mr. Speaker and fellow members of the House. Here is the Chicago Tribune of today. The front page it says, some may lose on Arizona land. This will give us a magnificent opportunity in another month or two, when the legislation next goes into session, to reimburse these people I see from Chicago who have lose an average of \$4,500 each in the acre developements calls Cocheese, something or other. Well, I think we should continue our operation with the CTA, the Chicagos and the land deals, bank deals, school districts, I think its excellent we all just give them money and maybe we should just up and support them the whole way."

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



So, you just let your conscience be your guide."

Rep. Arthur A. Telcser: "Gentleman from Sangamon, Representative Gibbs."

W. Joseph Gibbs: "Mr. Speaker and ladies and gentlemen of the House, as much respect as I have for the sponsor of this bill and I know what he's trying to do here, how much he is trying to do for these depositors, I think what we're doing here is that we're setting ourselves up more or less as a court and we have to determine whether or not the state was negligent. In my mind there is no question that the state was, but that's why we have a court of claims and I think it should be handled that way. Because I don't think today if we vote on this bill, and put it through, we are saying that we have determined as a body that there was negligence involved. And I don't think we should do that. In the state today there is slightly under 100 savings and loans, now this is hard to believe but there are a little under 100 savings and loans in the state today that are uninsured. And these people don't know it, these depositors don't know it. And the reason they aren't insured is because that's the way the law is written. Now the new savings and loans do have to have an...insurance for their depositors, but I think that if we did this then all those depositors in the uninsured savings and loan would have the same claim if there would be a loss. I'm sorry that I have to vote against this but the money is unbudgeted and I don't think that we can afford it."



Rep. Arthur A. Telcser: "Gentleman from cook, Representative Peter Miller."

P. J. Miller: "Well, it's obvious that I do not have the votes, however, I'm not going to give up on this fight, and I'm going to ask permission of the House hereto postpone consideration until after the election, and maybe we'll ah. things will happen in our favor. Thank you."

Rep. Arthur A. Telcser: "Does the gentleman have leave? O-K, House Bill 800 will be put on the order of postponed consideration. House Bill 3743."

Fredric B. Selcke: "House Bill 3743. An act to clarify the law in relation to the effective date of laws which are enacted by and pursuant to final action of the General Assembly. Third reading of the bill."

Rep. =Arthur A. Telcser: "Gentleman from cook, Representative Fleck."

Charles J. Fleck: "Well, Mr. Speaker ladies and gentlemen of the House, House Bill 3743 is an attempt to implement the constitution which was recently passed by clarifying the effective date laws as set forth in the constitution by statute. The amendment which was adopted last week is rather complex and I will try to explain the substance of the bill as briefly as I can. The effective date, which we presently have, October 1, will not be changed for any legislation which is passed prior to July 1st of any session. Section 3 of the bill sets forth the passage of any laws before July 1 of a session which might possible be returned

by the Governor by reason of a straight veto, a reduction

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



veto or an amendatory veto. And all this section does is set forth that the bill will become effective on October 1st of ah...that following...following October 1st after passage. Section 4 of the bill is where the problem has arisen dealing with effective date legislation. It deals with any vetoes, be they straight vetoes, reduction vetoes or amendatory vetoes, which are returned before the bill is passed after July 1st. Under this legislation for a straight veto the effective date would become the date that it becomes law, there's a prior date set forth in the bill, or a later date if the bill sets forth. Under a reduced reduction the effective date would be when the bill becomes law or any later date. But an amendatory veto, the effective date would be the following July 1st if the House of Representatives and the Senate does not approve the amendatory veto by 2/3 vote. Otherwise, it would become effective by majority vote, excuse me, by majority vote if we set the recommendation to the Governor the bill becomes effective the following July 1st. If on the other hand, the recommendations are accepted by the Senate and the House by 107 votes, the bill would become effective later by becoming law or at a later date set forth in the bill, whichever is later. There's a provision dealing with the individual specifics effective date set forth in bills and this really doesn't change what the law is presently, if a bill has an effective date that is set forth that date that is passed before July 1 will become the effective date. If a specific effective date

earlier that's set forth, that date or the later date will

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



be the effective date of legislation. I ask for a favorable vote, and I believe that this is going to take 107 votes for passage. Mr. Speaker, at this time I'd ask for a parliamentary ruling."

Rep. Arthur A. Telcser: "Well, we'll give you that ruling before we take the roll call, Representative Fleck, in the mean time the gentleman from cook, Representative Schlickman."

Eugene E. Schlickman: "Would the sponsor yield for a question? As I understand it Representative the objection of the legislation that was effective last year and the intention of your bill is to provide generally speaking for uniformity of effective dates. Is that correct."

Charles J. Fleck: "Ah..uniformity of effective dates, and the thrust of this bill deals with veto measures which might be returned to the Senate or the House."

Eugene E. Schlickman: "Alright, assuming for the moment that the objective generally speaking is uniformity of effective dates, the law presently provides, and I believe it would provide under this, the a bill passed by the legislature prior to June 30 without a specific effective date would become effective October 1. Is that correct?"

Charles J. Fleck: "That is correct."

Eugene E. Schlickman: Now under your bill as it was amended last week, as bill that passed prior to June 30, but subsequent to which the Governor exercised amendatory veto and the legislature then overrode the amendatory veto by sixty percent vote, the bill then would become effective upon the overriding by the legislature. Is that correct?"



Charles J. Fleck: Now when you say overrode the amendatory veto we're going to get involved in mechanics here because then it would be treated as a vetoed bill. You're either going to except the recommendations of the Governor, or if you're going to override him you're going to have to treat it as a vetoed bill."

Eugene E. Schlickman: "Allright, lets just take a simple veto. If the legislature overrides the bill it then becomes effective upon the legislature has overridden the bill. Is that correct? "

Charles J. Fleck: "Alright, that's correct."

Eugene E. Schlickman: "Now, why isn't provided in this bill that the effective date will be October 1 or when we overrode the Governor's veto, or that date which comes later in time?"

Charles J. Fleck: "Well, that is a situation that...we thought that if we're going to override the veto, and its going to require the extraordinary vote set forth in the constitution, that would be within the keeping of the spirit of the constitution that would be effective when it becomes law, or at a later date if that later date is set forth in the bill."

Eugene E. Schlickman: "Well, my only concern there is that you lose the general principle of uniformity. My understanding was that all legislation, generally speaking, was to be effective October 1. Thereby making for ease to those who are subject to our legislation, there will be plenty of time for the legislation that we have passed to be reflected in revised statutes and therefore, put on notice as to what is

the new law. Would you except an amendment in the Senate that

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



would provide, that with regard to overrides of vetoes, that that law would become effective October 1, or when we override the veto which ever became later?"

Charles J. Fleck: "Ah...yes."

Eugene E. Schlickman: "Thank you."

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

Charles J. Fleck: "I would first say, I'd ask if this measure would require 107 votes for passage Mr. Speaker?"

Rep. Arthur A. Telcser: "Yes, it should, the chair has ruled that this would take 107 votes."

Charles J. Fleck: "Well, I think the members have been belabored enough with this and I would just ask for a favorable vote."

Rep. Arthur A. Telcser: "Question is shall House Bill 3743 pass? All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wish? Take the record. On this question there are 152 'ayes', no 'nays'. And this bill having received a constitutional majority is hereby declared passed. House Bill 4264."

Fredric B. Selcke: "House Bill 4264. An act to amend the school code, third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from Lee, Representative Shapiro."

David C. Shapiro: "Mr. Speaker ladies and gentlemen of the House, House Bill 4264 as amended has two primary purposes. It is to encourage interested school districts to study the possible application of the twelve month school year to one or more of their attendance centers. And also, the second purpose

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



is to provide state fund for the reimbursement of transitional costs to those school districts that, after completing their feasibility study, they decide to go into a twelve month school program. It is believed that the approach suggested by the Bill will encourage school district to conduct appropriate research activities including assessing the communities attitude toward this type of program before undertaking any type of full year school program. It is not intended to increase the number attended by each student, nor is it based on any presumption regarding the educational or financial advantage or disadvantages of twelve month school operation. The bill is intended to facilitate each local district in making an informed individual determination fully considering all local conditions and attitudes without diverting funds away from the ongoing constructional programs. As the law now reads school districts can go to a twelve month school program, this bill will provide them a small amount of money for making feasibility studies and if they decide to go to the program allow them transitional monies. The appropriation for this bill is included in the General OSPI appropriation bill. And I would urge a favorable vote."

Rep. Arthur A. Telcser: "Is there any discussion? Question is shall House Bill 4264 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question there are 134 'ayes', one 'nay'. And this bill having received a



constitutional majority is hereby declared passed. House Bill 3768."

Fredric B. Selcke: "House Bill 3768. A bill for an act creating Illinois municipal financing agency. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Shea."

Gerald W. Shea: "Mr. Speaker, I wonder if I might have leave of the House ah...this bill and House Bill 4576 are interrelated bills. 4576 the chief sponsor is Representative Randolph, and we've discussed this and he had no objections if he heard the bills together. These are a package, these two bills that were introduced on behalf of the state treasurer Allen Dixon."

Rep. Arthur A. Telcser: "Are there any objections? Hearing none....Gentleman from cook, Representative Duff, do you object sir?"

Brian B. Duff: "At this point in time I am just in the process of looking this bill up, if the sponsor wouldn't mind, and I have not had a chance to discuss it with him, I would like to remove my name as co-sponsor."

Rep. Arthur A. Telcser: "Which of the two bills, Sir?"

Brian B. Duff: "Either one I'm on...I'm on the first one 3768."

Rep. Arthur A. Telcser: "O-K, Gentleman has requested leave to have his name removed as sponsor of House bill 3768. Are there objections? Hearing none the Journal will so show. Ah...now are there objections to the gentleman hearing House

Bills 3768, and ah...4576 as a package? Hearing none will

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



the clerk please read House Bill 4576 a third time."

Jack O'Brien: "House Bill 4576. A Bill for an act to provide for alternative authorization of rations and sale of general obligation bonds. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from Cook, Representative Shea."

Herald W. Shea: "Mr. Speaker, ladies and gentlemen of the House, These two bills present to you a plan that would authorize the State Treasurer of the State of Illinois to sell bonds and use that money to buy the bonds of local units of government. This hopefully would let the units of local government through the assistance of the state of Illinois, issue and sell their bonds at a lower rate of interest. This has been done in other states and it has helped local taxing districts because of the better rate of the state bonds. I would solicit the support of the House, and hopefully try to answer any questions."

Rep. Arthur A. Telcser: "Is there any discussion? Gentleman from Cook, Mr. Bluthardt."

Edward E. Bluthardt: "Well, Mr. Speaker and members of the House as I arise in opposition to these two bills, you'll note that House Bill 4576 eliminates the top rates ceilings place on local government by statute when the bonds are to be sold to a state financing agency. What this bill proposes to do is to create a new state agency, called the municipal financing agency for the purpose of purchasing bonds from local taxing units. You would think from the proposal that there was a fiscal time for local government to sell bonds in

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Illinois, where in fact that is not so at all. We talk about other states, first let me say while there has been no showing whatsoever of any demonstrable need for the creation of this agency, there is to my knowledge only two other states in the entire union that has such an agency. One of them is the state of Vermont, which can hardly be compared with that of Illinois because Illinois has at least 60 times more local bonds being sold annually to those of the state of Vermont. There is no similarity whatsoever. Again the other state that has adopted a bond bank so to speak is the state of New York, and that was recently adopted and has not been proven. I might also point out that just prior to the adoption of the bond bank act by the State of New York, the State of New York's general credit rating was reduced by one of the credit rating houses of this country. One of the leading credit rating houses. Now if there were a need that would be one thing, but there is actually no need in the entire state here for the sale of bonds. My fear here and I think its the fear of other leading officials of this state, that the creation of this agency would indeed affect to a degree and would be a rather retarding effect, on the fine credit rating that our bonds in this state have. I think that we would be making a very serious mistake to adopt this act. I think its an act that perhaps the the ah... state treasurer has been going around the state talking about, and promising to pass and maybe in his mind it is a good act. But I point out to you that not only will this have a bad



effect on state credit, that is contrary to the direction this state is going. This...presently they have just passed a bill that would allow direct...well let me put it this way...at the time the Governor of this state is proposing to eliminate the Illinois Building Authority and in favor of a direct state borrowing, and we know that if that bill passes in the Senate now, and that this is not permitted under the 1970 constitution, the purpose of that was to save interest. Now we suggest that we create a new agency borrowiang with the name of this state, and with a higher rate of interest, and this indeed will effect the general credit rating of the state of Illinois. There are so many reasons that this bill should be sent back, be held over for a more thorough study that in my opinion it would be a great mistake to adopt it at this time."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Glass."

Bradley M. Glass: "Will the gentleman yield for a question?"

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

Bradley M. Glass: "Ah...Representative Shea, ah...as I understand this bill the money that ah...the Illinois Municipal Financing Agency would have would be raised through the sale of bonds. Is that right? Ah...what kind of appropriations would their be ah...would...would be involved? I notice ah...the agency is authorized to ah...issue bonds or notes in an accurate amount not to exceed \$300,000. Ah...would there be any appropriations ah..from the state funds? Ah...and



If so what kind of figures are we talking about?"

Gerald W. Shea: "Well, I think, doesn't it say \$300,000,000 Representative Glass?"

Bradley M. Glass: "Would that be the ah..ceiling then?"

Gerald W. SHea: "That would be the total amount of bonds the agency could sell. Then it would turn around and buy the bonds of local units of government, and the income....the... the interest on those bonds would, hopefully, ah...be enough to pay the interest on the state bonds. Its kind of an in and out wash situation where the interest that the local units of government pay would be about the same rate of interest that the state sells their bonds for, which hopefully is, this last set we sold were something like 475 or 493."

Bradley M. Glass: "Well, I'm having a difficult time understanding ah...where the large savings is. Ah...Representative Bluthardt indicated it, and I think its correct, that there is a pretty good market at the present time for municipal bonds, and ah...how much of a savings ah...in percentage points, you anticipate from a bill like this?"

Gerald W. Shea: "Well, lets assume for a minute a municipality could save a half or a point. Ah...you know, one percent or a half of a percent. I have in my district at the present time a water commission that is trying to sell \$400,000 worth of bonds. And my understanding is the best they can sell them for is a 7% rate of interest. Now if this municipal finance agency was ah...going now ah...they could...the... sell their bonds to this agency and if the agency was saying



...paying 4.93, that would be a savings of about 2% to that unit of government."

Bradley M. Glass: "Well, I understand that but I'm just wondering ah...from experience and apparently the two other states that have initiated this ah...do you have any figures on ah... savings? In other words, how do we know we can do better through this method than ah...on the general market?"

Gerald W. Shea: "Well, as...I think we find out from some of our commission, ah...there are units of local government that can't even sell their...their bonds now, and they can't get a rating on them. Ah...at least we would be in a position to some of those units of government ah...to help them sell their bonds for the thing... This is no new authorization in dollar amounts for any unit of local government. Its strictly voluntary, the unit may go this route or it could go direct."

Bradley M. Glass: "Would the ah...ah...directors of....I know the State Treasurer would be the Chief Administrative Officer and there are four other directors. Ah...are there any compensations provided for them?"

Gerald W. Shea: "No, there is not."

Bradley M. Glass: "Thank you."

Rep. Arthur A. Telcser: "Gentleman from Boone, Representative Cunningham."

Lester Cunningham: "Mr. Speaker, would the sponsor yield to a couple of questions?"

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

Lester Cunningham: "Representative Shea, is there anything to

stop ah...the three large parts of government in Illinois,
GENERAL ASSEMBLY



namely the city of Chicago, Sanitary districts and the School Board whose coming in right off the bat and paid up the whole three hundred million dollars?"

Gerald W. Shea: "Well, first of all there's a limitation on the amount put ah...that they can buy from any one unit of government that's Representative Bluthardt's amendment. I think one of the other things is that, like the city of Chicago just sold some tax and dissipation warrants and they sold them at 3.15, so that the rate that the state is paying is a little bit higher, so I doubt if they would want to come in and ah...under that kind of a situation." This, as I said before Representative Cunningham, this is a voluntary thing and its really designed to help those units, and preferably smaller units, that cannot go and get their money as cheap as a ah....a municipality that's got a triple A rating."

Lester Cunningham: "Representative Shea, you know that I asked for a fiscal note, and we found it it was already on the bill. Would you dare...I'd like to have you, if you would, tell the members what your thinking of the cost of this bill would be."

Gerald W. Shea: "Well, I haven't got the B.O.B.'s ah...analysis with me. But if you've got it you can, you know...."

Lester Cunningham: "Well, if I may, if you could answer this. First the state has a moral obligation to make up the deficiencies in the reserve fund. Should local government payments to the agency be insufficient to maintain the reserve fund at its legal required level, the state would be morally



obligated, but not legally required to appropriate fund to make up these deficiencies. Since failure make such an appropriations would potentially have a negative impact on the state credit...credit rating, and thereby causing increase in future borrowing costs, and most responsible staff would probably be for the legislature to appropriate and fund the deficiency."

Gerald W. Shea: "Well, Les; I can understand why the BOB made such an analysis, but you've got to remember that you've got to get an appropriation from this general assembly to go ahead and pay the interest, and we will certainly know how much is being produced by the bonds that are bought. That's number one. Number two, ah...you can ah...if ...if some of the municipalities are in default in this bond, then yes, we may have to use some state money ah...but I think we have an obligation someplace along the way, to make sure that local government is liable."

Lester Cunningham: "Well, Representative Shea, you probably read the papers like I do, and on the tube and so on....I believe I read somewhere where our Treasurer has stated ah... that ah....24 or 25 times...that our state is financially broke. Now, I understand that he is the person who is asking for this legislation that, I can understand how he can say it's broke, and the next day come and ask a bill to be passed, and set up a new agency that has no idea what the cost will be to the taxpayers."

Gerald W. Shea: "Well, I don't think the Treasurer is saying the



the state is broke. I think what he's saying is that we are going to have a tremendous cash flow problem around the first of December, is what he said last....I don't think Alan inferred that the state was broke, but I think he did infer that ah..we may have some cash flow problems. And I think that the Governor, through the BoB and his fiscal management, has been trying to regulate the flow of money in and out of the state Treasury."

Lester Cunningham: "One final question, Gerry. How many local enterprises, or business, do you think will be put out of business with this bill passage."

Gerald W. Shea: "Well, I don't think it will put any local people out of business. Ah...this is all discretionary. The local units of government can go to the state, they're not required to go. There is nothing mandatory in it. So that the only time a municipality would be going to the state is when it could save some money."

Rep. Arthur A. Telcser: "Gentleman from Knox, Representative McMaster."

A. T. McMaster: "Ah...will the sponsor yield to a few more questions?"

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

A. T. McMaster: "Ah...Gerry you made the remark a short time ago that ah..one of your taxing bodies was attempting to sell bonds, what \$400,000 dollars worth?"

Gerald W. Shea: "Yes Sir."

A. T. McMaster: "And was going to be required to pay 7% interest. Isthat correct?"



Gerald W. Shea: "Yes, Sir."

A. T. McMaster: "Ah..Gerry, it would seem to me that ah...taxing authority probably had a very poor bond rating. Wouldn't it seem that way."

Gerald W. Shea: "I don't think it does. It has bonds out for 30 years and never defaulted on them."

A. T. McMaster: "Well, but certainly ah..Gerry, when a taxing body goes in to sell bonds they are rated on an A, AA, AAA rating?"

Gerald W. Shea: "I think you can request to get a rating, I don't think its automatic."

A. T. McMaster: "Well, probably not automatic, but I think any taxing body wishing to sell bonds certainly wishes to determine their rating, because I think this determines to a very great extent the interest rate they would be required to pay. Ah... Gerry, what concerns me in this is that we will have a number of taxing bodies in the state of Illinois, and you know that I'm insupport of local government as strongly as anyone down here during my period here. But we will have one group of taxing bodies coming to the state to ah...have their bonds backed, or to ah...have the state purchase the bonds for them and this group of taxing bodies will be those that have a very poor financial rating due to their ability to repay. And we will have coming to the state, only those who are in the neighborhood of five, six, seven percent ah...bodies of government. And I think we will have a very very poor ah...or a high interest rate coming to us, and this is what concerns me about it."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Gerald W. Shea: "Well, first of all you've got to remember that this agency is not required to buy all the bonds that come before it. It certainly is required to use sound business and fiscal policies ah...in determining what bonds it buys."

A. T. McMaster: "Well, I would feel, or certainly hope that this would hold true, Gerry. But I find it very difficult for a state office to ah...turn down one taxing body and ah... approve another one, they would get involved, I quite sure, in some political things. And for this reason it seems to me that this would be a very difficult thing to administer, and I would certainly urge a no vote against this."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Lechowicz."

Thaddeus S. Lechowicz: "Thank you Mr. Speaker, ladies and gentlemen of the House, I want to congratulate the Sponsor for his far sightedness in this type of a bill. Being a member of the municipal problems commission for the past three years, and in conjunction being co-chairman of that commission, with Representative Pat North and Representative Bluthardt from the House, every meeting we've attended this past year, we've heard the plight of the various municipalities have difficulties selling their bonds on the market. Based on many reasons but primarily as the other Representative pointed out, their property taxes being at a limit, and their bonding as well. I think that this is a step in the right direction and in turn I would imagine that if everybody supports this type of legislation, I would commend the sponsor, and in turn I believe this will relieve some of the difficulties they are



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

facing in their down state municipalities in finding proper bonding procedures, having the state help out and broaden the base for a good equitable rate. I urge a yes vote."

Rep. Arthur A. Telcser: "Is there further discussion? If not, the gentleman from cook, Representative Shea to close the debate."

Gerald W. Shea: "Mr. Speaker, ladies and gentlemen of the House, I would earnestly solicit the support of the House. I think this is good legislation. This allows units of local government to sell their bonds at a more favorable rate. It would do something to ah...reduce their interest costs, and in turn reduce our local tax burden. I'd solicit the support of the House."

Rep. Arthur A. Telcser: "Question is shall House Bill 3768 and 4576 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. And the clerk will take two roll calls. Gentleman from cook, Representative Bluthardt."

Edward E. Bluthardt: "Mr. Speaker, in order to explain my vote let me say first of all that the only unit of local government that would use this agency if it comes into being are those units who are in difficulty ah...unable to sell their bonds on an open market. And those are very few, if any in the State of Illinois. I would predict thought, that because of the pressure put upon this agency in the general legislature, General Assembly, ah...because of the high interest rates that will come about as a result of this agency coming into being, that pressure will be put upon those with good credit ratings, those with good bond ratings, those

GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES



with double A ratings, to use this agency. And that it will become mandatory in the future. Now again, I say that there has been absolutely no demonstration of a need for this type of agency in the state of Illinois. We heard one gentleman who was co-chairman of the Illinois Municipal problems commission say that we've heard of the difficulty of local government in selling municipals. I serve on that commission, I think I've made more meetings than he has, and I've heard very little about that. Maybe a few years back we ran into some difficulty, but we got around that by raising interest rates by statute. Now I predict, ladies and gentlemen, that those poor municipals that are going to come in and ask for the sale of those bonds to this agency will be paying 8% of more. That's what the one bill will permit. Whereas those who have a good credit rating will be able to go out and sell their bonds at a competitive rate, more like 4 1/2 or 5% and there would be no real savings to any municipality as a result of these two bills."

Rep. Arthur A. Telcser: "Have all votedGentleman from St. Clair, Representative Krause."

James G. Krause: "Well, Mr. Speaker and ladies and gentlemen of the House I think its about time that the State of Illinois moved in this direction. There's so many communities down state that are having difficulties selling their bonds. I don't know whether they appeared before the Muncipal Problems Commission or not, but I know there is much difficulty in selling the bonds down there. And not only that, when the issues are small there's nobody wants to buy the bonds. So

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



this gives the communities a chance to come into the state and consolidate their bonds and get a better rate on their bonds and get their bonds on the market. I think this is good legislation. I think this is something we should have done a long time ago, and I vote 'aye'."

Rep. Arthur A. Telcser: "Gentleman from Madison, Representative Calvo."

Horace L. Calvo: "Mr. Speaker, ladies and gentlemen of the House, I don't have much to say about this, I know we're in the closing hours of this session, I don't want to take up alot of time. But its amazing to me that we have been considering in this House, and by the way I voted for it, legislation that would freeze the monies available to municipalities for the next two years in taxes. And here we have something we can do for municipalities if they wish to avail themselves to this, that really costs nothing. And I'm amazed at the red lights there that aren't willing to give the municipalities who need help in financing, a little state help in that financing without any cost to anyone. The only vocal opposition to this bill that I've found, and I served on the sub-committee and I know I received a lot of letters as a result of serving on the committee and sub-committee that considered this bill, where the fiscal agents, the bonding authorities who felt that they might lose some money because the municipalities didn't have to pay them to sell their bonds, but the state would help to sell that at a lower interest rate. I urge your favorable support of this bill."



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

Edward E. Bluthardt: "Parliamentary inquiry, Mr. Speaker. In as much as there is a contingent guarantee by the State for any bonds that may be sold through this agency or to this agency or any obligation incurred by the agency, what would the...wouldn't the vote necessary to place that obligation upon the state take 107 votes, Mr. Speaker?"

Rep. Arthur A. Telcser: "O-K, could you wait just a moment Representative Bluthardt, and we'll peruse the bill and talk to our counsel."

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

Gerald W. Shea: "Ah...Mr. Speaker, in light of my conversation with you and Mr. Bluthardt, in the fact my lawyer is not available at this point for interpretation of a certain section of the constitution, I'm wondering if I might have leave of the House to take these two bills out of the record right now?"

Hon. W. Robert Blair: "Alright, is there objection? Hearing none then we will take ah...these two bills out of the record."

Rep. Arthur A. Telcser: "House, Bill 4608."

Jack O'Brien: "House Bill 4608. A Bill for an act making an appropriation from the Transportation Bond Fund. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Scariano."

Anthony Scariano "Thank you Mr. Speaker. May I have leave to have 4608 and 4609 considered together. They are companion

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



bills?"

Rep. Arthur A. Telcser: "Are there objections? Hearing none will the clerk please read House Bill 4609 a third time."

Jack O'Brien: "House Bill 4609. A Bill for an act to amend section of the Transportation Bond Act. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Scariano."

Anthony Scariano: "Mr. speaker and ladies and gentlemen of the House these bills were presented to me by the minority leader who ah...indicated to me something I didn't know, that there was a shortage in the transportation fund of the office of the Superintendent of Public instruction for reimbursing schools. Their shortages and their transportation funds. I didn't know that any such shortages existed, but I'm told by the Superintendent of Public Instruction that a shortage exists in the Transportation Fund of every school district in this state, that is every legislative district, there are schools, I want to make that clear, I don't mean every school district I mean that there is a shortage in certain schools in every legislative district in this state. And if this shortage is not made up, then these schools must take money from the Education fund, which is the operating fund of the different school districts, and thereby the education fund which goes usually to pay salaries and supplies, books, and that sort of thing is going to suffer. Now the shortage happens to be roughly about 6 1/2 million dollars. The money will be taken from the ah...Transportation Bond Fund, which is

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



the fund into which the \$900,000,000 that we passed by way of a bond issue last year, that is going to contain the money and that is House Bill 4609 permits us to take that money from the Transportation Bond Fund. The money is there, and as I indicated every legislative district has schools which need this money desperately because of a miscalculation in the amount of money that the Superintendent of Public Instruction would have to give by way of reimbursement for the different school districts in this state that are required to transport their children to and from school. I urge your support of the bill "

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Peter Miller."

P. J. Miller: "Well, I... Mr. Speaker, I wonder if Representative Scariano would answer a couple of questions?"

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

P. J. Miller: "Representative Scariano, do you represent any of these school districts as an attorney?"

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

Robert E. Mann: "Point of order, Mr. Speaker, that's not relevant and the Gentleman knows it. And ah... its just an attempt to embarrass him and I don't have to...."

P J Miller: "Representative Mann, he can answer for himself, I believe."

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



Clyde L. Choate "Just a point of clarification, Mr. Speaker. If this conversation is about to go to the direction which it seems that it might, let me explain to this House the reason that Representative Scariano is handling these bills. Its because I gave him the bills and asked him to handle them. Now I don't know who he represents as far as his law practice is concerned, but I did know of his service as far as the educational problems are concerned on this side of the aisle. And when the Superintendent of Public Instruction gave me these bills to dispense as far as our membership is concerned, I am the one that gave these two bills to Representative Scariano and it was a suggestion of myself and others concerned that the money come from the Bond Transportation Program rather than from General Revenue. Simply denoting that this was a transportation item, we asked for it to come out of there. Now if there's anyone that desires to know as to why Representative Scariano is handling these bills, please be advised that I asked him to handle them."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Peter Miller."

P. J. Miller: "Well, Mr. Speaker, ladies and gentlemen of the House its obvious that he does represent a number of them because I have the record issued by William Cody Director of Research and Education Service Region of cook County . And a Bulletin issued number 10 year 70 and 71 and ah... my point is, and this isn't the first time I've raised this on the floor of this House, its in my humble opinion, a conflict



of interest. This legislature should be free, any member, and I stand....."

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

Thaddeus S. Lechowicz: "Point of order Mr Speaker, I believe Representative Choate explained quite adequately as far as how Representative Scariano received these bills. I'd like to have a ruling."

Rep. Arthur A. Telcser: "Would the gentleman please keep with the substance of the bills please."

P. J. Miller: "All I'm claiming is a conflict and I think somebody else should handle them, because this, the sponsor of these bills stands to gain as an attorney from these school districts. And I think that ah...."

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

Robert E. Mann: "Mr. Speaker, it is not within the gentleman's prerogative to determine who does or who does not handle legislation in this House. That is up to the individual member. And I do not think his remarks are pertinent or relevant and I would ask him to please cease making them. And I would ask for a ruling from you to that effect."

Rep. Arthur A. Telcser: "I think your point is well taken, Sir. Representative Miller, if you would confine yourself to the substance of the bill. I think that would be proper sir."

P. J. Miller: "Mr. Speaker, I'd ask Representative Scariano to answer but ah...I'm going to persist, and If you want to overrule



me..."

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

Anthony Scariano." Mr. Speaker, I'm very well capable of handling or answering any question that Representative Miller directed me. Now, I indicated in the opening remarks that I made that I was not aware that there was a shortage in the Transportation fund and the OSPI. That I was not aware that there were shortages in the Transportation funds of any school district in this state. My minority leader, Representative Choate, asked me to handle these bills. And I hope he came to me because he thinks I know a little bit about school affairs. I have listed in the blue book, long before we had ethics act, that I Represent School districts. Now I put that in my ethics statement, and I know it doesn't come as a surprise to the gentleman, but I'm a little bit interested in the statement that he put in his ethics report, that he's under a retainer fee of the 1000 garage corporations at 1000 south Wabash Avenue in Chicago Illinois. The last ethics statement lists that he's under retainer by Garage Corporations which indicates to me that he might be interested in the fact that this money is coming out of the Transportation Fund because he's interested in people that are into transportation business. Now maybe he ought to answer a question."

Rep. Arthur A. Telcser: "Now, ladies and gentlemen, we are.... Representative Choate, for what purpose do you rise, Sir?"

Clyde L. Choate: "Now, if this is a ball game or something, I'd say that they are all even, they've both scored a run, and

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Mr. Speaker, I would request that you have everyone that wishes to speak to confine their remarks to the legislation at hand, and let's get along about the business of the House."

Rep. Arthur A. Telcser: "Your point is very well taken, Representative Choate. Representative Miller, if you wish to use the rest of your time, the chair would appreciate it if you would confine yourself to the legislation at hand."

P. J. Miller: "Well, then point of personal privilege, Mr. Speaker."

Rep. Arthur A. Telcser: "State your point."

P. J. Miller: "Ah...as a former member of the 1000 garage, South Wabash where I was ah...salesman, I quit that a year ago last October...October of last year because I didn't have the time to devote to the work and give full justification, because I've got to be here full time. As you remember we started around October, but however, I don't apologize for any of my actions. All I'm saying is that I think that all of us should live up to the ethics act. I do feel that I can't vote on this in the position I was going to vote for it, when he as a sponsor, is handling these bills. And that was my only objection as I did last year and previous years when other sponsor, who were representing certain people, I just can't support these bills then. And ah...therefore, I raise that objection because I do feel it is a conflict of interest. And ah...Mr. Speaker, I thank you for allowing me this time to explain my position."

Rep. Arthur A. Telcser: "Is there further discussion? Gentleman from Lee, Representative Shapiro."



David C. Shapiro: "Ah...Mr. Speaker, ladies and gentlemen of the House, I wish to raise a point of order."

Rep. Arthur A Telcser: "State your point sir."

David C. Shapiro: "House Bill 4608 ah...appropriates approximately 7.6 million from the Transportation Bond Fund Series C, to the office of the Superintendent of Public Instruction for the purpose of providing reimbursement to ah...school district transportation funds. Now, House Bill 2300, which created the Transportation Bond Fund, and the Bills series B, out of which these monies are to be paid, specifically stated, public act 77.181 section 5 (i) states the following; 'units of local governments means municipalities, county, townships, and district, in no way can this be construed to mean school districts. And further more in section 5E, districts is further defined to mean all of the following; 'any district created pursuant to the local mass transit act approved July 21, 1959 as amended to authority created pursuant to the metropolitan transit authority act approved April 12, 1945, as amended, three, any authority commission or other entities which by virtue of an interstate compact approved by congress, has authorized to provide mass transportation.' In no way is a school district eligible. Therefore, since we are injecting a new element into the Transportation Bond Act, I'm asking the Chair if a three fifths vote is required, since the original bond Transportation Act was passed on a three fifths vote?"

Rep. Arthur A Telcser: "Gentleman from cook, Representative Shea,

for what purpose do you rise, Sir?"
GENERAL ASSEMBLY



Gerald W. Shea: "Well, I'd like to inquire that this as I understand Representative Scariano's legislation, it only amends what the purposes of the funds can be used for. That the major legislation handled by the Speaker of this House, authorized up to \$900,000,000 in General Obligation Bonds of this state for Transportation purposes. Now that required a three fifths vote. At the time the Speaker presented the other parts of the legislation it was the ruling of the chair at that time, that the other legislation only required 89 votes. And I think Representative Scariano is now amending a portion of a bill that the Speaker, on previous occasion, had ruled, needed 89 votes."

Rep. Arthur A. Telcser: "Representative Shapiro, do you wish to add something?"

David C. Shapiro: "Ah...Mr. Speaker, ladies and gentlemen of the House, the transportation bond fund series B, that particular bill, House Bill 2300 required a three fifths vote. We are... and it was limited to units of local government, and mass transit districts. We are not interjecting school districts, and private carriers of pupils. I therefore, state that since it is a new element a three fifths vote is required. And furthermore, let me read you the section of the constitution that pertains to it. Section 9 states; paragraph B; "states that for specific purposes maybe incurred, or the payment of state, or other debts guaranteed in such amounts as may be provided either in a law, passed by the vote of three fifths of the members elected to each House, of the General Assembly, or by referendum of the people."

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



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

Gerald W. Shea: "I think the bond bills, were in the 1300 series, the one that was handled by the Speaker. I think 2300 was a very specific bill for the ah...use of money for mass transportation. I think 2300 was Representative Garmisa's bill."

Rep. Arthur A. Telcser: "Alright, Representative Shapiro, ah.. in order to check this out so we can get a proper decision, and to see just what bills we are amending, which were in the original act, ah...I hope the sponsor would allow us to take this out of the record now, so we can come back to it and give you a proper decision. O-K? Take that out of the record. House Bill 4687."

Jack O'Brien. "House Bill 4687. A Bill for an act making an appropriation for the salary of the state comptroller. Third reading.."

Rep. Arthur A. Telcser: "Take that out of the record. House Bill 4688. Representative Choate, do you wish to have 4688 or 89 called? No. Take those out of the record. Senate Bills, third readings. Senate Bill 1394."

Jack O'Brien: "Senate Bills 1394. A Bill for an act making an appropriation to the Secretary of State."

Rep. Arthur A. Telcser: "Take that out of the record. Senate Bill 1400."

Jack O'Brien "Senate Bill 1400. A Bill for an act making appropriations to the Secretary of State, administration of the

Illinois Governmental Ethics Act. Third reading of the bill."

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Rep. Arthur A Telcser: "Gentleman from McHenry. Representative Lindberg."

George W. Lindberg: "Ah...Mr. Speaker, this does the same thing that the similar bills did, which emanated from the House, it aporopriates the funds to administer the Illinois Ethics Act, which was just upheld. And also the Federal Campaign act."

Rep. Arthur A. Telcser: "Is there any discussion. Question is shall Senate Bill 1400 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take....Take the record. On this question 145 'ayes', no 'nays'. And this bill having received a constitutional majority is hereby declared passed. Senate Bill 1425."

Jack O'Brien: "Senate Bill 1425. A Bill for an act to provide for the ordinary and contingent expenses of the Department of Revenue. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative William Walsh."

W. D. Walsh: "Mr. Speaker, ladies and gentlemen of the House, Senate Bill 1425 is the annual appropriation for the Department of Revenue, ordinary and contingent expenses. It appropriates \$163,721,000 to the Department of Revenue. Ah...about \$124,000,000 of this is for ah...returns to the taxpayers, either from the overpayment of income tax, or to a local governments for ah...personal property tax relief. I urge yoursupport."

Rep. Arthur A Telcser: "Is there any discussion? Question is



shall Senate Bill 1425 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.....Pappas 'aye'. On this question there are 148 'ayes', 1 'nay'. And this bill having received a constitutional majority is hereby declared passed. Senate Bill 1438."

Jack O'Brien: "Senate Bill 1438. A Bill for an act to provide for the ordinary and contingent expenses of the Illinois Racing Board. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative sevcik. Is he on the floor? Take it out of the record. Senate Bill 1558."

Jack O'Brien: "Senate Bill 1558. A Bill for an act to amend sections of an act relating to the Illinois State Penitentiary Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from livingston, Representative Hunsicker."

Carl F. Hunsicker: "Mr. Speaker, and ladies and gentlemen of the House, Senate Bill 1558 provides for the state to reimburse the county for all expenses which would otherwise be paid for by the county for all preceding a rising out of the penitentiary system, or the state's reformatory or correctional facilities, instead of just crimes committed within the penitentiary system by an inmate. What this bill does in reimburse the counties for difficulties that a rise, such as a riot in a penitentiary or a prison where it would throw a cost on the taxpayers of the county where the institution is located. It is felt that

this should be the state's obligation, and I would ask for your
GENERAL ASSEMBLY



favorable consideration."

Rep. Arthur A. Telcser: "Is there any discussion? Question is shall Senate Bill 1558 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... Lenard 'aye'. On this question there are 135 'ayes', 1 'nay'. And this bill having received a constitutional majority is hereby declared passed. Lauterbach 'aye'. Senate Bill 1459."

Jack O'Brien: "Senate Bill 1459. A Bill for an act relating to corporations authorized to execute trusts. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Ropa."

Matt Ropa: "Mr. Speaker and members of the House, Senate Bill 1459 authorized banks and trust companies to hold shares in the same issuers in bond for their various trust accounts. This can be done either in their own institution or by deposits with a clearing corporation. Banks are being authorized by one of the amendments being made to the Uniform Commercial Code, in Senate Bill 1505, which will come up in this session. To participate in a creation and ownership of a clearing corporation in the Chicago Area. New York, and California have a clearing corporation as of now. We are just trying to meet up with them. A Clearing Corporation must be organized as a trust company in Illinois, consequently the commissioner of banks of Illinois will have full authority to examine and regulate. The national bank examiners and the SEC will also have additional supervisory powers. I solicit your support."

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Rep. Arthur A. Telcser: " Is there any discussion? Question is shall Senate Bill 1459 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 117 'ayes', 1 'nay'. And this bill having received a constitutional majority is hereby declared passed. Record Representative Brenne as voting present on this last roll call. Senate Bill 1538."

Jack O'Brien: "Senate Bill 1538. A Bill for an act to amend sections of the Illinois Municipal Code. Third reading of the bill."

Rep. Arthur A Telcser: "Gentleman from Wayne, Representative Blades.

Ben C. Blades: "Mr. Speaker, ladies and gentlemen of the House, Senate Bill 1538 makes a change in the municipal code and grants a higher taxing rate for the ambulance service after a referendum by the people. It was asked for by the municipal league. And I would appreciate a favorable vote."

Rep. Arthur A. Telcser: "Is there any discussion? Question is shall Senate Bill 15..... Gentleman from cook, Representative Simmons.

Arthur E Simmons: "Will the sponsor tell us what the amendment did?"

Ben C. Blades: "On the original bill the present taxing rate is .015 and the original bill changed to 25 cents. But the amendment removes that and said it could go to whatever the referendum. the amount that the people requested."

Rep. Arthur A. Telcser: "Gentleman from Christian, Representative

Tipsword."



Rolland F. Tipsword: "Will the gentleman yield for a question, please?"

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

Rolland F. Tipsword: "Ah... Representative Blades, I've had the opportunity to look at the bill and also at the amendment, and am I correct...it relates to nothing else other than ah...setting for the rates that can be approved for ambulance services, and does not apply any of the ambulance service regulations that we've had some difficulty about, does it?"

Ben C. Blades: That s absolutely correct', yes. It does not apply to any regulations whatever."

Rolland F. Tipsword "Thank you very much."

Rep. Arthur A. Telcser: "Is there further discussion? Does the gentleman wish to close? Question is shall Senate Bill 1538 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 122 'ayes', 4 'nays'. And this bill, having received a constitutional majority, is hereby declared passed. Senate Bill 1505."

Jack O'Brien: "Senate Bill 1505 A Bill for an act to amend sections of uniform commercial code. Third reading of the bill."

Rep. Arthur A. Telcser: Gentleman from cook, Representative Burditt.

George M. Burditt: "Mr. Speaker, ladies and gentlemen of the House, Senate Bill 1505 amends the uniform commercial code. Its a very extensive bill. There's about 70 pages in it with an index, and is a very comprehensive amendment. Now this



particular amendment ah...is an amendment to section 9 which is the ...article 9, which is the article that deals with secured transactions. Now the bill was given a reasonably full hearing in the committee, but in addition to that, Representative Carroll, who had a number of questions about it, spent ah...several hours with Bill Davenport and Burt Jenna, Burt being the Chairman of the uniform commissions this year. And as a result of that, I think all of the questions which Howie had, and which were raised at the committee meeting have been answered. And, in General, what the amendment does is tighten up the secured transactions section of the uniform code, in order to make ah...secured creditors to give them advantages of knowing what's going on before and things like this which are going to give them alot better protection. And they can lend money with more knowledge than they have in the past. Its a highly technical section, I'd be glad to go through the article and answer any questions on it, but I think, for our purposes the important thing is that this does make Illinois the leader in uniformity and its extremely important area of the uniform commerical code. Mr. Speaker, I'd appreciate your support of the bill."

Rep. Arthur A. Telcser: "Is there any discussion? Question is shall Senate Bill 1505 pass? All those in favor signify by voting.....gentleman from cook, Representative Bluthardt."

Edward E. Bluthardt: "I wonder if the gentleman would yield for a question?"

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



Edward E. Bluthardt: "George, would you explain how we become the leader in uniformity?"

George M. Burditt: "I'd be glad....let me read you this, Eddy. This is from the material that was put together from the committee. Enactment of the Article 9 package and the other uniform amendments will give Illinois the most modern and the most uniform commercial code of all the 51 jurisdictions. The fact is that there are a very few changes that are made ah. in it the only one with the amendment which was put on here, which I think those at the time at the committee hearing told us it was probably a good amendment. So there is a House amendment and it will have to go back to Senate for concurrence. But the point is that it is uniform. Maybe howie would like to answer that."

Edward E. Bluthardt: "It just strikes me that if we are the leaders in uniformity then there is no uniformity."

George M. Burditt: "Well, that's because this bill just came in very recently. We're the first state to ah...probably going to be the first state to take it and we are taking the lead in making everybody else uniform with Illinois. Which of course, is the best way to go."

Rep. Arthur A. Telcser: "Gentleman from Cook, Representative Carroll."

Howard W. Carroll: "Representative Bluthardt, Eddy, to answer your question. As you know this comes from the uniform commissioners, which is a national organization and the uniform editors which includes the bar associations, the



Federal Government, and so on. Ah...this is the first state that is actually considering it. It was before another state legislature and they held it back, hoping that Illinois would pass it first. Illinois uniformly has been the most uniform in the past. This will be the first state to make the uniform change to a uniform law, hoping the other states will follow informly in this uniformity. I hope that makes it clear."

Edward E. Bluthardt: "I don't care to continue this any longer Mr. Speaker, I just as soon have a roll call."

Rep. Arthur A. Telcser: "Question is shall Senate Bill 1505 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question there are 133 'ayes', 3 'nays'. And this bill having received a constitutional majority is hereby declared passed. Record Representative Smith as voting 'aye'. This is...this last roll call. Senate Bill 841."

Jack O'Brien: "Senate Bill 841. A Bill for an act in relation to Delinquent taxes. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Carroll."

Howard W. Carroll: "Thank you Mr. Speaker, ladies and gentlemen of the House. Senate Bill 841 deals with those taxes that have been over thirty years in their delinquency and are really uncollectable. It allows the county officers to take them off the books as uncollectable to clean up their bookkeeping to clean up their recording systems to be able to get rid of



these ah...large number of documents. Tax bills that are 29 years or less would still be alive. The bills would have to be more than thirty...or thirty years old or more. And this would take them off the records. The hope is that eventually this land could then be bought, put back on the tax rolls and tax income producing property. I would answer any questions and ask for a favorable vote."

Rep. Arthur A Telcser: "Gentleman from cook, Representative Fleck,"

Charles J Fleck: "Will the sponsor yield for a question?"

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

Charles J. Fleck: "What taxes are we referring to? Real Estate, Personal property? "

Howard W. Carroll: "I'm sorry. Charlie these are strictly real estate taxes."

Charles J. Fleck: "What happens to any possible tax leans that might"

Howard W. Carroll: "The tax lean ah...which would automatically be over thirty years old would be removed and we would be one of twenty-seven some odd states that are doing something similar to this at this time. It would also make it cheaper for people buying this property. Chicago title and trust, for example would not have to search beyond the thirty years. I would generally clear up alot of records on uncollected, and uncollectable taxes."

Charles J Fleck. "Now is this just a thirty year drop, or ..."

Howard W. Carroll: "Thirty and more."



Charles J. Fleck: "What about special assessments?"

Howard W. Carroll: Its my understanding that if they are over thirty years old or over they would also be taken off. I'm sorry that's not right. Special assessments are not covered by this."

Rep. Arthur A. Telcser: "Gentleman from Macon, Representative Borchers."

Webber Borchers: "Would the sponsor yield to a question?"

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

Webber Borchers: "I believe all these questions have been answered but, are there any provisions of any sort that ah...in relation to the fail or the rules and regulations for the sale of the set property by each county treasurers?"

Howard W. Carroll: "No, Representative Borchers, this merely deals with taking the uncollected taxes off as uncollectable if they are thirty years old. It has nothing to do with the sale."

Webber Borchers: "Well, as a matter of curiosity, wouldn't you think that it also should have a provision of how you should go about putting on ...selling them at public auctions or are the present statutes o-k?"

Howard W. Carroll: "Well, we have several ways of doing is presently including what is known as the scavengers act and so on. This isnot dealing specifically with that."

Webber Borchers: "O-K."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Glass."



Bradley M. Glass "Will the gentleman yield for questioning?"

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

Bradley M. Glass: "Howie, I'd like some clarification on that point too. In other words, when taxes are delinquent in due course the property is put up for sale. I suppose some of it can't be sold, but ah...ah...I'm just wondering ah... if this bill would excuse the requirement of putting up delinquent property for sale and ah...under what circumstances are we waving the leans ah.. here?"

Howard W. Carroll: "Brad, ah...you know, the specific ways of putting it up for sale ah...on the annual sale or under the scavengers act or the foreclosure sales, really have nothing to do with this specifically. Those are still available as remedies. They are saleable and usually somewhere around 10 years they're out. This just deals with that that is over...you know, thirty years or over that has so far proven to be uncollectable. And really its just to allow the books to be ah...kept a little bit cleaner and to clean up the title after the thirty year period. I don't think it will really effect that, and there are the other remedies, the omissions, you know the chapter 121 stuff and things like that."

Bradley M Glass "Well, it was my impression that all property ah .or almost all property where the taxes are uncollectable it is certified to the county clerk and put up for sale at auction. Ah...I suppose that which isn't sold would ah... fall into this category."



Howard W. Carroll: "Well, you know, the scavenger act, for example is where its delinquent ten years or more. Ah. .this , you know, would still be an available remedy. The scavenger act. All we're trying to do by this is to say that they don't have to carry these on item for item."

Bradley M. Glass "In other words, not having sold the property after thirty years, this would be available."

Howard W. Carroll: "It wouldn't clean up the thirty that are still owed, it would only clean up from thirty on."

Bradley M. Glass: "I see, thank you."

Rep. Arthur A. Telcser: "Gentleman from Cook, Representative Simmons."

Arthur E. Simmons "Will the sponsor yield to a question?"

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

Arthur E. Simmons "I have in my district, a school district, that in 1932 issued tax anticipation warrants to school teachers for their pay. They ah...never were able to redeem the tax anticipation warrants. Now in the enactment of this bill, ah...what will happen to the ah...warrant."

Howard W. Carroll: "Art, this is strictly taxes that have been levied against real property."

Arthur E. Simmons: "This is real property taxes."

Howard W. Carroll: "On a specific piece of property?"

Arthur E. Simmons: "On all of the property in the school districts."

Howard E. Carroll: "Well, its my understanding that that which is going back before 1942 would be deemed uncollectable."

Arthur E. Simmons: "And then the warrants even....."

Howard W. Carroll "I honestly don't know the answer to that for the warrants."

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

Samuel C. Maragos: "Mr. Speaker, members of the House, when we discussed this bill in the judiciary I, we had very similar questions of those being raised at this hearing...at this third reading. And there are going to be advantages and some windfalls and certain cases. However, the overall intent of this bill is good, because it will wipe off the records for properties which have been of no use to anybody and maybe commerialable and then put them back on the tax rolls and in the long run which will be beneficial to counties and to the states. It is true that there will be certain circumstances where tax delinquent property can, may be a depreciated value since the last ten years, and become valuable to the particular developer or whoever else might want to improve the property. But in that case, it will be beneficial because of the fact that it will give the incentive to the developer to come in to develop this property, where he might not have done so if the taxes were prohibitive prior to 1942. I think eventually what we have to do is to insure that there will be no collusion or any conspiracy between any of the State's Attorney's officers or other county officials to let certain dormant taxes lie for a few years, is to insist. And maybe we can amend that after we've had a trial basis if this act becomes a law, to see that they must, between the 25 and



30 year each states attorney's office should, maybe, mandate to attempt the collective statutes before the thirty years run out. But I think the intent of this bill is good and therefore, I'm going to ask your support and I'm going to vote in favor of it."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative McGah."

Joseph P. McGah: "Will the sponsor yield for a couple of questions?"

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

Joseph P. McGah: "Ah...Representative Carroll, ah...first of all who requested this bill, do you know?"

Howard W. Carroll: "Ah...Representative McGah, it came over from Senator Palmer ah...I'm really not sure. I know he has had some expertise in the cook county recorders office. I'm not sure if that's where it originated or not."

Joseph P. McGah: "You say it may have originated in the Recorders office? Now the next question is, as far as I know the policy of the state's attorney in cook county, its been only to allow foreclosure of General taxes down through the year 1946. Is that still correct?"

Howard W. Carroll: "As far as I know, yes."

Joseph P. McGah: "In other words, in about three or four more years all the leans from 1946 back would be wiped out."

Howard W. Carroll: "From 46 back to 45, 44....."

Joseph P. McGah: "Personally if you wanted to clean up a personal property like that you'd have to go in and make arrangements for a minimum bid, etc."



Howard W. Carroll "It would be on anything from 1942 through today."

Joseph P. McGah: "Yes, it would be four more years though the 46 leans would be wiped out."

Howard W. Carroll: "Yes, from 42 to 46."

Joseph P. McGah: "And my third and last question. Does this apply to special assessment leans too or just general taxes?"

Howard W. Carroll: "General taxes, not special assessments leans."

Joseph P. McGah: "Thank you."

Rep. Arthur A. Telcser: "Gentleman from Peoria, Representative Day."

Robert G. Day: "Will the sponsor yield for a question?"

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

Robert G. Day: "Representative Carroll, as I understand your bill it does not extinguish the lean. This act will not distinguish the lean for general taxes which has accrued for the thirty year period Is that correct?"

Howard W. Carroll: "Within the thirty years back, that is correct."

Robert B. Day: "So that even after this bill passes, there will still be leans, with interest and penalties within the thirty year period....."

Howard W. Carroll: "As of right now it would be the 1942 taxes, 43, 44, up through '71."

Robert B. Day: "And this bill does not relieve the ah...county treasurer from including, let us say, a piece of property that has 25 years delinquent taxes on it, from including that property in his annual fail. He would still have to do



that. Is that correct?"

Howard W. Carroll "Yea, this has, as I understand it, has not effect on anything under thirty years old."

Robert G. Day: "Well, Mr. Speaker, and ladies and gentlemen of the House. I think that this is a desirable piece of legislation. When you have a situation where a given piece of property is still on the tax books because no one has been interested enough in that piece of property to come in and pay the back taxes against it. It seems to me that the wise thing to do is to ring the water out of it, and to facilitate the entire legal process of getting that piece of property back on the tax rolls. And the only way that you can do that is to liquidate it and ah...make it attractive enough for some individual to buy it, who will be willing to pay the taxes on it in the future. This is bound to result in a benefit to all of the other taxpayers who are within the district, and on the assessment roll, that this particular piece of property is liable for. So, I think that there comes a times when you get these few white elephants on the books which should be liquidated and got back on the tax rolls at any cost. And it seems to me that this is a desirable bill and I trust that you will all vote for it."

Rep. Arthur A. Telcser: "Is there further discussion? If not, the gentleman from cook, Representative Carroll to close the debate "

Howard W. Carroll: "Thank you I think Representative Day did a good job in explaining and closing debate I would just ask for a favorable vote "

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Rep. Arthur A. Telcser: "The question is shall Senate Bill 841 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 120 'ayes', 11 'nays'. And this bill having received a constitutional majority is hereby declared passed. Senate Bill.....Representative Hall, for what purpose do you rise, Sir?"

Harber H. Hall "Mr. Speaker, I'd like ah.. to make a motion on the floor of the House, to have ah...two bills placed back on the calendar that...."

Rep. Arthur A. Telcser: "O-K. let's go.....Senate Bill 1290. Let's take that out of the record. Senate Bill 1362. Let take it out of the record. Senate Bill 606, is Representative Dyer on the floor? Take it out of the record. Senate Bill 1454."

Jack O'Brien "Senate Bill 1454. A Bill for an act authorizing the sale of a certain real property in cook county. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from Boone, Representative Cunningham."

Lester Cunningham: "Mr. Speaker, and ladies and gentlemen of the House Senate Bill 1454 as amended, ah...this bill authorizes the Department of Mental Health, to sell by quick claim deed, a small track of land on the grounds of the Chicago Reeds Mental Health Center, to the Commonwealth Edison Company for the amount of \$220,000. The Commonwealth Edison Company wished to acquire the track about 250 foot square, approximately



165 hundredths of an acre at the intersection of Irving, Park Road and Oak Park Avenue for the installation of electric transmission distribution center. The property has been appraised and the price stated in the bill is the appraised value. I urge your support on the bill."

Rep. Arthur A. Telcser: "Gentleman from Kane, Representative Hill."

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

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

John Jerome Hill: "I'm sorry but I couldn't hear your explanation ah...where there bids left out of this piece of property?"

Lester Cunningham: "They've appraised the property, and I imagine there is only one person who is interested, so they get more electricity, those residents in that area. I don't think there'd be anybody else who'd be interested in it, because they don't have any electrical wires running through this area."

John Jerome Hill: "How many appraisals were received on this?"

Lester Cunningham: "One, as far as I know, Representative."

John Jerome Hill: "Just one?"

Lester Cunningham: "As far as I know. As far as my estimates are concerned."

John Jerome Hill: "Well, and how large is this plot of ground?"

Lester Cunningham: "1 and 65 tenths of an acre."

John Jerome Hill: "And what sets on this property now?"

Lester Cunningham: "Nothing that I know of."



John Jerome Hill: "And you say there was only one appraisal?"

Lester Cunningham: "As far as I know, that's right, Sir."

John Jerome Hill: "Well, Mr. Speaker, I'd like to say a few words on this particular piece of legislation. Usually when a piece of property....when a piece of property by the state is sold, and I have gone through this with property from the Elgin State Hospital, that the ah...people up there were required to receive more than one appraisal. The department would give an appraisal ah...the people interested in the area would get an appraisal, and ah...they would choose a third person to appraise that property. And here we have a piece of property being sold to commonwealth edison for \$200,000 and I doubt very much if any of us know what this property is all about. And only one appraisal has been received on it. It seems to me that this bill should certainly be defeated and that a further explanation from the piece of property should be given. I certainly would suggest that more than one appraisal be asked on this. I don't know at this particular time, if the figure of \$200,000 is proper. I don't know if the state is being taken or I don't know if the property in question is worth that much. And it seems to me that we would have a more thorough explanation of a piece of legislation like this. And I would suggest that we vote this down, I'm not opposed to selling it, providing that I feel well assured in my mind that the state is giving the proper amount of money. And I would suggest at this time that you vote no."



Rep. Arthur A. Telcser "Gentleman from Sangamon, Representative Gibbs.

W. Joseph Gibbs: "Mr. Speaker, will the sponsor yield to a question?"

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

W. Joseph Gibbs: "Representative Cunningham, on the property involved its my understanding that the state law, when they disposed of any real property there's a state statute to the effect that it has to be put out for bid. And then its sold to the highest bidder. Ah...could you tell me why its not followed in this instance?"

Lester Cunningham: "Mr. Speaker, I'm sure that things can be straightened out on this bill. May I ask permission to withdraw it at this time?"

Rep. Arthur A. Telcser: "Does the gentlemen have leave to take this out of the record? Hearing no objections we'll take it out of the record. Senate Bill 208. Take it out of the record. What about 606? Take that out of the record? Senate Bill 1412."

Jack O'Brien: "Senate Bill 1412. A Bill for an act to amend the school code. Third reading of the bill."

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

G. L. Hoffman: "Mr. Speaker, ladies and gentlemen of the House Senate Bill 1412 deals with the issuance to bonds for vocational education ah..projects. If you look at your synopsis its provides that ah...the school code is to be amended to provide

for those school districts who are issuing bonds for the

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



construction of varied vocational projects, pursuant to agreement with other school districts. So either passed a referendum authorizing the imposition of a tax under ah...section 17.24 which is a five cent, five year limitation levy, or having passed such a referendum by resolution ah..authorizing the payment of cost of the project from funds raised by building tax levies. Now no school district can issue this five cent tax, unless in fact they have ah...reached their statutory limitation on their local building fund. Most school districts have reached that long ago and are above it. However, there is one or two school districts, I believe, down in the Danville area ah...which can utilize their funds. during the last session we passed a bill similar to this however, we did not provide for the abatement of the ah... tax levy if the five cent levy is not needed. This particular bill provides for the levying of the taxes that are necessary and for the extention of those taxes to the degree that they are necessary. And I would appreciate your support."

Rep. Arthur A. Telcser: "Is there any discussion? Question is shall Senate Bill 1412 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the record. Bradley 'aye'. On this question 121 'ayes', no 'nays'. And this bill having received a constitutional majority is hereby declared passed. Senate Bill 1577."

Jack O'Brien: "Senate Bill 1577. A Bill for an act to amend sections of the cigarette tax act. Third reading of the bill."



Rep. Arthur A. Telcser: "Gentleman from McLean, Representative Hall."

Harber H. Hall: "Mr. Speaker and ladies and gentlemen of the House, I'd like leave to have two bills considered together, 1577 and 1578. These two bills change the cigarette tax act and the cigarette use tax act and in the same manner."

Rep. Arthur A. Telcser: "Are there objections? Hearing none will the clerk please read Senate bill 1578 a third time."

Jack O'Brien: "Senate Bill 1578. A Bill for an act to amend sections of the cigarette use tax act. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from McLean, Representative Hall."

Harber H. Hall: "Mr. Speaker, Senate Bill 1577 and 1578 each address themselves to the procedure that ah...should be set up by the Department of Revenue to refund ah...money collected from the cigarette tax act and the cigarette use act to those suppliers who have overpaid the amount of tax that is properly due. Ah...this is similar to other transferring of the funds from the Department of Revenue back to the proper owners, when too much money has been paid to the state. Until now, this has not been necessary in ah...collection of cigarette taxes but ah...there is some money due now and they can't pay it back without this statutory amendment. I know of now opposition to these two bills. And I respectfully request your support of them "

Rep. Arthur A. Telcser: "Is there any discussion? Gentleman

from Cook, Representative Lechowicz."
GENERAL ASSEMBLY



Thaddeus S. Lechowicz: "Thank you Mr. Speaker, will the sponsor yield to a question?"

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

Thaddeus S. Lechowicz: "How much money is due for a refund now, Representative Hall?"

Harber H. Hall: "I can't answer that."

Thaddeus S. Lechowicz: "Thank you."

Rep. Arthur A. Telcser: "Is there further discussion? Question is shall Senate Bills 1577 and 1578 pass? All those in favor signify by voting 'aye', and opposed by voting 'no'. The clerk will take two roll calls. Have all voted who wish? Take the record. On this question there are 132 'ayes', no 'nays'. And these bills having received a constitutional majority is hereby declared passed. R. Cunningham 'aye'. Tim Simms 'aye'. Senate Bill 1579."

Jack O'Brien: "Senate Bill 1579. A Bill for an act to amend the cigarette tax act. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from McLean, Representative Hall."

Harber H. Hall: "Mr. Speaker, I would like leave of the House to have 1579 and 1580 considered together, they are exactly the same bills in respect to the use tax act and the cigarette tax act."

Rep. Arthur A. Telcser: "Alright, is there any objection. Hearing none, will the clerk please read Senate Bill 1580 a third time."

Jack O'Brien: "Senate Bill 1580. A Bill for an act to amend the cigarette use tax act. Third reading of the bill."



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

Rep. Arthur A Telcser "Gentleman from McLean, Representative Hall."

Harber H. Hall "Well, Mr. Speaker, these two bills establish a provision where the internal...the Department of Revenue will code cigarette tax stamps ah..in a manner that will enable anyone to identify the distributor on ah...cigarettes that they buy. Ah...it also licenses to ah...each distributor so that ah..the license fee that he pays will defray the expense to the state of going into this sytem of coding and identifying distributors for the control ah...of the cigarette tax business. 1579 provides for a \$250.00 license fee for the distributor and ah....a bill we passed earlier appropriated \$52,000 ah...to the Department of Revenue to takecare of the work. The \$250.00 fee then would raise approximately \$42,000 so the state would not have to pay the cost ah...out of the General Reveneu fund that would not be coming in to it. Ah...these ah...bills are supported by the tobacco industry, because while they don't like to pay the tax, they do ah...they do want to have better control of their business so that there won't be the bootlegging of cigarettes throughout the state. And they recognize this as a good way to do it, and they are supporting these two bills. I don't know of any oppositions to the bills, I'd be glad to answer any questions regarding them. And ah...I hope you can support these two bills."

Rep. Arthur A. Telcser: "Gentleman from Lake, Representative Murphy."



W. J. Murphy: "Mr. Speaker, a question to the sponsor."

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

W. J. Murphy: "Ah... Representative Hall, this is just the distributor, it has nothing to do with the vendor of machines or cigarette machines?"

Harber H. Hall: "This is only the wholesaler, distributors."

W. J. Murphy: "Just the wholesaler?"

Harber H. Hall: "Yes Sir."

Rep. Arthur A. Telcser: "Gentleman from Bureau, Representative Barry."

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

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

Tobias Barry: "Harber, what's the license fee now?"

Harber H. Hall: "There is no license fee. Well there's a licensing.

I don't know what the fee is on that. This is a separate ah...license for this number that they are going to use to ah...code the distributor. There's a licensing provision but I don't...it's a very small fee. I don't know exactly what it is."

Rep. Arthur A. Telcser: "Is there further discussion? Question is shall Senate Bills 1579 and 1580 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. The clerk will take two roll calls. Have all voted who wish? Take the record. On these questions there are 105 'ayes', Jack Hill 'aye'. 3 'nays'. These bills having received a constitutional majority are hereby declared passed. Senate Bill 1589. Oh no, take that out of the record. Senate Bill

1440."



Jack O'Brien "Senate Bill 1440. A Bill for an act to amend the Illinois Income Tax Act. Third reading of the bill."

Rep. Arthur A. Telcser "Gentleman from DuPage, Representative Philip."

James Philip: "Yea, Mr. Speaker and ladies and gentlemen of the House Senate Bill 1440 amends the Illinois Income Tax. It does three things; defines residency, allows the proration of state income tax, allows the Department of Revenue to refund payments made by those already enforced to pay Illinois tax on Income earned in other states. It came out of the revenue committee without a decending vote. Its recommended by the Illinois Taxpayers Federation of the Department of Revenue."

Rep. Arthur A. Telcser: "Is there any discussion? Question is shall Senate Bill 1440 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question there are 144 'ayes', no 'nays. Mann 'aye', Brandt 'aye', Campbell 'aye'. And this bill having received a constitutional majority is hereby declared passed. Senate Bills second reading. Senate Bill 970."

Jack O'Brien "Senate Bill 970. A Bill for an act providing for grants to local governmental units. Second reading of the bill. One committee amendment. Amend Senate Bill 970 on page 1, by striking lines 22 through 34. And on page 2 by striking....."

Rep. Arthur A. Telcser "Gentleman from cook, Representative Regner."



David J. Regner. "Mr. Speaker, ladies and gentlemen of the House this is a bill which provides for reimbursement for the states, counties, municipalities and townships for additional compensation for law enforcement. What this amendment does it reduces the maximum reimbursement to 2% or \$200.00 per individual per year and it also revises the requirements to completion of thirty hours of law enforcement relative courses at a college level. And I would move for the adoption of committee amendment no. 1 to Senate Bill 970."

Rep. Arthur A. Telcser "Is there any discussion. The gentleman has offered to move the adoption of amendment no. to Senate bill 970. All in favor of the adoption signify by saying 'aye', opposed 'no'. The amendment is adopted. Are there further amendments? Third reading. Senate Bill 1319."

Jack O'Brien. "Senate Bill 1319. A Bill for an act to provide for the ordinary and contingent expenses of the Department of Agriculture. Second reading of the bill. Two committee amendments. Amendment no. 1 amend Senate bill 1319 on page 2...."

Rep. Arthur A. Telcser: "Gentleman from Livingston, Representative Hunsicker. Are you handling Senate Bill 1319, Representative Hunsicker. The Calendar indicates you are the House sponsor?"

Carl T. Hunsicker "I didn't hear you, Mr. Speaker."

Rep. Arthur A. Telcser: "Do you wish to move the adoption of committee amendment no. 1 to Senate Bill 1319?"

Carl T. Hunsicker "What does it do?"

Rep. Arthur A. Telcser: "Well, that's what we'd like to know, Sir?"



Carl T. Hunsicker: "Is that the committee amendment?"

Rep. Arthur A. Telcser: "Yes, committee amendment no. 1, Sir."

Carl T. Hunsicker: "Yes, I move for adoption of committee amendment."

Rep. Arthur A. Telcser: "Gentleman from Lake, Representative Murphy."

W. J. Murphy: "I'd like to have the Representative explain the amendment, please."

Rep. Arthur A. Telcser: "Do you wish to respond, Representative Hunsicker?"

Carl t. Hunsicker: "What did he want, explain the amendment?"

Rep. Arthur A. Telcser: "Gentleman wants to know what the amendment does sir."

Carl T. Hunsicker: "The amendment restores some funds that were cut off over in the Senate. We'll give you some figures. I don't have the total amount, in one lump. "

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Regner will help you out sir."

David J. Regner: "Mr. Speaker, ladies and gentlemen of the House what committee amendment no. 1 does to Senate Bill 1319, total increase in the appropriation of \$342,884. There's an increase in the operating expenses ah... division of markets that adds \$136,300 to continue downstate grain activities. \$196,300. Division of Meat, Poultry and livestock inspections it adds \$968,700 to General Revenue and it reduces \$780,000 in the Federally earned monies. A net increase of \$188,000. And in the division of warehouses a reduction of \$42,116 for additional personal. That's a reduction. The net effect is a total increase of \$342,884. I move for adoption."

GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES



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

Thaddeus S. Lechowicz: "Thank you Mr. Speaker, this was the amendment that was offered in the appropriations committee and it was an agreed amendment. I move for its concurrence."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Ewell."

Raymond W. Ewell: "Mr. Speaker, I'd like to know if the sponsor would yield to a question?"

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

Raymond W. Ewell: "Alright, can you tell me why this money was cut off over in the Senate."

Carl T. Hunsicker: "Well, that's a good question, Representative Ewell. The Senate wanted to do away, as I understand it, with the grain inspection and Meat and Poultry inspection in the state of Illinois. And these funds were restored, as I understand it for that purpose."

Raymond W. Ewell: "Well, in essence doesn't this cost the tax payers of the state of Illinois more money?"

Carl T. Hunsicker: "To a certain extent, but you still have to have inspections."

Raymond W. Ewell: "I know, but don't you think economy ought to start at home and perhaps in our case it ought to start here?"

Carl T. Hunsicker: "Might I answer that question by asking you one sir? What about the grain inspection and the elevators goes out of condition and so on and so forth. Someone has

to look after this and I think....."

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Raymond W. Ewell: "Well, I have great faith in the ah...Senate and their appropriations committee. I know they looked at this very thoroughly, and I happen to be a member who thinks we ought to have a little economy in government. And I simply don't think we ought to start giving away the taxpayers money just like it comes from a hog pen somewhere and we can pass it out like so much slop. I think that the Senate was acting very admirably. Its very difficult to pare the state budgets and I for one think that we ought to concur with the Senate and we ought to stick with them. And if we mean what we say when we talk about economy in government and protecting the taxpayers money, I think we ought to start holding the line right here and now. And I vote no on this amendment."

Rep. Arthur A. Telcser: "Is there further discu...."

Carl T. Hunsicker: "Do you want to cut down on the services to the people in government that much, why that's what you should do, that is correct."

Rep. Arthur A. Telcser: "Is there further discussion? Gentleman from Fayette, Representative Brumitt."

Don E. Brummet: "Would the sponsor yield to a question?"

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

Don E. Brummet: "Ah...is this taking out the grain inspectors? Have you put all the grain inspectors back in?"

Carl T. Hunsicker: "No sir, this is putting a grain inspection back in in down state Illinois, but not the city of Chicago which is going to be under Federal inspection as I understand it."



Don E. Brummet: "O-K, when you talk about spending money, isn't it true that the grain inspectors themselves, in southern Illinois, charge a fee for this and this does cover their salary more than cover their salary?"

Carl T. Hunsicker: "It covers some of it. There's another companion bill that will come along with this on third reading which is the mandatory ah..bonding of elevators. And this fee is going to be doubled to take up some of the slack that comes out of here, so that the grain inspectors can stay on the job."

Don. E. Brummet: "O-K."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Arrigo."

Victor A. Arrigo: "Will the gentleman yield to a question?"

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

Victor A. Arrigo: "You mentioned the grain inspectors from the city of Chicago, Representative Hunsicker. Now what's going to happen to the 46 men whose jobs have been abolished by the action of the Department of Agriculture, or whomever was responsible for the slashing of the budget with reference to the 46 men who inspected the grain in the city of Chicago? As you know, Chicago is the largest inland port in the world, and our grain goes to every part of the world. Who is going to take care of the inspection in the Cal-Sag Canal grain elevators?"

Carl T. Hunsicker: "The Federal Grain Inspectors, as I understand it, are taking over that ah...tour in the city of Chicago."



And I might say that if the whole grain inspection were eliminated as the Senate wanted to do in this particular bill, Federal Control would have taken over in the whole state of Illinois. Personally, I don't want to see that happen."

Victor A. Arrigo: "Well then what's going to happen to the 46 men?"

Carl T. Hunsicker: "I didn't get your question Representative."

Victor A. Arrigo: "What is going to happen to the 46 men whose jobs have been abolished?"

Carl T. Hunsicker: "Can't give you that answer. They'll probably have to hunt other employment the same as anyone else does that loses his job."

Victor A. Arrigo: "Well, but I heard you say that there was a provision for additional personnel. Now will that provision take care of the hiring of the grain inspectors, many of whom have worked for almost 20 years, ah...for the Department of Agriculture?"

Carl T. Hunsicker: "I'm informed that they will probably be hired back by the private inspectors."

Victor A. Arrigo: "Probably doesn't seem to indicate any certainty. I would like to know very much because I happen to know several people who are grain inspectors and incidentally one of my hobbies has been taking freighters on the Cal-Sag up to Montreal after this session ends. And I have been tremendously impressed by the thousands of....."

Rep. Arthur A. Telcser: "Representative Granata, for what purpose

do you rise, Sir?"



Peter C. Granata: "Mr. Speaker, I want to set Representative Arrigo straight. I understand that these jobs are going to be abolished and a private enterprise is coming in there and contract for that work. And all of these men that have been working 20 years will get fired. Now those are the facts. They are not fired yet."

Victor A. Arrigo: "Well, Representative Granata, if I could rely on your statement, that would be fine. But I've heard to the contrary. It is my understanding that these men absolutely are going to be thrown out of their jobs. Now their jobs, and on June the 30th. Nobody has approached them as of yet."

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

Brian B. Duff: "Point of order Mr. Speaker. It doesn't seem to me that this is germane to the amendment at all."

Rep. Arthur A. Telcser: "Would you confine your remarks to the amendment, Representative Arrigo?"

Victor A. Arrigo: "Yes, but I wanted to know, are these men going to be rehired....."

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

Thaddeus S. Lechowicz: "Mr. Speaker, Representative Arrigo's remarks are pertinent to the amendment. They are restoring money for downstate and he's asking a question for the city of Chicago."

Victor A. Arrigo: "Mr. Speaker. Mr. Speaker. Mr. Speaker. Mr. Speaker."



Rep. Arthur A. Telcser: "Proceed, sir."

Victor A. Arrigo: "I wanted to say this. If a man gives 20 years of his life in faithful service to the state of Illinois, he should not be suddenly dismissed after 20 years of good, faithful labor. Remember this, we are the greatest agricultural state in the nation. Chicago is the largest inland port in the world. Chicago is one of the greatest exporters of grain. You don't dismiss men without even giving them, vacation pay, they have made...no provision has been made for any of their benefits, even their pension rights haven't been discussed properly. And I believe its incumbent upon us to be concerned about the welfare of these people."

Rep. Arthur A. Telcser: "Is there further discussion? Gentleman from Wayne, Representative Blades."

Ben C. Blades: "Mr. Speaker, and ladies and gentlemen of the House in this amendment ah...there was an elimination of the grain inspection stations in Chicago. Those people weren't fired, the job was eliminated and the state, therefore, should provide them with vacation time, and ah...social security, and retirement benefits. And this amendment puts that back in....it was cut out by the Senate and this amendment put money back...its other money of course, but included is money for their retirement for their vacation pay, and for their social security."

Rep. Arthur A. Telcser: "Is there further discussion? For what purpose do you rise, Representative Arrigo?"

Victor A. Arrigo: "I want to pursue this a little bit further."



Rep. Arthur A. Telcser: "Well, you've used your time, Representative Arrigo."

Victor A. Arrigo: "Mr. Speaker I'm speaking of 46 men who have given many many years....."

Rep. Arthur A. Telcser: "Representative Dan O'Brien, for what purpose do you rise, Sir?"

D. J. O'Brien: "Mr. Speaker, I would like to yield my time to Representative Arrigo."

Victor A. Arrigo: "Thank you. Representative Blades, in addition to the vacation pay, and I'm glad to hear that, in addition to their pension, I'm glad to hear that, will they also be included in the additional appropriation for the personnel that is going to be hired? Are these men going to be among the newly hired personnel?"

Rep. Arthur A. Telcser: "Representative Blades, do you wish to respond to that sir?"

Ben C. Blades: "Yes...yes, I ah...the inspection, as far as the state of Illinois is concerned, is being cut out, and the number of employees is being reduced. However, that will be done by private contracting firms and the Department is recommending to these private firms that they re-employ these people that did work for the state of Illinois."

Victor A. Arrigo: "May I ask, is the recommendation going to be a firm condition before the private agency is given the contract?"

Ben C. Blades: "I didn't get your question."

Victor A. Arrigo: "I say, will the rehiring of these people by

the private agency be a conditioned precedent before the

GENERAL ASSEMBLY



contract is given to the new agency?"

Ben C. Blades: "I can't answer that, I doubt that it will. I can't answer that."

Victor A. Arrigo: "Well, in other words, no one is taking care of these 46 men."

Ben C. Blades: "No, the Senate saw fit to ah...cut out that entire inspection grain program ah...Representative. Then we reinstated the five stations in the south end of the state, because they were virtually self supporting, in the fees that they charged."

Victor A. Arrigo: "Are you familiar with the grain elevators along the Cal-Sag Canal, Representative Blades?"

Ben C. Blades: "Well, just partly."

Victor A. Arrigo: "It is a tremendous business, and I don't think that the state should arbitrarily resign its obligations to a private agency and not make provisions to the men who have worked to build up the city of Chicago as a great inland port. And I believe something should be done, with reference to those 46 men."

Rep. Arthur A. Telcser: "Is there further discussion? Gentleman from Bureau, Representative Barry."

Tobias Barry: "I don't care to take the time of the House, but I think we ought to pursue this. Is this a matter of the inspection going to be done by in Chicago or in cook, by a private agency, or is it going to be now done by the Federal government? Is it going to cost us some more money, or an equivalent amount of money of rehiring the 46 men or just

what?"



Rep. Arthur A. Telcser: "Does the sponsor wish to respond to that question?"

Carl T. Hunsicker: "I didn't get that, somebody else is asking questions back here, I'm sorry?"

Tobias Barry: "Alright, I wondered how the work force of the 46 men in cook that are apparently being discharged, how that work force is going to be substituted? Is it going to be by private contract or by...."

Carl T. Hunsicker: "Going to be by private contractors, as I understand it, along with the Federal Inspectors."

Tobias Barry: "Well, do you have an explanation for that? Is there some reason for that?"

Carl T. Hunsicker: "I can't give you that answer right now, Sir, I don't have it."

Tobias Barry: "Well, I have an interest seeing this amendment passed, but I also have an interest in Mr. Arrigo's ah... Mr. Arrigo getting an answer to his question, so ah... I wonder, could we take this out of the record for a few minutes?"

Carl T. Hunsicker: "It would be alright, sir, if we could get one of the men from the Department of Agriculture, I'll be glad to get the information."

Rep. Arthur A. Telcser: "Alright, take that out of the record. Well, he's taking it out of the record, Representative Arrigo. Senate Bill 1371."

Jack O'Brien: "Senate Bill 1371. A Bill for an act making an appropriation for the ordinary and contingent expenses of



the Office of Lieutenant Governor. Second reading of the bill.
No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor?"

Jack O'Brien: "Amendment no. 1, Nowlan. Amend Senate Bill...."

Rep. Arthur A. Telcser: "Gentleman from Franklin, Representative
Hart."

Richard O. Hart: "Ah...Representative Nowlan has an amendment to
the bill. Maybe if he's someplace listening to the squak
box ah...by this method we can ask him to come back on the
floor so we can take this up. But until he does come back
I would like to hold the bill."

Rep. Arthur A. Telcser: "Take that out of the record. Senate
Bill 1389."

Jack O'Brien: "Senate Bill 1389. A Bill for an act to amend
sections to the Illinois Vehicle code. Second reading of
the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor?
Third reading. Senate Bill 1397."

Jack O'Brien: "Senate Bill 1397. A Bill for an act to provide
for the ordinary and contingent expenses of the Secretary
of State. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor?
Third reading. Senate Bill 1406."

Jack O'Brien: "Senate Bill 1406. A Bill for an act creating
the Illinois Commission for Economic and Program analysis.
Second reading of the bill. One committee amendment.
Senate Bill 1406....."



Rep. Arthur A. Telcser: "Gentleman from Cook, Representative Regner."

David J. Regner: "Mr. Speaker, ladies and gentlemen of the House this is a bill that creates the ah...as we call them in the House....the ah...Joint Commission of Economic Advisors and it brings the Senate bill in line ah...it makes it a duplicate bill with that of the House Bill which is House Bill 4286. And I'd move for the adoption of amendment no. 1 to Senate Bill 1406."

Rep. Arthur A. Telcser: "Is there any discussion? Gentleman has offered to move the adoption of amendment no. 1 to Senate Bill 1406. All those in favor of the adoption signify by saying 'aye', opposed 'no'. The amendment is adopted. Are there further amendments? Third reading. Senate Bill 1418."

Jack O'Brien: "Senate Bill 1418. A Bill for an act making additional appropriations to the Election Laws Commission. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. Senate Bill 1433."

Jack O'Brien: "Senate Bill 1433. A Bill for an act that provides for the ordinary and contingent expenses of the Office of the Superintendent of Public Instruction. Second reading of the bill. One committee amendment. Amend Senate Bill 14...."

Rep. Arthur A. Telcser: "Gentleman from McHenry, Representative Vanahan."



Thomas J. Hanahan: "Mr. Speaker, members of the House, the amendment no. 1 adopted by the House Appropriations committee cuts \$2,000,000 in the urban education requests from the office of the Superintendent of Public Instruction. And the reason why the reduction was made was because some of the eligible districts are not planning on participating this year. It also reduces, I believe, \$128,000 appropriation which Senate Bill 1430, which would have provided a statutory base for the program was defeated in committee and it increases the appropria.....of \$111,000 for the learning disabilities. And it provides for the expansion of a screening program for the early detection of learning disabilities. I move that adoption of committee amendment no. 1."

Rep. Arthur A. Telcser: "Is there any discussion? Gentleman has offered to move the adoption of amendment no. 1 to Senate Bill 1433. All in favor of the adoption signify by saying 'aye', the opposed 'no'. The amendment is adopted. Are there further amendments?"

Jack O'Brien: "Committee amendment no. 1, amend Senate Bill 1433 as amended on page 10 by deleting lines 31 and 32. And on page 11, line 6 by deleting \$136,229....."

Rep. Arthur A. Telcser: "Gentleman from McHenry, Representative Hanahan."

Thomas J. Hanahan: "I didn't hear the amendment."

Rep. Arthur A. Telcser: "Oh...will the clerk please read the amendment?"

Jack O'Brien: "As amendment on page 10 by deleting lines 31,



32. And on page 11 lines 6, by deleting \$136,229,306, and inserting in lieu thereof; \$136,101,000."

Thomas J. Hanahan: "I believe this is the amendment that we just put in the lines items that are made necessary by the changes of the amendment no. 1. Maybe Representative Regner would be able to explain that amendment."

Rep. Arthur A. Telcser: "Representative Regner."

David J. Regner: "Ah..this is a reduction of \$128,306 for the development of state educational needs assessment program. And it is a committee amendment and I would concur in the adoption of it..."

Thomas J. Hanahan: "I thought that was in amendment no. 1, I'm sorry. I move to adopt amendment no. 2."

Rep. Arthur A. Telcser: "O-K, is there any discussion? Gentleman has offered to move for the adoption of amendment no. 2, to Senate Bill 1433. All those in favor of the adoption signify by saying 'aye', opposed 'no'. The amendment is adopted. Are there further amendments? Third reading. Senate Bill 1492."

Jack O'Brien: "Senate Bill 1492. A Bill for an act to create the non-public state rental grant act. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. Senate bill 1498."

Jack O'Brien: "Senate Bill 1498. A Bill for an act making an appropriation to the Superintendent of Public Instruction. Second reading of the bill. No committee amendments."



Rep. Arthur A. Telcser: "Are there amendments from the floor?"

Jack O'Brien: "Amendment no. 1, Pierce. Amend Senate Bill 1498 in line 9, by inserting immediately after the period the following; 'If this act is held invalid by the Illinois Supreme Court before July 1, 1973, the amount appropriated in this act shall be transferred into common school funds, shall be distributed immediately to the public school districts and in proportion to the distribution of funds provided by section 18-8 of the school code.'"

Rep. Arthur A. Telcser: "Gentleman from Lake, Representative Pierce."

Daniel M. Pierce: "Mr. Speaker, ladies and gentlemen of the House last year when the aid to non-public school bills were declared unconstitutional by the Illinois Supreme Court, the \$29,000,000 that had been appropriated by this General Assembly ah...for education lapsed. And went to naught. All this amendment does, it doesn't hurt the bill in any way. All it does is that if the Illinois Supreme Court, in the fiscal year '73, before July 1, 1973, declares the non-public school aid bill to be unconstitutional then the money appropriated in that bill will go to the common school fund for distribution to the public schools. This money is in the Governor's budget for education and there's no use having it lapse and go to naught, merely because the Illinois Supreme Court should hold the bills unconstitutional as they did last year. Now if the court holds the bill constitutional then of course, this money will go to the non-public schools, to the private and parochial schools. All the amendment says

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



if the Supreme Court, during the coming fiscal year, during fiscal '73 on or before July 1, 1973 holds the act unconstitutional, then the money we've appropriated, will go to the public schools to the common school fund, for distribution to all the public schools in the state to help relieve our real estate and personal property taxes. Mr. Speaker, I move fore the adoption of amendment no. 1"

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Schlickman."

Eugene E. Schlickman: "Mr. Speaker, and ladies and gentlemen of the House I respectfully differ with the gentleman from Lake. The Illinois Supreme Court, in January of this year did not declare the state aid to non-public school bills passed by this General Assembly to be unconstitutional. Rather the Supreme Court said that the bills were not effective until July 1 of this year. Mr. Speaker, and ladies and gentlemen of the House this amendment, in itself raises an unrelated constitutional question. Number two, the way in which public education is funded in the state of Illinois would make this amendment, if adopted, a useless act. But Mr. Speaker, at this time, I would like to raise a point of order. The point of order being this; that by the gentleman's amendment he is in no way amending, or relating to the substance of the bill or the previous bill which would be implemented by this bill, and I raise the question as to whether or not the amendment is germane."

Rep. Arthur A. Telcser: "Ah...Representative Schlickman, the Chair



has ruled that your point is well taken and that amendment no. 1 is not germane to Senate Bill 1498. Gentleman from Lake, Representative Pierce."

Daniel M. Pierce: "Ah...Mr. Speaker, I know you want to avoid a vote on this amendment. I do want to point out to you which perhaps you didn't notice, this is the appropriation bill. The amendment in no way increases the appropriation it maintains it where it is. It only provides a back up. Like the short center fielder used to do to the second baseman back in softball, a back up in case ah...the law is declared unconstitutional, so that we save this money ah...for the school children of our state. Now, you gave no reason and neither did ah...Mr. Schlickman for the amendment not being ah...germane. He chose to speak against it, before he made his motion. But at any rate, he didn't state a reason and you didn't state a reason, and I can only decide that someone has predetermined that we shouldn't have a vote on this amendment. I ask you to reconsider having respect for the Chair, I won't move to overrule the Chair, because I have too much respect for the speaker, the acting speaker and the permanent speaker. But I wish you would reconsider this, perhaps you didn't realize that this was only the appropriation bill, and not the substantive bill."

Rep. Arthur A. Telcser: "No, Representative Pierce, the Chair has the appropriation bill before it, right now, and the Chair will hold to its ruling that amendment no. 1 completely changes the thrust of Senate Bill 1498 to a different area.

And would therefore not be germane. Are there further amendments?
GENERAL ASSEMBLY



Third reading. Senate Bill 1489."

Jack O'Brien: "Senate Bill 1489. A Bill for an act to promote the Education of Children of this state and to attend non-public schools. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. Senate Bill 1497."

Jack O'Brien: "Senate Bill 1497. A Bill for an act making an appropriation to the Superintendent of Public Instruction. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are There amendments from the floor?"

Jack O'Brien: "Amendments no. 1, Pierce, amend Senate Bill 1497 on line 9, by inserting immediately after the period the following; 'If this act is held invalid by the Illinois Supreme Court before July 1, 1973, the amount appropriated in this act shall be transferred to the common school fund, shall be distributed immediately to the public school districts in portion to the distribution of funds provided by section 18-8 of the school code."

Daniel M. Pierce: "Ah...Mr. Speaker, this amendment was given to me by the lobbying organization for the public school districts in my area, in Lake county, in surburban cook county and DuPage county area. Now I feel its germane and in case the gentleman from cook is going to make the same motion he made before, because it is an appropriation to the Superintendent of Public Instruction and the amendment also is an appropriation to the Superintendent of Public

instruction, only if the bill is declared unconstitutional,
GENERAL ASSEMBLY



so that the children of the state can have the benefit of the money that is in the Governor's budget and has been approved by the House appropriations committee. And therefore, I move the adoption of amendment no. 1, which is substantially the same as the amendment we discussed a minute ago, that will provide that in the current fiscal year, fiscal '73, the coming fiscal year, the bill is declared unconstitutional then the appropriation will not lapse and go back but will stay with the children and go to the common school fund."

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

Eugene E. Schlickman: "Mr. Speaker and ladies and gentlemen of the House, amendment no. 1 to Senate Bill 1497 is identical to amendment no. 1 to the previous Senate Bill, read for a second time. I again raise the point of order that the amendment is not germane, and in as much as the Gentleman from Lake county would be engaging in a diversion ah...leading away from the bill that is to be implemented. Mr. Speaker, I respectfully solicit your ruling on the germaneness of this amendment."

Rep. Arthur A. Telcser: "The Chair would rule, sir, that just as in the prior bill, amendment no. 1 to Senate Bill 1497 would not be germane. Are there further amendments? Third reading. Senate Bill 1499."

Jack O'Brien: "Senate Bill 1499. A Bill for an act creating the Illinois Educational Development Board. Second reading of the bill. No committee amendments."



Rep. Arthur A. Telcser: "Are ther amendments from the floor?
Third reading. Senate Bill 1496."

Jack O'Brien: "Senate Bill 1496. A Bill for an act making an
appropriation to the Superintendent of Public instruction.
Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are theæ amendments from the floor?"

Jack O'Brien: "Amendment no. 1, Pierce, Amend Senate Bill 1496
in line 8 by inserting immediately after the period the
following; '.....'"

Rep. Arthur A. Telcser: "Gentleman from Lake, Representative
Pierce."

Daniel M. Pierce: "Ah...Mr. Speaker, having only two strikes
against me, I'm merely getting a third swing at the plate
here. Before I strike out, I'd like to offer amendment no. 1
which does the same thing. It's germane because it takes
the money and makes sure it stays with the school children.
I might point out that from the common school fund there
is driver's education money, there is lunch money and so
on to go to non-public schools. So certainly amendment no.
1 is germane. Instead of this money going back to some
highway or some ah...drivers license examining station, or
some other secondary need, it would go to the school children
of our state and I feel this amendment in no way deviates
from the bill. It only says that if the bill is unconstitu-
tional, as it may be, then the money will be used for the
school children of our state. If the bill is constitutional
as the sponsor maintains, ah...then of course the money will
go where he intends it to go, to the non-public schools, and



that certainly is a good use. I might say, if this amendment is adopted, I will support the non-public school aid bills."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Schlickman."

Eugene E. Schlickman: "Mr. Speaker, and ladies and gentlemen of the House, this amendment is identical to the amendments offered previously by the gentleman from Lake, as I indicated the first time, this amendment in and of itself raises a constitutional question unrelated to the merits of the bills before us at this time. Furthermore, by the way public education is funded, the adoption of this amendment would be a useless act. Mr. Speaker, because in my opinion the amendment is lacking in germaneness, I raise a point of order and solicit your ruling on that issue."

Rep. Arthur A. Telcser: "The Chair will rule sir that your point is well taken and amendment no. 1 to Senate Bill 1496 is not germane. Gentleman from Lake, Representative Pierce."

Daniel M. Pierce: "Ah...Mr. Speaker, I think the ah...catcher dropped that third strike, and I'm going to first. Thank you very much."

Rep. Arthur A. Telcser: "Are there further amendments? Third reading. Senate Bill 1511."

Jack O'Brien: "Senate Bill 1511. A Bill for an act to create the Illinois Commission of Labor Laws. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. Senate Bill 1548."



Jack O'Brien: "Senate Bill 1548. A Bill for an act to provide for the development of a System for the improvement of Education Effectiveness. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there any amendments from the floor? Third reading. Senate Bill 1549."

Jack O'Brien: "Senate Bill 1549. A Bill for an act making an appropriation for the Painting of the Portrait of the former President Pro-Temp. Second reading of the Bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. Senate Bill 1555."

Jack O'Brien: "Senate Bill 1555. A Bill for an act making an appropriation for the Superintendent of Public Instruction. Second Reading of the Bill. One committee amendment. Amend Senate Bill 1555...."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Frank Wolf."

F. C. Wolf: "Mr. Speaker, and ladies and gentlemen of the House Senate Bill 1555 appropriates \$176,000,000 for the common School fund of the Superintendent of Public Instruction. Ah...for the following seven purposes. The main two purposes which embodies approximately \$168,000,000 of the \$176,000,000. It pertains to the state of Illinois Teachers Retirement System in the amount of \$124,000,000, and the ah...other one is the city of Chicago's Teachers Retirement reducing, that is the original appropriation of \$44,000,000 ah...the



agreed amendment, amendment 2, reduces the state of Illinois Teachers retirement system from \$124,000,000 to that of \$90,000,000. And the city of Chicago Teacher's Retirement from \$44,000,000 to \$26,700,000. Ah...its an agreed amendment with the Superintendent of Public Instruction and I move for the adoption of amendment 2 to Senate Bill 1555."

Rep. Arthur A. Telcser: "The gentleman from Kane, Representative Hill."

John Jerome Hill: "Mr. Speaker, and ladies and gentlemen of the House, I'm opposed to this particular amendment. What it does is put the pension funds for the downstate teachers and also for the Chicago teachers in a much lower percentage again. And if we defeat this particular amendment the fund will be funded at approximately for downstate, 65% and for Chicago, 65%. If we adopt the amendment we're dropping it again down to about 40 or 44%. And I'd appreciate very much if you would vote against this particular amendment. And I'd like to have a roll call vote on it."

Rep. Arthur A. Telcser: "Is there further discussion? If not the Gentleman from cook, Representative Frank Wolf to close the debate."

F. C. Wolf: "Ah...Mr. Speaker and ladies and gentlemen of the House I don't know whether Mr. Hill is aware of the fact that I fought the amendment on in committee, and I purposely had ah...not that I had, or requested the amendment to be voted down. But the point is I fought it tooth and nail and asked for the \$124,000,000. And if you will recall, Mr.



Hill that this particular amendment lost, and I had a stand off. Then we went back again and we sat down with the sponsor of the bill, Mr. Collins, as well as with his staff, and it was agreed. And I will agree with Mr. Hill, that these funds for the retirement system are not funded properly by the state and the state has an obligation and I stated previously at the committee meeting that we are not funding and funding properly. And the question was put to me the other day and that answer to Mr. Tipsword, as to what the fundings were for these two particular entities. And I made a statement that these two particular entities, the Chicago Teachers as well as that of the downstate teachers, are so unfunded that is to say they're obligation is so great the accrued liability there at this present time is \$1,300,000,000. And here I try to get the fairest shake I probably could, get out of the budgetary system. It isn't I that asked for this particular amendment, I asked for the full amount of the budget requested for funding of these particular two entities. And therefore, I feel, Mr. Hill, if your listening that the point that since this is an agreed amendment, and I feel for you, that if you do want to take off at any time against this particular bill, do not hinder this particular bill at this time. And if you do care to call a conference committee, where we can get a full funding, which would be probable on third reading or when that particular amendment reaches the Senate, then have the Senate come back for us to recede from the amendment so we can go into a conference



committee and get the full funding."

Rep. Arthur A. Telcser: "Gentleman has offered to move the adoption of amendment no. 2 to Senate Bill 1555. All those in favor of the adoption signify by voting 'aye', the opposed by voting 'no'. Gentleman from Christian, Representative Tipsword."

Rolland F. Tipsword: "Mr. Speaker, I'd like to explain my vote. I appreciate the fact that the House Sponsor of this bill has done everything possible to get the full funding for this year, and I know that he has done that for the appropriations committee and I'm sure he feels in his heart that we should have full funding. I think that we should keep faith for once, for this one year, one time out of the many many years that this funding has come before this legislature, keep faith with the teachers of this state. Those that are retired and those that are to retire in the state of Illinois in the future. We have given lip service time and time again to the fact that we should fund them fully, but that every year they come up on the short end of the stick. We keep cutting out the funding that is necessary and that we have obligated ourselves for in legislation year and year back. I would certain urge that every member of this body, one time, one time stand up for these retired teachers and tell them look we're going to mee t the obligation that we have we're going to fund you fully, for at least this one year, although we don't make up any of that \$1,300,000,000 that we owe to you, and we're going to cut out some of the other



unnecessary spending of the state of Illinois. Thank you."
 Rep. Arthur A. Telcser: "Is there further discussion? Have all voted who wish? Hyde, 'aye'. Take the record. Now the gentleman has moved that we adopt amendment no. 2 to Senate Bill 1555 be adopted, and a roll call was requested. On this question there are 85 'ayes', 32 'nays'. And the gentleman's motion to adopt amendment no. 2 to Senate Bill 1555 prevails. Are there further amendments? Third reading Senate Bill 1563."

Fredric B. Selcke: "Senate Bill 1563. An act to make an appropriation for the pay of certain officers in the Judicial system of the state government. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. Senate Bill 1564."

Fredric B. Selcke: "Senate Bill 1564. An act to provide for the ordinary and contingent expenses of the Judicial System. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. Senate Bill 1571."

Fredric B. Selcke: "Senate Bill 1571. An act to add sections 1.3, 1.4 and 1.5 to an act requiring hospital surrendering hospital emergency service in case of emergency or acute medical condition. And to implement emergency hospital medical and surgical services. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor?"



Fredric B. Selcke: "Amendment no. 1, Berman, amend Senate Bill 1571 as amended on page 3, by striking lines 1-7 and inserting in lieu thereof the following' section 1.5, no mobile or intensive care"

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Berman."

Arthur L. Berman: "Thank you Mr. Speaker. Ladies and gentlemen of the House Senate Bill 1571 is a bill which would allow a hospital to conduct pilot programs in intensive care mobile type of operations. In other words, where paramedics, people who are trained in emergency care would be in touch with doctors and nurses at a hospital, and could render certain emergency treatment to people who are undergoing ah...emergency types of ah...injury, heart attacks, etc. Now the bill is presented to us as a provision there which would avoid the legal obligations that are presently imposed upon doctors nurses, and other persons.....and other persons who are required to exercise due care when they treat us. the bill provides, before my amendment, that there be no civil liabilities for any wrong doing by the doctor the nurse or the paramedic unless there was willfull and wanton negligence. And those of you who are lawyers know that you could....there is no reasonable way that you could prove willful and wanten negligence. So what the bill is saying now, is that if you're treated by a paramedic that if something wrong is done in your treatment you really have no way to bring a law suit or to recover damages for that wrong that would be done. Amendment



number one seeks to give some protection to the consumer. To the person who is injured, to the person who needs this medical care and at the same time amendment number one seeks to give some immunity to the area of trainees, paramedics, who have taken some training, and if he follows the instructions of the doctor or the nurse, he would not be subject to civil liability. I think this is an important amendment to a bill which is starting to undergo some pilot programs. I think that we have to safeguard the rights of the patients in his recourse towards law suits and civil liability if there is improper action taken in his treatment. I would urge an affirmative vote on amendment number one to senate bill 1571."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Schlickman."

Eugene E. Schlickman: "Mr. Speaker and ladies and gentlemen of the House I rise to express my opposition to this amendment to Senate Bill 1571. If it is adopted it will effectively nullify the program contained in this bill. House Bill 1571 authorizes hospitals to conduct pilot programs for the delivery of emergency medical care to the sick and injured at the scene of an emergency and during transportation to a hospital and until care and responsibility can be assumed by the regular hospital staff. The bill further provides for certification of personnel authorized to perform specified emergency care functions under the supervision, direct supervision, by a physician or registered professional nurse. Further more, Mr. Speaker and ladies and gentlemen of the House, the bill



provides that a report shall be given to the General Assembly on the operation of these pilot programs at least twelve months but no more than fifteen months following the expiration of these programs. Now this bill is part of a program to create a statewide system of emergency care. The program in question is primarily concerned with heart attack victims. The major purpose of the proposed bill is to allow personnel, under direct supervision of physicians and registered nurses, to administer certain drugs in assistance to the victim. Without these provisions these personnel, these paramedics as they are popularly, commonly referred to, will be clearly in violation of the nursing practices act. In addition, if we are to remove the liability for common, ordinary negligence on the part of the physicians and registered nurses, we would clearly be precluding such a program without this authorization. Now this bill, in its present form, is supported by every group that I am aware of, except for the trial attorneys of Illinois. What we are doing by this bill is amplifying the good samaritan principle previously adopted by the General Assembly. I respectfully solicit, Mr. Speaker and ladies and gentlemen, in order to maintain the integrity of this program, in order to provide the protection and the care that is needed away from a hospital, that this amendment number one to Senate Bill 1571 be defeated."

Rep. Arthur A. Telcser: "Is there further discussion? Gentleman from Wayne, Representative Blades."

Ben C. Blades: "Now you've got me a little confused on this, the



way the amendment was explained as ah...Representative Schlickman is saying. I understood the amendment to be explained that is was protecting a doctor so he wouldn't be liable, or the paramedics wouldn't be liable. That's not true huh?"

Rep. Arthur A. Telcser: "The gentleman from cook, Representative Berman could respond to that, Sir."

Arthur A. Berman: "The purpose of the amendment, there was quite a bit of noise then and I don't blame you for not understanding. The purpose of the amendment is to provide immunity to the paramedics. That's the trainee, like the ambulance operator, or the firemen. If he follows a doctors or nurses instructions, under my amendment...under my amendment he would still be protected. But my amendment does not provide immunity for the doctor or the nurse from their obligation to exercise a high degree of professional care in giving those instructions."

Ben C. Blades: "Well, O-K, I understand."

Rep. Arthur A. Telcser: "Gentleman from Lake, Representative Matejevich."

John S. Matijevich: "Mr. Speaker, and members of the House, ah... I rise also to oppose the amendment. Ah...I know how important that this bill is in its present state to try to have Illinois at least take that first step in making sure that we provide good medical emergency care. So often people die because they haven't received good medical attention right at the scene, and I think this bill would go a long way in providing that. The practical effect, I think, of the amendment would



be that we would be placing this bill in jeopardy. Ah.... I've, as you know, sponsored a physicians assistance bill. And the real reason why we haven't gone anywhere with physicians assistance in Illinois, is this matter of liability. And I think that if we place this amendment on the bill, ah... I'm sure that the physicians in Illinois will do all they can to kill the bill. I want this bill passed and I think the way to pass it is without the amendment. And I would urge the defeat of ah... Representative Berman's amendment."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Glass."

Bradley M. Glass: "Thank you Mr. Speaker. Will the sponsor yield for a question?"

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

Bradley M. Glass: "Art, simply stated, would your amendment make the paramedic liable for ordinary negligence?"

Arthur L. Berman: "Not if he follows the instructions of the Doctor or the Nurse."

Bradley M. Glass: "Well, as I understood your explanation before, ah...the way the bill is now drafted, the paramedic would only be liable for willful and wanteness. Is that correct?"

Arthur L. Berman: "And so would the doctor and the nurse."

Bradley M. Glass: "Alright, but then if the amendment makes the paramedic liable for ah...removes the liability in those cases, he is liable, it seems to me, for his ordinary negligence. As well as for the willful and wantonness."

Arthur L. Berman: "Would you rephrase that again?"



Bradley M. Glass: "Well, I would like to maybe hear the language of the amendment, because, as I say, from your explanation its talking about willful and wantonness ah...it seemed to me what the amendment would do would be to make the paramedic liable for his ordinary negligence."

Arthur L. Berman: "Ah...that's not the purpose of the amendment. I'll be glad...I'll read it to you if you want ah...here it is; 'Mobile intensive care personnel, that's the paramedic, shall be liable for civil damages as a result of following the instructions of a physician or nurse, regarding the delivery of emergency medical care to the sick and injured at the scene of an emergency and during transport to a hospital while in the hospital emergency department, and until care and responsibility can be assumed by the regular hospital staff.' Now to go further, that language has to be viewed in relation to what is in the bill before that amendment. And what it reads is this; 'No physician or nurse, who in good faith gives emergency instructions to a paramedic at the scene of an emergency, nor any paramedic following any such instructions, shall be liable for any civil damages as a result of issuing or unless issuing, or following the instructions constitutes willful and wanton misconduct.'"

Bradley M. Glass: "Well, yea and I think then, if there's a law suit against the paramedic, and the plaintiff in the law suit can prove that instructions were not followed, then he has established a case under your amendment."

Arthur L. Berman: "Correct."



Bradley M Glass: "Well, then I submit to you it may have been a negligent act and not following the instruction and he therefore, may be liable for his ordinary negligence, and I can certainly see, if that's the case, the concern of the sponsor of the bill."

Arthur L. Berman: "Well, I think we have to put this into a proper concept without getting tied up with the question of the legal complexities, and that is this; we have to presume that the paramedic, the reason for this program is that they're going to send ambulance operators and other people that are going to be in that ambulance, they're going to send them to a school, that they're going to take certain courses, that they're going to be certified in this training to follow, in detail, the instructions of a medically qualified person, mainly a doctor or a nurse. We have to start out with that presumption. If we don't have that presumption then the bill has no purpose. So assuming that the bill has a good purpose, and you've got qualified paramedics that are trained to follow a doctor or a nurse's instructions, then, in order to protect the patient, you have to leave some liability, somebody that he can look to, to exercise reasonable care in the giving of those instructions. That's why, in my amendment, I want to retain the professional responsibility of the doctor or the nurse who gives the instructions to that paramedic."

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

Charles W. Clabaugh: "Mr. Speaker, I move the previous question."



Rep. Arthur A. Telcser: "Gentleman has moved the previous question.

All those in favor signify by saying 'aye', opposed 'no'.

Gentleman from cook, Representative Berman to close the debate."

Arthur L. Berman: "Thank you Mr. Speaker, I would only caution on the vote of this amendment. Gentleman if any of you have a heart attack and an ambulance comes, you are not guaranteed any recourse in any court of law, for any of the treatment that is given to you as a result of that heart attack until you get to that hospital, unless my amendment is adopted to this bill. Anything could be done to you by that paramedic, any kind of instructions, any kind of treatment, any kind of injections and you would have no recourse if they make you worse off, even if they cause you to die, your estate would have to recourse to the ambulance operators, to the paramedics, unless amendment no. 1 is adopted to Senate Bill 1571. And Mr. Speaker, I'd respectfully request a roll call vote on this amendment."

Rep. Arthur A. Telcser: "Gentleman has offered to move the adoption of amendment no. 1 to Senate Bill 1571. All those in favor of the adoption signify by voting 'aye', the opposed by voting 'no'. Gentleman from cook, Representative Schlickman to explain his vote."

Eugene E. Schlickman: "Mr. Speaker, and ladies and gentlemen, in explaining my vote, if this amendment caused to the offered by the Illinois Trail Lawyers Association is adopted, we've effectively nullified the program. And those victims who are in need of assistance don't have this program, they won't



be alive to worry about a law suit. As I indicated, the bill in its original form authorizes hospitals to conduct, and engage in pilot programs with a report back to the General Assembly between twelve and fifteen months after the inception of the program. I think its incumbent upon this body, Mr. Speaker and ladies and gentlemen of the House, to give the program a try and defeat this amendment."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Berman."

Arthur L. Berman: "I'd like to correct the previous speaker. This bill was not suggested by any association, it was my amendment, and I would like to know where he got the information as to who's request this was."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Mann."

Robert E. Mann: "Mr. Speaker, and members of the House, I just want Representative Berman to know that I appreciate the support of the amendment, Art, and ah...I will be the first one to support you ah...if in fact, we find ah...that the quality of care is resulting ah...in ah...injury to persons ah...and there's no recourse. But I am concerned that if the amendment prevails, at least I have been told, ah...that the bill would then be opposed by the very people who are now ah...supporting it."

Rep. Arthur A. Telcser: "Have all voted who....Gentleman from Lake, Mr. Murphy."

W. J. Murphy: " Mr. Speaker, I urge some green votes because I believe what representative Schlickman and Representative



says, that if we get it on there it will kill the bill, so I urge some green votes up there."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. On this question there are 31 'ayes', 87 'nays'. And the Gentleman's motion to adopt amendment no. 1 to Senate Bill 1571 fails. Are there further amendments? Third reading. Senate Bill....1606."

Fredrick B. Selcke: "Senate Bill 1606. An act to make an appropriation to the Commission on Labor Laws. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. Senate Bill 1542."

Fredric B. Selcke: "Senate Bill 1542. An act to make an appropriation for the ordinary and contingent expenditures to the Department of Mental Health. Second reading of the bill. One committee amendment. Amend Senate Bill 1542 on page 3, line 4 by deleting \$1,321,900 and inserting in lieu thereof, \$1,171,900 andsoforth."

Rep. Arthur A. Telcser: "Gentleman from Jackson, Representative Rose....or Morgan, Representative Rose."

Thomas C. Rose: "This committee amendment results in a total reduction from the original amount to be appropriated of \$401.6 thousand dollars. I'd move its adoption."

Rep. Arthur A. Telcser: "Is there any discussion? Gentleman is offered to move the adoption of amendment no. 1 to Senate Bill 1542. All in favor of the adoption signify by saying 'aye'. Opposed 'no'. The amendment is adopted. Are there



further amendments?"

Fredric B. Selcke: "Amendment no. 2, Palmer, Amend Senate Bill 1542 on page 19....."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Bill Walsh."

W. D. Walsh: "Mr. Speaker, and ladies and gentlemen of the House, I'm handling this amendment for Representative Palmer. It adds \$438,600 to the appropriations for the Department of Mental Health. This is for 100 Mental Health aids, 50 at Dixon State School, and 50 at Lincoln State School. And These aids are to be used in the non-ambulatory wards to ah... bring these wards up a little bit from the very poor standards they've had. Representative Palmer tells me that ah...there is no objection to this, he has checked with both sides of the aisle, and I move the adoption of amendment no. 2."

Rep. Arthur A. Telcser: "Is there any discussion? Gentleman has offered to move the adoption of amendment no. 2, to Senate Bill 1542. All in favor of the adoption signify by saying 'aye', the opposed 'no'. And the amendment is adopted. Are there further amendments? Third reading. Senate Bill 1353."

Fredric B. Selcke: "Senate Bill 1353. An act to amend Section 2 of an act relating to a certain revenue bond. Second reading of the bill. No committe amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. Senate Bill 1326."

Fredric B. Selcke: "Senate Bill 1326. An act to provide for the



ordinary and contingent expenses of the Department of Labor. Second reading of the bill. One committee amendment. Amend Senate....."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative Collins."

Philip Collins: "Ah...Mr. Speaker, ladies and gentlemen of the House, Senate Bill 1326 is the annual appropriation of the Department of Labor. Committee amendment no. 1 is a reduction of \$26,000 which was adopted unanimously in committee, and I would move for the adoption of amendment no. 1."

Rep. Arthur A. Telcser: "Is there any discussion? Gentleman has offered to move the adoption of amendment no. 1 to Senate Bill 1326. All in favor of the adoption signify by saying 'aye', opposed 'no'. The amendment is adopted. Are there further amendments? Third reading. Senate Bill 1338."

Fredric B. Selcke: "Senate Bill 1338. An act to make an appropriation to the ordinary and contingent expenses of the Legislative Audit Commission. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. Senate Bill 1556."

Fredric B. Selcke: "Senate Bill 1556. An act creating a school..."

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

Arthur E. Simmons: "On that last bill, wasn't there a committee amendment? Digest says so."

Rep. Arthur A. Telcser: "1338? No, there were no committee



amendments offered, Representative Simmons."

Arthur E. Simmons: "Well, I have a notation, the ah...digest says, recommend do pass, as amended. And then I show ah.. a reduction of \$8,500."

Rep. Arthur A. Telcser: "I don't know why, Senate Bill 1338, ah... well the clerk informs me that the digest is in error on occasion, and ah..he's checking it right now."

Fredric B. Selcke: "Its one page bill, with no amendments."

Rep. Arthur A. Telcser: "Senate Bill 1556."

Fredric B. Selcke: "Senate Bill 1556. An act creating school district surveyed to study the organization structure of public schools in the state, state financial policies. Second reading of the bill. No committee amendments."

Rep. Arthur A. Telcser: "Are there amendments from the floor? Third reading. House Bills third reading. House Bill 4645."

Fredric B. Selcke: "House Bill 4645. Bill for an act to amend the Township zoning act. Third reading of the bill."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative McPartlin."

Robert F. McPartlin: "Mr. Speaker, could I ask leave to have House Bill 4646 heard with 4645, they are companion bills?"

Rep. Arthur A. Telcser: "Are there any objections? Hearing no objections, will the clerk please read House Bill 4646 a third time?"

Fredric B. Selcke: "House Bill 4646. An act to add section 58 to an act concerning public utilities. Third reading of the bill."



Rep. Arthur A. Telcser: "Gentleman from cook, Representative Mcpartlin."

Robert E. McPartlin: "Mr. Speaker and members of the House, House Bill 4645 does not effect the authority of the municipalities and county to regulate and found the control and location of a generating station. The current law would remain in effect, with subject to electric generating stations to regulations and appropriate cases by the following agency; The Illinois Polution Control Board, The Environmental Protection Agency, and the Illinois Commerce Commission. Also, the U.S...."

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

Carl T. Hunsicker: "Mr. Speaker, Parlaimentary inquiry. On 4646. As a member of the elections committee and due to the chairman of the committee happening to be in Europe, I understood that all Revenue and Appropriations bills and constitutional amendments were suppose to be exempt category bills. Is this correct?"

Rep. Arthur A. Telcser: "Gentleman from cook, Representative McPartlin."

Robert F. McPartlin: "Ah...Mr. Speaker, when these bills were introduced they were exempt bills, but because of an amendment in committee, they were not made exempt at that time. But they were introduced and they were exempt when they were introduced."

Carl T. Hunsicker: "Not exempt now, when the put the Amendment on it took the constitutional provision off, on House Bill



4646 and I'm wondering if its still considered an exempt bill?"

Rep. Arthur A. Telcser: "The Chair will rule, Sir, that in view of the fact the bills were within those exempt categories at the time of introduction they would still be exempt and properly be heard at this time."

Robert F. McPartlin: "House Bill 4646 would permit electric utility to partition the Commerce Commission for the sight investigation Authority, only, after a notice and hearing through the property owners, or owners to show a need. Could they authorize entry upon private property for the limited purpose of securing data. The utilities would be required to pay any actual damages to the property arising from his work, and I would ask for a favorable roll call on these bills."

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

Brian B. Duff: "Will the sponsor answer a question, Please?"

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

Brian B. Duff: "Ah...Representative McPartlin, as I recall, I don't have the amendments 4646 in the book here, but as I recall the import of this bill is that, it would allow the utilities to grant authority, or have the authority to go on to private property at any time of day or night whether the persons who own the property like it or not, and conduct investigations including ah..drilling and sounding and other similar technical efforts. Is that correct?"

Robert F. McPartlin: "Yes, the amendment did, as far as the whole



section was concerned and on page 2, it removed the authority work during daylight hours only. It made it for daylight hours only."

Brian B. Duff: "Well, Mr. Speaker, I'd like to speak against this bill. Ah...I think we're going an awful long way when we allow ah...this commission to grant authority to a public utility to go on to the private property of any person in the state of Illinois, ah...day or night, and conduct such investigations as are stipulated here. I think this is an incursion into private rights, and property ownership and it is unnecessary, and without a great deal more justification than we've heard at this time, I'd certainly have to recommend a no vote. On 4646."

Rep. Arthur A. Telcser: "Gentleman from Knox, Representative McMaster."

A. T. McMaster: "Will the sponsor yield to a question on 4645?"

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

A. T. McMaster: "McPartlin, reading the synopsis on 4645, I would understand it to say that ah...public utility equipment cannot, or would not be regulated by township zoning on your bill."

Robert F. McPartlin: "Yes, it does say that, and it means that but the other thing is that it would leave it up to the... it still would remain, as far as the municipalities are concerned or the county itself, not the township zoning."

A. T. McMaster: "There would be no zoning responsibility if they are not responsible to the township zoning, wouldn't this be true."



Robert F. McPartlin: "It makes it exempt from the township zoning, yes."

A. T. McMaster: "Or any zoning then, figuratively speaking, because zoning would be the township zoning, you can't zone twice."

Robert F. McPartlin: "But it does go on to say that the counties still have the authority over the ah...township zoning. The county itself."

A. T. McMaster: "You can't have an overlapping county zoning and township zoning, you only zone one. I mean your not zoned by two zoning bodies. You don't go to two zoning bodies for release from zoning. For this reason I would like to ah... recommend opposition to this bill, certainly its exempt to public utilities from the township zoning and in effect, from my estimation from any zoning, and they become an exempt body, it can go anywhere, do anything that they please, I don't think this is proper. I think zoning is made to regulate development in areas, and to protect the common good of the people of the ah...as a whole, or as a group and certainly by the sidestepping of zoning by the public utilities, then they are an exempt body and can do as they please. I don't think this is proper."

Rep. Arthur A. Telcser: "Is there furth....Gentleman....from LaSalle, Representative Fennessey."

Joseph Fennessey: "Bob, if the county doesn't have zoning, and the township does, this bill would pass, then it means there wouldn't be any zoning and they could go ahead and....."

Robert F. McPartlin: "I guess you would be right on that."



Joseph Fennessey: "I think ah...Mr. Speaker, may I speak to these bills?"

Arthur A. Telcser: "Proceed Sir."

Joseph Fennessey: "I think these bills are aimed at just one specific area of the state at the present time. But these are very important bills to the whole state of Illinois, and I ah...feel that these bills should be defeated, because for one instance if this bill 4645 passes, it would really destroy township zoning or zoning in general. As far as agricultural purposes are concerned. 4646, if this passes, will allow...already destroy property rights ah...of individuals to allow public utilities to come on your property simply by getting a permit from the department of Commerce Commission, and I don't think this is right, I think that, and I would ask that the members of this House defeat both of these bills."

Rep. Arthur A. Telcser: "Is there further discussion? Gentleman from Kane, Representative Waddell."

R. Bruce Waddell: "Mr. Speaker, I'd like to speak to the bill, if I might?"

Rep. Arthur A. Telcser: "Proceed Sir."

R. Bruce Waddell: "Under the provision of these two, I think that you have ah...something that is adamant to condemnation due to the fact that you have no restriction at all upon the powers of the public utilities. In as much as that is true, you are saying then that in effect nobody has any rights of their own property, if at such time the utility wants to walk in there, put a sub-station there, put a lake there, which



they do under the atomic type of generation, and then you suddenly find that farm after farm, home after home, has been violated, and now we have seen last session, at the end of the session, where a bill was snuk through and that only provided that the Illinois Commerce Commission would have this Authority. It was vetoed by the Governor. This is even worse. This is the worse pair of bills that we've seen all session. I urge a no vote."

Rep. Arthur A. Telcser: "Gentleman from cook, Representative J. J. Wolf."

J. J. Wolf: "Mr. Speaker, I move the previous question."

Rep. Arthur A. Telcser: "The gentleman has moved the previous question. All those in favor signify by saying 'aye', the opposed 'no'. The gentleman's motion prevails. Gentleman from cook, Representative McPartlin to close the Debate."

Robert S. McPartlin: "Mr. Speaker, members of the House, if this bill is made law, it would actually put a generating station down in LaSalle County. Now this generating station would actually feed service to millions of people to the North, from LaSalle County. And you well know, actually in the Chicago Area, we are losing ah...the ah...generating for the air conditioners. All the new buildings are going up. So this is why this bill is needed. I would urge your support."

Rep. Arthur A. Telcser: "Question is shall House Bills 4645 and 4646 pass? All those in favor signify by voting 'aye,' the opposed by voting 'no'. The clerk will take two roll calls. Gentleman from Livingston, Representative Hunsicker, to explain his vote."



Carl T. Hunsicker: "Mr. Speaker, and ladies and gentlemen of the House. This bill would give Common Wealth Edison the authority to build a generating plant up in the LaSalle county taking out eleven sections of prime farm land. I'm positive that's all this bill was for. I brought this up in committee. I was told no, that wasn't the reason, and now I'm more convinced than ever, since this amendment took out this last paragraph of section 4646. And I would urge a no vote."

Rep. Arthur A. Telcser: "Have all voted who wish? Take the record. Record Maragos, Present. On these questions there are 19 'ayes', 87 'nays'. Rayson, 'no'. McLendon, 'aye'. And these bills having failed to receive a constitutional majority are hereby declared lost."

Hon. W. Robert Blair: "Alright, ah...We're going to try to wind it down now. There are a few people who have asked for recognition on bills that are on the table, that didn't, that were not recognized earlier. The gentleman from Will, Mr. O'Brien."

G. M. O'Brien: "Mr. Speaker, and members of the House, I move that ah...The Speaker of the House take from the table and place in order of second reading, Senate Bill 889, which is the Appellate Defender Project."

Hon. W. Robert Blair: "Discussion? Alright, the question is on the gentleman's motion to take from the table. And all those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? Take the record. On this question there areAlright the gentleman from cook, Mr. Shea....."



On this question there are 120 'ayes', no 'nays'. . . And the gentleman's motion to take from the table prevails. Now, on the order of Senate Bills second reading ah...is Senate Bill 890? Which had earlier been brought from executive committee. That order of business is not on the calendar, but it is infact.....



Due to faulty equipment, the final thirty minutes of the One Hundred Fifty-eighth Legislative Day of the Seventy-Seventh General Assembly, June 26, 1972, was not obtained. Information regarding the final minutes may be secured from the Journal of that day.

Adjournment at 7:11 O'Clock P.M.

6/26/72

mw.



REMARKS BY: John J. Hill
REGARDING: Tabeling of House Bill 4620

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

John J. Hill: "I'd like to explain my vote, Mr. Speaker. I'll make it as short as possible. I voted for this piece of legislation because I thought it was going to be very good for the Taxpayers of my District. It's something that they need and they need vitally. The taxes... the property taxes in my District continue to go up.. and up.. and up.. and the people are getting fed up on it. And the reason I voted 'no' not to table this piece of legislation because if it is such a good piece of legislation, then it should be enacted and let the Governor decide whether he wants to veto it or not. It seems to me that if the Bill goes through with 89 votes, it is still going to cover much of the District that I represent. And even though all of the people could not benefit from it, at least some of them could and I'd like to point out to you that this is one of the first time that the Chicago Democrats could of helped the Downstate Democrats in the State of Illinois. But it seems as though they put their tail between their legs and they run. It seems to me....It seems to that over a period of years that the Chicago Democrats become so greedy that they have no reason.... that they have no reasoning. This is a Bill that would have benefited the people who vote for us at the poles come November. And it seems to me that



this is one time that they should have taken this under consideration, not only for the people of my District but the people of all the State of Illinois. And I can assure you of one thing..... And I can assure you of one thing, on this particular vote and the vote taken last week, I'm going to have a memory like an 'Elephant' and I'll never forget it.... And I'll never forget it. And I can assure the Leader of the Chicago Democrats that he's going to rue the day when he kept off every one of those Chicago Democrats from this Bill and did not allow it to pass for the property Taxpayers of the State of Illinois. Thank you very much."

