

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

FIRST SPECIAL SESSION - SEVENTH DAY

DECEMBER 16, 1972

10:55 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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

Representative Tobias Barry - no reason given;  
Representative John B. Brandt - death in family;  
Representative Otis G. Collins - illness;  
Representative Bernard E. Epton - no reason given;  
Representative Bradley M. Glass - no reason given;  
Representative Richard O. Hart - no reason given;  
Representative Gene L. Hoffman - no reason given;  
Representative Thomas R. Houde - illness;  
Representative Louis Janczak - death in family;  
Representative Edward L. Kipley - no reason given;  
Representative James G. Krause - illness;  
Representative Wilbur H. Lauterbach - no reason given;  
Representative Ed Lehman - illness;  
Representative Robert E. Mann - no reason given;  
Representative James D. Nowlan - no reason given;  
Representative John W. Thompson - no reason given;  
Representative Gale Williams - no reason given.



W. Robert Blair: "Alright, the Special Session will be in order. The Invocation this morning will be by Dr. Johnson."

Dr. Johnson: "We pray. Father of all goodness and mercy who has created us and who now daily preserves us, we thank you first of all for the protection of this past night and now we ask you to be a helper to each one of us. Give me strength and understanding for the tasks which await me. Instill within me a fresh sense of devotion to the duties of my calling. Mercifully prosper the work of my hands this day, so when the labors of this day are brought to an end we may be found by you to be profitable servants who have, under your blessing, been a blessing to others. And now, make the words of the psalmist my own. In thee Oh Lord do I put my trust. Deliver me in thy righteousness. Amen."

W. Robert Blair: "The roll call for attendance. ....

The Gentleman from Cook, Mr. Madigan, for what purpose do you rise."

Madigan: "Mr. Speaker, would the record show that Representative Brandt is excused because of a death in his family."

W. Robert Blair: "The Journal will so indicate. Alright, with leave of the House, we're going to do something a little different. Ah.. we have the former Speaker of the Illinois Third House and the Speaker Elect of the Illinois Third House here with us today and they have resolutions which ah.. they have adopted in their house commending those of our members who are retiring ah.. and they would like



to take just a few minutes to have the Clerk read those resolutions and to present them. So, with leave of the membership, why we'll do that and if Tom Duffy and Bob Cook want to come up to ah.. You all know Tom Duffy, the former Speaker, and Bob Cook who is the new Speaker of the Illinois Third House. Tom asked if he could do it in English and I told him that we preferred that."

T. Duffy: "Mr. Speaker and Ladies and Gentlemen of the House, this will be very short. The Illinois Third House, at its meeting on the 13th, adopted a Resolution which we do think is important. We feel very strongly that in these days all we hear about are the failures of people in public life to carry out one or more of their perscribed duties. We don't think that there is nearly enough attention given to the men who do a wonderful job for their constituents and for all of the people of our State and in fact our Country. So, we're trying to emphasize the positive side here. We're going to try to continue to do that and the new Speaker, Bob Cook, has plans that will develop as his year unfolds. If we could, I would like to ask the Clerk if he would read this resolution which is for each and every one of the retiring members. And, by the way, some of you aren't retired, although you might be leaving, and I'm sure that you're going to be coming back. So, this is for the men who have resigned and ah.. are now leaving public life."

F. Selcke: "Resolution. WHEREAS we live presently in an era of



cynicism, distrust and disrespect of persons in public life. And Whereas those few persons in public life who falter or fail in carrying out their duties are far outnumbered by the large majority of elected officials who conduct themselves with dignity and honor and are completely diligent in behalf of the electorate. And Whereas that large majority includes an unusually great number of members of the Illinois General Assembly now retiring from public life. And Whereas it is fitting that the Illinois Third House, by taking special note of their leaving, should attempt to focus the attention of the public generally on the fact that these Senators and Representatives and those about to succeed them serve in the main with honesty, dignity and industry on behalf of the voters in their districts and the citizens of Illinois. Now Therefore Be It Resolved that the Illinois Third House in its annual meeting assembled takes special note of the merit and service of George M. Burditt, James D. Carrigan, James White Carter, William J. Cunningham, John P. Downs, D. R. Hamilton, Donald A. Hantz, Louis Jansek, Lillian Carmason, Ed Leighman, Henry Leonard, Louis A. Markert, Bernard McDevitt, Peter Miller, Bernard J. Halouran, Matt Ropa, Arthur E. Simmons, John W. Thompson, Frank D. Wolfe, Michael H. General Assembly. And that by this recognition we emphasize for the media and the public at large that which is wholesome and positive in our system of government. Illinois Third House By Tom



## GENERAL ASSEMBLY

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Duffy, Speaker. Attest, W. Robert Blair, Speaker of the House, Cecil Partee, President Pro-Tem of the Senate."

T. Duffy: "Thank you Ladies and Gentlemen and thank you Mr. Speaker and a pleasant holiday to all of you."

W. Robert Blair: "Alright, on the order of House Bills Third Reading on the Special Session Calendar appears House Bills 1 and 2 ah.. which the Gentleman from Johnson, Mr. McCormick asks leave to have brought back to the order of Second Reading for purposes of consideration of amendments to be offered. Is there leave. Alright, those bills are now back on the order of Second Reading. The Gentleman from Johnson, Mr. McCormick."

McCormick: "Ah.. Mr. Speaker, ah.. in working on this proposition this morning, we've run into several duplicate amendments and I wonder if everybody in the House that have amendments would get 'em down to the Clerk's desk so that we on both sides of the aisle can get together and weed out the ones that are going to duplicate action that we want to take. And would it be possible, Mr. Speaker, to have 10 or 15 minutes at ease until we can get these things assorted."

W. Robert Blair: "Well, that seems reasonable."

McCormick: "If everybody would bring their amendments in.."

W. Robert Blair: "Where are you going to do it. Are you going to do it up here."

McCormick : "Yes, Representative Tipword, I think he wants to help me on it over there. And if everybody that has amendments to offer to House Bills.. Special Session House



Bills 1 and 2 would turn 'em into the Clerk now then we can at least not be talking about duplicates on amendments all morning."

W. Robert Blair: "Alright, rather than going into recess ah.. I think you might be able to clear this up rather quickly why don't we just stand at ease for let's say 5 minutes or so while they fit these things together. Any of you that have amendments for House Bills 1 and 2 then if you would bring them up here to the Clerk where Mr. McCormick and Mr. Tipword will have an opportunity to review them why we can move along. Alright."

F. Selcke: "On the Resolution that we read for the Third House before ah.. we inadvertently omitted Frank Smith's name."

W. Robert Blair: "Are we in a position to move now. Alright, ah.. do we have all the amendments now that are proposed to these bills. Alright, they're just about ready now. We're going to have to move ahead, gentlemen, we've given you, it seems to me, ah.. a reasonable amount of time to ah.. try to save us time on the floor.. Alright, they indicate they are now ready to start. Alright, now the.. amendments with respect to House Bill 1."

F. Selcke: "Amendment No. 1, Ron Hoffman. Amend House Bill 1 on page 2 line 12 by deleting 'taxes' and inserting in lieu thereof 'property taxes', line 13 by deleting 'and' and line 15 by deleting the period and inserting in lieu thereof the following: '(g) advalorum tax property' and



so forth."

W. Robert Blair: "Gentleman from Johnson, Mr. McCormick."

McCormick: "Mr. Speaker, this one amendment I would like for you to pull it out of that thing for a while because it's going to be covered in another amendment. I tried to get ahold of Ron, but he isn't in the seat and I've got ahold of the sponsor here, in fact, I don't know what procedure but pull it out. Don't kill it, just pull it out. We'll cover it in a minute."

W. Robert Blair: "Clerk will renumber it."

McCormick: "Okay. Now, Number 2 is fine, Fred."

W. Robert Blair: "Alright, Number 1, which is your old No. 2."

F. Selcke: "Amendment No. 1, McMaster. Amend House Bill No. 1 page 1 line 16 by deleting 1976 and inserting in lieu thereof 1975 and so forth."

W. Robert Blair: "Alright, Gentleman from Knox, Mr. McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment No. 1 as it is now numbered to House Bill No. 1. The purpose of this amendment is to cut down the time of a tax freeze from, I believe it would be three years or four, to cut it down to two years."

A. A. Telcser: "Gentleman from Johnson, Representative McCormick. Use Representative William's mike. What about Shapiro's and he can sit on the other side."

McCormick: "Mr. Speaker, on Representative McMaster's amendment, I might call attention to the House that his reduces it to what, two years, and there is another amendment someone has





to reduce it to one year. Ah.. that'll be introduced soon. Now, I want to tell everybody in the House that I want to leave it strictly to your position, whether you want it at one or two, so there's two amendments ah.. so, Mr. Speaker, I have no objection to either one of them."

McMaster: "Mr. Speaker, I also have the amendment for one year which I have not submitted at this time. My purpose in not submitting it was to see what we do with the two year amendment. I would say, let's vote for the two year amendment if it's possible. I think that this will give the taxpayers of the State of Illinois the benefit of freezing the taxes for a two year period and I certainly think we should make every effort to give them this.

This is what we're down here for."

A. A. Telcser: "Gentleman from Cook, Representative B. B. Wolfe."

B. B. Wolfe: "Will the Gentleman yield to a question. C. L.?"

McCormick: "Yes."

B. B. Wolfe: "Your ah.. proponents in the Revenue Committee indicated that .. and these were the gentlemen I believe from Civic Federation, Taxpayer's Federation, etc., indicated that a one year freeze would be acceptable and that you ought to take the one year freeze and then see what develops under that freeze."

Mc Cormick: "Alright, if Representative McMasters will withdraw his amendment, or we'll vote it down. I'll take the one year freeze. I'm not trying to be anything but agreeable."



GENERAL ASSEMBLY

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A. A. Telcser: "Gentleman from Madison, Representative Kennedy."

Kennedy: "I personally am not going to take any less than four years on the tax freeze and every vote to make it less, I intend to ask it to be tabled."

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

Hill: "Mr. Speaker and Ladies and Gentlemen of the House, I wonder if the sponsor will yield to a question, so I can understand the amendment?"

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

Hill: "What you're intending to do is cut this down from four years to two years and if you're successful, then you have another amendment to cut it down to one year?"

McMasters: "No, ah.... Representative.... the purposes to try to pass the amendment for two years.... if you will examine House Bill No. 1, you'll find that actually it provides for only a three year freeze, and this amendment would cut it down to a two year freeze."

Hill: "Mr. Speaker, I would like to...."

A. A. Telcser: "Proceed, Sir."

Hill: "Speak on the Amendment. Mr. Speaker and Ladies and Gentlemen of the House, I'm amazed that the first amendment that is introduced is introduced by a Republican to weaken this particular piece of legislation. It's a shame and I back this tax freeze last June. It's a shame that the first amendment will weaken it. It seems to me that the Republicans use this for six months prior to the



election and I want to point out to you that now they're trying to weaken it, and I'm not going to vote for this amendment or any other amendment to weaken this particular piece of legislation and make the property tax payers of my district suffer more than they have under the Republicans in Kane County. Thank you."

A. A. Telcser: "Gentleman from Cook, Representative J. J. Wolf."

J. J. Wolf: "Well, Mr. Speaker, Members of the House, I'm very sorry to see us get off on this foot. Yesterday, it was mentioned on the other side of the aisle and I concurred that there were many, or at least a few Democrats or a number of Democrats who were willing to support this tax freeze, and today first thing out of the box, nobody over there is going to support it if it is cut down. It doesn't weaken the bill; it cuts down the length of time in hopes that we could get a few more Democrats to see the light. And so apparently that's the deal between the Chicago Democrats and the downstate Democrats. The Downstate Democrats can say that they support the tax freeze with the Republicans, but they won't if they cut the length of time down, so the Chicago Democrats can go and say, well, we don't want the Bill either because we're trying to weaken it and cut it down and four years is unreasonable. We might as well adjourn and go home."

A. A. Telcser: "The gentleman from Union, Representative Choate."



Choate: "Well, I'm glad to hear my colleague that just completed his oratory on the merits of Downstate Members of this House of Representatives. It is a Downstate member that introduced, although he's on the Republican side, the tax freeze program. And if the learned gentleman who just spoke would look at the record, he'd find that there were more than twenty Democrats that voted to discharge Committee yesterday. And that's one heck of a way for you to try and keep them happy, my friend. I doubt if you had ever been south of the B and O or Route 40. I doubt very much if you know anything about what it takes to make a Downstater tick. And they tick pretty good, and you're getting ready to tick them off."

A. A. Telcser: "Gentleman from Johnson, Representative McCormick."

McCormick: "Order.... In order that we don't get off on the wrong wheels this morning, I would like for everyone in the House to know one thing for sure. There's no politics involved in this as far as I'm concerned. My.... Well, seriously, my Governor is already beaten. I've already announced and made it an irrevocable decision that I would not be a candidate for any public office of any kind any time in the future. Now, the Democrats helped passed this yesterday.... I mean, helped take it out of Committee. You helped me on it in the summer and I want you to know that I appreciate it. I think that the tax freeze is so vital to the People of Illinois that we have to be



liberal in accepting amendments that maybe I might not exactly want, and most of you fellows are married and most of you probably after about two or three years, you found things about your wife that you didn't exactly like either, so maybe if we can take this on a one year or a two year basis in a harmonious sort of way, we'll have a chance before March that Representative Maragos was talking about to find anything that we make a mistake in and I think that in harmony is what this Bill should get today because these amendments will be worked out fair, and whatever you take on the one or two, it is not a politically motivated system. It's a trying something, that's all."

A. A. Telcser: "Is there further discussion? Gentleman from Macon, Representative Alsup."

Alsup: "Well, Mr. Speaker, Ladies and Gentlemen. The question here is, do we want to buy this for two years or only one? It was my suggestion that we do it only for one year. We will be back in Session in January. If we write a Bill, we should make it as good as possible, but anything the Legislature does, it can undo or change. And we would have time to look at it and we would have time to let the taxing bodies and the taxpayers come down and express their opinions, and so why foul the thing up for a long period of time. This is only a temporary thing until the Senate Resolution, which turns it over to a study Commission, takes a good look at all the taxes involved, and therefore what we are deciding on right now is do we want it for two



years or do we want it only for one? And C. L. McCormick is willing to take either one. I feel personally that we should only do it for the one year, but if you want to do it for two, that's fine. We can change a two year Bill just as easy we can the one if we have to."

A. A. Telcser: "Gentleman from Lake, Representative Matijevidch."

Matijevidch: "Will the Sponsor yield to a question?"

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

Matijevidch: "Representative McCormick, ah... I know you're a very practical man and I just wondered, since you got so many votes during the Session, the Regular Session, on your two year Bill, wouldn't it be more practical that we adjourn this Session and have another prayer - we've been praying a lot around here - and then move ahead with your two year Bill, because ah... maybe you could get some of your co-sponsors who didn't vote for it during the Regular Session - they changed their minds - and you might get enough votes on that."

McCormick: "Well, the position that I would take on that is I would have been happy to have had the Bill that we wrestled with passed and become law, but I think now we're in the Special Session and that we've got a obligation to at least do what we can do on the Bills that we were charged in the Special Session call to do, and I think we should do that now. That's the reason that I would appreciate it if you would ahead with this and let's see what we can come out with today."



Matijevich: "Well, well, Mr. Speaker, my response to that is, that Special Sessions are ordinarily called where some extraordinary matter comes up, when the Regular Session hasn't convened. But we are in Regular Session. We're exactly the same people in Regular Session as we are in the Special Session, and I don't see where it would make any difference and your other Bill is a lot further along. We'd do the taxpayers a lot better service and move the legislative process a lot quicker if we adjourn this Special Session, got over with the Regular Session, find out where we stand on the tax freeze and get home."

McCormick: "We can get home pretty fast today if you fellows will get these amendments adopted, cause it will be back on Third Reading."

A. A. Telcser: "Gentleman from Cook, Representative Scariano."

Scariano: "Wonder if the ah... Sponsor would yield for a question?"

A. A. Telcser: "The Sponsor of the Amendment, Mr. Scariano?"

Scariano: "C. L."

McCormick: "Yes, Sir."

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

Scariano: "I find it a little hard to reconcile ah.... the ah... purpose of this Bill with a real sincerety to do something about a tax freeze, when the Governor has had the opportunity to work and multiply favorably in the ah.... direction of a tax freeze. When Governor Ogilvie came in, the multiplier was at 1.44. He kicked it up to 1.59 and



I think he was ready to put it up to 1.66 until there was a little flack on it, he stayed at 1.59. Now how do you reconcile, C. L., this tax freeze with the fact that this Governor has gone up 15% in set valuations, thereby increasing taxes by 15%? If he can work the multiplier upward to raise assessed valuations and therefore taxes, why can't he use his executive powers to lower the multiplier and get the same desired results; namely, a tax freeze or a lowering of rates. I find it very difficult to understand that."

McCormick: "Well, now, Anthony, if I can be that impersonal."

Scariano: "Mr. Anthony."

McCormick: "And congratulations on your new appointment; you're an attorney and you're smarter than what you just talked about on the floor of this House. You're...."

Scariano: "Well, tell me. Tell me."

McCormick: "I'll tell you why. The.... If I'm not mistaken, the law charges the method of setting out the multiplier, and they have to go into the Counties and they have to take samplings of the sales...."

Scariano: "But C. L. they don't do it and you know they don't do it."

McCormick: "Oh, yes, they do do it."

Scariano: "No, because the Governor has ordered a study. He's ordered a study....."

A. A. Telcser: "Representative Palmer, for what purpose do you rise, Sir?"





Palmer: "Point of Order, Mr. Speaker."

A. A. Telcser: "State your point, Sir."

Palmer: "Mr. Speaker, I think we're on Amendment Number 1, which has to do with the amount of time that this freeze shall be effective."

A. A. Telcser: "All right, now the Gentleman's point is well taken. The business at hand is Amendment No. 1, not the substance of the Bill."

Scariano: "Well, I think that that's got a lot to do with the substance of the Bill, whether it's one year or four years, the purpose is the same."

McCormick: "Well, Mr. Speaker, just in order to.... Anthony knows that the Governor of this State does not have the power to go in and lower a multiplier unless the figures in the County Recorder's Office show that. Now you know that Anthony."

Scariano: "Mr. Speaker, I would like to respond to that, and speak to this Amendment. That's what the law is, but the law hasn't been followed, because we've been trying to find out the method by which this multiplier is mutilated."

A. A. Telcser: "Representative Palmer, for what purpose do you rise, Sir?"

Palmer: "I renew my point of order, Mr. Speaker. We can grind up the entire day, night, tomorrow and Monday here on this type of thing."

A. A. Telcser: "Chair has stated that Representative Palmer's point was well taken. I would appreciate if you would



confine your remarks to the Amendment."

Scariano: "Well, I think I've made my point, Mr. Speaker."

A. A. Telcser: "Gentleman from Cook, Representative Berman."

Berman: "If this Amendment Number 1 is adopted, I understand that there's another one that would apply for one year. Would that one year amendment, be declared out of order as being in conflict if we adopt this one?"

A. A. Telcser: "The practice has been, Representative Berman, that should an amendment such as this be adopted, a subsequent Amendment would read Amendment Number so and so to House Special Session Bill No. 1 as amended, and would in effect nullify the Amendment adopted first."

Berman: "We can consider them both without a parliamentary block to that consideration?"

A. A. Telcser: "In this instance, I would say yes. Is there further discussion? The gentleman from Madison, Representative Kennedy."

Kennedy: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'd like to make a parliamentary inquiry if I may."

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

Kennedy: "Are we on Amendment No. 1?"

A. A. Telcser: "Yes, Sir."

Kennedy: "I would like to let my academic genius on the floor of the House know what I intend to do. The gentleman from Kane mentioned he was amazed that they were trying to reduce the tax freeze from four years to two years. Well, I'm amazed to find out that I'm not going to get a pay



raise, so I'm going to make a motion to that Amendment No. 1, lie upon the Table."

A. A. Telcser: "The motion has been made that Amendment No. 1 lie upon the Table. All those in favor of the gentleman's motion, signify by saying 'aye', the opposed 'no'. All those in favor of the gentleman's motion, signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 46 'ayes', 32 'nays' and the gentleman's motion to Table prevails. Are there further amendments?"

Selcke: "Amendment No. 2. Tuerk. Amend House Bill 1 on Page 1 and so forth."

A. A. Telcser: "Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker, Members of the House. Would the Clerk clarify which Amendment this is? I have a couple of them down there."

Selcke: "Well, let me see. "

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

Shea: "If the Clerk would read the Amendment, we would save..."

A. A. Telcser: "I have just ask him to."

Selcke: "Your first amendment was taken out because it's a duplication."

Tuerk: "All right, what this Amendment does, Mr. Speaker and Members of the House is allow...."

A. A. Telcser: "Representative Tuerk, some Members would like the Clerk to read the Amendment."



Selcke: "Ah..... Amendment No. 2. Tuerk. Amend House Bill 1 on Page 1, Line 26 by inserting before the period the following: 'Or if the extension made in 1973 was for a fund was at a rate below the maximum statutory rate to reduce a surplus or balance on hand in the fund, or if the District is newly created and did not levy for its funds in 1972 for extension in 1973, but was authorized to so levy, then the amount extended in any subsequent year shall not exceed the amount produced by multiplying the maximum statutory rate for the fund for 1972, times the 1972 equalized assessed valuation of the District.'

A. A. Telcser: "Gentleman from Peoria, Representative Tuerk."

Tuerk: "Well, Mr. Speaker, Members of the House. The reason for this Amendment quite candidly is in the case of Peoria County for example, which since the advent of the income tax, and it has received its share of the income tax, it has lowered its levy over the last two or three years to the point where it is now at 2.6 rather than their maximum. What this amendment does is allow counties such as Peoria and others who may fall under this category permission, and certainly not by preemption of going back to its statutory limitation if it ah.... finds it's necessary over a period of time of the freeze. And this is what this amendment does and I would move for the adoption of the Amendment."

A. A. Telcser: "Is there any discussion? Gentleman from Madison, Representative Kennedy."



Kennedy: "Mr. Speaker, Ladies and Gentlemen of the House.

It seems like I'm going to be up all day. But I'm a Co-Sponsor of House Bill 1, along with Representative McCormick, and none of these Amendments are cleared with me, so I renew my motion that that Motion lie upon the Table, Amendment No. 2."

A. A. Telcser: "The gentleman has moved that Amendment No. 2 lie upon the Table. All those in favor of the gentleman's motion to Table, signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. This question, there are 28 'ayes', 43 'nays', and the gentleman's motion to Table Amendment No. 2 fails. Gentleman from Peoria, Representative Tuerk, has offered... Gentleman from Cook, Representative Shea."

Shea: "Ah.... will the sponsor yield for a question?"

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

Shea: "This in effect as I read this will say that every unit of government other than home rule units that have a statutory rate limit as imposed by this General Assembly may go to that rate limit. Is that correct?"

Tuerk: "Yeow.... the purpose of the Amendment is those ah.... governmental units ah.... who have reduced their levy and who are ah.... ah.... allowed to go to their statutory limitation and who have reduced their levy as a result of ah.... other funds coming into their ah.... hands ah... that have reduced it, this says during the process of the freeze, that if they deemed it necessary to recover



some of the lost revenue as a result of some other factors that this would not preempt them from levying their statutory limitation. That's what it does."

Shea: "Well, I think I understand it, but would you explain to me what would happen in a Home Rule Unit, like the City of Chicago, where the.... yesterday the Mayor and the City Council passed an appropriation ordinance abating 27-1/2 million dollars worth of real estate tax in the 1972 fiscal year for taxes collected in 73 and then in the 73-74 period are reducing them by another 30 million dollars, and then let's say three years down the pipe, their basure has been substantially reduced by the abatement of the real estate taxes. Like I said yesterday, they reduced them or abated some 27-1/2 million dollars. Now under your Amendment, ah.... Home Rule Unit couldn't do anything to recoup this loss of using their Revenue Sharing money to abate taxes. Is that right?"

Tuerk: "Well, wouldn't it be.... let me try to answer the question by asking you a question. Wouldn't a Home Rule Unit be allowed to exercise its prerogatives in accordance with the new Constitution anyway?"

Shea: "Not according to this Bill. If this Bill passes, even Home Rule Units have their rates froze at the 72-73 ah... 72 tax bases collected in 73. Under your amendment, anybody that had a rate limitation could go to that rate limitation. Ah.... I believe that ah.... Mr. McMasters stated yesterday there's some 80 counties in the State that



are up to their rate limitation. Ah... and I know in many instances, I went through the counties act, and there must be 10 or 12 various funds that come within Section 3 of fund and purposes, so that ah.... a county could just raise taxes all over the place in a Home Rule Unit would be frozen under your Amendment."

Tuerk: "I ah.... again reiterate what this Amendment intends to do is allow those ah.... counties, for example, to go to its statutory limitations, not beyond that statutory limitation, and it's particularly designed to speak to the problem for example that exists in my home county, and that is, that they've been responsive to ah... additional revenue and as a result, has lowered their levy to give the taxpayer a break. Now, if we freeze them at that 2.6, which they are now at, then we really tie their hands and don't allow them to even go back up to the statutory limitation. That's what it is intended to do."

Shea: "Well, right now, ah... they could go to that statutory limitation, could they not?"

Tuerk: "Well, they have ah.... plans to do so because they're going to need additional revenue, but ah.... what I'm fearful of of the freeze itself will freeze them in at that 2.6 levy, you see, and this would ah....."

Shea: "But that was the purpose of Mr. McCormick's Bill to freeze them at their present dollar amount."

Tuerk: "Well, my purpose of the Amendment is not to penalize the areas of government which have been as I've said



responsive and responsible, and I feel that they have been and all the areas of local government that have, I'm saying, by this amendment, lets at least give them the opportunity to operate, and I perfectly agree with the tax freeze concept, but I don't agree with tying their hands."

Shea: "Well, what do we do with the home rule units?"

Tuerk: "I would say ah.... if you have interests in that area, then we have the ah... prerogative of offering that type of amendment."

Shea: "Thank you."

A. A. Telcser: "Gentleman from Christian, Representative Tipsword."

Tipsword: "Will the gentleman yield for a question?"

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

Tipsword: "Did I understand you to say, Representative Tuerk, that your amendment provides that that any unit that is below the maximum statutory rate can go to it. That's not really what it says, is it?"

Tuerk: "No."

Tipsword: "It's only those who reduce below the maximum to reduce a balance or a surplus, not all of them."

Tuerk: "That's right, but..."

Tipsword: "Thank you."

A. A. Telcser: "Is there further discussion? Gentleman has offered to move the adoption of Amendment No. 2 to Special Session House Bill No. 1. All in favor of





adoption, signify by saying 'aye', the opposed... roll call? All those in favor, signify by voting 'aye', the opposed by voting 'no'. The gentleman from Kane, Representative Hill."

Hill: "Mr. Speaker, and ladies and gentlemen of the House. This another move to thaw out the tax freeze for the property taxpayers of our various districts. Again, I rise and certainly oppose this amendment. You'll find that as far as I'm concerned, that this definitely is a weakening amendment. And it will not benefit the property taxpayers as the original Bill that was introduced in the last session of the General Assembly or the Bill that we're talking about now, and I would appreciate very much if you would vote in opposition to this Amendment."

A. A. Telcser: "Have all voted who wished? Take the record. On this question, there are 64 'ayes', 21 'nays' and Amendment No. 2 to Special Session House Bill No. 1, is adopted. Are there further amendments?"

Selcke: "Amendment No. 3. Day. Amend House Bill 1 on Page 1 by deleting lines 9, 10 and 11, inserting in lieu thereof the following: ' Any County, Municipality, Township, School District or Junior College District'."

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

Day: "Mr. Speaker and Ladies and Gentlemen of the House. What this Amendment does is to limit the tax freeze, primarily to those local governments which receive either Federal or State Revenue Sharing funds. If you will look at the



Governor's Message when he proposed his tax freeze, you'll find that the main reason for it was that we are going to have Federal Revenue Sharing funds and we have them now which will provide additional money for local government. However, the Federal Revenue Sharing funds do not provide any money for small special districts such as sanitary districts, hospital districts, airport authorities, water districts, fire protection districts and those districts, small districts, units of local government, which the People in each district have voted in by referendum and have set the tax rates by referendum. For the most part, they represent a very small portion of the total real estate tax bill. And in many cases, they deal with necessities so far as government is concerned. Such things as hospitals, such things as providing water and fire protection and ah.... the purpose of this amendment is to eliminate those small special districts from the ah.... tax freeze bill."

A. A. Telcser: "Gentleman from Cook, Representative Schlickman."

Schlickman: "Would the Sponsor of this Amendment yield for a couple of questions?"

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

Schlickman: "Representative, you have indicated that you are restricting application of this Bill, House Bill 1, to only those direct or indirect recipients of Federal Revenue Sharing. We have under consideration only House Bills 1 and House Bill 2 in the Special Session and in neither



of these two Bills, as they're presently constituted, is any Revenue Sharing from either counties, townships, or municipalities, or from the State itself, provided with regard to school districts or junior college districts. And I wonder what is the basis for your statement?"

Day: "Well, Representative Schlickman you are entirely correct. This Amendment also includes school district and junior college districts ah.... in the Bill. Keeps them in the Bill. And the reason for this is that we have at the State level provided as you know, substantial increases during the past four years, ah.... for State aid to local school districts and we have done the same for junior college districts. Ah.... largely because we have a State Income Tax. Ah.... so they are ah.... also included within the tax freeze by this amendment for those reasons. In addition to that, ah.... at the time the Governor proposed the ah.... tax freeze legislation, you will recall that he indicated that it was at least his intention that a large portion of the Federal Revenue Sharing funds which would come to the State, would be used for educational purposes. So it seems to me that we have taken care of the School Districts and the junior college districts at the State level and we have taken the care of the counties, townships, municipalities, ah.... at the local level, not only by State Revenue Sharing funds, but now by Federal Revenue Sharing funds. We have not done the same thing for local taxing districts, special districts, and ah....



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it seems to me that it would only be fair to ah.... exclude them from the tax freeze bill for those reasons."

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

Schlickman: "Mr. Speaker, if I may, I should like to address myself to this amendment. I agreed with the general thrust of this Amendment and that is to make the Bill applicable to only those units of local government that are the beneficiaries of new additional revenue; that is, Federal Revenue Sharing. For that reason, I am offering later an Amendment that will restrict the application of this Bill to counties, townships and municipalities. Period. I think by having this Bill applicable to school districts and to junior college districts, they have no assurance of any new or additional money, we will be severely handicapping them in their requirement to provide adequate service to taxpayers, to members of taxpayers families. And this will be especially true in those fast growing public school districts and public junior college districts. The Sponsor of this Amendment indicates that in the past we have increased our support State-wide to Public school districts and the junior college districts. They are relying on our continuing to provide that level of financial assistance and they are asking that we provide more pursuant to the 1970 Constitution. But that's not in lieu of Revenue that they are now receiving and will be receiving in the future in relation to assessed valuation within the District. I think that



this Amendment goes in the right direction, but I think it goes too far and it will severely hamper those very vital local governmental units, public school districts and public junior college districts. For that reason, Mr. Speaker, Members of the House, I would respectfully request that this Amendment be defeated."

Hon. W. Robert Blair: "Further discussion. Gentleman from.... All right, the question..... Gentleman from Peoria, Mr. Day."

Day: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think we're all aware of the fact that at least half of the property tax Bill go to school purposes. And the whole idea of the tax freeze legislation, at least as profounded by the Governor, was not to enforce an austerity program on local governments, but it was primarily a tax reform program. A tax program that would recognize that real estate the property taxes are too high, would freeze them at the local level because we were able to provide additional funds to replace the loss from taxes at the Federal level and at the State level. And including in this Amendment and including the School Districts and the junior college districts, I have done so because I think that we can all realize that when the 78th General Session meets, we're going to give serious consideration to increasing the amount of State aid to local school districts, and we are going to make up any such loss in revenue from funds coming from the Federal level.... or from the State



Level. So it seems to me that we would be safe in including school districts in this, ah.... with the thought in mind that if there is any hardship on local school districts as a result of their being included that we can make up that revenue from the State level. I would appreciate your support."

Hon. W. Robert Blair: "What purpose does the gentleman from Logan, Mr. Madigan, arise?"

Madigan: "Mr. Speaker, I don't have a copy of this Amendment and I would like to be clear as to exactly what it is the Representative is attempting to do and I wonder if he will very briefly tell me what he's trying to do, not the merit or the reasons for it, but what it is he is trying to do."

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

Day: "Representative Madigan, what this Amendment does is to change the definition of a taxing district as it is referred to in the Section 2 of the Bill to limit it to county, municipality, township, school district or junior college districts. Primarily, what it does is to exempt from the tax freeze the special taxing districts such as ah.... fire protection districts, airport authorities, hospital districts and ah.... those units of local government primarily that do not receive any Federal revenue sharing funds and also it exempts... it includes school districts and junior college districts which we have taken care of at the State level."



Hon. W. Robert Blair: "Gentleman from Logan, Mr. Madigan."

Madigan: "Well, now, if the basis for doing that is.... or proposing to do it is that they do not receive Federal revenue sharing money, then that's correct, but again if we're talking about the fact that they've lost money as a result of either the homestead exemption, the personal property tax exemption or one of those acts of the legislature, then as I pointed out in a conference yesterday, each of those special taxing districts does receive from the Department of Local Government Affairs an amount of money equal to that which they lost as a result of those exemption Bills that we passed here in the legislature. So if they are properly executing the forms that are provided them, they are currently able to receive 100 cents on the dollars in makeup money from the Department of Local Government Affairs, and it isn't quite fair to make an argument for this Amendment on the basis of their having lost money as a result of those exemption Bills.

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

Day: "I am not making an argument for the local taxing districts on that basis. I am aware of the fact that the local property tax replacement funds does replace the loss which they have received, sustained, because of the personal property tax exemptions and the real estate tax exemptions. I am aware of that fact, but that simply leaves them where they were ah.... at the time those exemption bills were passed. But they do not receive any additional Federal



Revenue Sharing funds and those of you who have checked into these funds ah.... so far as your local governments are concerned know that the counties and the townships and the cities are getting a real windfall and substantial as the Governor has referred to a massive amount of additional funds at this level. Now these other taxing bodies these small taxing bodies are not receiving ah.... any of those funds. So, while ah.... the replacement fund ah... keeps them where they were so far as any loss is concerned from personal property and real estate tax exemptions, it doesn't give them the additional funds that the larger governmental units are getting from the Federal government."

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Simmons, arise?"

Simmons: "I would like to move the previous question."

Hon. W. Robert Blair: "All right, all those in favor of the gentleman's ah.... Gentleman from Cook, Mr. Shea, for what purpose do you rise?"

Shea: "I'm wondering if the Sponsor would yield for a question?"

Hon. W. Robert Blair: "Well, wait a minute, we've got a motion on the Floor."

Shea: "I'm sorry, I didn't hear the motion."

Hon. W. Robert Blair: "Well, Mr. Simmons moved the previous question. You want to hold it? Did Mr. Madigan have a comment that he wanted to close with on his, or are you finished. Then Mr. Simmons said he will hold it for you and Shea's one question and then we'll close it off."





Madigan: "Well, only that I'd like to make this observation, Mr. Speaker. There are, in Illinois, more units of local government than there are in any other State in the Nation. Now the reason that they exist, I understand, is because we have operated under an 1870 Constitution that provided a limit on the bonded indebtedness of what would normally have been the units of local government that we would have been operating with. So to avoid that bonding indebtedness limitation, we've created over the years some additional 8,000 units of local government in Illinois. We no longer have the bonding limitation situation that we did have, and we do have an opportunity as a progressive legislature to begin to look at the elimination of some of these units of local government. I think that's a move in the right direction. To exempt them from this Bill and to continue to cater to them here in the Legislature is to maintain their existence and I don't know that that's well advised."

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

Shea: "Ah.... Mr. Day, Mr. Madigan stated about the loss of revenue and how it's going to be made up by the Department of Local Governmental Affairs, as I understand it. It was my understanding that of the 25 million dollars we needed to replace the farm revenue loss on personal property tax, we only appropriated 5 million dollars which means we're short 20, and there's another 35 or 40 due to the 5 thousand dollars personal property exemption. Do you



know if that money has been appropriated yet?"

Day: "In 1972, the appropriation was 5.7 million, which was based on the ah... claim filed in 1971."

Shea: "But that didn't take into consideration what we did in the last session, the spring session of this year, taking all of the farm personal property tax and making that exempt and giving the individuals a \$5,000 exemption on personal property to individuals and the corporations?"

Day: "I don't know the answer to that. I can't...."

Shea: "You don't know if we've appropriated some place that 60 million dollars we're short, do you?"

Day: "No, I don't.... I don't know about that."

Shea: "All right, thank you."

Hon. W. Robert Blair: "Now, the gentleman.... Well, the gentleman from Cook, Mr. Simmons, is now renewing his Motion to move on the previous question. Well, he's held it for two people already. Can you do it on an explanation of vote? Huh? The question is, ....."

Simmons: "Mr. Speaker, this thing has been gone over very carefully, and ah.... I think we've had enough debate on it and I renew my motion."

Hon. W. Robert Blair: "All right, ah.... the Member persists in his Motion. I suggest that perhaps in your explanation of vote, you can raise your question and the gentleman from Peoria in his explanation of vote can respond to it if he cares to. So on that basis, all those in favor of the gentleman's motion, say 'aye', opposed 'no'. The



gentleman from Peoria, Mr. Day, had you really closed once before?"

Day: "Not yet, no."

Hon. W. Robert Blair: "No, not yet. O'kay. Mr. Day."

Day: "Well, Mr. Speaker and Ladies and Gentlemen, in regards to the point that Representative Madigan has made, namely that we shouldn't encourage the distant of these special districts, I would say that the purpose of the tax freeze bill is not to bring about a complete reorganization of government at the local level. We may be divided on the question as to whether services such as these districts provide should be provided in the way that they are now being provided or whether we should try to force annexations or combinations of these districts or contracts or agreements between them, but that really has nothing to do with the issue that's before the House with this Bill. It's not a question of catering to these local districts. It's a question of catering to the People who depend on these districts for necessary governmental services. Now I'm talking about water. I'm talking about fire protection, and I'm talking about hospitals and ah.... we're not catering to the non-paid trustees that run these districts, but we're catering to the People who needs these necessary services and it seems to me that we should give them the privilege of ah.... financing these services in the manner that they have by their referendums decided they should be transferred. For these reasons, I would



appreciate your support for this Amendment."

Hon. W. Robert Blair: "All right, the question is on the Motion to adopt. All those in favor say 'aye', opposed 'no'. All right, let's do a roll call. All those in favor, vote 'aye', and the opposed 'no'. The ah.... gentleman from Cook, Mr. Berman."

Berman: "Just a brief explanation, Mr. Speaker. I'm going to support this amendment, but I don't think it goes far enough, and I intend to support the Amendment that Representative Schlickman referred to, that would not only exempt ah.... the taxing bodies that Representative Day wants to exempt, but would also address itself to the needs of our schools. I'll vote 'aye' on this one and I intend to vote 'aye' on Representative Schlickman's also."

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

Schlickman: "Mr. Speaker and ladies and gentlemen of the House, an explanation of my vote - what has given rebirth and renewed interest to tax freeze from where we've stood last spring was the Federal Revenue Sharing Program. And this is the justification that was given by the Governor when he called this Special Session. It seems to me that if we make the tax freeze applicable to those units of local government that are not the direct assured recipients of Federal Revenue Sharing, we are and will be acting in a way that will be most detrimental to those vital units of local government and in this case probably the most



vital are public school districts and our public junior college districts, and for that reason, Mr. Speaker, and Members of the House, I am voting no on this amendment and I urge you to do likewise."

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

Maragos: "For the same reasons just reiterated by Representative Schlickman, I'm also voting 'no'."

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

Borchers: "Mr. Speaker, fellow members of the House, I'd just like to point out that it will be a very good lesson for a couple of years for these various taxing units and bodies for once to learn to live within their budget."

Hon. W. Robert Blair: "Have all voted who wished? Clerk will take the record. This question, there are 61 'nays' and 52 'yeas' and the ah.... Amendment fails. Further Amendments.?"

F. Selcke: "Amendment No. 4. McCormick. Amend House Bill 1 on Page 3 by inserting between lines 10 and 11 the following: Ad Valorem property taxes extended during the years 1974, 1975 and 1975 to meet minimum qualifying rates prescribed by Section 18-8 of the School Code to establish eligibility to receive State aid, shall use the equalized assessed valuation for the School districts of the year 1972. However, if the assessed valuation for a particular year during the freeze is lower, than the 1972 assessed valuation, the lowest assessed valuation shall be used in computing the State aid claim for that year'."



Hon. W. Robert Blair: "Gentleman from Johnson, Mr. McCormick."

McCormick: "Mr. Speaker, Ladies and Gentlemen of the House.

This Amendment was asked for by the school people, and it ah.... as you know, at the present time in figuring these State aid claims for the year, they figure it against the thing that I quarreled with Anthony about before and I was wrong, on... on the valuation and this simply ah... states that the lowest assessed valuation shall be used in computing the State claim for the year 1972 or the lower one, and ah.... I have no objection to the amendment."

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

Shea: "Ah.... Mr. McCormick, could you tell me what school people wanted this? I was at the meeting and I didn't have any school people there."

McCormick: "The School Board Association. They gave the Bill to me. They gave this to me. Mr. Shea, it isn't mine, you know, it's perfectly all right with me up or down. I just agreed that it would be presented to this House."

Shea: "Well, as I understand it under the Bill as it is now, ah.... the State school aid, if the Department of Local Governmental Affairs increased the multiplier in any county, it would substantially reduce State aid if the Bill was put in."

McCormick: "That's my understanding and that's the reason why I said this is fine with me."



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Shea: "Well, what will this do ah.... as far as a District that say doubled or tripled in size. It still has to use the 72 assessed valuation. If this Amendment....."

McCormick: "That would give them more money this would."

Shea: "No, No, under this Amendment, it would be fine ah.... to take care of the multiplier, but it wouldn't solve the problem of a District doubling in size because you'd still be using the 72 valuation."

McCormick: "Are you talking about the number of students in the school?"

Shea: "No, I'm talking about the assessed valuation. If the .... you stayed with the same number, but doubled the assessed valuation, you'd still be based on the 72 valuation and they'd get a tremendous amount of additional State-aid that wasn't really due them under the Amendment. It takes care of going down, but not going up."

McCormick: "Ah.... my ah..... understanding of the Amendment, and I'm simply giving you what they told me, Jerry, that if they figured it on the year.... on the last year that that would keep them from taking a loss in State-aid if they got an increase in their valuation."

Shea: "If you wouldn't lose any State-aid if the multiplier changes, but if there was a great increase in assessed valuation in any district, and you still figured it on the 72 assessed valuation, you'd end up paying a greater proportionate share of school aid to that district than they were actually due them."



McCormick: "But you wouldn't be adding it on to the property taxpayer, would you?"

Shea: "No, but you would sure be taking it right out of the General Revenue Fund of the State."

McCormick: "Well, it's strictly up to this House whether they want the Amendment or not. I would just submit it like I agreed that I would and ah.... whatever you want to do about it."

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

Berman: "Will the Sponsor yield? C. L., could you explain to me the justification, if we're talking about giving relief, and freezing the taxes, why should a school district that gets a lower valuation be allowed to, as I understand the Amendment, stay at the higher valuation for local taxing purposes?"

McCormick: "Well, I only know what I think and what I believe. I think the present set up with the school financing is bad in Illinois. I don't know whether this answers.... The only thing that I know in the freeze, that the school board people said that if they didn't get to figure at the rate that this Amendments shows, that they would definitely take a loss with an increased evaluation, and that they couldn't live with that, or that they didn't think they could. Now my personal feeling is, ah.... Representative Berman, is that everybody in this State, I don't care who it is, whether it's a school district or whether it's a toilet district down in Joppa, can live





with a freeze for one or two years and benefit all of the property tax people in this State, but all of the special interest in this General Assembly that gauged theirself to various phases of government apparently doesn't feel that way about it, and all in the World, under God's green earth that I've been trying to do was to get some kind of relief to the homeowners, but as this day goes on, it seems quite obvious that that's going to be an impossibility. So, what I would like to say to you, I don't know whether this is a good Amendment as far as your people are concerned or not. You are better education, you're better able to tell me. If it isn't, let's vote it down. That's o'kay with me."

Berman: "That's my second question. From your reading of the Amendment, from what I've heard, it sounds like this is an Amendment that helps only those School Districts which will have a decrease in their assessed valuation. Is that correct or incorrect?"

McCormick: "Have you read the Amendment."

Berman: "No, all I did was hear it."

McCormick: "I will ask Mr. Clabaugh to read it. He can probably answer it better."

Berman: "Fine, thank you."

McCormick: "Well, the freeze, I'm just talking back and forth with you a minute. If the freeze is on dollar value; in other words, if you extended a hundred dollars and your evaluation doubled, you'd still just extend a hundred



dollars wouldn't you."

Berman: "Yeow, but...."

McCormick: "But if your valuation doubled, you'd still just get the hundred dollars for that one year, but your school aid would still be figured on the low assessed; otherwise you'd lose money, wouldn't you? No matter what size your valuation was. That's your answer to it, isn't it?"

Berman: "Well, I'm not sure that that's what the Amendment...."

McCormick: "In other words, if you have a school district with 'X' number of million dollar valuation and you freeze the extension at a so many million dollars then next year if they have an increase in valuation and you don't adopt this Amendment, your freeze would be on the extension and so that would be a lost to them because you would be figuring against the higher valuation."

Berman: "I read the Amendment as opposite of that explanation."

McCormick: "Sir?"

Berman: "I read the Amendment as being directly opposite of that explanation. Ah.... maybe, can Charlie shed any light on that? Can Representative Clabaugh shed any light on that?"

Hon. W. Robert Blair: "All right, he's arriving."

McCormick: "Ah... I hope it's not opposite of what we think it is. If it is, well, we'll forget it quick."

Hon. W. Robert Blair: "Gentleman from Champaign, Mr. Clabaugh."



Clabaugh: "Well, I think just in a quick look in this thing, I think we should have the Amendment adopted because I think that there would be a chance in the case of ah.... growth to get hurt if we didn't. I think that the way the amendment is drawn, it would ah.... say - it does say that the lower assessed value would be the one that would be used in the case, in the case of its growth or whatever it was, and that would give them the additional State-aid and they would still have the local taxes at the dollar figure, and if the assessment went down, they would still.... I mean the assessed value went down, they would still have the local tax."

Hon. W. Robert Blair: "Gentleman from Cook, Mr. Berman, still on."

Berman: "Yes, Charlie, is the affect of this Amendment to lock in State-aid at the 72 assessed value or lower? Is that what the Amendment does?"

Clabaugh: "No, I think it would lock it in at the 72 level."

Berman: "Then in the case of school districts, whose assessed valuation increases in 73, 74 or 75, the State-aid would increase and the local tax would stay the same. Is that my understanding?"

Clabaugh: "Well, my mind wandered. I think that the question that you have raised, Representative Berman, is taken care of in the original Bill, as I understood it."

Berman: "Well, I'm still not clear on what the Amendment will do in the case of a school district whose assessed



valuation increases in 73 or 74 or 74 and what that affect will be on the State school aid formula and what the affect of the increased assessed valuation would be on the local real estate taxpayers. Could you explain that?"

Hon. W. Robert Blair: "Gentleman from Lee, Mr. Shapiro."

Shapiro: "Mr. Speaker, Ladies and Gentlemen of the House. The State-aid formula ah.... stated simply as far as assessed valuation is concerned as the assessed valuation drops, the State-aid monies increase, so this Amendment as it is constructed, will do nothing but help school districts in that the assessed valuation, the lowest assessed valuation will be used in computing State-aid claims. So in other words, if assessed valuation were to increase, ah... the Department of ah.... OSPI, or whoever reimburses the school districts, cannot use that increased assessed valuation, which in affect, would reduce State-aid monies. So I think the Amendment is an excellent one."

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

Scariano: "Mr. Speaker, I address this to anybody who wants to answer it, whether it be Representative McCormick or Representative Shapiro, or Representative Clabaugh, what happens where you've got a situation that happened, let's say you get a similar situation that happened a few years ago in Hennepin, where the Jones and Lockman Steel Company goes down and builds a multi-million dollar plant and they bring in a lot of kids and they flood the schools within increased enrollments. Ah.... what happens under this



situation? Ah.... where you can't take advantage of the increase in assessed valuation and ah.... you have all of these kids coming in as a result of the jobs that are created in that new plant."

McCormick: "Well, Representative Scariano, this Amendment pertains only to the State-aid formula, and as far as State-aid is concerned, the reimbursement from the State you don't want the assessed valuation to go up."

Scariano: "Well, then, I want to address myself to this Amendment, because what you gain in State-aid is a very small portion. You lose your large portion through local property taxes because local property taxes are bearing the bunt of school finance today. The State is taking not less than 40% of the total amount of money spent by our schools, so what you're saying is that we've got to trade the small portion we get from the State in return and give up the larger portion that you gain from local taxes, and I think that this is a losing proposition, and I think it's self evident."

Hon. W. Robert Blair: "Gentleman from Champaign, Mr. Clabaugh."

Clabaugh: "Mr. Speaker, I don't like to give a curbstone opinion on this sort of a thing, and I have read this Bill sometime ago, and I think the question of the increased enrollment is taken care of in the original Bill in Section 7 at the bottom of Page 2 and the top of Page 3. And I think that that part, like applying to the Buttman County District up there, that they can still extend ah...



the taxes on the basis of the amount of money proportionate to the increase in the school population."

Hon. R. Blair: "Gentleman from Cook, Mr. Scariano."

Scariano: "Mr. Clabaugh was addressing himself to my question.

I want to repeat, Representative Clabaugh, and I want you to correct me if I'm wrong. We're giving up the larger portion that we gained through local taxes in return for a smaller portion than we get from the State government, and I think that's exactly what this Amendment does. And if I'm wrong, I would like to be straightened out on it and I think that the School Board Association is ill-advised if it's really true that they're sponsoring this Amendment, because you're giving up a very small portion in an.... in State-aid, but you're gaining and return for losing the larger portion that you gained from local property taxes, which have had the bunt of school finance ever since I've been in the Legislature."

Hon. W. Robert Blair: "Gentleman from Champaign, Mr. Clabaugh."

Clabaugh: "Do you have a copy of the Bill before you, Representative?"

Scariano: "Got it now."

Clabaugh: "Well, look at the Section 7, which seems to me like it applies to....."

Scariano: "Excuse me, Charles, that is only enrollment. I haven't had a real direct answer to my question and that is that your saying that you are going to get a little more State-aid if valuation goes down, but what we're



giving up in return for that is a larger portion that you gain by local taxes, which has really been the method of financing schools now for all too long."

Clabaugh: "Section 7, if I can read English, says nothing about State-aid at all, but addresses itself entirely to the extension of property taxes."

Scariano: "Right, but this Amendment over here that Mr. McCormick is offering now addresses itself to State-aid and we're being told that this is going to be a favor for the schools, and I say that what you're doing is driving them deeper into the hole, deeper into the red, because you're saying we will give you just a little more State-aid, but you've got to give up more in the form of local Revenue and that's exactly what you're doing."

Clabaugh: "Well, Mr. Speaker, I can't argue. I'm formally convinced now that reading it, that the original Bill takes care of the situation that is disturbing Representative Scariano and.... on the matter of extension of local taxes and that ah.... the ah.... Amendment that is being offered would take care of what might be without a reduction in the State-aid."

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

Scariano: "I just want to say that you simply cannot amend the State-aid formula by reference."

Hon. W. Robert Blair: "Gentleman from LaSalle, Mr. Fennessey."



Fennessey: "Will the sponsor yield to a question? C. L., I think this is a bad amendment because I can.. in my district there's a certain situation where a plant will double the assessed valuation of a certain school district and probably the people who work there, their children will reside in another school district.."

McCormick: "..In another county. Putman County and reside in LaSalle. Is that the one?"

Fennessey: "No, this is a different situation. But this school district, if I've got this amendment correct, they'll still receive the same amount of State-aid as they're receiving today and ah.. they will have no need for this amount of State-aid with this new plan in there because their assessed valuation will probably double and be discriminated against all the other districts in the State of Illinois."

McCormick: "Well, ah.. I'm not sure that I could answer your specific case but in getting to tie yours into what Anthony was talking about a shile ago is in the bill is the very same thing that was written into this bill that Anthony had in an amendment for the bill last summer.. to take care of the increase in population. Now the whole theory of the bill to begin with is not how that you can get more money out of the people of the district but how that we can for the one year or whatever year we decide on. How we can freeze it where it is now and work out the kind of formula we want to use in the State of Illinois





for all of the taxing bodies of this state and the whole theory behind the bill is a freeze bill at where it is now. So if you double your evaluation of your district, the people that are left will get less taxes on their homes. And the thing about it is it won't cost you from your State-aid formula because you'll be figuring it from the low figure instead of the high figure which would cut you down."

Fennessey: "That's probably true, but if this amendment is enacted there'll be some school districts receiving State-aid at the old rate that will certainly not need it. And I'm certainly going to vote against this amendment."

McCormick: "That's all right. I don't care!"

W. Robert Blair: "Does the Gentleman care to close?"

McCormick: "Well, I think, Mr. Speaker, that there will be no way in the world that you could explain it to change anybody's mind if their mind's already made up. And I would suggest that whatever the vote is, let it fall."

W. Robert Blair: "Question's on the Gentleman's motion to adopt the amendment. All those in favor will say 'aye'."

Members: "Aye."

W. Robert Blair: "Opposed 'no'."

Members: "No."

W. Robert Blair; "All right. All those in favor will vote 'aye' and the opposed 'no'. Gentleman from Cook, Mr. Berman."



Berman: "Mr. Speaker, the reason I'm voting 'no' on this Amendment is for two reasons. Number one, where you have a school district that will have a lower assessed valuation in the coming years, this Bill does not help them. And in those instances, where you have school districts that you are concerned about that will have increased assessed valuations, the whole freeze hurts them and you can't help but to ah.... ah.... hurt them if you're going to act on it at all. This Amendment does nothing for the ones that have a decrease and for ones that have an increase, you can't improve the Bill."

Hon. W. Robert Blair: "Gentleman from Johnson, Mr. McCormick."

McCormick: "Mr. Speaker, ah.... Ladies and Gentlemen of the House, every once in a while in the House, we do some pretty good things and sometimes we get so involved in things that we are vitally interested in our own field that maybe we forget what the purpose of what we're trying to do to do it. Now my purpose in this Bill or in this Amendment or in anything else that has to do with this Bill, is for only one thing and that's for one time in my life time and in the life time of this General Assembly that we try to do something for the People back home that are working and paying their taxes and that are getting old and going on social security and then taking Public Aid and taking the nursing home or the shelter care home instead of being able to care for themselves in their own home. Now, if ah... if the purpose of the freeze is to



freeze taxes. It's not to get more money for schools, or park districts or county government or anybody else. It's for one time to stop and take a breath and see where we stand and see if the People in Illinois can stand the 15% increase in their property taxes every year. Mr. Speaker, the way these amendments are going, I cannot see why that this General Assembly can even bring itself to say that it's considering a tax freeze bill."

Hon. W. Robert Blair: "Have all voted who wished? Gentleman from Cook, Mr. B. B. Wolfe."

B. B. Wolfe: "As soon as the vote has been taken, I would like to be recognized, Mr. Speaker."

Hon. W. Robert Blair: "All right, take the record. Gentleman from Champaign, Mr. Clabaugh."

Clabaugh: "Close as that vote was and the way it's going up and down, I thought I might get a few more votes for it. Now, I had taken what someone had told me was in the Bill before I was questioned on the Floor and I read it. I think both the school district and the taxpayer will be much better served by this Bill if this Amendment is in it. That we're protected if the school.... and the Bill itself, Section 7, if the ah.... tax.... ah.... student population goes up, the Bill protects the school district in that case. And I think the taxpayer ah... and the school district are both protected by this Amendment and I urge you to vote 'aye' on this matter."



Hon. W. Robert Blair: "Hyde 'aye', Lindberg 'aye'. Ah.... Stone 'aye'. Jack Hill 'aye'. Regner 'aye'. On this question, there are ..... Waddell 'aye'. Hunsicker 'aye'. Brinkmeier 'aye'. Yourell 'aye'. 65 'ayes', 57 'nays'. Gentleman from Cook, Mr. B. B. Wolfe."

B. B. Wolfe: "Thank you, Mr. Speaker. I think ah.... our colleague, C. L. McCormick, hit the nail on the head when he said that we're not even considering quote "the tax freeze" unquote. In an complex matter such as this, I don't think any member has the Amendments on his desk, and I know, I'm a Member of Revenue Committee and we spent that six, seven hours in committee with the Bill and with the proposed Amendments, although none of us had copies even at that time, and in this complex matter, which is so vital and so important, I think 98% of us are sitting here really in a vacuum, not knowing either what the Amendments do, where they fit in the Bill, in effect, and I would like to have a copy of the Amendment if I may so that I could follow what we're doing on the Floor of this House with respect to a quote "tax freeze". If that's possible."

Hon. W. Robert Blair: "And the Amendment have received ah.... 65 'ayes', 57 'nays' is hereby declared adopted."

Selcke: "Amendment No. 5. Schlickman. Amend House Bill No. 1 as amended on Page 1 by deleting Lines 9, 10 and 11 and inserting in lieu thereof the following: 'Any county, municipality, or ....'"



Hon. W. Robert Blair: "Now just one moment please. Any of the Sponsors of these Amendments ah.... if you ah.... would care to provide Mr. Wolfe with a copy, ah.... of them, I'm sure he would appreciate it. Mr. Schlickman."

Schlickman: "Mr. Speaker, Ladies and Gentlemen of the House, ....."

Hon. W. Robert Blair: "Mr. Katz."

Katz: "I would also like to have a copy of the Amendment. I think a lot of the People on the Floor would like to have copies of the Amendments and it would appear to be good procedure that we all have copies of the Amendments so that we know what we are debating and what's being voted on."

Hon. W. Robert Blair: "Well, it's not ah... you know. There's not a requirement under the Rules that you are aware that ah... the Amendments be on the Members desks."

Katz: "Well, if the Amendment had been offered in Committee where they should have been offered, then we would have a copy of the Amendment. That is what is wrong with this procedure of bypassing the committee and bringing the matter to the floor, where matters are being offered, new Amendments are being offered, and really we do not have an adequate opportunity to know what we're considering. Fairness would dictate, I think, that a different procedure ought to be when we're dealing with a matter as complex as the tax freeze, everybody in the House ought to have a copy of the Amendment when the matter is being



voted on."

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

Schlickman: "Mr. Speaker, Ladies and Gentlemen of the House, with respect to Amendment No. 5, to House Bill No. 1. Prior to the offering of the amendment, I did provide a copy to Mr. McCormick and I provided a copy to Mr. Tipword. The Amendment is a very simple Amendment. It simply provides that House Bill No. 1 shall apply only, only to counties, townships and municipalities. It does nothing more. Now this Special Session and House Bill No. 1 are due exclusively to the advent of Revenue Profit Sharing. And if you will recall the Governor's message to us calling this Special Session. He started off initially with the subject of Federal Revenue Sharing. And throughout his message, he established Federal Revenue Sharing as the basis for the tax freeze. We have this rebirth, we have this renewed interest in the tax freeze. But a freeze now becomes only practical and realistic if it applies to only those units of local government that are direct assured recipients of Federal Revenue Sharing. It was mentioned previously by one of the Members of the House, in opposition to an Amendment similar to this, but which wasn't as comprehensive, the matter of local reorganization. I say, Mr. Speaker, Members of the House, that we in Illinois do need tax reform and we need local government reorganization. But these objectives require planned, comprehensive approaches. House Bill No. 1 is



piece meal in nature and it's intended to meet a somewhat momentary situation. For the purpose of our discussion today, we must assume what presently exists and we must be concerned about it. Now, on one hand, we talk about the subject of tax relief, on the other hand, we must be concerned about services that we have mandated. We the Legislature have mandated units of local government provide. By this Amendment No. 5 to House Bill No. 1, I believe, that we will be balancing the scale between tax relief and the provision of adequate services to the citizens of this State through units of local government. For that reason, Mr. Speaker, Members of the House, I solicit your support, your approval, adoption of Amendment No. 5 to House Bill 1."

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

Simmons: "Mr. Speaker, will the Sponsor of this Amendment yield to a question?"

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

Simmons: "We just finished adopting Amendment No. 4 that ah... puts into language regarding school taxes and the procedures for the year 74-75 and 76. Now Amendment No. 5 as I understand it, would take out school districts. If you're amendment carries, what affect will Amendment No. 4 have in the law as written?"

Schlickman: "Mr. Speaker, Members of the House. In response to the question of the gentleman from Cook, if Amendment No. 5 is adopted by this House, then Amendment No. 4 becomes



superfluous, but there is no conflict."

Simmons: "Well, ah.... I think there would be because in Number 4, it sets up on what bases they were going to get State-aid. Ah.... so, with this Amendment, ah.... they could go ahead.... schools could go ahead and ah.... operate under a non-freeze or as they have in the past and still take advantage of Amendment No. 4, which would ah.... give them an added benefit, and therefore, I would like to ask the parliamentarian or someone if this is not in conflict with Amendment No. 4."

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

Schlickman: "Mr. Speaker, Ladies and Gentlemen of the House, technically speaking, in a nonsubstantive fashion, Amendment No. 5 is not in conflict with Amendment No. 4. What Amendment No. 5 would accomplish is a complete exemption or elimination of Public school districts and junior college districts as well as other single purpose units of local government, and if Amendment No. 5 is adopted, there will then be absolutely no need for Amendment No. 4 and to insure that the Statutes are uncluttered and with the possibility of House Bill 1 becoming law, I would then move, Mr. Speaker, Members of the House, that the vote by which Amendment No. 4 was adopted be reconsidered."

Hon. W. Robert Blair: "All right, with regard to the gentleman's ah... point ah.... from Cook, Mr. Simmons, ah.... the Amendment No. 4 is deleting from the definition of





taxing district, all units other than county, municipality or township. Right?"

Schlickman: "Right."

W. Robert Blair: "All right. His amendment, No. 5, limits the definition of taxing districts to any county, municipality, or townships deleting the provisions with regard to school district, junior college district, special district or unit of local government. The Amendment No. 4 has to do with ah.. the extension during certain years of the ad valorem property taxes ah.. concerning the qualifying rates as prescribed in the school code. Now there's no language in the particular section that Amendment No. 4 is referring to that addresses itself to the definition of taxing district. And so I don't see that these two amendments are in conflict. Now in substance, what Amendment No. 5 is doing might have an effect on section 7. But it is not in conflict. Gentleman from Cook, Mr. Simmons."

Simmons: "Well, Mr. Speaker. If you're going to have a tax freeze and eliminate schools.. in some areas that real estate taxes made up 80% of the total tax goes to schools. In my own district it exceeds 60% of the real estate tax goes to schools. So if you're going to take schools out, you might as well forget about the whole bill. Then, if you take schools out and put in what we put in Amendment No. 4, you're giving them an additional advantage to gather extra money out of the



state. And I think what we've actually done in this case then rather than to try and have the local districts tighten their belts, we're giving them a bonus. Ah.. in enacting No. 5 and therefore, I would certainly recommend that we defeat this Amendment No. 5 that is before us."

W. Robert Blair: "All right, then. On the Gentleman's question, it is the ruling of the chair that the Amendment No. 4 or Amendment No. 5 is not in conflict with Amendment No. 4 and for that reason, may be considered on its merits. Now we're back on that principle question. Gentleman from Cook, Mr. Shea."

Shea: "Could I ask a question on Amendment No. 4?"

W. Robert Blair: "Of whom?"

Shea: "Ah.. can we amend a section of the statute by reference to it? Can I ask your parliamentarian that if that's possible?"

W. Robert Blair: "You're back on 4 now?"

Shea: "Well, as I understand it.."

W. Robert Blair: "We're on the discussion of the merits on 5."

Shea: "I was just curious about if we could amend a statute by reference cause perhaps we could find another amendment to revise another statute."

W. Robert Blair: "Well, I'll be happy to consider that if you care to do it."

Shea: "All right."



W. Robert Blair: "All right. On the merits now.. is there any further discussion? The Gentleman from McClain, Mr. Bradley."

Mr. Bradley: "Mr. Speaker, Ladies and Gentlemen of the House. I'd like to ask the Chief Sponsor, C. L. McCormick, regarding this amendment if I could."

McCormick: "Yes, Sir."

Mr. Bradley: "C. L., if we would adopt this particular amendment to the bill in your opinion, it would practically ruin the intent of the piece of legislation that we're attempting to amend."

McCormick: "There's no question about it and anybody that knows anything knows that in downstate Illinois at least in my country the school taxes are around 70% of the tax bill that you pay. And if you're going to eliminate 70% of the property tax in Illinois from the freeze then you're kidding yourself. No. If the Members of the House would adopt this amendment, they would have a bill that would be not only a phony and irrespective of who offers the amendment ah.. it's just out of this would that anybody would even try an amendment like that. I just couldn't hardly believe Gene would be that far over as willing as he was to spend General Revenue money for parochial aid last year, you know. I would have thought that now he would think of the homeowner for a change. Mr. Speaker, if this amendment bad and it's the worst amendment he could have



thought about. And I would appreciate a 'no' vote on the amendment."

Mr. Bradley: "Thank you, C. L."

W. Robert Blair: "Gentleman from Cook, Mr. Shea."

Shea: "Could I ask the sponsor a question?"

W. Robert Blair: "Ah.. he indicates he'll.."

Shea: "As I remember when Dr. Bakalis ah.. had ah.. I believe one of his assistant superintendents ah.. testify, he said that the normal growth without any increase in rates just the normal growth in schools as a whole were about \$54,000,000 in the first year of this freeze and it would have been about \$108,000,000 in the second year."

McCormick: "Well, yes, I recall that."

Shea: "All right. Now, could you tell me who is going to make that up to the school districts?"

McCormick: "Well, my understanding was that.. wasn't it Representative Brinkmeier that had an amendment for that purpose? Did you have an amendment Representative Brinkmeier for that purpose?"

J. Shea: "Well, we're not to that amendment yet."

McCormick: "Well, I mean tho' we might as well cover it.. not cover it necessarily but I think that's your plan and I think you've got a good plan."

Shea: "I don't.. C. L., I'm just trying to find out where we're going with this good piece of legislation."

McCormick: "That's what I'd like to know. And Jerry you



know. Because you've known since last summer where it was going. Don't give me that kind of talk, buddy. Because you know where it's going."

W. Robert Blair: "All right. Any further.. Gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker. I have been enchanted with the idea of giving some tax relief to the people of the State of Illinois. And I think it's an admirable idea and a wonderful thing to do. And I have nothing but praise for Mr. McCormick and his efforts. But I think that he's being used in this particular matter. I think he's being prostituted by some merchants of what we might call "sectional greed". I think what we're finding is in him a vehicle to exorcise all of their witchcraft. What we're attempting to do with this one good bill is shift the tax burden around so that nobody pays anything, everybody gets relief and yet where does the money come from. Now I'm for relief of the taxpayers but when we get the people who go around playing tunes creating illusions that some how or another this magical bill is going to reduce all of our property taxes and at the same time it's going to provide more money for each school district, I simply don't know where it's going to come from. I think that we're getting into an area where some pied pipers are taking us down the line a little bit too far. And I think by the time this wonderful bill is through being amended we won't know



where we are. I think by that time, Mr. McCormick will have found out that we are indeed being duped. And I think that these amendments, the more they come, the more I sit here and listen to them because unfortunately I can't read them. I think we're turning a good piece of legislation into a monstrosity. The type of monstrosity that no one will be able to explain to us. That no one can go back to their district and justify. And might I suggest, Mr. McCormick, although I'm in favor of this principle perhaps indeed we ought to shift our feet and turn around and again send this thing back to a Committee where we can get a clean bill to look at. 'Cause now I don't think that even you can explain the bill to me or do you still think so?"

W. Robert Blair: "Gentleman from Johnson, Mr. McCormick."

McCormick: "The Gentleman from Cook ah.. asked me a question, might I have an opportunity to answer it? Representative? Representative? I don't feel that C. L. McCormick is being prostituted by anybody. But I do feel like the people of the State of Illinois and the people that's paying our bills and the people that's paying the bills for the schools and the roads are being prostituted in Illinois. And I think that you can easily say that it is me and that maybe I'm just trying to ride something over you. That isn't true. I'm opposing taking out 70% of the taxes in the State of Illinois out from under the freeze. I'd like



to have the bill as near as it originally was as I could possibly have but it can't be done. And you know it can't be done. And you, like a lot of other people in this House know that in the final tally of this freeze bill who is going to be for it and who is going to be against it don't make any difference what the bill says or what it does. And I don't figure that I'm being prostituted but I do feel like this General Assembly and the people of Illinois.. I think we're doing something to them that just isn't right. And I think that they deserve better treatment from their elected representatives than we're giving them with tax relief in Illinois. And the property tax owner is the man in the State of Illinois that's hurting. You can bring up a bill to give away a billion dollars for relief. We can take the money from any source in the State of Illinois and give the taxpayer's money away. But not a man.. You can give it to the cities. You can give it to the villages. And they can dig more lakes but you can't find the time or the effort to try to help the poor son-of-a-gun that's down there at \$75 dollars a week or \$125 dollars a week trying to pay the payments on a home. Ladies and Gentlemen. It isn't me who is being prostituted. It's the people of the State of Illinois by the people that they elected to represent them. And I'm not crying because I have a bad cold, Brother Mayor from the suburbs."

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



Cunningham: "Mr. Speaker, Ladies and Gentlemen. I wanted to echo the remarks of Representative Ewell, except insofar as they made any allegation of prostitution against my friend. We witnessed here today the fine art of killing fine legislation by amendments and/or talking it to death. We saw that same fine art displayed with the ethics legislation and we saw it displayed too long with the implied consent, until an aroused public forced us to do our duty. It is our hope that someday, an aroused public will arise in this instance and prevent a repeat application of the diabolical art of talking or amending good legislation to death. But everyone here knows and more importantly, every voter in the State of Illinois knows that this Bill hasn't anymore chance of passage than the proverbial snowball. And I would say to my friend, C.L., in the language of Confucius, 'nobody perspires as much as he who beats a dead horse'. Because of good government, of good legislation is not being served by pursuing this tragedy to the bitter end. It is a dis-service to good legislative process to do so. It is an aggression against the Ique of the Public of every citizen of Illinois. It is an insufferable inconvenience to every member of this House to persist in this proposal. Now we have each written his record in this remark.... in this matter. It's a record in which we can in the future point with pride or from which we can hide. But I say to C. L. McCormick and to the



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sponsor of this Amendment and to the Sponsors of the other Amendments, it would be a generous gesture of good will if each of you would move to Table your motion and to Table the Bill itself, that we might go home and tell the constituents what we've done for them."

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

Palmer: "Speaker, I move the previous question."

Hon. W. Robert Blair: "All those in favor of the previous question, say 'aye', opposed 'no'. The 'ayes' have it and the previous question has been closed. Gentleman from Cook, Mr. Schlickman, to close."

Schlickman: "Mr. Speaker, Ladies and Gentlemen of the House, in conclusion, I should like to remind you that we are now being called to vote upon Amendment No. 5 to House Bill No. 1 and that Amendment No. 5 restricts the application of House Bill No. 1 to those units of local government, counties, townships and municipalities that are the direction assured recipients of Revenus Sharing. I respectfully say, Mr. Speaker, Members of the House, that if we do not adopt this Amendment, then we will be leaving a Bill in what I believe will be an irrational, illogical, content and that I could not, under any circumstance, regardless of what happens subsequently, vote for House Bill No. 1 as I would hope that I would be able to. I respectfully request for the benefit of the Citizens of the State of Illinois, the adoption of Amendment No. 5 to House Bill No. 1."



Hon. W. Robert Blair: "All right, the question's on the adoption of Amendment No. 5. All those in favor, say 'aye', opposed 'no'. All right, the question is all those in favor, vote 'aye' and the opposed 'no'. Have all voted who wished? Gentleman from Cook, Mr. Hyde."

Hyde: "Mr. Speaker, ah.... if I may just in explaining my vote - I've heard the inneuendoes here on the floor that perhaps the chief sponsor of this good Bill is just a might insincere. I think this House ought to know and indeed the People of the State of Illinois ought to know, that today of all days in the year is the biggest day in C. L.'s store down Vienna, and while he should be down there watching the store, he is here today fighting for the taxpayers of Illinois, and that certainly is the highest mark of sincerity that any Legislator could have."

Hon. W. Robert Blair: "Have all voted who wished? Clerk will take the record. This question, there are 65 'nays' and 24 'yeas', and the gentleman's motion fails. Gentleman from Champaign, Mr. Clabaugh."

Clabaugh: "Mr. Speaker, this is not on the Bill, but relative to it, I heard the rumor that shoplifters were running wild down in McCormick's store in Savannah."

Hon. W. Robert Blair: "Further Amendments."

Jack O'Brien: "Amendment No. 6. Brinkmeier. Amends House Bill No. 1 as amended, on page 1, line 29 by striking 'have been' and inserting in lieu thereof 'are', and on



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page 1, line 30, by striking 'held after July 1, 1972' on page 2, line 13, by striking 'and', on page 2, line 15, by striking the period the inserting in lieu of the following: 'And G ad volorem property taxes levied by school districts for those funds which not receive the State financial assistance'. And on page 4 by inserting.."

Hon. W. Robert Blair: "All right, gentleman from Ogle, Mr. Brinkmeier, here to explain ah.... It might just take a minute for me to inform you the Senate ah.... come back in from a luncheon recess and ah.... we're advised they're going to go to work for a while this afternoon. Gentleman from Ogle, Mr. Brinkmeier."

Brinkmeier: "Mr. Speaker, Members of the House, ah.... very briefly, what this Amendment does is two-fold. Number 1, it provides that the ah.... funds, the school funds, it pertains particularly to the ah.... to the ah.... major opposition probably to the tax freeze, coming from the educators in the State. I'm talking about school board members, school administrators and teachers. Ah.... as has been mentioned earlier, I think the People in the State of Illinois are concerned more with their local taxes than any other one issue, and what this amendment would do, I think would meet the opposition of the educators to the tax freeze and give them something they could live with. Number 1, it would exempt from the freeze those funds, those school funds that are not reimbursed by the State. The building fund, IMRF, liability insurance and so on. But



the thrust of the Amendment stipulates that the State of Illinois would be mandated to turn over two-thirds of the Federal Revenue Sharing funds for aid to the elementary and to the secondary schools. I would urge your support of this Amendment."

Hon. W. Robert Blair: "Is there any discussion? Gentleman has moved the adoption of Amendment No. 6, the Special Session House Bill No. 1. All in favor of adoption, signify by saying 'aye', the opposed 'no'. The amendment is adopted. Are there further amendments?"

Jack O'Brien: "Amendment No. 7. Schlickman. Amends House Bill No. 1 as amended on page 1 by deleting lines 18, 19 and inserting in lieu thereof the following: 'purpose or fund a rate greater than the rate at which 1972 taxes payable in 1973....'"

Hon. W. Robert Blair: "Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, Ladies and Gentlemen of the House, last spring when the matter of tax freeze was under consideration, I asked the sponsor of the Bill, who is the Sponsor of this Bill, if he would accept an amendment changing the freeze from collection to a freeze on rates. I pointed out to him that I, as many of you, come from districts that are fast growing. That within a year, two year, three years, we can have an increase in assessed valuation of a significant nature, an increase in population to be served by the units of local government. He



said 'no'. This year, later this year, this fall, he has publicly stated in affect, as I understood him, that he would accept any reasonable amendment. I suggest that this Amendment is reasonable. I have before me figures with regard to a park district. This park district anticipates that its population in 1972 or 1973 will increase by 5,000. In 1974, it will increase by 3,000 and in 1975, will increase by 5,000. In 1976, it will increase by another 5,000, and in 1977, by another 5,000. By the Bill as it now stands, they will be expected to render service in 1974 and the same level of service with 50,000 dollars less than what they need and if by 1977, they will be expected to operate, provide service the same level to the population they then have by less than \$245,000, and there's no provision, Mr. Speaker, Members of the House, as to where that money is going to come from with this freeze. This is a reasonable amendment, I think it's a rational approach to the matter where units of local government have stable population, stable assessed valuation. There will be a maintenance of tax collection. For those districts, those units of local government, where there will be an increase in population and assessed valuation, they will be able to provide the same level of service with money that will be made available to them. I, therefore, respectfully, ah.... suggest and request your adoption of this Amendment No. 7."



Hon. W. Robert Blair: "Is there any discussion? Gentleman from Johnson, Representative McCormick."

McCormick: "Mr. Speaker, this amendment simply makes it a freeze on rates, and everybody in this House that knows anything at all, knows that we went through that with the Walker-Butler bills back in the 40's. We went through the Hodge-Downey freezes in the fifties and I don't know how many other freezes. A freeze on the rate is ah.... is that's just as phoney as a three dollar bill, because you know as well as I do, that.... we froze the rates. They've got maximum rates now, but all you've got to do is raise the county multiplier, the township multiplier or the State multiplier or the county assessor, make a reassessment of the property and you've got it all right back up even higher than what it was before. Now, I know that Gene ah.... is being thrilled by the announcements, maybe from some of the major cities in the State that are reducing by a percentage, but a percentage reduction in the rate or a freeze in the rate doesn't do a think for you because anybody knows that every year and every two years and every three years and all your life time, if you leave it alone, the multipliers are going to be higher and higher until there is some kind of a break, because property sales in Illinois, in every section of Illinois nearly, are higher year by year and that means the assessment has to go up. That's the wrong approach, Gene. I'm



surprised that you'd bring a thing like that out."

Hon. W. Robert Blair: "Gentleman from McLean, Representative Bradley."

Bradley: "Mr. Speaker, Ladies and Gentlemen of the House.

I would like to support this particular amendment, because if we do not freeze the rate, but freeze the amount, we are certainly stunting the possibility or the incentive for any municipality to try to attract any industry, to try to expand ah... through subdivisions, because what would really happen if we freeze the total amount would be to ask the municipalities to continue to provide services to any additional subdivisions, any additional industry that would move into the municipalities, provide services of all kind, without providing any additional dollars to that municipality, to provide those services. This includes school children that might be moving into a new subdivision. We would have to provide educational facilities, with a freeze on the amount of tax dollars, and that municipality in this amendment will allow us to freeze the rate and not the total amount, so that if there is growth, we can provide the additional services that are required in that growth, so in the communities, in the counties that are rapidly expanding, we should be able to freeze the rate, but let's not freeze out the possibility of growth in these communities, and then if we do have the growth to be able to provide the services that the growth will ask for. So I will favor and support this



particular amendment."

Hon. W. Robert Blair: "Is there further discussion? If not, does the gentleman wish to close? Gentleman has offered to move the adoption of Amendment No. 7 to Special Session House Bill 1. All those in favor, signify by saying 'aye', the opposed 'no'. All those in favor, signify by voting 'aye', the opposed by voting 'no'. Gentleman from Champaign, Representative Clabaugh."

Clabaugh: "Mr. Speaker, reluctantly, I oppose the Amendment by the same way I did the last one. I just want to speak, though, to the point that was raised by Representative ah... Bradley over there that increased enrollment in the school district, might under this Bill, without this Amendment, result in violence and harm done to that district. Now Section 7 specifically, Representative Bradley, says that if there is 5, 10 or 15 percent more students in the enrollment in the school district, then they may expend 5, 10 or 15 percent more tax dollars. Number 7 takes care of that, so I ah.... just wanted to say that schools will not receive great damage as a result of this Bill."

Hon. W. Robert Blair: "Lady from Cook, Representative Chapman."

Chapman: "I hesitate to take the time of the House when I see the kind of a board we have, but I think it's important that all of us understand that Section 7, that Mr.





Clabaugh is talking about, will protect a school district one year later. Ah.... it doesn't provide for the students you have that year. If you have had an increase in ah... school population one year later, as I read, the measure, one can then be benefited from this, which is certainly one year too late, particularly when those funds then come in, yet another year later. So there is a two year lag in the kind of help in which Section 7 will provide for school districts."

Hon. W. Robert Blair: "Have all.... Gentleman from McLean, Representative Bradley."

Bradley: "Ah.... Mr. Speaker, Ladies and Gentlemen of the House, I appreciate Representative Clabaugh's remarks. Some of the other services, though, are not provided for ah... that would be requested such as the fire, police protection, water, sewer, et cetera. There is no provision in the Bill for these other services that ah.... would be necessitated through expansion of any municipalities, whether it be industrial or ah... residential."

Hon. W. Robert Blair: "Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, Ladies and Gentlemen of the House, I'm sure that as is true for every other member, it's true for me that I take amendments that I offer and Bills that I introduce to be very near and dear to me, and when they are attacked, I feel like I personally have been attacked."



There was a suggestion, in fact there was the explicit statement that this Amendment is phoney, and that the previous amendment that I had offered was phoney. I taught my children that everything in life is relative, and I would like to suggest, Mr. Speaker, that if this Amendment is'nt adopted, House Bill No. 1 is going to be phonier."

A. Telcser: "Have all voted who wished? Take the record. On this question, there are 27 'ayes', 58 'nays' and the gentleman's motion to adopt Amendment No. 7 fails. Are there further amendment?"

F. Selcke: "Amendment No. 8. Alsup. Amend House Bill 1 as amended on page 1, line 16 by striking '1976' and inserting in lieu thereof '1974'. On page 1, line 23 by striking '1976' and inserting in lieu thereof '1974'. On page 2, line 35, by striking '1974 or 1975', and on page 3, line 5 by striking '1975 or 1976, and on page 4, line 13 by striking the comma and inserting in lieu thereof a period. And on page 4, by striking line 14."

A. Telcser: "Gentleman from Macon, Representative Alsup."

Alsup: "What this Amendment does, is make it to apply to one year only. In other words, the next extension by the county clerk. Ah.... which would then give us some time and I think you can see by all the questions and all the different opinions that we have, we may be in trouble with this Bill over a long period of time. And as far as the



school aid is concerned, this is a different section and I doubt if I can amend it by reference myself. Now, we're going to have to ah.... do some additional legislation. And so rather than to have a Bill that is going to get us in permanent trouble by the method this Bill will be used to keep taxes going from going up for one year only, while we decide how we're going to finance properly the government."

Arthur A. Telcser: "Is there any discussion? If not, the gentleman has offered to move the adoption of Amendment No. 8 to Special Session House Bill No. 1. All in favor of adoption, signify by saying 'aye', the opposed 'no'. All those in favor, signify by voting 'aye', the opposed by voting 'no'. Have all voted.... Gentleman from Johnson, Representative McCormick."

McCormick: "Mr. Speaker, now the reason I'm not voting on this Amendment, I said before, that whatever the decision of the House was, was certainly satisfactory with me."

Arthur A. Telcser: "Have all voted who wished? Take the record. J. J. Wolf 'aye'. On this question, there are 27 'ayes', 36 'nays', and the gentleman's motion to adopt Amendment No. 8 fails. Are there further Amendments?"

F. Selcke: "Amendment No. 9. Tipword. Amend House Bill 1 as amended on page 1, line 10 by striking 'special district' and on page 1, line 13 by striking the period and inserting in lieu thereof the following: 'Except special districts



which do not received funds...."

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

Tipsword: "Mr. Speaker, in view of the actions taken on I believe it was Amendment No. 1, that was offered here in the House, or Amendment No. 2, this is very similar to it, and I would, therefore, wish to withdraw this at this time. I think the House has taken action on this subject matter."

Arthur A. Telcser: "O'kay. Are there further Amendments?"

F. Selcke: "Amendment No. 10. Tipsword. Amend House Bill 1 as amended on page 1 by striking line 31, inserting in lieu thereof the following: 'Ad volorem property taxes for funds or for funds of taxing districts which have been created by'."

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

Tipsword: "Mr. Speaker, this Amendment is language that was suggested by ah... Mr. Scott, when he testified before a Committee for Taxpayers Federation. He felt it was necessary to add into this area of the Bill a definition that not only would be exception applied to funds that have been approved by referenda, but also funds of taxing districts, new taxing districts that have been adopted by referendum of the voting public. He felt that by saying funds only, that it would only be those kinds of funds that are specifically adopted by referendum of the People



and when they created a district, that district would then have to look at the taxing statutes for the funds that it could authorize taxation for, and we might not be making that exception in regard to new districts that have been created. It's just really a housekeeping type of ah... Amendment."

Arthur A. Telcser: "Is there any discussion? Gentleman has offered to move the adoption of Amendment No. 10 to Special Session House Bill No. 1. All in favor signify by saying 'aye', the opposed 'no'. The Amendment is adopted. Are there further Amendments?"

F. Selcke: "Amendment No. 11. Tipword. I mean Alsup. Excuse me. Amend House Bill 1 as amended 1 on page 2 by striking lines 5 and 6 and inserting in lieu thereof the following: 'indebtedness according to certified copies of bond resolutions filed in the office of the County Clerk either before the effective date of this act, or during the period of the property tax freeze act and further that nothing in this Act shall'. "

Arthur A. Telcser: "Gentleman from Macon, Representative Alsup."

Alsup: "This Amendment allows the people by referendum to effectively have a bond issue. As a matter of fact, I'll give you an example - Decatur voted a bond issue ah.... of eleven million dollars for their schools. Now without this Bill, the County Clerk would have difficulty in extending that rate. And it's the wish of the People



apparently, that their taxes be continued at the present rate. What they were doing is reissuing some bonds that were paid off. And, I think a lot of other districts, as a matter of fact, I think this is sorely needed by the county clerks everywhere. Ah.. I think they'd be many, many areas where the county clerks would have the problem and we'd have to have some Supreme Court decisions. Because I think we'd be in tremendous conflict without this amendment. And, this is recommended by ah.. Taxpayers Federation. I'd appreciate your support."

A. Telcser: "Is there any discussion. Gentleman has offered to move the adoption of Amendment No. 11 in Special Session House Bill No. 1. All in favor of adoption signify by saying 'aye'. The opposed 'no'. The amendment is adopted. Are there further amendments."

F. Selcke: "Amendment No. 12, Maragos. Amend House Bill 1, as amended, on page two, line 13, by striking the word 'and', and on page 2, line 15, by striking the period and inserting in lieu.. inserting the following: 'and age advalorem property taxes levied pursuant to the local governmental and governmental employees toward community ct as now or hereafter amended.'"

A. Telcser: "Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker, Members of the House, in attempting to make this bill more palatable, this amendment was suggested by one of the proponents of the bill in the hearings before the Revenue Committee. And the purpose of



this amendment is to give some relief to any municipality or governmental unit which is being affected by this bill to the extent that if they have an unusual crisis or a big accident or anything that'll bring about a big law suit against that municipality or governmental unit which normally cannot be covered or foreseen when they levy their taxes, that they should have this opportunity to increase their levy by having this.. the funds for covering this accident or the losses that will ensue out of the Local Governmental and the Governmental Employees Toward Immunity Act to be covered so they can cover their liabilities, otherwise they can go bankrupt. And I think it is a logical amendment. It is a sound amendment and should be adopted."

A. Telcser: "Gentleman from Cook, Representative Palmer."

Palmer: "Will the sponsor yield for a question."

A. Telcser: "He indicates he will."

Palmer: "I don't have a copy of the amendment ah.. does it use the word emergency without qualification."

Maragos: "No, it does not use the word emergency. It just says.. I only said the word emergency in explanation. The amendment itself.. it says that they should be levied pursuant to the Local Governmental or Governmental Employees Toward Immunity Act as now and hereafter amended. And, under that act, it is my understanding, is that when they have these responsibilities of anything that is a law suit they have to pay money extra they can't sometimes



ah.. plan for them and they may be locked in now with something that may happen tomorrow that they cannot plan for them they should be given some excape clause to ah.. cover for that contingency."

Palmer: "Particular of all judgements that might be rendered against the municipality."

Maragos: "That's correct."

Palmer: "And ah.. that's fine. That will help pay the lawyer's fees."

Maragos: "And, also pay for the people that might be injured, too."

A. Telcser: "Gentleman from Johnson, Representative McCormick. Is there further discussion. Gentleman from Cook, Representative Simmons."

Simmons: "While we vote on this, Mr. Speaker, ah.. this deals with the same page and lines as Amendment No. 6 did and I think we should be sure that there is no conflict."

A. Telcser: "Representative Simmons ah.. Representative Maragos tells me that the conflict was corrected at the Clerk's desk. Apparently your copy of the amendment didn't have it. And instead of line g they put in a line h. Representative Simmons."

Simmons: "Ah.. the conflict that I had in mind was something different. In the Number 6, on the third line ah.. third and fourth lines it says 'striking the word 'and' ah.. then the back on twelve you try to take out the word 'and' again. And 'and' is already out."





A. Telcser: "Okay, the Clerk says he can correct that, Art. Okay, the Clerk ah.. informs us that he can take care of the ah.. the apparent conflict. Is there further discussion.. 12. Gentleman has offered to move the adoption of Amendment No. 12 to Special Session House Bill No. 1. All in favor of adoption signify by saying 'aye', opposed 'no'. The amendment is adopted. Are there further amendments."

F. Selcke: "Amendment 13, Tipsword. Amend House Bill 1, as amended, on page 2, line 13, by striking the word 'and'; and on page 2, line 15, by striking the period and inserting in lieu thereof the following: 'and aye advalorem property taxes extended by taxing districts to meet the costs of expenses mandated by governmental units or courts which would otherwise subject the taxing districts to penalty under law'."

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

Simmons: "Well, Mr. Speaker, this has the same clause as the other one did."

A. Telcser: "That's right. Gentleman from Christian, Representative Tipsword."

Tipsword: "Mr. Speaker, ah.. may I move to have the Clerk strike the language in the amendment on lines 2 and 3 which states, on page 2, line 13, by striking the word 'and'."

A. Telcser: "Yes, he'll do that right now, representative. Do you wish to ah.. "



Tipsword: "May I proceed on the amendment."

A. Telcser: "Pardon."

Tipsword: "May I proceed on the.."

A. Telcser: "Yes, proceed, sir."

Tipsword: "This amendment specifically offers to take care of those situations where agencies or courts under say the Environmental Protection Act come along and say to a county or a city this you must do in order to comply with the Environmental Protection Act of the State of Illinois or the Federal Government may do to require compliance with the Federal Act and other similar acts ah.. such as that which would require the expenditure of sums of money by the municipalities of the counties of the governmental units. And, if they did not do so, that the court of the governmental unit so demanding can subject them to penalties, such as a fine, or the loss of federal services or state services of some kind. And this is so that they can comply with these other penalizing statutes that we have already placed on the books."

A. Telcser: "Is there any discussion. Gentleman has offered to move the adoption of Amendment No. 13 to Special Session House No. 1. All in favor of adoption signify by saying 'aye', the opposed 'no'. Amendment is adopted. Are there further amendments."

F. Selcke: "Amendment 14, ah.. Amendment 14, Alsup. Amend House Bill 1, as amended, on page 2, line 15, be deleting the period and inserting in lieu thereof the following:



'and (j) advalorem property taxes extended to meet costs incurred resulting from the holding of elections as required under Illinois law.' Ah.. Alsup."

A. Telcser: "Gentleman from Macon, Representative Alsup."

Alsup: "The counties, some of the smaller counties, especially, and maybe even Cook County, is faced with the problem of elections every other year. And, in order for us to be reelected, and any other official, they're going to have to have some money to pay for the election. And elections are very, very expensive. So, this bill or this amendment would allow them, where they have an increase in their budget, for the elections, to do so. They have to have the elections to comply with state law and if they don't have any money they can't have any elections. Appreciate your support."

A. Telcser: "Is there further discussion. If not, the gentleman has offered to move the adoption of Amendment No. 14 to Special Session House Bill No. 1. All in favor of adoption signify by saying 'aye', the opposed 'no'. The amendment is adopted. Are there further amendments."

F. Selcke: "Amendment No. 15, Maragos. Amend House Bill 1, as amended, on page 2, line 23, by inserting immediately after the period the following: 'the extentions for any purpose or fund for a taxing district shall be decreased by an amount propoortunate to the decrease in the equalized assessed valuation of the taxing district as a result of a detachment of territory from the taxing district after



the date by which the taxing district was required by law to levy taxes for correction in 1973'."

A. Telcser: "Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker, I have referred this time to the ah.. minority spokesman of the Revenue Committee, Representative Tipsword, to give the explanation for the purpose of this amendment."

A. Telcser: "Gentleman from Christian, Representative Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen of the House, this proposed amendment is an addition or corolary to the language of Section 5 of the bill as proposed. In Section 5 it provides that when property is annexed from one taxing district to another taxing district that the equalized assesed valuation that was annexed can be added to the taxing authority of the district which annexed the territory. This amendment provides that the district from which the territory was detached would thereby.. would be reduced in its extending authority to the limit of the assesment or assesed valuation that was detached therefrom. It's just a corolary of taking it away from one and when we've already put it with another."

A. Telcser: "Is there any discussion. Gentleman has offered to move the adoption of Amendment No. 15 to Special Session House Bill No. 1. All in favor of adoption signify by saying 'aye', the opposed 'no'. The amendment is adopted. Are there further amendments."



F. Selcke: "Amendment 16, Maragos. Amend House Bill 1, as amended, on page 1, line 12, by striking 'including' and inserting in lieu thereof 'excluding'."

A. Telcser: "Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker and Members of the House, this is merely a change in word in a particular first.. second section of this Article where it says instead of using the word 'including' we use the word 'excluding' before the word 'home rule unit'."

A. Telcser: "The Gentleman from Johnson, Representative McCormick."

McCormick: "Mr. Speaker, ah.. his voice kinda went down right on the end and I didn't get a real clear ah.. a real clear indication of what this amendment would do. Ah.. I misunderstood, I think, didn't I Representative Maragos, it didn't exclude home rule units, did it?"

Maragos: "Well, having served just about two terms in the House, I'm learning from my illustrious colleague from the other side of the aisle from Johnson County how to raise and lower my voice and that being the case all it does, I said, it just corrects the spelling of the word from 'in' to 'ex' at the beginning of the word and from the words 'home rule units' ."

McCormick: "In other words, your amendment would exclude home rule units."

Maragos: "You are correct, sir."

McCormick: "Oh, that's a bad one."



A. Telcser: "Is there further discussion. The Gentleman from Cook, Representative Mike Madigan."

M. J. Madigan: "Mr. Speaker, Members of the House, I wish to support this amendment. It's a good amendment and it's consistent with the letter and spirit of today's Constitution. The Constitution of the State of Illinois as ratified by the voters in 1970, clearly set forth that home rule units would, in the future, have the ability to govern their own affairs without interference from the legislature except in instances where there were gross abuses of that authority. I don't think that the record of home rule units of the State of Illinois since 1970 indicates that there has been any gross abuses of that authority. In this particular area, in the City of Chicago, an ordinance was passed yesterday which will provide for the rebate of property taxes because of the revenue sharing program. In the County of Cook, the Board of Commissioners of Cook County, has, by ordinance, adopted the concept and body in these bills, which will provide for a tax freeze for the forthcoming tax year. This is a good amendment. There have been no abuses of home rule powers by Chicago or by Cook County and there's no evidence to support this effort which is an effort to preempt the home rule powers of Chicago and Cook County."

A. Telcser: "Gentleman from Cook, Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, what this amendment does, it takes the City of



Chicago and Mayor Daley's Machine out from under the property tax freeze. I wish that there'd be coverage of this because this is the guts of the program, ladies and gentlemen. The largest taxing body in the state is being exempted from this bill. The taxpayers don't understand it and it's done by an amendment offered by a Cook County Democrat supported by the Cook County Democrats."

A. Telcser: "The Gentleman from Livingston, Representative Hunsicker."

Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to ask the esteemed Representative from Chicago if this is also going to allow mass transportation systems to govern themselves without state aid."

A. Telcser: "Do you wish to respond, Was that a retor.. I think it was rhetorical, ah.. The Gentleman from Cook, Representative Bluthardt."

Bluthardt: "Well, I wonder if the Gentleman from Cook who is sponsor of this last amendment would answer a question. The question being if we over here in the non-home rule unit, and there are very few of us on this side, support this amendment, are you going to then desert us who represent non-home rule municipalities. We're going to need your help, too, because this is the most ridiculous bill that I've heard come up on this floor in the six years that I've been here. I don't see how in the world you can refuse to allow municipalities to extend taxes and receive revenues for those improvements that are brought



into town that require the assistance of police, fire and other types of services. We heard one amendment attacked here that would recognize that if there's a disconnection from one area and an annexation to another municipality that that annexing municipality would receive the benefit of these added valuations. Now, that doesn't make much sense to me because it really is just the opposite of the effect of this bill which says that if you do have an increased assessed valuation, and most of the communities around Cook County and DuPage County do have annual increased assessed valuations, most of those will not receive any benefits, yet they'll be required to give the services. This is an absolute absurd bill. It's a hoax upon the taxpayer. It ought to be tabled."

Maragos: "In answer to your question, Mayor Bluthardt, and Representative Bluthardt, I agree with your sentiments and I promise you that if you bring an amendment eliminating the non-home rule units I will also support it. Because you expressed my sentiments very much effectively."

A. Telcser: "Gentleman from Cook, Representative Palmer."

Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, the people that have complained to me about ah.. the taxes being too high include the people of Chicago. And I realize that none of it is in my district, but the complaint were.. the complaints were that the taxes were too high and, of course, they have the Republicans and the independants have very little voice in what happened in the City of Chicago. And therefore, they ask people in





the suburban area for some help in this direction. Certainly insofar as the alleviation of the tax burden is concerned. And the County of Cook being the only home rule county of the state ah.. is composed of a board of fifteen commissioners ah.. ten of whom live in the City of Chicago and five living in the suburban areas and they have very little to say about what ah.., you know, what happens insofar as the ah.. tax ah.. the things that ah.. the vehicle tax that they imposed upon areas outside of the ah.. of the City of Chicago, I think DesPlains is one of them, and so forth. So, the people that are complaining about this are people that are all over. There's no reason, there's no good and logical reason of extending this law to ah.. only non-home rule ah.. municipalities and governmental bodies and excluding home rule municipalities. Insofar as that's concerned it's the wrong classification. What we're talking about are people and that's the bill that's before us. Ah.. if we are to address ourselves to every complaint that the governmental unit has in reference to anything that concerns itself ah.. in ah.. this bill ah.. then, of course, ah.. we will come out with nothing. But we do represent the people and I, for one, did make a campaign promise which I hope to redeem here. And, ah.. I think that the amendment that is offered by my good friend, Representative Maragos, an esteemed gentleman, and learned man of the law, ah.. is ah.. is wrong. If we're going to talk about people, let's



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talk about all people and all sections of the State. And that's what the people are talking about. So I urge your defeat of this amendment."

A. Telcser: "Is there further discussion? The gentleman from Cook, Representative Hyde."

Hyde: "Very briefly, Mr. Speaker, Ladies and Gentlemen of the House, ah.... ah.... every session I'm told or.... or occasionally Senator Groan on the other side of rotunda introduces a Bill to have Chicago declared the 51st State and I thought I would never live to see the day that the ah.... gentleman from the other side of the aisle would at least by implication join that movement and include Cook County in an act of fee session, but that's precisely what this is and ah.... ah.... I certainly don't want to see forclosure again, and I hope this is defeated."

A. Telcser: "Gentleman from Johnson, Representative McCormick."

McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, we all know that this has been the thrust of the whole thing since last summer, and the thing that makes it hard for me to understand is simply this: Half of the people of Illinois live in Cook County. The half of the people of Illinois that live in Cook County own homes and are just as over taxed as the half of the people that live in down-state. I went up there last summer to pick up a boy of mine in Naperville, and I got off on the wrong road and got on that Wisconsin Toll Road, where you pay every two or three minutes and everytime I went up a little bitty



hill, I'd just look and there were homes everywhere I looked and there were people in homes. Like corn fields down in Southern Illinois. You mean to tell me that those people that half of people that live in Cook County are not entitled to a fair shake of the tax situation in Illinois? I know what..... Do you want to cut in Representative Shea? I'd be glad to...."

A. Telcser: "No, he doesn't want to, Representative McCormick."

McCormick: "The thing I'm talking about I just can't conceive of why it isn't, if it's a good thing for us, why it isn't a good thing for them and vice versa. I believe the taxes are something that's universal in Illinois and I believe the homeowner is oppressed whether he lives in Cook County or whether he lives in Cairo, as far as taxes are concerned and I think the Amendment would do nothing but ruin the Bill, and I would sure hate to see that done, and I would like to see the defeat of that amendment."

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

Shea: "I'd just like to bring Representative McCormick up to date that the City Council and the Mayor in that City that you talked about, Chicago. Yesterday they rebated some 27-1/2 million dollars in taxes to the homeowners in the City of Chicago. And they've applied another 50 million dollars in Revenue Sharing money to the reduction of taxes in this fiscal year, the one starting January 1, 1974. And I want to tell you that President Dunn and the Members



of the County Board, and as somebody said five of those are Republican and ten of them are Democrats, that they have stopped taxes at the rates that they were and have done everything that they can to do it. And I think one of things that you say with this Bill, Representative, is that those people that were elected back home don't know how to run government and you're going to run it from here in Springfield. And I think Representative Madigan put it so apply when he said the People adopted a Constitution and said that the villages and the cities can run their own affairs. What you want to do is time and time again make the People at the local levels come down here to Springfield, hat in hand and say to this General Assembly, give me the power to do the things that you tell me to do."

A. Telcser: "Representative McCormick, what purpose do you rise, Sir?"

McCormick: "Well, Mr. ah.... Mr. Speaker, ah.... I will wait until I explain my vote."

A. Telcser: "Is there further discussion? Does the gentleman wish to close. Gentleman from Cook, Representative Maragos, to close the debate."

Maragos: "Mr. Speaker, Members of the House. In asking for your support of this Amendment, I would like to state that this not only affects the City of Chicago, but this affects the City of Decatur, East St. Louis, Rockford, Peoria and many, many other home rule units throughout the State of



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Illinois. And it's amazing how many Amendments we went through this afternoon to try to make this package of Bills palatable even in the form for those who are the proponents. We say if EPA comes along, we from the State of Illinois say to them. The Environmental Protection Agency says 'ladies and gentlemen, you've got to put a new sewer system, or you've got to do something else to clean up our environment'. Yet we tell you you cannot have the money or the means upon which to bring those desirable affects into being. We tell them they have to run their elections on your local basis, yet we don't give them money, so we have to amend it in order to give them that right now. We say that if they have a big accident, have part immunity, liability, they still have to come back and say 'no, we from Springfield are going to tell you what to do. You don't know how to run your own house.' And I'm a little sick and tired of everybody saying that a poor Republican doesn't have any power in Chicago cause I wonder how many Democrats have anything to say in Sangamon County or Peoria County. I would also like to inform, Mr. Hyde that anytime Cook County succeeds and he comes to the right party, we'll make him the Speaker of that House. I would also like to state further as was pointed out by Representative Madigan and Mr. Arrigo who also served in the Constitutional Convention that we are within a year after the adoption and the effect of the 1970 Constitution turning tables, or what the People of



of the State of Illinois had to say it, that for a hundred years, the homerule.... there was no homerule in the State of Illinois and all of a sudden we are coming back with it one year after the new Constitution's adopted, they were taking those powers away from you that we gave to you in the 1970 Constitution. I don't think that this Bill, Mr. McCormick, is any better for the citizens of Vienna that it is for the citizens of Chicago. I will tell you the fact that we always cry that the People in Washington seem to think that they know what they can do and they think they can do it better than the People in Illinois and I say we are making the same mistake here in Springfield. We see if we can do better for the People of Vienna, for the People of Chicago, for the People of Decatur then they can themselves because we're the great big orators, we're the great big wisdom ah.... proponents that we have more wisdom than a poor man whose fighting the battles of his own cities, of his own locality, of his own township. We are strifling local government, and I will say to you, Mr. McCormick, in the form of relief of tax relief to the local citizenry, you are coming where you are taking away. The power for them to govern themselves, and if you want one State government with no township, with no county, with no cities being able to govern themselves, you are destroying one of the segments of our society, which has been one of the basis of our society, American Society, as we know it historically.



Do not be fooled by giving them a sugar pill, but give it a cure of our cities or of our towns or of our counties. And do not think that we have more wisdom to govern their problems from day to day than they are. That's why I ask you to adopt this amendment, ladies and gentlemen."

A. Telcser: "Gentleman has offered to move the adoption of Amendment No. 16 to Special Session House Bill No. 1. All those in favor, signify by voting 'aye', the opposed by voting 'no'. Gentleman from Johnson, Representative McCormick to explain his vote."

McCormick: "Ah.... Mr. Speaker, and Ladies and Gentlemen of the House, I hope I'm not misunderstood and I don't want to be. On the Floor of this House several times last summer and since, I have stated, I have stated that I thought that President Dunn and Mayor Daley were doing a fine thing for the People of their communities by giving the tax break that they were giving as far as the rates were concerned, but the simple fact remains and everybody knows that it remains that the tax rate really isn't the important thing about a tax program. It's the ability to raise the valuation or change the valuation in order to offset any tax rate. I don't know... I'm not saying that they will, I'm sure that they probably won't, but I'm saying that this is such an important thing that if it applies to Illinois for the one or two years, it won't hurt anybody and it will give us a real opportunity to show the People of Illinois that we as legislators are interested in them



and not just somebody that just runs the town whether its Vienna or whether it's at Carroll or whether it's anywhere else. So I would plead with you to vote 'no' on this amendment."

A. Telcser: "Have all voted who wished? Gentleman from Cook, Representative Maragos, to explain his vote."

Maragos: "Mr. Speaker, Members of the House, one further explanation, I would like to state. That personally I have been for all tax reform since I've been in this House, and I'll be introducing legislation in the next Session where we can give a lot of relief in a better way to our taxpayers in Illinois, but if we're going to tell the People in local communities that they've got to freeze their taxes, then we better state to us in Illinois and the State level that we've got to freeze our taxes, and let's not be trying to be cute and using duplicity and trying to play on an issue that we cannot give the proper relief through this media."

A. Telcser: "Have all voted who wished? Take the record. This question, there are 43 'ayes', 76 'nays' and the gentleman's motion to adopt Amendment No. 16 fails. Are there further amendments?"

F. Selcke: "Amendment 17. Bradley. Amend House Bill 1...."

A. Telcser: "Gentleman from McLean, Representative Bradley."

Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment No. 17 is very similar to, I believe, Amendment No. 6, ah.... introduced by Representative Schlickman, in





anticipating that the results would be similar ah... to save the time of the House, I now move to Table Amendment No. 17."

A. Telcser: "Well, we just won't offer it. O'okay. Representative ah..... Are there further amendments? That's it. Gentleman from Cook, Representative Schlickman, for what purpose do you rise, Sir?"

Schlickman: "Mr. Speaker, if I may, I should like to pose a question to the Sponsor of this Bill, Representative McCormick, and what I would like to ask him is if the Bill in its present posture, still covers those single purpose ah.... districts or units of government such as fire protection districts and sanitary districts?"

McCormick: "My understanding.... Representative Day has the Amendment. Was your Amendment adopted, Representative Day? In other words, the Bill is like it was for single member districts. Representative Tipsword had an amendment to cover that. Representative Tipsword, ah... did you withdraw your amendment?"

Tipsword: "There was a technical flaw in it, but I also withdrew it because there had been a vote on Representative Day's amendment that it indicated the desire of this Body."

Schlickman: "In that event, Mr. Speaker, having voted on the prevailing side with respect to Amendment No. 3, I do now move that the vote by which Amendment No. 3 failed, be reconsidered."



A. Telcser: "Gentleman has moved the vote by which Amendment No. 3 to Special Session House Bill No. 1 failed be reconsidered. All those in favor of the gentleman's motion to reconsider, signify by saying 'aye', the opposed 'no'. Do you wish a roll call, Sir? All those in favor of the gentleman's motion to reconsider, signify by voting 'aye', the opposed by voting 'no'. Gentleman from Christian, Representative Tipsword."

Tipsword: "Mr. Speaker, I think there is some confusion that is raised upon the Floor. I presume is this a reconsideration of Representative Day's Amendment, on single purpose districts?"

A. Telcser: "Yes."

Tipsword: "Thank you."

A. Telcser: "Gentleman from Cook, Representative Duff."

Duff: "Mr. Speaker, by ah.... request by way of explanation of vote, because there have been a series of Amendments offered, because we don't have the Amendments on our desks, because there have been a great deal of discussion, I wonder if Representative Schlickman an explanation of his vote, would do us the courtesy of giving us the import of this motion so that we can all understand it."

A. Telcser: "He indicates he will."

Schlickman: "Mr. Speaker, Members of the House, Amendment No. 3 would have exempted from the application of this Bill those single purpose districts such as park districts, library districts, fire protection districts. Specifically,



or putting it affirmatively, Amendment No. 3 would have restricted the application of this Bill to municipalities, counties, townships, public school districts and junior college districts. The districts that would be excluded by Amendment No. 3 constitute, I understand, about 8 per cent of our local real estate property tax dollars. Those districts are nowhere being taken care of in terms of being reimbursed for the property tax that they would lose. Municipalities will. Counties will. Townships will. Through Revenue Sharing. School Districts. Junior Colleges, as was argued by Representative Day, are being taken care of today, and through other measures and activities on the part of the State Legislature."

- A. Telcser: "Have all voted who wished? Take the record. This question, there are 37 'ayes', 46 'nays' and the gentleman's motion to reconsider the vote by which Amendment No. 3 was lost, be reconsidered. The gentleman's motion fails. Now, are there further Amendments? Third Reading. House Bill 2."
- F. Selcke: "House Bill 2. An Act to authorize....."
- A. Telcser: "Special Session House Bill No. 2 was read a second time yesterday. Are there any Amendments?"
- F. Selcke: "None so far."
- A. Telcser: "O'kay, Special Session House Bill No. 2 was read a second time. Are there any amendments? Third Reading."
- Hon. W. Robert Blair: "The gentleman from Union, Mr. Choate."



Choate: "Well, Mr. Speaker, inasmuch as the Rules provide that the adopted amendment be placed on the ah... Members desks, I would assume that it would take fifteen or twenty minutes for this to be done, I would like to ask leave of the Speaker and the House for the House to stand in recess for fifteen or twenty minutes while there is a Democratic conference."

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

Hyde: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I would just like to announce that over in the Senate they are still coming to grips with the various matters that they've been coming to grips with for the last day, and we are cautiously optomistic that ah.... we will ah... be successful. I might add, that we do still hold out hope that ah.... we could finish up today, ah... and ah.... so we're going to ask.... I now ask, Mr. Speaker, that we stand in recess for a period of thirty minutes, ah.... to return in thirty minutes. No conference, but to just be in recess."

R. Blair: "Gentleman from Union, Mr. Choate."

Choate: "Then, Mr. Speaker, I would ask the Democratic Membership to come to Room M-5 immediately, so that we might get back on the floor of the House, by the time that the thirty minutes recess is over."

Hon. W. Robert Blair: "All right, that will be about 3:35."



Hon. W. Robert Blair: "All right, we're back into the Special Session. Gentleman from Cook, Mr. Hyde."

Hyde: "Mr. Speaker, I now move that the Special Session of this House stand in recess for a period of twenty minutes."

Hon. W. Robert Blair: "All right, all those in favor of the gentleman's motion, say 'aye', opposed 'no'. The 'ayes' have it."



On the calendar appears House Bill 1 ah.. which is on the order of Third Reading. On which the Gentleman from Johnson.. Gentleman from.. The Chair recognizes the Gentleman from Johnson, Mr. McCormick."

McCormick: "Mr. Speaker, Ladies and Gentlemen of the House. Ah.. before we recessed or whatever we did a while ago, I agreed that in moving House Bill 1 to Third Reading that Representative Choate said that he was in position to have another amendment drawn. He'd like it considered. And we agreed that it would be called back for another shot at this one amendment. And that's the only agreement that we made and I think that we should do that Mr. Speaker since it was an agreement."

W. Robert Blair: "All right. Then, with leave why.. we'll once again take House Bill 1 in the Special Session back to the order of Second Reading for this one last amendment. Ah.. the Chair.. the Clerk will read the amendment."

F. B. Selcke: "Amendment No. 17. Choate. Amends Special Session, House Bill 1, as amended on page one by striking everything after the enacting clause, inserting in lieu thereof, Section 1. Definitions. A, Qualified persons any individual who's paid an ad volorem property tax which became due in 1973 on qualified property. B, Qualified property is a single family residence which is occupied as a residence by its owner. Section 2. The Department of Revenue shall pay to each qualified person who presents (1) prime of evidence payment of



ad valorem property taxes on qualified property which taxes become.. became due in 1973 and (2) prime of evidence of the amount of ad valorem property taxes paid on that same property in 1972 which taxes became due in that year an amount which shall be the excess of the ad valorem tax paid in 1973 over the amount paid in 1972 on that qualified property provided however that no qualified person shall be required to show that payment was made by him of those taxes which became due in 1972. Prima facia evidence may be cancelled checks, receipts, certified copies of official records of the taxing body, or such other evidence as may be determined by rule of the Department of Revenue to satisfactorily show payment of ad valorem property taxes. Section 3. Payment by Department of Revenue under this act shall not be made prior to September 1, 1973."

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

Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I mentioned.. I mentioned yesterday in the debate to discharge the Revenue Study.. the Revenue Committee Study of House Bill 1 that I thought we were acting a wee bit hasty if we attempted to bring about a complete and absolute and total tax freeze under the guidelines of that bill without taking due deliberations and indepth studies as far as the far reaching impacts of that bill and the proposals which it tended to make was concerned.



I said at that time that I felt that we should confront a tax freeze started from the standpoint that we would attempt to do something as immediate as possible for the taxpayers of this State, and that we would attempt to do something that would be constitutional as far as the language of the Bill is concerned. The Amendment that I'm offering now, the Amendment to the property tax freeze Bill, which Representative McCormick is the chief Sponsor of, and I laud him for the attempt in this measure which he is attempting to make, because as I stated on the Floor yesterday, I voted for him in the last Regular Session, the tax freeze, and I fully intended to support him in the tax freeze measure which he had now. However, the only area of disagreement was the fact that I felt that it should be delayed and further study given to it until the beginning of the next session. Consequently, the Amendment that I'm offering to his property tax freeze Bill, I believe will provide an immediate solution to the problem of the homeowners and the taxes they will have to pay in nineteen and seventy-three. The simple intent of the Amendment is to provide property tax relief to every homeowner in Illinois now and not next year. In simple language, the amendment provides a direct grant from the Illinois Department of Revenue to each homeowner for the difference between the taxes paid on his home in 19 and 73 and the taxes he would pay in the 1972 and the taxes he would pay in 1973. All an individual would have to do is

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to send proof of payment of the two bills to the Department and he would receive a check for the difference. And this would in no way curtail the amount of revenues that it would take to operate your local units of government and the budget they have prepared. I think, Mr. Speaker, that this is an attempt to bring immediate relief to the property owners of the State. I realize, I full well realize, that it does not do probably everything that Representative McCormick and others, including myself, would like to do in a.... in a complete and absolute overhaul of the tax structure as far as the property taxpayers are concerned. However, I would think that if we take this and bring immediate relief to the homeowner, that we could utilize the context of the Senate Joint Resolution, that Senator Partee sent over yesterday and study the rest of this all important question for a period of a couple of months and thereby bring about an effective and everlasting, everlasting tax reform, that I'm sure that we all want to have. I would move for the adoption of this Amendment, Mr. Speaker."

Hon. W. Robert Blair: "Gentleman from Johnson, Mr. McCormick."

McCormick: "Ah.... I think, Representative Clabaugh really wanted to be recognized first if it's alright with you."

Hon. W. Robert Blair: "Well, you know....Gentleman from Champaign, Mr. Clabaugh."

Clabaugh: "I would like to ask Representative Choate one question, Mr. Speaker. Will he yield?"



Choate: "I'd do my very best to answer it."

Clabaugh: "Ah.... would this in any way.... I'll put it this way, how would this affect the farmers, taxes on his farm that lived on the farm?"

Choate: "I don't think that it would affect the ah... the ah... This is one of the areas which I was completely unable to determine in my own mind, to be quite honest with you about it; that ah.... I was absolute that he would be covered. I'm not absolute about that, and I talked about it in my conference and I've attempted to devise language that would bring an absolute relief to the farmers the same way it would to the individual homeowner. It appears to me that if there's some way in the taxing of his farm that he should and rightfully could be given the relief on his home, not on his entire farm, that the other individual homeowner would have."

Clabaugh: "I don't think there would be any question that a formula could be worked out so that the part of his farm that would be ah... designated as home... ah...."

Choate: "I think that some of the attorneys on my side at least, and some county officials have told me that it would bring him relief on the described tract that he pays taxes on on which his home resides."

Clabaugh: "Thank you."

Hon. W. Robert Blair: "Gentleman from ah.... Cook, Mr. Duff, wants to be heard."



Duff: "Will the gentleman yield to a question? Ah.... the ah.... in Cook County, there's a reasonably reassessed properties in one quadrant ah.... by changing from a depreciated method to ..... Can you hear me now? In Cook County..... Mr. Speaker, could we have a little order, please? In Cook County, they have recently changed in one quadrant from a depreciated method to a fair market value method of ah... assessment. And if I read this Amendment correctly, which I just saw and I'm not sure that I do, ah... it would give me a concern that I would like to ask you about. Those homes which have been, older homes which have been put under a fair market value, now let's say in communities like those that I represent, ah.... would have in large part, larger tax bills next year. Ah.... many homes would have lower tax bills, next year, but because it is essentially a change in the assessment method, ah.... and the total revenues to the communities might to the same, as I read this Amendment, it would not be possible that all of those homes which would be taxed lower, would in fact, still be taxed lower and yet all of those that would be taxed individually higher, could not be. And that would, would it not, affect a serious overall reduction in the revenues available to those communities?"

Choate: "It wouldn't bring about a reduction of revenues in those communities at all by this particular amendment. The only thing the Amendment does, and it doesn't have



anything to do with the fair market value or anything of this nature, Representative Duff. It says that you, as an individual homeowner, will chance freezing your homeowner tax for a year. It says that the amount that you paid in nineteen and seventy-two, under no circumstances, will you pay more than that amount in nineteen and seventy-three."

Duff: "I understand that and that's the problem."

Choate: "You will pay them through the local government bodies. Don't misunderstand me on that, but you will be rebated or refunded from State government, Department of Revenue."

Duff: "Thank you."

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

Pappas: "Will the Sponsor of the Amendment answer one question? All right, Representative Choate, as you know, we passed this circuit breaker for Senior Citizens, in the past Session. What affect, if any, would this Amendment have on that particular, in other words on the retiree?"

Choate: "The only thing that this does is more or less and to a degree give to the rest of the homeowners throughout the State of Illinois what we have already given to the older people and to the disabled."

Pappas: "In other words, it will not affect what they're going to get?"

Choate: "The only way it could affect them, is help them more."

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



Simmons: "Will the Sponsor of the Amendment answer a question?"

As I read this Amendment and understand it, it would destroy, if we enact it, it would destroy the incentive for local taxing bodies to keep down their assessment.

In fact it would do just the opposite. All of the taxing bodies could say, well we'll raise our taxes to the limit and let the State pay back the overage. I think it would wreck the State of Illinois financially if it were adopted."

Choate: "Representative Simmons, I think if you will read the Amendment in its entirety, that you'll find that it's for a one year period only, and the ah.... most of your agencies have already have had the budget set that this would affect and is already assessed for that period."

Simmons: "Well, I believe even if it is for one year.... You see, they've already made their assesement and levied for the year 1973. You can't go back and change them, and this is the year we're talking about."

Hon. W. Robert Blair: "The gentleman from Sangamon, Mr. Gibbs."

Gibbs: "Will the sponsor yield to a question? Representative Chaote, my question is on the same lines as Representative Simmons in reference to these levies, and assessments. It's my understanding they could go back and reassess in certain areas, and ah... assuming that they could, do you have any idea what this would cost the State of Illinois in extra funds if they assessed up to their limits?"



Choate: "I would.... I would.... I certainly can't tell you the exact amount of money that it would cost, but I have an estimate of somewhere between fifty and sixty millions of dollars. This is the maximum."

Gibbs: "And then the second question, and I didn't get your answer concerning Representative Simmons on this.... Doesn't it in affect give them an open check book to write whatever they want or reassess or assess whatever they want to and then the State would have to make up that money?"

Choate: "No, I didn't hear you again. There's a wee bit of other conversation. I would ask you to talk a little louder."

Gibbs: "I just wanted a clarification on the ...on Representative Simmons question concerning the fact that if they did go back and reassess up to their limit, doesn't this give them an open check book in that the State will have to stand that expense?"

Choate: "It is my opinion that, maybe you know more about it than I do, but I don't think they can go back and change the ah.... assessments that they've made."

Gibbs: "Well, if they could, they would be able to under this Act. Is that right?"

Choate: "No. No. It doesn't have anything to do with the assessment laws at all."

Gibbs: "No, it doesn't at all, but if they have that ability or that right to do it, then this Bill would allow them to come in and do that."



Choate: "No, September was the deadline for that."

Gibbs: "So we would be limited then by the September 1 assessment."

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

Fleck: "Will the Sponsor of the Amendment yield for a question?"

Choate: "No."

Fleck: "I noted that you've got qualified property as a single family resident. Now I'm from the City of Chicago and ah.... a lot of the Representative on the other side of the aisle are also, and we have a lot of two-plex and three-plex. Why couldn't an owner of a three-plex come under the qualified property. It seems like we're discriminating against the person who might have a two-plex building."

Choate: "Are you talking about like a condominium, where you might own one of those real plush four or five bedrooms... that we don't know about in southern Illinois?"

Fleck: "No, ....."

Choate: "If that's what you're talking about.... I know what you're talking about. I've been told, by at least those who I've certainly respect, that this person would get his back for the portion that he owned or that he lived in."

Fleck: "I didn't quite follow that. If a person has a two-flat building, would they get a rebate....."



Choate: "Are you talking about a three unit apartment building for example, and the owner lives in one of the apartments?"

Fleck: "That's right."

Choate: "He gets it back. That's his home."

Fleck: "Well, you have a single family residence as qualified property, under the definition. Now, if a two flat building is not a single family residence, because you have two familieis living in it...."

Choate: "If this doesn't do exactly what you want it to do, and I do think it does, though, if I understand what you're saying, why if you can write it better than that, why you tell me and I'll change it for you. You're from the city and I'm not."

Fleck: "You'd do just as well, Clyde."

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

McMaster: "Will the Sponsor yield to a question?"

A. Telcser: "He indicates he will."

McMaster: "Clyde, let's go back to the ah.... ah.... the taxing year of this. If I recall the tax freeze legislation, ah.... it freezes things that the amount of money collected that was levied for 1973. Is this right?"

Choate: "This is not going beyond the one year if you want to call it a freeze or whatever it might be..."

McMaster: "Let me continue, Clyde. You're talking about the taxes levied for the year 1973. Right? And we also know that the ah.... levies have been made for that year, and therefore, they cannot be change. There cannot be more





money collected. Then essentially your Bill does nothing. Your Amendment does nothing."

Choate: "Well, I'm glad that you interpreted it that way, but that ah... is your prerogative. That isn't the way that I interpret it."

McMaster: "Well this is what I'm confused on.... the year that when the taxes have been levied for 1973 and the year when we are using the ah....."

Choate: "I would guarantee to ah... if we had a way of finding out from all of the property owners throughout the State of Illinois that each and every individual one of them, their tax bill has increased from the 72 assessment and the Bill that they paid in 1972. And I would assume that due to the nature of where they might live or wherever it might be, that it's gone anywhere from 25 to maybe 60 or 70 or 100 dollars in each given instance. Now if this isn't doing something for them, I don't believe that they would agree with you when you say it isn't doing something for them, because I feel that it's giving them immediate tax relief for this 73 year, 73 payment."

McMaster: "The question in my mind is in the year when the levies are effective and the year we are using for the tax freeze. It's possible that by going through the Amendment you are probably right. Another thing that concerns me is the real estate taxes on farms. I certainly feel that the farmer needs relief as every other owner does. You stated that in all probability that part of the land that



had his house on it, you had made your figures on it.

O'okay, my house is on a quarter section of land. Therefore, we're talking about all of the taxes on that quarter section?"

Choate: "Well, you see, when you talk about a farmer getting..

If you own eight hundred acres and you get a tax break on a quarter of section, where your home is resided, permanently your residence, you're in no different shape in this particular instance than the businessman who lives on Mulberry Street in a little home and he gets a tax break, but he doesn't get a tax break on his small business that he owns over on Grover Street or wherever it might be."

McMaster: "This I know, Clyde. But also, you might run into someone else whose home is based on a part of his farm that is listed as a separate tax Bill on forty acres."

Choate: "Then, that's all he'd get."

McMaster: "And then....."

Choate: "Well, if you can come up with a more equitable answer to it under these circumstances, Representative McMaster, I'd be happy to ah... incorporate it in here. Ah.... I don't know. There's no difference again, when you talk about the amount of land surrounding the farmer's home. That's no difference again than the guy that's got a big home, the guy that's got a little home. They still work in the same plant. One guy's spent a little more.... One guy's saved his dough a little bit more and he's bought a little larger home than I did....."



A. Telcser: "Gentleman from McHenry, Representative Lindburgh."

Lindburgh: "Clyde, what about the situation of a new home where last year it was taxed, at say forty-one dollars, as a vacant lot, and this year there would be a tax bill for a new home of say twelve-hundred dollars. Does the State pick up that fellow's tax Bill?"

Choate: "No.... No, now George you haven't read the Amendment very good, because a year ago when that was a vacant lot, it wasn't a one family residence, unless you had a tent."

Lindburgh: "It doesn't say that, though."

Choate: "Yes, it does."

Lindburgh: "Not on Section 1.... Section 2. It just says make reference to that word."

Choate: "As you'll see in Section 1, it says 'qualified property' and down in paragraph d, it says 'qualified property is a single family residence, which is occupied as a resident by its owner.' In the year past, if it were a vacant lot, it would not be qualified property or a single family resident."

Lindburgh: "It is qualified in 72. There's no reference to the fact it was not qualified.... I'm sorry, it is qualified in 73. There's no language in here as to whether.... relating to its qualification in 72. It's in the present tense for 73."

Choate: "Go down to lines 14, 15 and 16, and I would think that it would again clear up your mind it, because it says that same property."



Lindburgh: "It doesn't say the same qualified property."

Choate: "Well, now that we're nitpicking a little bit..

I don't think that anybody would.. If you want me to put qualified in, I will."

Telcser: "Gentleman from Cook, Representative B. B. Wolfe."

Wolfe: "Ah.. Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I support the amendment whole heartedly because the thrust of this is very much like House Bill 4267 which attempted to give a direct tax break to the real estate home owner in the State of Illinois and this is the largest segment of real estate property taxpaying class in this state. Now, it's a very simple bill. The formula is very simple and the taxpayer is going to feel the result of this bill in 1973. And this is one of the distinguishing features of.. of this amendment as opposed to the tax freeze we were considering before which would not be felt, if at all, until 1974. Now, the simplicity of the bill is such that the ah.. homeowner and it only involves actual payments of taxes in two years. He takes his tax bill for 1972 that was paid by him and the bill that he gets in 1973 is higher when he pays that. He takes his evidence of payment to the Department of Revenue and they make a refund to him for the difference of taxes paid in 1972 as against what he paid in 1973. It does not affect any units of local government. It does not affect the taxes collected by these units of local government. So, therefore, there will



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be no impact on school districts, junior college districts, special unit districts and so forth. It will not affect any of the home rule units and I think limiting this tax relief and tax reform to one year, we will be able to determine when we come back in the 78th General Session the affect of it. The ah.. necessary changes that might have to be made and really come up with some meaningful legislation ah.. to continue perhaps tax reform ah.. in the years ahead. So I would whole heartedly support the amendment. Ah.. I would feel that it does guarantee as we have been saying a guarantee to the taxpaying property owner in the single family residential class real relief in 1973."

Telcser: "Gentleman from Cook, Representative Juckett."

Juckett: "Ah.. Mr. Speaker will the sponsor yield for a couple of questions?"

Telcser: "He indicates he will."

Juckett: "Ah.. my understanding of tax law is that a tax either becomes due or becomes alien on the property as of January 1 of the tax year. And so the 1973 tax which you're talking about becomes a lien on the property of 1973 but is not payable until 1974. So your relief here.."

Choate: "Wait a second. This is the property tax paid in 1973."

Juckett: "You're talking about ad volorem property taxes which taxes became due in '73. Okay. That's the 1972 tax."



So, you're going to use the '71 tax as a base. But I don't think that's what you've said in here. You've referred to the '73 tax which is payable in 1974. So.."

Choate: "No.. no.. the tax paid in 19 and 73."

Juckett: "But, aside from that point. Now, let's take the situation say of an owner of a single family residence.. say a ranch house.."

Choate: "Start over again."

Juckett: "Take an owner of a single family residence.. a home.. constructed.. already up and they add a second floor. And there happens to be ah.. about an \$800 difference in the tax. Under your bill as written, the state would pay for the improvement in that property."

Choate: "In the first place, I would believe it was an erroneous example when you say it would go up \$800."

Juckett: "Well, I could give you an example. My own home. We put a second floor and it went up over 800."

Choate: "But you guys do bigger homes up there than we do down where I live."

Juckett: "It's not a big house. And ah.. that's down in your district."

Choate: "They're a little more plush. But that's beside the point now. I don't think.. I really don't think that you would have, even if what you say is true, that you would have this many instances throughout the State of Illinois in this one given year where it would make that material amount of difference. But I don't think also



that that would be the same property that we're talking about.. in the bill."

Juckett: "Well, ah.. Mr. Minority Leader, I think your attempt is very noble but I think your qualifications have so severely restricted it.. In other words, you could knock out a.."

Choate: "Are you talking about my qualifications or the qualifications of.."

Juckett: "Your qualifications as set forth in this bill pertaining to this matter has so severely restricted it that you would be granting say a tax break for somebody who is living in a single family residence having a \$20,000 tax bill and having a \$1,000,000 evaluation on the property. But you would knock out the very small, inexpensive duplexes or two-flat situations that Representative Fleck talked about. It might have a sale value of 10, 15 or \$20,000 and you, of course, eliminated that completely. And, of course, you've got to realize that many of the people who are affected by this are those who are living on limited income and who have joined with other families, say their son and daughter. You, of course, have eliminated them. But I think that you've got a problem on your tax payment which we might not be discussing the year in question that you're talking about but a year from now enough that would be no better than the Governor's program."



Choate: "Well, let me respond by simply saying this, we evidently in the first instance do not interpret the language of the Bill ah.... in the same manner. I'm not a tax lawyer as you well realize. In fact, I'm not a lawyer period. But I can only go back to what my good friend, C. L. said about his big Bill that's much broader in scope than this simple.... what I consider a simple attempt to bring relief to the individual family style home. Immediate relief. If you, just like my friend, Representative McCormick, said yesterday about the big Bill, if you can find ah.... a little Amendment that will clarify it in your mind and better it, certainly I would take it. However, I would say this to you also. That when you're talking about the differences involved here between one home and another and things of this nature. Certainly there is not the differences involved in that that there would be in the other proposed legislation between the corporate bodies, and the small family homeowner."

A. Telcser: "Gentleman from Cook, Representative Palmer."

Palmer: "Mr. Speaker, I'm going to make a point of order, under Rule 47B, which reads 'no amendment shall be in order which is not germane to the subject under consideration'. If we read the Bill as amended, it has to do with the extension of taxes by the county clerks. The Amendment that he proposes has to do with some form of what we have called in this House, generally call revenue sharing. Now, it is





not germane and I request the ruling on that particular point."

A. Telcser: "Representative Palmer, the Amendment is germane."

Palmer: "Well, since there's been a ruling, I suppose I'm not going to take exception to it. Ah.... although I disagree with the Chair on it. The second question would be...."

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

Choate: "Only to say that I concur in the Speaker's ruling and for ah.... Mr. Palmer's edification to simply state that ah.... it might not be the kind of freeze that he was anticipating in House Bill 1 in its original form. However, I'm sure that the individual property owner that we're attempting to bring immediate relief to throughout the State of Illinois that's going to see his taxes on that property remain the same for a one year period while we give this further and more indepth consideration in the immediate months ahead would feel that it is germane and I... I certainly agree with the Speaker's ruling."

Palmer: "Well, may I responde then to that ah... that statement and I certainly think that every homeowner in a single family home, occupying residence owner, would like to get a tax break, but that's not the point. The point here is one of constitutionality. And I would like to go back to the original Bill that has to do with the duties of the county clerk in respect to the extension of taxes.



The Amendment has to do with the Department of Revenue, which there is no appropriation Bill on. There's no fiscal note on or anything else, and to that point, I address myself."

A. Telcser: "Ah.... gentleman from ..... Oh, I'm sorry."

Palmer: "The other ah.... part, it seems to me that we did have a Supreme Court decision not too long ago, having to do with the authority with the Governor and presenting a veto, an amendatory veto, which had to do with a change of substance of the original bill, which if my memory is right, the Supreme Court held it was unconstitutional. In this particular case, it is analogous. We have a situation again where the Bill concerns itself with the duties of the county clerk in reference to the extension of taxes and an amendment which has been offered here which has to do with paying back by the Department of Revenue monies to the homeowners in excess of certain limitations, I believe in 1972. And for that reason, I submit to the Chair and would like a ruling as to its.... on the point of order as to its constitutionality." The reason being the constitution says it has to be read on three different days and the Amendment certainly hasn't been read on three different days."

A. Telcser: "Did you make a parliamentary inquiry, Representative?"

Palmer: "Yes."



A. Telcser: "Well, ah... the Chair will rule, Representative, and it has been done in the past, that the Amendment, if they are adopted to the Bill, the Bill has been considered the number of days which it had been read, and should the Amendment be adopted, then the Chair's ruling that ah.... that the required number of days according to the constitution would be met."

Palmer: "All right, then I would like to ask the Sponsor a question, ah... if he would yield."

A. Telcser: "He indicates he will."

Palmer: "Will it be paid out of any appropriation in Fiscal Year 1973, and if so, which appropriation?"

Choate: "There's a prefiled Bill on the Clerk's desk, I believe at the present time. It's here ready for filing, that is, a prefiled bill to appropriate money to the Department of Revenue for this purpose."

Palmer: "How much money has been spent out in the prefiled Bill?"

Choate: "Thirty million dollars, and I think it will probably cover it."

Palmer: "There's no fiscal note?"

Choate: "There's one being prepared."

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

Hirschfeld: "Thank you, Mr. Speaker. Well, with the permission of the distinguished ah... Minority Leader and since it's not January the 10th yet, I wonder if I might come to



support and ah.... in response to Representative Juckett's question, ah... it seems to me that on Line 15 ah.... Representative Choate, you say that it refers to taxes paid on the same property and I am a lawyer and it seems to me if somebody makes an improvement on the property, it would not be the same property, so I think your Bill does cover that."

Choate: "I'm glad that you came to my rescue prior to the 10th."

A. Telcser: "Gentleman from Christian, Representative Tipsword."

Tipsword: "Mr. Speaker, Ladies and Gentlemen. We've debated this Amendment at length. It's really a rather simple Amendment. It's uncomplicated in its language, so I would like to move the previous question."

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 and the gentleman from Union, Representative Choate. Representative Duff, for what purpose do you rise, Sir?"

Duff: "Point of order, Mr. Speaker."

A. Telcser: "State your point, Sir."

Duff: "Ah.... this Bill is on Second Reading at this time. There's been reference made to the fact that no fiscal note is on it, but nobody has asked for one, and I would like to formally ask for one."



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

Choate: "Not being a parliamentarian of the degree, I'm sure that my good friend Representative Duff is, ah.... I would like to point out to him and I'd like to ask the Chair whether, that in the first instance, this Bill has been to Third Reading, called back to Second for the purpose of the offering of an Amendment. It is my opinion that the fiscal note should have been asked for prior to that time, and in the second instance, I would like to ask him why he didn't ask for a fiscal note under the original bill?"

A. Telcser: "Representative Duff, for what purpose do you arise?"

Duff: "For purpose of response to the inquiry, Mr. Speaker, I have a comment. First of all, the book says that if the bill is on Second Reading and a fiscal note is required, it will be held on Second Reading until the fiscal note is applied. The Bill is, in fact, on Second Reading. I asked for a fiscal note because the parliamentary debate at this point in time indicated that it should be asked for."

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

Shea: "Mr. Speaker, I refresh the Chair's memory when the distinguished gentleman that just spoke, Representative



Duff, had House Bill 3636 on Third Reading, and I asked him to bring it back for an Amendment and the Amendment wasn't adopted and I asked for a fiscal note at that time. The Chair ruled and I think rightfully so as Representative Duff then said that once the Bill has gone to Third Reading and it's brought back only for an Amendment to Second Reading, it's too late to ask for a fiscal note at that time."

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

Duff: "Mr. Speaker, I would refresh our respected colleague from Cook County, by reminding him that I did in fact hold the Bill, and did in fact go down and get a fiscal note, and did in fact come and give it to him."

A. Telcser: "Well, in order to save a little time, ah.... the Chair will rule at this time, that ah.... we are discussing an Amendment, not a Bill. The Amendment has not been adopted yet, so it's not really a Bill yet on second reading, and if the Amendment is adopted, we can deal with the question at that point. Representative Meyer, for what purpose do you rise, Sir?"

Meyer: "Question to the Sponsor."

A. Telcser: "He indicates a yield."

A. Telcser: "Oh, I'm sorry, the previous question was moved. Gentleman from Union, Representative Choate, wish to close the debate?"



Choate: "Mr. Speaker, only in one short statement will I close the debate, and that is to say this and say this simply that if we're truly interested in giving the individual homeowner of this State an immediate tax break, here is the opportunity. If we're truly interested in pursuing this all important tax reform question further, on a broader scope, we have an opportunity, now by giving the homeowner a break in taxes and pursuing this important question under the guidelines of the Senate Joint Resolution, which I understand has been sent to this House asking that this question be studied by the fiscal revenue committee. This is what I think we should do. I think we should give those that we can afford to at the present time, constitutionally, give them a tax break and then pursue a greater and broader in scope study in the next session of the General Assembly. I would ask for the adoption of the Amendment."

A. Telcser: "Gentleman has offered to move the adoption.... Representative Juckett, for what purpose do you rise, Sir?"

Juckett: "Point of order."

A. Telcser: "State your point."

Juckett: "Ah.... I believe Representative Palmer raised a point of germaner. And I believe the Chairman did make a ruling that it was germane. I might quote that Chapter 120, Section 643, which is the Section we're talking about, is the determination of tax rates, and I would



submit, Mr. Speaker, that this has no bearing whatsoever to the Amendment that is now being offered."

A. Telcser: "The Chair has made its ruling, Representative Juckett. Gentleman has offered to move the adoption of Amendment No. 17 to Special Session House Bill No. 1. All in favor of adoption, signify by voting 'aye', and the opposed by voting 'no'. Gentleman from Johnson, Representative McCormick."

McCormick: "Mr. Speaker, Ladies and Gentlemen of the House. I'm explaining my vote. For almost a year, well, it seems almost a year, I have been working every way that I possibly could, to find somewhere, someplace that we in this House, on both sides of the aisle, could reach some kind of an agreement, whereby we could give some relief to the homeowners in this State. I tried my freeze bill, and it's been frozen out by some of my friends and certainly not all of the Democratic party. I have wrestled every Amendment and have taken almost every Amendment that would give People relief in this State. I never started out in the beginning to do this because of any political implications. I think that this is such an important matter that it is important where something is exactly germane or whether you like something or whether you don't. I think if we can get something on the book that will give the homeowner some relief in Illinois, this General Assembly can get on the record, as being responsive to the Will of the People of Illinois, and that's exactly what





they want. I have not enough pride and authorship in this Bill but what I would be glad to accept this Amendment. I will be glad to accept this Amendment. I'll be glad to give the Bill to Representative Choate, and let him take it to his colleagues on the other side of that aisle over there, and see if he can get it signed. All in the World I want and all in the World the Republican Party wants and the Democrats that did support so far is to give relief to the homeowners. It may not be complete. It may not be everything that we want, but ladies and gentlemen let's not go home without this Bill passing tonight. And I'm for it and I'm going to vote for it and when I get done with it, I'm going to give it to Representative Choate and maybe his luck with the Democrats over there will be better than mine has been with the People downstairs."

A. Telcser: "Gentleman from Cook, Representative Meyer."

Meyer: "By-way of explanation of my vote, I wonder if the Sponsor of the Amendment would yield to answer a question. It would appear to me, Representative Choate that your Bill does not provide relief for those People who live in apartment buildings, the renters. Is this true?"

Choate: "I'll tell you what, I don't think it does, but if you can give me an amendment real quick that will put it on there and help them, I'll take it."

Meyer: "I'll try."



A. Telcser: "Gentleman from Champaign, Representative Clabaugh."

Clabaugh: "Mr. Speaker, I can't vote for this Amendment to this Bill, for various reasons. One, is simply this. Some tax relief for the farmer, who is the most overburdened taxpayer in the State of Illinois. It's been one of my principal interests, and to give him relief on that small part of his farm holding, where he lives as a residence is just about like giving him no relief at all. I've been impressed over the years with the difficulties that the farmers are facing, and I cannot give up yet, that we can't do something for him. I've heard an awful lot as a layman about unequal treatment and unconstitutionality about unequal treatment. Now, if you can make me, show me one example where there could be anymore unequal treatment to taxpayers, real estate taxpayers than this amendment proposes, I would like to know what it is. I don't know what proportion of the People in this State lives in one family residences, but I know it's certainly not a very large percent. This Bill, this Amendment and the Bill if it's adopted, would help only the one-family residence if it is lived in by its owner. Now if someone is fortunate enough and many are to own a piece of property and live in it that is worth a hundred thousand or two hundred or whatever amount, he gets relief. But if he owns, another person owns one, two, or three or four apartment building and lives



in one of them, he does not get relief. Now that is not equal treatment under any consideration at all. It is a very unfair and inequitable amendment. If it's adopted to the Bill, I shall vote for the Bill, but I certainly shall not vote for the Amendment."

A. Telcser: "Gentleman from Moultrie, Representative Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen. I will agree that this Bill does not give immediate relief to the farmers, and I am much interested in the farmer as anyone here. I have a father and two brothers that are farmers. However, when I look at the original Bill, I find that it gave no immediate relief to the farmer either. He got no relief under any circumstances until the year 1974. Now this Bill does give the farmer a little relief. It would, if it does what Representative Choate wants it to do, give him relief on his homestead, on the home that he now occupies, and this is immediate relief, and that is what Representative Choate is trying to do in this Bill, is to give relief and immediately. We, in the next session, can go to work of giving the farmer relief that he justly deserves for the year 1974. I think this is an excellent amendment. I agree with Representative McCormick we should adopt it and get on with the Session coming up, giving the relief they're entitled to then."

A. Telcser: "Gentleman from Cook, Representative Fleck."

Fleck: "Mr. Speaker, Ladies and Gentlemen of the House, this whole Special Session has really been reniged. If it



wasn't so boring, it would be classified as one of the greatest shows on earth. We had the original Bill and a parade of Amendments this afternoon to the point that no one knew the shape the original bill was in. Even the Sponsor had a staff of 14 working on it. Then we suddenly come up with a new Amendment, which deals strictly with the person who owns a residence; doesn't deal with the apartment dwellers, the people who own two-flats, and I happen to come from a district who might have two percent of the property as residence and the rest are two-flats, three-flats and apartment buildings. It's not a very lucrative district, but it's my district. I think this Bill is unconstitutional. I don't know of any decision by the Supreme Court that says a person who has a single family residence to a reasonable classification for legislation. Another question that comes to my mind is the cost. I sincerely question the amount of sixty million dollars if that's what it is going to cost the Department of Revenue to rebate these taxpayers for any increase in taxes which they might pay in 1973. On this basis, I cannot support this Amendment, and I'm going to question the Bill itself, when it goes to Third."

A. Telcser: "Gentleman from Cook, Representative J. J. Wolf, to explain his vote."

J. J. Wolf: "Well, Mr. Speaker, I have to somewhat echo the remarks that my colleague who just spoke. I think that everybody knows that the classification of single family



residences is blamely unconstitutional and will probably have the Court to take a ruling on it. But even if it were constitutional, on the particular block that I live, most all of my neighbors have basement and attic apartments. I probably have one of the few single family dwellings on my particular block. Most of them are two-flats. It's pretty tough to vote for a Bill that would give me some tax relief if my taxes went up and the rest of my neighbors who have made apartments in their basements and the upstairs, to help make ends meet, wouldn't get any tax relief at all. I think this is quite true of most of the homes throughout my district and a number of those in Chicago, and for that reason, I cannot support this Amendment."

A. Telcser: "Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker, Members of the House. In explaining my 'yes' vote for this Amendment, I think this is a more responsible Bill in that we are not putting the onus on the local community on such a short notice to give relief, when we as the members of the legislature and members of the State government can do it ourselves. And I think that the objection brought up by the previous Speaker pertaining to apartment dwellers or to people who have more than one unit in their building can be readily corrected on the Senate side, and I would support.... we got this Bill out. I would do everything in my power, along with our leaders on both sides of the aisle, to convince the



Senators that these Amendments should go on to correct the Bill. But I think this is the most responsible Bill. We're not asking George to do it, and we're not asking the local taxing bodies to do it. But we have the funds. We can do it. We need relief now and not two or three years hence. I would suggest that we all vote in favor of this Bill."

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

Gibbs: "In explaining my vote, I'm going to support this Amendment, but I'm quite certain that in reading this Bill, that when they say the taxes due and paid, the due and paid in 1973, that the language is incorrect here, and it should be corrected because under the law there isn't any question of the property on January 1, is due and has owed those taxes as of that time, and they're not paid until the following year, and so you'll talking in the latter section of the Bill here for 1973 over 1972. I'm certain it should be 1974, because the taxes of January 1 determine when they're due and then they're paid in the following year. But I am voting 'yes' on the Amendment."

A. Telcser: "Gentleman from Cook, Representative Palmer."

Palmer: "Well, Mr. Speaker, Ladies and Gentlemen of the House, it seems to be a sad end to what I thought and many of us thought was a very noble concept, which the People had asked us to do. They didn't send us down here to ask us to have the State send them a check every month. All they



asked us to do is to go down here and hold the line if we could on the taxes, the things they were really concerned about. Now, we've got the sad end insofar as this tax freeze legislation is concerned if this Bill passes, and it appears as if it will, because it hasn't any chance as I see it of passing the Senate, so then we come out without nothing, and the amount of time that we spent here, devoted to this effort, has been considerable. I .... it's just a sad thing that it has to come to this kind of end. I'm going to vote against the Bill, because it was not the purpose expressed in the original Bill. It is clearly unconstitutional by any judicial standards and it does not do what we were sent down here to do. I'm voting 'no'."

A. Telcser: "Have all voted who wished? Gentleman from Union, Representative Choate."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, in the first instance, I don't think that the People of this State ask us to be here in this Special Session. And in the second instance, while we are here, I think it behooves us to do something, as I said yesterday, if possible. To do something that I think will be constitutional and will bring a wee bit of immediate relief to the homeowner of this State. Now as far as the farmer is concerned, I'm convinced that in this abbreviated special session that we've done about as all as we can to bring relief to him and I'm sure that he's going to



he brought some relief as same as the individual home-owner is concerned. And let me say something about the chief sponsor of this bill, my colleague, Representative McCormick. When he asked me, when he said just a moment ago he's going to give me the bill to take to the Senate.. Well, C. L., I'll take it over there and I, too, hope that I'll have better luck than you've had on some of the things that you've taken over there. But let me say publicly that I've never stood back to to lawd or to give credit when credit is due to any individual in this legislature when I thought that they were doing something or attempting to do something that was in the interest of the taxpayer. Because Representative McCormick will well remember that even during the campaign when he and I and the other candidates for the House, both Republican and Democrat alike appeared before a civic group in Southern Illinois. I gave him credit before that group of attempting to bring about tax relief. I gave him credit before that group of attempting to put a tax freeze on in the last session of the General Assembly. And I give him credit today for bringing this important question to the attention of the legislature. And I certainly appreciate his remarks and his efforts in attempting to get this amendment adopted because, he, too wants to bring some immediate relief to some of the overburdened taxpayers of this state. I say, Mr. Speaker, that if this amendment is adopted and it appears that it



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is going to be, that we in this legislature are acting responsible. We are attempting to bring relief to the taxpayer, at least a portion of them. And if we continue acting responsible, we can continue a study in the other facets of this important question and in the next General Assembly, do what I requested yesterday. Resolve tax reform once and for all. And quit using it as a political football in the political arena. Thank you, Mr. Speaker, for affording me this opportunity to explain my vote on this important question."

A. Telcser: "Gentleman from McHenry, Representative Lindberg."

Lindberg: "Well, Mr. Speaker, not only because I think this is a classic example of the denial of equal protection of the laws guaranteed by the constitution of the State of Illinois and the United States but also because I own both a single family residence and a four-unit apartment building I would like to be recorded as 'present'."

A. Telcser: "Record Representative Lindberg as voting 'present' Gentleman from Macon, Representative Borchers."

Borchers: "Mr. Speaker and fellow members of the House. I've been watching the red and green lights through all of this voting. And it's very interesting to me to see that ah.. And I must congratulate those who have been handling the matter and their very able maneuvering that has made an amendment on this bill that will cause it to become unconstitutional and they'll get their way. I think it's a magnificent bit of political maneuvering."



And I want to congratulate you. Because you've killed it."

A. Telcser: "Gentleman from Will, Representative O'Brien,"

O'Brien: "It's perhaps been said better than I can do it, but it seems to me that we've been ringing our hands and we're treating everybody fairly with regard to pay raises and additional expenses. I do think that this amendment selects special category that may not really benefit the people who need it the most. I think it's an open ended check for the state to pick up the difference. I think it's unconstitutional. I won't vote for the amendment because I think it's bad news. I will vote for the bill but I think we'll all go home and regret the fact that we didn't do something solid."

A. Telcser: "Have all voted who.. Gentleman from Cook, Representative Juckett."

Juckett: "Mr. Speaker, as I indicated before, I think the amendment is not germane. I think it is unconstitutional to adopt the amendment. But above all, I think the tax freeze was not just a benefit to the taxpayer but was to put a check on spending on the local level. In a way, we would be very hipocritical if we were to say to the local official, you can't spend but we on the state level know what is best so we're going to spend all we want and we won't put a check on ourselves. But on this amendment, we're telling the local officials



boy you can spend all you want and we're going to reimburse you from the state level. There's no check on the local spending. There's no check on the state spending. And this if anything, is the biggest raid that we will have for a long time on the state treasury and I urge a 'no' vote."

A. Telcser: "Have all voted who wish? Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House. We all know that what we paid in our '71 taxes payable in '72 or '72 taxes payable in '73 have been established by appropriation ordinances that we passed six months, nine months ago. The dollar amount has already been determined in that so that no municipal official is in any position to change what they want from their '72 taxes payable in '73. And as Representative Choate said, this is a bill for one year to give immediate relief to the property tax payer and to give us a chance to come back here in the 78th General Assembly and to seek true tax reform for the people of the State of Illinois."

A. Telcser: "Have all voted who wish? Take the record. On this question there are 111 'ayes', 24 'nays', and the Gentleman's motion to adopt amendment # 17 to House Special Session Bill # 1 is adopted. Are there further amendments? Well, first of all let me get Representative Duff on ah.. his point."



Duff: "Mr. Speaker, I couldn't agree more with what Representative Juckett said about this bill and explanation of vote. Now, in my district there are homes that are valued at 300 and \$400,000. There will be people who will get a boon from this, I'm sure. But there will also be people who live in apartments who will not. We're asked now by striking the bill from the enacting clause to come in and now vote before this bill goes to Third Reading, I would like, because I think we must be fiscally responsible, I would like to renew my motion and I have put my motion in writing on the Clerk's desk for a fiscal note on this bill."

A. Telcser: "Okay, the Gentleman has asked for a fiscal note before this bill goes to Third Reading. It's the Chair's ruling that the fiscal note is applicable before it goes to Third Reading. Representative Choate, for what purpose do you rise, Sir?"

Choate: "Ah... first, I did notice that Representative Duff voted for the bill. That I appreciate. Secondly, the fiscal note is being prepared and it should be here anytime."

A. Telcser: "All right. Until the fiscal note is filed, we cannot move to Third Reading. Gentleman from Cook, Representative Hyde."

Hyde: "Mr. Speaker, Ladies and Gentlemen of the House. I now move that the Special Session stand in recess for one half hour for purposes of a Republican Conference."



Republicans report to Room 212 immediately."

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

Choate: "Ah.. Mr. Speaker, I would ask for the Democrats to meet in Room M-5. Is that the one I can have?"

W. Robert Blair: "Sure."

Choate: "Room M-5 and we'll get there as soon as possible and be back as soon as possible."

W. Robert Blair: "All right. We should back on the Floor by quarter of eight. All right. We're now back in Special Session. All right. A fiscal note with respect to House Bill 1 has been filed with the Clerk. Is it desired to be read by the Clerk? All right. Would the Clerk.. would the Clerk read the fiscal note that has been filed?"

F. B. Selcke: "Fiscal note for House Bill 1 for Special Session of the 77th General Assembly. It is estimated that it cost the state of grants provided by House Bill 1 will be \$30,000,000 in fiscal 1974. This estimate is based on the following facts. One, it is estimated on the basis of 1970 census of housing that the total residential housing in the State of Illinois approximates 52% of the total real property. Single family housing occupied by the owner is only a portion of the total residential property. Two, since 1969 when the State Income Tax was passed and local governments began receiving shares of the state income tax and also an increased share of the sales tax, local property tax.. tax



increases have diminished. It is estimated that the total property increase next year will be approximately \$100,000,000. It is estimated that the share of that increase born by owner occupied housing will be \$30,000,000."

W. Robert Blair: "Gentleman from Cook, Mr. Simmons, for what purpose do you rise?"

Simmons: "Does that fiscal note ah.. embrace just the bill as now amended?"

W. Robert Blair: "Now, wait a minute. That question was directed to... Give me that question again, Mr. Simmons."

Simmons: "Well, as of at the moment. We ah.. our bill is boiled down to Amendment # 17. Is.. does that \$30,000,000 affect the bill as it is amended now?"

Choate: "To the very best of my ability I would say.. First, my answer is 'yes'. To the very best of my ability to estimate the cost as far as the implications of Amendment 17 is which truthfully, let's face it, creates a new bill."

Simmons: "All right. Now, there should be other amendments including other types of property ah.. I would presume then that ah.. this fiscal note would not be applicable."

Choate: "Well, when we drafted, as you well know, we had questions raised about two-flat dwellings and four-flat dwellings and this kind of thing. We attempted when we filed this fiscal note to take care of those also because we have an amendment that attempted to care of those types



of dwellings that was brought to our attention such as Representative Fleck and Duff and others mentioned. This should include them, also. Yes."

Simmons: "Well, it's \$30,000,000 you mentioned the figure 30,000,000 in your argument when you passed Amendment No. 17. So the addition, then of the two and three flats does not increase expenses."

Choate: "No. I thought.. as I stated and I think if you'll go back to my debate, I thought that they were covered in the original amendment. Now, we're spelling it out on an individual basis. So it was covered in the fiscal note to the best of my ability."

Simmons: "Now, whose opinion is this? Your own?"

Choate: "Well, that's normally where I start operating. It's my own opinion plus people on my staff as well as talking to other people who are probably more familiar with this than I am. But it was based on.. if you heard the fiscal note read that there's several facts that it was based on."

Simmons: "Well, ah.. then ah.. if ah.. that's a fact, how many different single family homes or ah.. single and two-flat, three-flat homeowners are there in Illinois?"

Choate: "I don't know the exact number. And I'm sure that you don't and I'm quite confident that no other member of the House knows."

Simmons: "Well, I think that the fiscal note mentioned the numbers. I don't know where you got that information."



There was a number mentioned in that fiscal note.

What I'm trying to get at is..."

Choate: "If you'll wait just a minute.. I'm trying..

This young man is researching it for me and I'm trying to answer your questions, Representative Simmons.

It's based on the 1970 census which divides the property owners in the state down to the single family dwellings and two-flats."

Simmons: "And how many were there?"

Choate: "I don't have a figure here with me. You can go back and get it if you like. It was based on the 1970 census."

Simmons: "Yes, and I think in the fiscal note there was a figure mentioned if I heard the Clerk right."

Choate: "No, not the number of units was mentioned in the fiscal note."

Simmons: "Well, could I ask the Clerk to read that portion of the, dealing with the number of single family homes."

F. B. Selcke: "It's ah.. paragraph number one. It is estimated on the basis of 1970 census housing, that the total residential property in the State of Illinois approximates 52% of the total real property. Single family housing occupied by the owner is only a portion of the total residential property."

Simmons: "Well, ah.. with that kind of information, I don't see how anybody, no matter how brilliant they are, could figure out how it's going to cost \$30,000,000."





Choate: "I didn't even attempt to tell you that that would be the exact figure. And I'm sure that you can well remember the last session of the General Assembly when the Circuit Breakers were proposed that the same type of estimate was used at that time. I'm sure that you also, Representative Simmons, because you have been an astute member of this legislature for many years realizes that anything that is as innovative as this is and as new as this is based simply on a predication of an estimate of what could be brought about. No way could we get it to the exact dollar and no way could we get ah.. get probably even any closer than we're going to be and I think we're going to be fairly close."

Simmons: "Well, thank you very much for your response."

Choate: "Mr. Speaker. I would say further to Representative Simmons, that if you desire me to do so, I will give you a breakdown by county tomorrow if you would like it."

W. Robert Blair: "Is there further.. Gentleman from Union, Mr. Choate."

Choate: "I didn't.. I didn't hear Representative Simmons tell me whether he wanted that or not. And I would also give it to him by rental and by property owners also county by county throughout the state if he would like."

Simmons: "I like to get all the information I can as fast as I can whether it's tomorrow or the next day.. soon enough. But I'd appreciate any information you can get me as soon as you can get it."



Choate: "I will have... I will have all of it if at all possible by tomorrow."

Hon. W. Robert Blair: "Further amendments."

F. B. Selcke: "Amendment 18. Lechowicz. Amendment No. 18. Amend Special Session House Bill 1 as amended in paragraph b of Section 1 by deleting the period, inserting in lieu thereof the following: "or that proportionate part of the multi-unit property occupied as a residence by its owner'."

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

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment No. 18 is a clarification amendment for some of the questions that were opposed to Amendment No. 17, which was adopted by this Body, especially in reference to people that reside in many sections of this State and they have a two or three flat or even a condominium. And under this Amendment No. 18, they would be covered for the proportionate part of the building that they are living in. This is the Fleck Amendment, and in turn, it's the Amendment that Representative J. J. Wolf was referring to as well, and I hope it's adopted."

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

Fleck: "Well this skinny little German boy would not like to take credit for this Amendment. I'd rather tell my constituents it was that big Polish boy on the other side of the aisle. So I'll give him credit for it."



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

Palmer: "If the sponsor will yield for a question. How would it be determined what percentage of the tax bill surplus would be available to the other parts."

Lechowicz: "Thank you, Romie. That's why the words 'proportionate part'. If it's a three flat, it would be one-third. If it's a four flat, it would be one-fourth."

Palmer: "And if it's unequal apartments in terms of rooms and so forth, how's it been figured? Wouldn't that throw an undue burden on the assessor?"

Lechowicz: "Not at all, it's a burden of proof upon the person that if filing with the Department of Revenue, to come up with the adjusted figure, and I'm sure if the figure is incorrect, there would be ways of recompensating or getting that money back."

Hon. W. Robert Blair: "Ah.... Gentleman from McHenry, Mr. Lindberg."

Lindberg: "Mr. Lechowicz, does this proport to take care of the renter?"

Lechowicz: "No, Sir, it does not. It was saying that the proportionate part of a building that the owner occupies. I'm hoping that in this coming session, that's been talked about, the resolution that was passed by the Senate that maybe we will be able to find the two causes, but I think this is a step in the right direction, in providing the property taxpayers with the relief that is so needed."



Hon. W. Robert Blair: "All right, the question's on the adoption of the Amendment. All those in favor, say 'aye'. Opposed 'no'. The 'ayes' have it." The Amendment's adopted. Further Amendments. Third Reading. Now, the gentleman from Johnson, Mr. McCormick. Let's see, we have both House Bills 1 and 2 on Third Reading. Ah.... do you want us to take action on 2 now."

McCormick: "No, I don't think that in light of the changes in this Amendment that ah.... 2 is relevant do you? I would say...."

Hon. W. Robert Blair: "All right. You want to move.... Do you...."

McCormick; "It will be alright to move it to Third Reading then we will look at it."

Hon. W. Robert Blair: "It's already there. Do you want...."

McCormick: "No.... No, I would like to move on this Bill."

Hon. W. Robert Blair: "Move on 1 now." All right. We're on House Bills, Third Reading, and House Bill 1."

F. B. Selcke: "House Bill No. 1. An Act to freeze ad volorem property taxes and amend an Act in connection therewith. Third Reading of the Bill."

Hon. W. Robert Blair: "Gentleman from Johnson, Mr. McCormick."

McCormick: "Well.... I ah...."

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

McCormick: "I think, Mr. Speaker, and is the leader somewhere around?"

Hon. W. Robert Blair: "He's back there."



McCormick: "It looks like you could hurry it up there, Clyde. I think that everybody knows the full content of this Amendment. I think we're both agreed on it, and I think the thing to do is to take a roll call."

Choate: "As a Co-sponsor with Representative McCormick, and I came to this side to be with you, ah.... I would agree with what you say, and I would hope that we receive a unanimous roll call."

McCormick: "We need a unanimous vote of at least 107."

Hon. W. Robert Blair: "All right, the question is, shall House Bill 1 pass? All those in favor will vote 'aye', the opposed 'no'. This requires 107 votes. Have all voted who wished? The Clerk will take the record. This question, there are 123 'ayes' and 12 'nays', and this Bill, having received the Constitutional 3/5ths vote, is hereby declared passed. Gentleman from Union, Mr. Choate."

Choate: "Mr. speaker, after that experience and that brief speech that I made from that side the first time, I might utilize that more often, if I get that kind of result."

Hon. W. Robert Blair: "Gentleman from Johnson, Mr. McCormick."

McCormick: "You know, Mr. Speaker, if he would stay over here 24 hours, he'd never go back. Now, Mr. Speaker, there's only one other thing that I'm interested in in this Bill, and I think that maybe everybody is too. Is there any possibility of getting this Bill over to the Senate not Monday or Tuesday, but you know, as soon as possible?"



Hon. W. Robert Blair: "Oh, ah.... the message is on its way to the Senate. I'm advised there's nobody in the Senate to receive it."

McCormick: "Well, but they'll be there in the morning, I think. I mean, I just didn't want it to get laid down somewhere and left until Tuesday or Wednesday. It should have consideration tomorrow, don't you agree?"

Hon. W. Robert Blair: "Yes. All right, it's on its way. Gentleman from Union.... from Cook, Mr. Hyde."

Hyde: "Thank you, Mr. Speaker. I now move that the special session of the General Assembly do stand adjourned until the hour of 10:55 AM tomorrow morning."

Hon. W. Robert Blair: "All right, all those in favor of the gentleman's motion, say 'aye', the opposed 'no'. The 'ayes' have it. The Special Session is adjourned."

