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

Johnson: "We pray. You direct us in your holy word, Oh God, to pray for all who are in authority. For all who hold positions of government in our Nation and in our State. We thank you for the gift of government we enjoy in this Commonwealth. Grant that the purposes of good government may ever prevail among us. Namely, the establishment of order and law, justice and equity, peace and prosperity. Give us especially in this and subsequent sessions of this House the sense of fiscal responsibility necessary to the maintenance of those purposes in our midst. We pray for all the Members of this Assembly who are sick, who are in need of your compassion and help. This morning we especially remember Representative C. A. Carter. Grant that all of them may lift their eyes to you, the source of all strength and the strength of all life. Hear us, Oh Lord, Our Redeemer and Our God. Amen."

Hon. W. Robert Blair: "Roll Call for attendance. Gentleman from Cook, Mr. William Walsh."

Walsh: "Mr. Speaker, will the Records show that Representatives Sevcik, Granata, Pappas, and Wall are absent because of illness."

Hon. W. Robert Blair: "Journal will so indicate." All right, R. A. Carter is absent because of illness. Journal so indicate. Yeow, we'll slip down to the Order of Agreed



Resolutions, so we can adopt this Agreed Resolution on the ah... Joint Session at 11:45."

Selcke: "House Joint Resolution Number 15. William Walsh. Resolved by the House of Representatives of the 78th General Assembly, State of Illinois, the Senate concurring herein, that the two Houses meet in Joint Session in the hall of the House of Representatives, on Wednesday, March 7, 1973, at the hour of 11:45 O'Clock AM, for the purpose of hearing the Governor of the State of Illinois deliver his special message on the budget for the year beginning July 1, 1973."

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

Walsh: "Mr. Speaker, I move the adoption of ah... Joint Session Resolution."

Hon. W. Robert Blair: "All right, the question is on the adoption of HJR 15. All those in favor will say 'aye', opposed 'no'. The ayes have it and the Resolution is adopted. Now, Introduction, First Reading of House Bills."

Selcke: "House Bill 545. Mugalian. Amends the Probate Act. First Reading of the Bill. House Bill 546. Mugalian. Amends the Inheritance Tax Act. First Reading of the Bill. House Bill 547. Yourell. Amends the Illinois Public Aid Code. First Reading of the Bill. House Bill 548. Martin et al. Appropriates \$750,000 to the Veterans Commission. First Reading of the Bill."

Hon. W. Robert Blair: "All right, we'll go to Second Reading. We don't have the Agreed Resolutions yet. All right, we



have the Agreed Resolutions now, so we'll go back to that Order."

Selcke: "House Resolution 86. Lauer et al. House Resolution 88. Schoberlein et al. House Resolution 89. DiPrima et al."

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

Walsh: "Mr. Speaker, Members of the House, these are the Agreed Resolutions and ah... House Resolution 86 commends the Lincoln Railers Community High School for the ah... tremendous job they've done this basketball season and is introduced now by Representative Lauer against the possibility of the next few weeks not being so good. House Resolution 88 introduced by my seatmate commends Hilma V. Sandburg of Aurora on the occasion of her 100th Birthday. And House Resolution 89 commends Melta Coontz, who has been elected National Commander of the Disabled American Veterans Auxiliary, and I move the adoption of the Agreed Resolutions."

Hon. W. Robert Blair: "Any discussion? Question is on the adoption of the Agreed Resolutions. All those in favor, say 'aye', opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted." All right. Second Reading."

Selcke: "House Bill 8. Bill for an Act in relation to Fire Arms Training for Peace Officers. Second Reading of the Bill. Three Committee Amendments. Committee Amendment No. 1. Amend House Bill 8 on Page 1 by deleting line 6 and 7 and inserting in lieu thereof the following and so forth."

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



Kosinski: "Mr. Speaker, has the Amendment been distributed?"

Hon. W. Robert Blair: "Yes."

Kosinski: "Mr. Speaker, I take no exception to the Amendment.

I move it be adopted."

Hon. W. Robert Blair: "Discussion? Question's on the adoption

of the Amendment. All those in favor, say 'aye', opposed

'no'. The 'ayes' have it and the Amendment is adopted.

Further Amendments?"

Selcke: "Committee Amendment No. 2. Amend House Bill 8 on

Page 2 by adding immediately after line 20 the following:

Section 5 and so forth."

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

Kosinski: "Mr. Speaker, I ah.... have personally put in

Amendment No. 2. I recommend its adoption."

Hon. W. Robert Blair: "All right, the question is on the

adoption of Amendment No. 2. Is there discussion? Hearing

none, all those in favor say 'aye', opposed 'no'. The

'ayes' have it and the Amendment is adopted."

Selcke: "Committee Amendment No. 3. Amend House Bill 8 on

Page 2, line"

Hon. W. Robert Blair: "All right, the gentleman from Cook,

Mr. Bluthardt." Wait a minute. Committee Amendment 3. Well

no. Mr. Bluthardt's at the mike next to you."

Bluthardt: "Mr. Speaker and Members of the House. Amendment

No. 3 to House Bill 8 is an Amendment that would give the

option of trading to municipalities. It would provide that

any unit of government may by itself or in cooperation with



other units of government, provide the course of training required by this Section. Provided, of course, that such training meets the standards prescribed by the Board. Now this has been submitted to the Sponsor and he has no opposition he tells me to the Amendment being placed on the Bill. And I move the adoption of the Amendment."

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

Kosinski: "I think this Amendment approves the Bill and I move for its adoption."

Hon. W. Robert Blair: "All right, further discussion? Question is on the adoption of Amendment No. 3. All those in favor say 'aye'. All right, we're not going to make any headway on that one. All those in favor say 'aye'. Opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Selcke: "Amendment No. 4. Bluthardt. Amend House Bill 8 on page 2 by inserting between lines 3 and 4 the following and so forth."

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

Bluthardt: "Mr. Speaker....."

Hon. W. Robert Blair: "Wait a minute. If we could keep that out, clear, it's a matter of House courtesy and rule that ah... that we keep in front of the person who's speaking. You stay down in front of him. Gentleman from Cook, Mr. Bluthardt."



Bluthardt: "Mr. Speaker, Amendment No. 3 is mistaken.... It's a Committee Amendment and it has been adopted. Now Amendment No. 4 is the one I just explained which ah... gives the adoption to provide this training to ah.... units of local government, and I move its adoption."

Hon. W. Robert Blair: "All right, discussion? All right, question's on the adoption of Committee Amendment No. 4. All those in favor, say 'aye', opposed 'no'. The ayes have it and the Amendment is adopted. Further Amendments? Third Reading. Oh, any floor amendments? All right, Third Reading."

Selcke: "House Bill 12. Being held for Amendment. House Bill 15. Being held for Amendment. House Bill 17. A Bill for an Act to amend Section 19-2 and so forth, the Election Code. Second Reading of the Bill. No Committee Amendments. Amendment No. 1. Merlo. Amend House Bill 17 on page 3 by deleting lines 26 and 27, inserting in lieu thereof the following: henceforth."

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

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, this is the Amendment that we discussed thoroughly on the floor of the House yesterday. We made the changes as suggested on the Floor of the House. I move the adoption of Amendment No. 1 to House Bill 17."

Hon. W. Robert Blair: "Any further discussion? Question's on the adoption of the Amendment. All right, the question's on the adoption of the Amendment. All those in favor, say



'aye', opposed 'no', the ayes have it and the Amendment is adopted. Are there further amendments? Third Reading."

Selcke: "House Bill 28. Bill for an Act to amend Section 204 of the Illinois Income Tax Act. Second Reading of the Bill. One Committee Amendment. Amend House Bill 28 by deleting lines 27 through 30 and inserting in lieu thereof the followint and so forth."

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

Schneider: "Thank you, Mr. Speaker. It's an amendment that merely elaborates and includes more individuals who would be affected by the exemption. It was adopted in Committee. I move its adoption."

Hon. W. Robert Blair: "All right, the gentleman from ah... Cook, Mr. William Walsh."

Walsh: "Ah... would the gentleman respond to a question?"

Schneider: "The gentleman would be glad to respond."

Walsh: "Ah... can you tell me what the cost of this would be?"

Schneider: "We have ah... Bill, in the process of working out the cost of the proposal, my original figure was in the vicinity of around four million dollars. I was told in Committee that when I enlarged the ah... number of individuals that would be affected by it, it would increase considerably, but that the amount would not exceed like seven million dollars. Now I have not yet provided a fiscal note on that, and I am seeking it from agencies in the State."



Walsh: "Ah... I wonder if you would object to holding the Bill on Second Reading until you obtain the fiscal note."

Schneider: "I probably would object. Nonetheless, I ah... it's all right. I'd be glad to hold it."

Walsh: "You will not advance the Bill, then, Mr. Speaker, right?"

Hon. W. Robert Blair: "That's correct. In the light of the question and the request for the fiscal note, might we take that out of the record then. All right, now the gentleman asked leave to withdraw his Amendment from consideration at this time and to take the ah... House Bill 28 out of the record. So hearing no objection, that will be done until the fiscal note act is complied with."

Selcke: "House Bill 32. Bill for an Act to Amend Sections 24-12 and 24-16 of the School Code. Second Reading of the Bill. One Committee Amendment. Amend House Bill 32 on Page 2, line 21, by striking the words 'shall be a licensed attorney at law and'."

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

Jaffe: "Mr. Speaker, this is a Committee Amendment. It eliminates the necessity of the hearing officer being a lawyer and I move its adoption."

Hon. W. Robert Blair: "Discussion? Question's on the adoption of the Amendment. All those in favor, say 'aye', opposed 'no'. All those in favor say 'aye'. Opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"



Selcke: "Amendment No. 2. Hart. Amend House Bill 32 on page 9....."

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

Hart: "Ah... Mr. Speaker and Members of the House, this Amendment would provide that the Office of the Superintendent of Public Instruction would promulgate uniform rules and procedure for the hearings that are contemplated in this Bill. Ah... I checked this with the Sponsor and he is in agreement with it. We talked about it in Committee and I think the Committee agreed with the idea, although we didn't adopt it in Committee and I move for the adoption of the Amendment."

Hon. W. Robert Blair: "Discussion? Question's on the adoption of the Amendment. #2. All those in favor, say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Are there further amendments? Third Reading."

Selcke: "House Bill 35. Bill for an Act to repeal Section 6b of an Act to provide law in relation to marriages. Second Reading of the Bill. No Committee Amendments."

Hon. W. Robert Blair: "Any amendments from the Floor? Third Reading."

Selcke: "House Bill 39. Bill for an Act to amend the Civil Practice Act. Second Reading of the Bill. One Committee Amendment. Amend House Bill 39 on page 1, line 29 by inserting immediately after the period the following and so forth."



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

Leon: "Mr. Speaker, Amendment No. 1 was adopted in Committee. It merely provides the direction for jury demands. I move its adoption."

Hon. W. Robert Blair: "Discussion? Question's on the adoption of the Amendment. All those in favor, say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Are there further Amendments. Third Reading."

Selcke: "House Bill 40. Held for Amendments. House Bill 41 being held for Amendments. House Bill 99. Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. One Committee Amendment. Amend House Bill 99 on page 1 by adding after the period on line 10 the following and so forth."

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

McGah: "Mr. Speaker, Ladies and Gentlemen of the House, this Committee Amendment just makes it clear that the salary of a Village President cannot be raised during his term of office. I move the adoption of the Committee Amendment."

Hon. W. Robert Blair: "Any further discussion? Question's on the adoption of the Amendment. All those in favor, say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Selcke: "Amendment No. 2. Shea. Amend House Bill 99 on Page....."



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

Shea: "Mr. Speaker, this is a typical home rule amendment excluding it from operation and home rule units. I've discussed it with the Sponsor and it's an agreement amendment with him. I move for the adoption of the Amendment."

Hon. W. Robert Blair: "Discussion? Question's on the adoption of the Amendment. All those in favor, say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments. Third Reading. Third Reading. House Bill 122. Bill for an Act to regulate the distribution sale and delivery of eye glasses, sun glass frames and lens and provide for a penalty of violation thereof. Second Reading of the Bill. No Committee Amendments."

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

Selcke: "House Bill 156. Bill for an Act to amend Section 2.3 and 2.4 of an Act to provide for the exercise and right of eminent domain. Second Reading of the Bill. No Committee Amendment."

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

Selcke: "Amendment No. 1. Hirschfeld. Amend House Bill...."

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

Hirschfeld: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Amendment No. 1 to House Bill 156 was suggested by Representative Hart and all it accomplishes, if the Bill is signed into law by the Governor, it permits the State of Illinois to recoup any amounts that are currently on deposit in the counties. I don't know of any



objections to the Amendment and I ah.... move its adoption.
 Hon. W. Robert Blair: "Discussion? Question's on the adoption of floor Amendment No. 1. All those in favor, say 'aye', the opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments. Third Reading."

Selcke: "House Bill 157. Bill for an Act to amend Section 2.6 of an Act to provide for the exercise of right of eminent domain. Second Reading of the Bill. No Committee Amendments."

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

Selcke: "House Bill 158. Bill for an Act to amend School Code. Second Reading of the Bill. No Committee Amendments."

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

Selcke: "House Bill 159. Bill for an Act to amend Section 1 and 2 of an Act in relation to prevention of certain Communicable diseases. Second Reading of the Bill. No Committee Amendments."

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

Selcke: "House Bill 160."

Hon. W. Robert Blair: "Gentleman's asked that to be held. Mr. Rayson's asked for it to be held."

Selcke: "House Bill 162. Bill for an Act to amend Section 4 of an Act in relation to acquisition of the Illinois and Mississippi Canal. Second Reading of the Bill. No



Committee Amendments. Amendment No. 1. Kenny Miller.
Amend House Bill 162 on page 1 by deleting line 17 through
25 and inserting in lieu thereof the following and so
forth."

Hon. W. Robert Blair: "Gentleman from Whiteside, Mr. Miller."

Miller: "Mr. Speaker, Members of the House, the Amendment
I propose has been accepted by the Sponsor, Representative
McMaster. All the Amendment does is to change the require-
ment of bridges over the Illinois Mississippi Canal from
the Department of Transportation to the Department of
Conservation. The purpose of this Amendment is that the
Canal is now a part of the Park System of the State of
Illinois under the Department of Conservation and this is
where this responsibility should be. So, I.... Mr. Speaker,
move the adoption of the Amendment."

Hon. W. Robert Blair: "Any discussion? Question is on the
adoption of Amendment No. 1. All those in favor, say 'aye',
opposed 'no'. The 'ayes' have it and the Amendment's
adopted. Further Amendments? Third Reading."

Selcke: "House Bill 174. Bill for an Act to amend the Revenue
Act of 1939. Second Reading of the Bill. No Committee
Amendments."

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

Selcke: "Amendment No. 1. Pierce et al. Amend House Bill 174,
on page 1, line 1 and so forth."

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



Pierce: "Thank you, Mr. Speaker. This Amendment was suggested by Representative ah.... Richard Walsh in the Revenue Committee. It provides for a condominium owner to receive the benefits of this Bill which reduces his assessment to that of a single family home. He must be an owner-occupied condominium. We make certain that a developer of a building who is merely renting a condominium apartment until he can sell it or a converter of a building such as the John Hancock Building, that may take them five or six years to convert the ah... rental building to a condominium building can't take the advantage of a lower assessment. So what the amendment does primarily and it was suggested by the Committee, although it was not a committee amendment, is require that the condominium be owner-occupied before it can receive the lower assessed valuation that this Bill provides, so I move the adoption of Amendment No. 1."

Hon. W. Robert Blair: "All right, discussion. Gentleman from Cook, Mr. Lundy."

Lundy: "Mr. Speaker, Ladies and Gentlemen of the House. Will the gentleman yield for a question on the Amendment?"

Pierce: "Yes."

Lundy: "May I ask, ah.... in limiting the ah.... application of this Act, HB 174 to owner-occupied condominiums, would that preclude the application of the Act to persons who are leasing or subletting their condominiums on a temporary basis to persons who are not owners?"



Pierce: "I believe it would. Ah.... that's the reason I didn't have this provision, but I think ah.... once you rent out an apartment, it is for income purposes and therefore the good we achieve by this Amendment, which is making sure that developers don't get the benefit of this Bill, is overcome by the occasional hardships that an owner who rents out ah.... may have. However, I would say this, when he rents out his apartment, he is obtaining income on it, and therefore, probably should be taxed at the full 40% assessment for income property. I don't believe it's a hardship for him when he is renting out the apartment."

Lundy: "Well, if the gentleman will yield further. It seems to me that the initial purpose of the Bill was to make the treatment of single family homes and condominium homes the same. Now we don't deny tax treatment as single family homes to homes simply because they are leased, and it seems to me we shouldn't do that in the case of condominium homes either."

Pierce: "That's right. I pointed that out in Committee that we don't in our single family homes, but condominiums are a special problem, because virtually every hi-rise rental building in Chicago appears to be either converting or about to convert, and I don't want the developers to get the break of this lower assessed valuation. I want the owner who buys the apartment to get it. And because of this danger, it was necessary to differentiate between the single family homes. We don't get big subdivisions, where the developers are



renting out all the homes. That's very unusual. They sell the homes off, one by one. Ah.... but they very rarely rent out an entire subdivision, but a whole building like John Hancock will be leased out until the leases expire and they sell the apartments, even after they go into a condominium arrangement, and Representative Richard Walsh pointed out that we might be giving a break to those developers of either new buildings or converted buildings and in order to remedy this evil, we put this Amendment on. And when you say it does treat condominiums slightly different than single family homes, you're right, and it's because of the nature of condominiums and I think it does improve the Bill even though we do have that difference that you have pointed out."

Lundy: "If the gentleman will yield to just one more comment. May I say, I don't favor giving a tax break to developers of condominiums, but the amendment in its present form, sweeps far to broadly. It denies the tax benefits which the Bill originally intended to give to condominium owners, to those owners at any time that they sublet or lease, even on a temporary basis. Even for three months or six months or a year, ah.... the condominiums that they own and that they are liable to pay taxes on. Now, if what we want to do is to deny the benefits to developers of condominiums, then it seems to me that we can draft a narrower amendment that will accomplish that purpose, but this amendment, it seems to me, sweeps much to broadly. I would urge the Members to



vote against it and perhaps we can hold the bill and draft a narrower amendment which will accomplish the purpose."

Pierce: "I would suggest to that, that this Amendment puts the Bill in the shape that I feel is appropriate. The gentleman from Cook may introduce another Bill to further liberalize this Bill if it doesn't work out, either this session or in the future. I believe this Amendment clearly takes care of the problem. After all, we are changing the present assessed valuations for the benefit of the condominium owners and I think we should be very careful when we do that, that we're not benefiting people who are leasing out apartments for income purposes. We have to maintain the tax base as best we can and I'm trying to maintain the tax base and at the same time treat owners of condominiums as owners of homes would be treated in counties that classify real estate, and ah.... I think ah.... the ah... opponent of the Amendment might want to support my Bill, and if he feels it's a little too narrow, then next year or even in this Session, come in with a Bill to further liberalize it. First, we're going to have enough trouble passing this Bill, because I want to tell you, the Cook County officials and the Assessor of Cook County and probably the Assistant Minority Leader of the House, are going to oppose the Bill even in its present, more restrictive form. We're going to have enough trouble passing it as it is without Amendments even making it more liberal."



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

Shea: "Ah.. I'm wondering if the sponsor would yield to a question?"

W. Robert Blair: "Ah.. he indicates he will. As I read the bill, Dan, even with the amendment if Arthur Rubloff wanted to condominiumize 69 West Washington and a lawyer that took space there and occupied that space instead of assessing that as an office building, that space could only be assessed at the rate of a single family residence in Cook County. Is that correct?"

Pierce: "Ah.. no. It's my opinion that this bill only applies to residences."

Shea: "Well, I can't find it there and the second would be if prints took Claring Industrial Park and condominiumized Claring and then turned around and sold and the owner occupied it for a business, ah.. such as manufacturing widgets under the proposed amendment it would seem to me that all the industrial plants in Claring would then be subject to the limitation of being assessed only at the same as a single family residence."

Pierce: "Well, I think you're addressing the bill primarily. I would say this. I don't agree with you. I think the bill applies only to residential units. The bill did pass this House.. virtually the same bill sponsored by Representative Randolph and another sponsored by Representative Berman in the last session two years ago. You are concerned



that it does apply to more than residential. Ah.. I would be willing, in return for your support for the bill, to work out an amendment to make it even clearer than it is now that the bill only applies ah.. to residential units. Because if there is that possibility in here, I agree with you, Representative Shea, it is not intention for it to apply to anything but residential units. I don't know of any condominium factories or condominium office buildings. I think you may have something of a red herring here. But in order to assist you in feeling at ease with the bill, ah.. I would be willing.. ah.. I would be willing to ah.. except an amendment if you feel you can support the bill that would make it even more clearer than it is now that the bill applies only to residential condominiums."

Shea: "Well, why don't you hold it on second reading and we'll sit down and see if we can work out something as you say to make it palatable to all concerned."

Pierce: "I'll be very happy to do that for ah.. my co-leader."

W. Robert Blair: "For what purpose does the gentleman from Macon, Mr. Borchers rise?"

Borchers: "Mr. Speaker, Members of the House. I've been informed that it will be an hour and a half before the Governor is here. Now here we are, lights on the podium.. and an energy crisis and an unnecessary waste of the taxpayer's money and the energy. And I suggest that they be turned off."



Pierce: "Ah.. Mr. Speaker, can we hold ah.. this bill on Second Reading ah.. for another.. tomorrow while Representative Shea and I work out.."

W. Robert Blair: "All right. The gentleman would like leave to take it out of the record."

Selcke: "House Bill 186. Bill for an Act to amend the Civil Administrative Code of Illinois, Second Reading of the bill. Two Committee Amendments. Committee Amendment Number one.. Amend House Bill 186 on page 2, line 17 by striking lines 17 through 19 and so forth."

W. Robert Blair: "All right. The Gentleman from ah.. Cook, Mr. Telcser, on Committee Amendment #1. Hold it. Take it out of the record. All right."

Selcke: "House Bill 188. Bill for an Act to amend the Illinois Municipal Code, Second Reading of the Bill. One Committee Amendment, amend House Bill 188 on page 1, line 15, by inserting immediately after the word 'ramp', the following and so forth."

W. Robert Blair: "The Gentleman from Cook, Mr. Katz."

Katz: "Ah.. Mr. Speaker, if you would take it out of the record, please."

W. Robert Blair: "All right. Take that one out of the record."

F. B. Selcke: "House Bill 196. Bill for an Act to amend the Illinois Municipal Code, Second Reading of the Bill. No Committee Amendments?"



W. Robert Blair: "Any from the Floor? Third Reading."

Selcke: "House Bill 274. Bill for an Act to amend.. add Section 22.2 and so forth and Act creating the Department of Children and Family Services, Second Reading of the Bill. No Committee Amendments."

W. Robert Blair: "Any from the Floor? Ah.. Third Reading." House Bills, Third Reading. Now, in accordance with the Rules, we'll start on Third Reading at that point where we left off yesterday ah.. which would bring us to House Bill 280."

Selcke: "House Bill 280. Bill for an Act to amend Section 10 of the Cannibus Control Act, Third Reading of the Bill."

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

Getty: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 280 which amends the Cannibus Control Act provides for discretionary sentencing by a judge after a defendant charged with violation of that act which deals with what we call marijuana ah.. to place this individual after a finding or plea of guilty on probation."

W. Robert Blair: "Now we're on Third Reading and we have an awful lot of Members up on the Floor. I suggest we get in our seats and those people who are not entitled to the Floor kindly retire therefrom. The Gentleman's explaining his bill. He's entitled to your attention. We'll just wait a little bit. Until you get quiet. All right. Proceed."



Getty: "Thank you, Mr. Speaker. I want to emphasize to you all that this applies only to first offenders and it applies to an individual only once. That is.. if this Act has been used as regards any conviction one time, it cannot be used by the same individual again. The affect, ladies and gentlemen of the House, Mr. Speaker, is that an individual who is found guilty of a violation of the marijuana laws may be placed upon probation and after completion of this probation period successfully, he may be discharged. That is, no judgment of guilt will be on his record to be a blemish ah.. on his record for the rest of his life. I want to point out that in this day and age, we must recognize that there are many of our young people who have run afoul of marijuana. I would also point out that we have some background in support of this sort of treatment. The State's Attorney Office in Cook County has through prosecutorial discretion ah.. suspended prosecution on amounts up to 50 grams of marijuana. Ah.. this Act is supported by the Illinois and Chicago Bar Association and it has been supported as was testified in Committee by Judge Will of the Federal District Court and Judge Zelizinski of the Drug Abuse Court and Circuit Court of Cook County. It was passed out of Committee by a 21 to 0 vote with one voting present. I would ask the ladies and gentlemen of the House to support this bill. Thank you."



W. Robert Blair: "Ah.. are you so rising to speak on the bill? Oh, okay. Well, Mr. Juckett was up first. I'll take him. I'll be back over to you. Gentleman from Cook, Mr. Juckett."

Juckett: "Mr. Speaker, will the sponsor yield to a couple of questions?"

W. Robert Blair: "All right. He indicates that he will."

Juckett: "Ah.. is there any change in the quantity of marijuana that would be ah.. allowable for probation?"

Getty: "Under the Act as it presently reads.. ah.. it is up to 2.5 grams which is a very small quantity of marijuana. Ah.. we would raise this to 30 grams which as was expressed in Committee is far more realistic. Two point five is an unrealistically small amount. Ah.. if it is course material as most of our local marijuana is, it could be only a couple of cigarettes that would be 2.5. It could be just a very, very small residual amount depending as I say on the courseness."

Juckett: "My understanding under this bill then that this probation feature ah.. would be just a one time shot. The first time that he was convicted ah.. he could use this provision."

Getty: "That's right."

Juckett: "Any other times he would not be able to and he would have the benefit of the law.. or ah.. penalty of the law."



Getty: "That's correct."

Getty: "It is discretionary with the court to follow this.. that's point number one. And it could only be applied to an individual person once in his lifetime."

Juckett: "Now you mentioned, also, that the state's attorney of Cook County had exercised its discretion in going up to, did you say 50 grams?"

Getty: "Yes, in Cook County and I happened to have recently been ah.. chief of the felony division in State's attorney office in Cook County and we had a program whereby up to 50 grams of marijuana ah.. we would suspend prosecution and place the individual under what was in effect a probationary status.. what this bill does. And we would also send him to school. Now it is my hope that under the terms of this Act the judges would also exercise some discretion and require that the individual learn the affects of drugs."

Jucketts: "Well, Mr. Speaker and ladies and gentlemen of the House. I served on the Judiciary Committee when Judge Whent, who was the author of the original Narcotics Act of Illinois. And he served down here with distinction and he then.. when he went to the Court system, ah.. his fellow judges made him the Chief of the Narcotics Court because he was the author of the Act. And he came down here in 1969 and made an elloquent plea for the revision of the Marijuana Act. And he made it on the basis that



he had some 875 convictions under the Narcotics Act and because there was no provision for probation, there was no provision for any kind of supervision or training, he convinced the Judiciary Committee in the House that we should make allowances so that the Judiciary could, in looking at the individual treated on an individual matter. And he proved to us that out of his some 875 convictions, there were only two people who violated his probationary status. But at that point, he said that the 2.5 grams was more than sufficient for a person who was a first offender.. for a person who was not a professional in marijuana. And he indicated that the 2.5 grams would be somewhat the equivalent of about three marijuana cigarettes. Then, in 1971, they reintroduced a new bill which completely opened up again the Marijuana Act. And now in 1973 what we seem to be saying that is that 2.5 grams is not a sufficient amount to really do too much about. We ought to get up to 30 grams. And I somewhat wonder what it's going to be like next year. If we're going to multiply by almost 10 times or more than 10 times now, will it be 300 grams next year. Will it be 3,000 grams the next year? And I'm somewhat concerned that the affect of a little bit is really no affect at all. And we really should be forgiving. And what the heck. It's only 30 cigarettes or 10 cigarettes. For a man, you know, really didn't know what he was doing.



He wasn't a professional at all. What the heck. He was just.. just trying it out. He was just trying out originally three cigarettes for size. Now he's just trying out 10 cigarettes for size. Pretty soon he's going to have a whole warehouse of ah.. cartons of cigarettes. And what the heck. He's just trying it out for size. We really haven't been shown any proof of any of the affect of the current law. We haven't been given any examples of whether these people are violating the probation on the 2.5. We haven't really been given anything. Except we ought to enlarge it. And I don't think that's sufficient grounds to change a law. And I think that the judge was probably right in his first change. But I don't think we're right in enlarging it to such an extent that we've got professionals in the business. So I think.. I would all of you to vote no in this change."

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

Mann: "Mr. Speaker, ah.. I'd like to ask the chief sponsor.

Mr. Speaker, I'd like to ask the chief sponsor a question then to be heard on the bill."

W. Robert Blair: "Yes, proceed." He indicates he'll.."

Mann: "Mr. Getty, is this your first bill? Yes, it is.

All right. Mr. Speaker, and Members of the House, this is a bill which is inevitable in terms of national recognition of the fact that we ought not to incarcerate possessors of marijuana. We ought to, instead, concentrate on



incarcerating the pushers of marijuana. As far as I'm concerned, you can give them a life sentence. I think that they are that destructive in their affect upon young people, old people and middle aged people in this country. But I do think that we have to take cognizance of the fact that when we impose penalties for possession alone, we in affect drive students into the subculture of crime and drug addiction. We do not approve of students injecting Horse into their veins in the washrooms of our public schools. But we're not talking about hard-core drugs here. We're not talking about heroin, we're not talking about the other drugs which are habituating and habit forming in nature. What we're trying to do here is focus in realistically on a problem which has done nothing but give criminal records to young people who are indulging in what has become a national pasttime in this country. Governor's sons, Senator's sons, President's sons have been arrested for ah.. possession of marijuana. And this is one area it would seem to me, Mr. Speaker, that the police authorities have no business getting involved in. Let them concentrate on apprehension, incarceration and conviction of the pushers. Let's not divert police attention to the possessor's. The possessors are not the criminal in this ball game. The pushers are. But as long as we concentrate on the possessor's, we will be neglecting the real source of the problem. There are



people in this country who are making billions of dollars a year pushing hard core drugs and pushing marijuana. These are the people that we ought to be pursuing, Mr. Speaker. These are the people who are perverting the minds and the bodies of our young people in this country. And I would ask all of you to give very serious consideration to this bill. There was a time in this Illinois General Assembly when people were lining up to put bills in which would effect possession penalties for up to 10, 20 a hundred years. Now we know and we understand that this is not the answer, Mr. Speaker. Let's not make criminals of our young people. Let's not drive them into a subculture of drug addiction. Pot is a part of the national scene. We knew, we saw and we observed the total failure of prohibition on liquor. All we did was raise the price and make drunkards out of millions of Americans who are still alcoholics. And that a problem, too, that we're going to have to confront. So I would say to ah.. my dear friend, Mr. Juckett from Parkridge, and all of you.. this is not a fuzzy, liberal-minded approach to the problem. On the contrary. It is a realistic approach to the problem. Which will enable us really to zero in on the real offenders in this country. Those unconscionable persons who are gouging the market place and addicting young people. And I would hope that this bill would have your support."



A. Telcser: "Gentleman from Lake, ah.. Representative Griesheimer."

Griesheimer: "Mr. Speaker, would the sponsor yield to a question?"

A. Telcser: "He indicates he will."

Griesheimer: "Mr. Getty, I was wondering on this bill if you can explain the results after an offender has served his probation and has no record whether on a subsequent pick-up and conviction, whether the judge could consider this first event for purposes of sentencing?"

Getty: "I would p.. I would point out that the fact of the prior arrest would, of course, be there. The entry on the FBI sheet, as it's called, or the via-vi sheet, would indicate that he had been discharged. It would also indicate the lag time and it would be clear that the records ah.. had in effect, there would be a record of the arrest. It would also be a record that he was discharged and by the lag in time, I think it would be fairly obvious as to what had happened that this act had been applied to the individual. As far as considering it for purposes of a prior conviction, obviously, no because he would have been discharged. As far as considering it for a background, yes."

Griesheimer: "Thank you."

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



Maragos: "Mr. Speaker, at this time I would like to ask the chief sponsor a question and then go into the merits of the bill if I may."

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

Maragos: "Mr. Getty, how many years have you served in the State's Attorney Office in Cook County?"

Getty: "Ah.. approximately ten years."

Maragos: "And during that time you've seen the present act regarding the sutencing of cannibus ahh.. and ah.. possession ah.. of it being ah.. pro.. processed by your office and seeing the results of the court's action on these arrests that have been made. Have you not?"

Getty: "That's correct."

Maragos: "And what have you found.. isn't it a fact that you have found that many times the judge will fi.. give a finding of not guilty when the possession or the sub.. the amount of the substance is just over 2.5?"

Getty: "That's correct. Rather.. rather than impose the conviction and then you do not have any of the protective and preventive measures which this bill would permit, that is, to have the ah.. first defender put on probation where he.. he will realize because of the conditions of the probation that he has run afoul of the law.. where he will realize that he has done something wrong.. where he will find out and know that drugs are dangerous and at the same time we build in the provision that if he does



live up to the conditions of probation, he will not have a criminal record to haunt the rest of his life."

Maragos: "Thank you. Now I'd like to speak on the bill, Mr. Speaker."

A. Telcser: "Proceed, Sir."

Maragos: "Mr. Speaker, Members of the House, I became a co-sponsor of this piece of legislation because I discussed this thoroughly, not only with Mr. Getty but from others in the State's Attorney Office and other prosecutors throughout the state. Time and again we put severe penalties for minor offenses at which time the judges rather than have this defendant be sentenced with a hard sentence for a small offense will declare him not guilty when in affect the person may be guilty. This in affect by the explanation given to us by Mr. Getty a few minutes ago, points out that in some ways it is a harsher penalty upon the possessor of the marijuana rather than a lesser penalty because it imposes a responsibility upon the defendant and the accused to become more careful that he doesn't be caught during this period of possession. Now, I'd also like to state further that we have to read the Section 10 in whole that the only one who would be eligible to receive the benefits of this Act is one who has never been previously convicted under any offense of this, not only the State of Illinois, but the United States regarding possession of marijuana or narcotics. I think



this is a fine bill. I think it is a realistic approach to this whole problem and inspite of the few objections made on the other side of the aisle, I would state that this gentleman is a tougher bill than the present one we have in practice if not in theory. And I ask you all to support this bill and give Mr. Getty a very resounding send off on his first bill he's presented us for consideration of this House. Thank you."

A. Telcser: "Gentleman from Whiteside, Representative Miller."

Miller: "Will the sponsor yield for a couple of questions, please?"

A. Telcser: "He indicates he will."

Miller: "Mr. Getty, I've listened to all of this that I could hear concerning ah.. your bill. But I would like to know, is there anything in these sections referred to in your bill concerning the age of the accused?"

Getty: "No!"

Miller: "Nothing whatsoever?"

Getty: "No."

Miller: "All right. The next question and the last one... is this confined to user only?" Is there anything in here would.. would.. allow your bill to take affect for the so called peddler or ah.. pusher?"

Getty: "For this reason the answer is no. Ah.. up to 30 grams would be an amount which would not be the type of quantity which would be carried around by a peddler."



The fact that the next division is within the statute, within the Cannabis Control Act is from 30 grams to 500 grams. Now, the legislature in its wisdom ah.. when the Cannabis Control was passed two years ago, divided and made these ah.. segregations and it was our experience ah.. in following the Act that it would be that greater amount, that is when you get into the hundreds of grams where you would have the so-called pusher. I again point out to you that this is not an automatic provision. That is, certainly we would expect that if somebody were found or known under the facts of the case to be as we call a 'pusher' that a judge certainly wouldn't apply this provision to him even though the evidence might indicate it was a quantity under 30 grams... even under the present Act. Supposing the evidence indicated that it was a pusher, but he only had 2 grams of marijuana."

Miller: "Well, ah.. let me interrupt you, Sir. I'm old enough to remember the days of prohibition. And I remember when there a different type of penalty provided for ah.. larger penalty if the person selling the alcohol on the streets for example, if it was more than so many ounces, it was a lesser penalty if all he had in his possession, even though he was a seller, ah.. of lesser quantities. Now what my theory is here, that ah.. if you go up to 30 grams that this might mean that there would



be ways for pushers to get around this. In other words, he could have a full pack of. of cigarettes under this Act and have somebody else standing by and if he's picked the first time, he would be under this act. This is what bothers me."

Miller: "Well, can you assure me at all that this won't happen?"

Getty: "Well, I can assure you of this, Representative, that the same situation that you suggest now ah.. can' be done act presently is. We certainly would expect that the penalties, the more severe penalties would be imposed ah.. on the pusher. And the evidence would so indicate. And I point out to you that this Act does not in any way change the penalty, per say. It merely permits a suspension in the proceedings after a finding or a plea of guilty and the man is placed on probation before judgement is entered. Now, this would, of course, not be the case and I.. I.. would think that a judge certainly would run afoul of the press and the media if a pusher were found guilty and they applied this Section to him."

Miller: "Well, if I understand this correctly, the 30 grams ah.. would be ah.. equivalent to something more than one pack of cigarettes. Isn't that correct? Normally?"

Getty: "Yes, it is hard to say because there's such a variation in the courseness of what it is."

Miller: "This is where I run into trouble with the question



I'm asking you. I don't know how the court's going to determine where somebody's a pusher or just a user if he's got one pack in possession or two packs in his possession."

Getty: "Well, from the evidence and, of course, an individual is far more likely as smokers of regular tobacco to have a package or two of cigarettes in his possession and not merely 2.5 grams. So what we're doing is, we are artificially cutting it off at an unrealistically low amount. By raising the limits and not changing the penalties we give the court full discretion to meet out the full penalties in the law in an appropriate case and again, in an appropriate case to place the man under this as I call suspended type of probation without entering the finding of guilty. And I again call to your attention that because.. this is very low, the 2.5 threshold, is unrealistically low.. judges find not guilty rather than find guilty and this would end a very inappropriate situation if we raised it."

Miller: "Mr. Speaker, may I address myself to this bill?"

A. Telcser: "Proceed, Sir."

Miller: "I'm for the concept of raising it from the present law. I'm for the concept of probation as a first offender with respect to a user as concerned. I do have doubts, however, Mr. Speaker, that this will adequately ah.. take care of the situation to which I've just been referring."



I think I'll vote for this bill, Mr. Speaker, but I do have those reservations and I'll predict now, that I think in.. in a short length of time this General Assembly may be called upon to tighten up this law as.. if it is passed."

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

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, I think Ken's remarks were perfectly in order and I'm delighted he's voting for the bill. Ah.. but I'm losing the thrust of this bill with all this conversation, therefore I move the previous question."

A. Telcser: "Gentleman has moved the previous question..

All those in favor signify by saying 'aye'."

Members: "Aye."

A..Telcser: "Opposed, 'no'. The Gentleman's motion prevails.

And the gentleman from Cook, Representative Getty to close the debate."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House. I strongly urge your vote on this very important amendment. I point out to all of you that this applies only to cannibus which we commonly refer to as marijuana. It does not apply to any hard drugs or other narcotics. It is discretionary. It is within the sound discretion of a court to use this statute or not use it. The penalties are unchanged. If a first offender is placed on probation under this act and he runs afoul of the conditions of this probation, the court may impose the full sentence under the



law. I ask you, ladies and gentlemen, to vote affirmatively for this bill. We need it."

A. Telcser: "The question is shall House Bill 280 pass.

All those in favor, signify by voting 'aye', the opposed by voting 'no'. The gentleman from.. The lady from Lake, Geo-Karis to explain her vote."

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, I'm speaking as one who has been a prosecutor in the State's Attorney's office, speaking as one who has defended young people in involvements of offenses of this nature, I feel that this bill is a proper one. And I'd like to speaker in favor of it, because let us not full ourselves if we give a child or a grown-up even 18.. 21 years of age a record from which he could extricate himself; I think it's only right. We are here to rehabilitate people.. not to make confirmed criminals of someone who will not repeat the offense. We are leaving the discretion to the judge. Surely, any consciencous judge is not going to give probation or give a chance to a person to have a clean record if circumstances warrant otherwise. And I speak in favor of this bill and I so vote."

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

Rayson: "Thank you, Mr. Speaker, just briefly, and I commend the gentleman and he's got his vote and it's a very important bill. I will say that State's Attornies in Cook



County including the present State's Attorney are pleased that the legislature passed a bill that they passed last session. And it became the best bill in the United States. And they support this kind of legislation so that they won't have to con a charge by reducing maybe 20 grams to 2.5 in order to work this kind of finesse that the court should have all along anyway. So I vote 'aye' on this."

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

Duff: "Ah.. Mr. Chairman, I don't need to explain my vote.

Ah.. the board looks pretty good."

A. Telcser: "The Gentleman from Sangamon, Representative Londrigan."

Londrigan: "Mr. Speaker and Ladies and Gentlemen of the House, as one who was the first to sponsor marijuana bills in the last session, several have asked me my opinion of going from 2.5 to 30. And while I will support this bill, I think most of us would prefer to see it about 10 or 20 grams rather than 30. However, we used 2.5 previously because it was already the law. It is too low. The principal point here is that we're giving more discretion to the courts to judge these cases on an individual basis and I think that's what we must do in this area. And, therefore, although I would like to see it about 10 or 20 grams, I will support the present bill."

A. Telcser: "Have all voted who wish? Take the record.



On this question 123 'ayes', 25 'nays' and this bill having received the constitutional majority is hereby declared passed."

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

McGrew: "Mr. Speaker, I don't believe my switch was working. I tried to turn it on and it didn't catch. How am I recorded?"

F. B. Selcke: "Gentleman is recorded as not voting."

McGrew: "Would you record me as 'aye', please?"

W. Robert Blair: "Record the Gentleman as 'aye'. All right. We'll take a little break in the proceedings. We're pleased to have with us today a number of very distinguished officials from our State Veteran's Organization. And I'll introduce them and ask them just individually to say hello to us. First Joe Loam, who is the State Commander of Jewish War Veterans of the U.S.A."

Joe Loam: "Mr. Speaker, Ladies and Gentlemen of the Assembly, thank you for the honor and privilege of appearing before you."

W. Robert Blair: "And Herbert H. Juscowitz, State Commander Department of Illinois, the Polish Legion of American Veterans, U.S.A."

Herbert Juscowitz: "Mr. Blair, Ladies and Gentlemen of the House, I thank you for the honor of being here. And all I ask is your kind support for any veteran's bills to be passed. Thank you very kindly."



Hon. W. Robert Blair: "John F. Walsh, Chairman, State Commander's Commission, 1972."

John F. Walsh: "Mr. Speaker, Ladies and Gentlemen, I want to thank Representative Larry DiPrima for giving us the privilege of being here today with you people. Thank you very much."

Hon. W. Robert Blair: "Louis Vincent, Illinois Squadron Commander, Navy Club U.S.A."

Louis Vincent: "Mr. Speaker, Ladies and Gentlemen, thank you very much for inviting us here today."

Hon. W. Robert Blair: "Henry White, the Senior Vice-Commander, Department of Illinois Marine Corps League."

Henry White: "Mr. Speaker, Ladies and Gentlemen of the House of Representatives, I'm really happy to be here today, because it gives me a good reason not to be at work, and on behalf of the Marine Corps League, I want to thank you all for your assistance and help you have given us in Veterans legislation."

Hon. W. Robert Blair: "David J. Finch of Paralyzed Veterans of America, and he's right down to my right with a microphone."

David J. Finch: "Thank you, Mr. Speaker, Ladies and Gentlemen, it's indeed an honor to be here today. I thank you."

Hon. W. Robert Blair: "Al Katz, the grand 40 and 8."

Al Katz: "Mr. Speaker, Ladies and Gentlemen, it is a pleasure also for me to be here, representing the 40 and 8 and thank you for the legislation you have supported in the past and



we hope we can come back next and thank you again for the legislation we hope you will support this session."

Hon. W. Robert Blair: Sidney Vick, State Commander, Disabled American Veterans Department of Illinois."

Sidney Vick: "Mr. Speakers and Ladies and Gentlemen of the House, On behalf of the disabled veterans of the Department of Illinois, we sincerely thank you in your past support and especially for getting Veterans Day back to November the 11th. We ask you to continue in those things that are imminent to the disabled American veterans and appreciate your support."

Hon. W. Robert Blair: "Ralph J. Coup, the Senior Vice-Commander American Legion Department of Illinois."

Ralph J. Coup: "Mr. Speaker and Ladies and Gentlemen of the House of Representatives, on behalf of the American Legion and the Veterans of the State of Illinois, we thank you for the support you've given us in the past and we enlist your continued support in the future. Thank you."

Hon. W. Robert Blair: "State Commander Pat Harold, Veterans of Foreign Wars is not able to be with us today, but he had intended to be. Gentlemen, we are pleased that you took this time to be down here and visit with us. Scotty Scardino from the Amvets just appeared on the podium, State Commander."

Scotty Scardino: "Thank you, thank you very much. It's nice to be here, though I ran all the way over here, so I'm out of breath. You'll have to excuse me. Thank you very much."



Hon. W. Robert Blair: "And our former colleague, the Chairman of the Veterans Commission, John Houlihan, is down here with us."

John Houlihan: "Mr. Speaker, Ladies and Gentlemen of the House, it's sure a pleasure for me to be back here on the floor and I know that I can expect a lot of support from both sides of the aisle on veterans legislation, in this session of the General Assembly. Thank you."

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

William Walsh: "Mr. Speaker, I move that the House recess to the hour of 11:45 AM."

Hon. W. Robert Blair: "All right, ah.... when we come back in, we'll be coming back into our Regular Session. We will then be going right into our Joint Session for the Governor's Budget message at 12:00 Noon. So we'll take up at 11:45. All those in favor of the gentleman's motion to recess, say 'aye'. Opposed 'no'. The 'ayes' have it and we'll stand in recess."

Hon. W. Robert Blair: "All right, the Doorkeeper advises the Senate is at the door, and he will admit them. All right, ah.... let's be in order. Mr. President, is there a quorum of the Senate present?"

President Harris: "Mr. Speaker, I find that there is a quorum



of the Senate present."

Hon. W. Robert Blair: "All right, there is a quorum of the House present, so the Joint Session will be in order. Joint Session Resolutions."

Selcke: "Joint Session Resolution No. 2. W. D. Walsh. Resolved that a Committee of ten be appointed, five from the House by the Speaker of the House and five from the Senate by the Committee on Committees of the Senate to wait upon his Excellency, Governor Daniel Walker, and invite him to address the Joint Assembly. On the part of the Senate, Senator Rose, Scholl, Berning, Buzbee, and Wooten. The House, Geo-Karis, Kempinters, Leinenweber, Flinn and Ike Sims."

Hon. W. Robert Blair: "All right, the Chair recognizes the gentlemen from Cook, Mr. William Walsh, who moves the adoption of ah.... Joint Session Resolution 2. All those in favor, say 'aye', opposed 'no' and the 'ayes' have it and the Resolution is adopted, and the Members of the Committee will now... All right, we're advised that the Governor is arriving from the north, and so the Members of the Committee are directed to go to the rear of the Chamber to direct the Governor to the Podium when he arrives."

Doorkeeper: "Mr. Speaker."

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

Doorkeeper: "Mr. Speaker, the Honorable Governor of the State of Illinois, wishes to be admitted to this Chamber and his party."



Hon. W. Robert Blair: "All right, admit the ah.... Honorable Governor and his party. All right, if we can be in order now, we're going to be ready to proceed here in just a very, very short time, and so if the Members would please be in their seats and those other than the media, of course, who are here in front, if they would ah... please clear the aisles.. Members of the Joint Session, the Governor of the State of Illinois, the Honorable Dan Walker."

Honorable Dan Walker: "Thank you very much. Thank you very much. Thank you. Thank you very much. Mr. Speaker, Mr. President, Distinguished Officials, Honorable Members of the General Assembly. I come before this General Assembly to present to you and to the People of Illinois the first budget of my administration. It is a bare bones budget; it is a taxpayers budget. A budget which provides 118 million dollars in tax relief for the people. 118 Million dollars that is put back into the pockets of the People. There is 89 million dollars for a new program of income tax relief through a 350 dollar per person food and medicine exemption. Every taxpayer benefits. The family of six will have \$52.50 more to spend on what they want, not what government wants. There is 29 million dollars for the current program of relief for the elderly and the disabled; those who have for years supported government with their taxes. This is a budget which means more in essential services to People. We will spend more in the critical areas of education, personal safety, roads, the environment, occupational safety,



mental health and health, and we will see that those dollars are productive. This is a budget, which for the first time, in twenty-three years, seeks appropriations lower than the previous budget. An appropriation 617 million dollars less than for last year. We can and we will accomplish our objective, because we will hold the line on spending for run-a-way government services, spending for unneeded buildings, spending for planners, managers, and bureaucrats. We will do it because we will tighten our belts, eliminate waste and reallocate our resources and increase our determination to see that the taxpayers get a dollar's worth of service for every tax dollar spent. When I began work on this budget, the spending requests were over-welming. If I had allowed all the increases sought, the total budget would have been over one billion dollars higher. I could not tolerate this. You would not tolerate it and the People of Illinois would not tolerate it. You and I can agree on these basics. Government should be honest. Government should be effective in delivering services to People. Government should not promise more than its ability to deliver. Spending can and must be controlled and unless it is clearly essential to spend their money on public needs, government should be looking for ways to return the People's money back to the People. The so-called experts say that spending will always rise and taxes will always increase. They point to inflation, and the tradition that each government must have new programs which add spending on top of existing programs.



They say that old programs have constituencies and will be offended if programs are cut. They say that it is easier and politically smarter to placate the bureaucrats and the special interest groups by spending money to silence them as potential critics and retain their good will. I do not believe that government should shoulder every burden. I do not believe in government spending as the routine solution to the problems. I do not believe that bureaucracy must continue to expand endlessly, or that we must automatically accept the past failures in Public Aid as a pattern of the future. If we say that it can't be done, then we are surely saying that it won't be done, and so I rejected the so-called expert opinions. In constructing this budget, I approached it as I believe the People would have me do it. For this budget, we did not accept the concept that it's always been done this way, or that it's never been done that way. I know, and you do to, the enormous burden of today's local, state and federal taxes. People everywhere are having trouble making ends meet. Anyone who has gone food shopping knows the problem. The standard of living for many of the working people of this State is incredibly going down, because paycheck deductions, taxes and inflation are going up faster than income. And People feel that this is unfair and it is. They feel that in an affluent society, with increasing productivity, their lot should be better and not worse. And it should. And we must help. In short, the People in this State need tax relief, not tax increase.



But you, who have been here for many years longer than I, know that giving tax relief is not easy. It cannot be done by hurting the unemployed persons, the child in school, the elderly in a mental institution. It must not be done by dismembering vital programs that bring necessary services to people, but it can be done by eliminating unnecessary spending, by reallocations, by belt-tightening that I have done and that is the meaning of this taxpayer budget. There will be no new taxes and no increases in any existing taxes. For fiscal 1973, total appropriations, including deficiencies is 7 billion, 645 million dollars. My budget for fiscal year 1974 totals 7 billion, 27 million dollars. When tax relief payments are excluded, the 1974 total is 6 billion, 983 million dollars. To obtain this reduction, I have cut hard and deep. I have departed from the traditional inclusion of 'fat' for the legislature to cut. I have departed from the past practice of requesting greater appropriations for operations and grants than can be spent. This is a traditional practice. It has been defended in the name of management flexibility. But it has, in fact, led to false expectations and wasteful spending. And this budget asks you to commit only what we have to spend. These dollars must be translated into programs for People. The programs that I am recommending are described in the budget documents, particularly the budget in brief, but I would like to mention a few specifics. The largest spending increase I propose is for education. For the current year,



a total of one billion, 641 million dollars is being spent on elementary, secondary and higher education, excluding capital. For fiscal 74, I recommend one billion, 805 million, an increase of ten percent. For elementary and secondary education, I propose one billion, 230 million dollars, a twelve percent increase, over the current year. We need a formula that provides more assistance to the school districts. The total school aid I am recommending moves us toward the primary State responsibility called for by the new Constitution, and it should be enough to avoid the necessity for local property tax increases anywhere in this State with only a few exceptions. We have squeezed other programs to make room for this increase for the schools. We have done so, not only because of our constitutional obligation, but because we realize that no other program is so important to the future of the State, but I think we have to remember that spending is not an end in itself. The goal is quality education for our children. We must find ways to ensure that the goal is achieved through the adoption of better business practices and effective use of billions of tax dollars. School districts should not view increased aid as a license to spend. Rather, they should increase their vigilance and determination to see that every dollar spent is a dollar well spent. Increased State-aid and I want to repeat this here today - Increased State-aid should provide the occasion for decreasing reliance on the property tax and controlling the continuing escalation of real property



taxes. We propose to increase higher education spending from the General Revenue fund by 30 million dollars to provide for reasonable growth. This is not all that the higher education community has asked for, but it is all that the State should spend. Our colleges and universities have classroom space for 15,000 more students than they have enrolled, and enrollments are declining. At the same time, there are thousands of families in this State, and you know many of them, who cannot afford to send their youngsters to college. Therefore, the pace of construction must be reduced and we must find ways to provide for additional scholarship assistance and expanded junior college programs and meanwhile, maintaining the primacy of our senior universities. I am asking the Board of Higher Education to reconsider its budget requests in the light of the fiscal situation and the priorities that I have outlined. Accredited trade and vocational programs will continue to receive State support. We need more opportunities for electricians, mechanics, repairmen. There are many young people who rightly prefer this to a four year academic course. Spending for highways, 530 million dollars, up substantially from the 449 million dollars for fiscal 1973. New highways will be built. But top priority must be given to upgrading the State's 16,000 miles of existing roads. This includes resurfacing, widening, improving narrow bridges, straightening curves and replacing deteriorated sections. This program is based on the real every day needs



of People. People who drive to work, to shop or to visit friends or relatives. To provide for more money for construction and maintenance, we reduce spending for administration in that Department, by 15 percent. Our public transportation systems cannot survive solely from the fare boxes. But we cannot be forced to act blindly in an atmosphere of crisis. We do need integrated regional transportation systems. Health care for all citizens is a major concern. In mental health, our emphasis will be on direct care for patients in state institutions and on community mental health programs. Our focus must be on compassion, on understanding, on quality treatment, which enables people to resume normal lives. Our attitude toward the elderly simply must change. It is wrong, I suggest, to treat the mentally ill and aging persons, whose mobility and mental facilities have slipped naturally with age. It is equally wrong to treat elderly people in institutions as numbers, to be dumped indiscriminately into inadequate private facilities. Other health programs will also receive attention and support. By coordinated planning, involving the numerous state agencies, boards and commission, we will be seeking ways of improving our health services, and in many smaller communities and in some portions of our big cities, many of you are personally familiar with this, it is not a question of quality health care, it is a question of being able to get to a doctor at all. We must find ways through controlling excessive costs and frauding insurance programs to make quality



health care available within the budgets of working men and working women. We will continue to increase support for medical education, and at the same time, devise ways to induce the doctors we trained so expensively to remain in our State. The State must see the laws regulating occupational health and safety are fully implemented. The measure of success will not be the number of violations found, but the prevention of work related diseases and accidents. In children and family services, our aim is to provide health to the thousands of children dependent on the State. We will, we must, end the bureaucratic boon-doggles, which have had tragic consequences. We must see that children neglected by their parents are not dumped into institutions and neglected again. We must see that children abused by their parents are not returned to those parents to be abused again. We are increasing our commitment to personal safety. Support for local law enforcement will be increased so that we can get more policing out there on the streets, visible where they can prevent crime. All of us were shocked by the recent killing of a prison guard in one of our institutions. The guards must be safe and they must feel safe. Therefore, we are going to increase the number of guards and initiate programs to improve their training and improve their pay. We are committed to the protection of our natural resources. The Environmental Protection Agency will receive two and one-half million dollars more to administer expanded programs designed to



clean up the air, the land and the water. This agency is going to do more than find technical violations. It will cease the arrogant enforcement of unrealistic deadlines and the dissipation of efforts on low priority projects. I am much more concerned about the factory belching smoke of major industrial areas, than a farmer burning branches on the south 40. In.... Senator, I'm not about to stop now. In Conservation, the emphasis will be on opening for public use, a vast land, which the State now owns. I have referred to it in the budget-in-brief as too much banking of land. In many of these areas, improvements can be minimum, so that a working man and his family can enjoy hiking and hunting and fishing and camping. Now other spending will be substantially reduced from this year's level. Going to do this not by arbitrarily cutting, but by looking carefully to determine what is essential and what is not essential. There will be reallocation. For example, the Commerce Commission recently entered into a joining program with the State Police for increased enforcement of trucking regulations and we're going to save approximately one-hundred and fifty thousand dollars in reduced personnel costs at the Commerce Commission. We're going to spend less money on brochures and new cars. We're going to spend less money preparing plans that nobody reads, and forms and reports that nobody needs. We are going to reduce the number of top and middle level bureaucrats, who are sometimes there, merely to answer questions from other bureaucrats. For example, in the



Department of Agriculture, we have cut 35 positions, unnecessary administrators, clerical help and inspectors. I am confident that the People of this State have not suffered any loss in service and yet the annual savings are about 300 thousand dollars. In every department and agency, I'm going to insist on cut-backs on outside contracting, on excessive staffs and more creative savings. If this sounds simplistic, let me remind you that when a financial crunch comes to any family, that family weathers its storm by taking a hard look at every part of its household. You find pennies to save dollars. And we must think of spending taxpayers money as though it were our own. Our battle to control... gain control of public aid is going to be a tough one, and as I stand here before you with this budget, I know that very, very well. We expect to hold public aid spending next year below the spending expected this year. Currently, one billion, 448 million. Next year one million, 430 million. Eliminating over-payments and payments to ineligible recipients will enable us to meet this goal. By adding capable caseworkers and allowing the caseworkers to help people by liberating them from a morass of forms and procedures, they can help win this battle against public aid waste. We believe, we believe that by holding our capital plans to what we expect to commit and by committing only what we need to provide services, we can live with a more modest construction budget. Now this not only helps lower the budget this year, it reduces the



upward pressure on that budget in every subsequent year, coming from operating, maintaining and paying the debt service. This will help avoid tax increases, not just this year, but in every fiscal year that follows. I have proposed today that we give back to the People of Illinois some of their hard, earned money. I have proposed that we give back 118 million dollars in tax relief. The way that I propose to do this is through a food and medicine income tax exemption and relief to the elderly. The basis of the income tax relief is a 350 dollar exemption per person in addition to the exemptions now received. A couple would receive an additional 700 dollar exemption, two people. A family of four, an additional 1400 dollars in exemptions. Let's take a look at a family of five. Three children, earning \$10,000 a year. Now, they pay \$125 in State income tax. Under this tax relief program, they would pay \$81.25. There income tax bill will be down by 35 percent. And I would like to invite your attention to the other part of this program. A retired couple, whose taxable income is \$3,800, currently receives \$4,000 in exemptions and pays no State income tax. Under this program, that couple will receive a check for \$17.50 from the State. Now that may not seem like a lot to some of us, but I'd like you to think about what it means to a Senior Citizen. A person to whom a new pipe, or a movie or a trip to the beauty shop is a real luxury. Holding the line on spending and cutting the budget is not going to be popular in all quarters and I know that.



There will be those seeking more for their special programs, knocking on your doors and knocking on my door, and they'll do it even though that means taking money out of the pockets of the taxpayers, but I urge you, do not listen to the voices crying the loudest. Do not listen to the voices claiming that spending must keep going up. Do not listen to the voices that are clammering for more public money. I ask you today to join with me to resist the pressure to spend more. I ask you to turn a death ear to the special interest and to listen to the voices of the over-burdened taxpayers. I ask you to join me in protecting their tax relief. I bring this budget to you today and the days ahead. We must take it directly to the People of this State. Thank you."

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

President Harris: "Mr. Speaker, I now move that the joint session do arise."

Hon. W. Robert Blair: "All those in favor of the gentlemen's motion, say 'aye', opposed 'no'. And the joint session is now adjourned. Gentlemen from Cook, Mr. William Walsh."

Walsh: "Mr. Speaker, I move that the House adjourn until 9:30 AM tomorrow, March 8, in perfunctory session and 10:00 in regular session."

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

Walsh: "The 9:00 O'clock Committee meetings tomorrow morning will meet at 2:00 O'clock tomorrow afternoon, and the 11:00 committee meetings scheduled for tomorrow will meet



at 4:00 O'clock tomorrow afternoon."

Hon. W. Robert Blair: "All right, the gentlemen's motion is that the House stand adjourned until the hour of 9:30 AM tomorrow morning for the purposes of perfunctory and 10:00 O'clock for Regular Session. All those in favor of the gentlemen's motion, say 'aye', the opposed 'no', and the House stands adjourned."



HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

TWENTY-THIRD LEGISLATIVE DAY

MARCH 7, 1973

10:00 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 Richard A. Carter - illness;

Representative Peter C. Granata - illness;

Representative Peter Pappas - illness;

Representative Joseph G. Sevcik - illness;

Representative Fred Tuerk - no reason given;

Representative John F. Wall - illness;

Representative Robert L. Dunne - no reason given.



Catania: "The House will now come to Order. The Prayer will be given to us by Mr. Merlo."

Merlo: "Let us pray. Oh Father, give us thanks this morning, for giving us the privilege of coming before you. Thanking each one of the Members, we ask this in Jesus' name. Amen."

Catania: "The business that comes before the House. Committee Reports."

Selcke: "Mr. Bluthardt from the Committee on Elections, to which House Bill 185 and 286 were referred, reported sending back with the recommendation the Bills do pass. Mr. Bluthardt from the Committee on Elections, to which House Bill 2 was referred, reported sending back with Amendments thereto, with a recommendation the Amendments be adopted and the Bill as amended do pass and be re-referred to Appropriations. Mr. Bluthardt from Elections to which House Bills 1 and 53 were referred, reported sending back with Amendments thereto, with the recommendation the Amendments be adopted and the Bills as amended do pass. Mr. Soderstrom from the Committee on Elementary and Secondary Education, to which House Bills 205, 306 and 307 were referred, reported sending back with Amendments thereto, with a recommendation the Amendments be adopted and the Bill as amended do pass. Mr. Epton from Insurance to which House Bill 144 was referred, reported sending back with Amendments thereto, with the recommendation the Amendments be adopted and the Bill as amended do pass. Mr. Epton from Insurance to which House



Bills 149, 151 were referred, reported sending back with a recommendation the Bills do pass. No further Committee Reports."

Catania: "Introduction on the First Reading."

Selcke: "House Bill 505. Philip. Amend State Police Act.

First Reading of the Bill. House Bill 506. Emil Jones

et al. Amends Public Utility Act. First Reading of the

Bill. House Bill 507. Jones et al. Amends Public

Utility Act. First Reading of the Bill. House Bill 508.

McMaster et al. Amends an Act relating to Public Officials

holding other offices. First Reading of the Bill. House

Bill 509. McMaster et al. Section of Probation Officer's

Act. First Reading of the Bill. House Bill 510. McMaster

et al. Amends Revenue Code. First Reading of the Bill.

House Bill 511. McMaster et al. Amends the Highway Code.

First Reading of the Bill. House Bill 512. McMaster.

Amends Municipal Code. First Reading of the Bill. House

Bill 513. McMaster et al. Amends an Act relating to the

Election of County Board Members. First Reading of the

Bill. House Bill 514. McMaster et al. Amends the Election

Code. First Reading of the Bill. 515. McMaster et al.

Adds Section to Counties Act. First Reading of Bill. House

Bill 516. McMaster et al. Amends the Counties Act. First

Reading of the Bill. House Bill 517. McMaster. Amends

the Township Act. First Reading of the Bill. 518.

McMaster. Amends the Illinois Inheritance Tax Act. First

Reading of the Bill. 519. McMaster et al. Transfers the



Authority to pay certain township funds. First Reading of the Bill. 520. McMaster. Amends the Counties Act. First Reading of the Bill. 521. McMaster. Amends an Act in relation to County Zoning. First Reading of the Bill. 522. McMaster. Amends an Act relating to State Revenue Sharing. First Reading of the Bill. House Bill 523. Murphy et al. Amends Sheriff's Act. First Reading of the Bill. 524. Murphy et al. Amends State Police Act. First Reading of the Bill. 525. Murphy et al. Amends Municipal Code. First Reading of the Bill. 526. J. J. Wolf. Amends an Act and provides law in relation to Marriages. First Reading of the Bill. 527. Kenny Miller et al. Amends Probate Act. First Reading of the Bill. 528. Day et al. Amends the Wage Deduction for benefit of creditors Act. First Reading of the Bill. 529. Day et al. Provides for State payment on account of benefits for State property resulting from local improvements made by special assessment. First Reading of the Bill. 530. Schneider et al. Creates the office of Ombudsman. First Reading of the Bill. 531. Kosinski. Appropriates 30 million dollars to the Commission of Savings and Loan. First Reading of the Bill. House Bill 532. Flinn. Amends the Provision of the Illinois Governmental Ethics Act. First Reading of the Bill. 533. Matijevich. Creates the Youth Camp Act. First Reading of the Bill. 534. J. J. Hill, et al. Appropriates \$3,500,000 to the Department of Transportation. First Reading of the Bill. 535. Matijevich et al. Amends an Act in relation



to Public Health. First Reading of the Bill. 536.

McClain et al. Amends the Department of Children and Family Services Act. First Reading of the Bill. 537.

Harpstrite et al. Appropriates \$235,000 to the City of Salem. First Reading of the Bill. 538. Murphy. Conveys a 20 foot strip of land in Lake County to owners of adjoining property. First Reading of the Bill. 539. Blades et al. Amends the Illinois Horse Racing Act. First Reading of the Bill. 540. Houlihan et al. Amends the Liquor Control Act. First Reading of the Bill. 541. Blades et al. Amends the Electric Suppliers Act. First Reading of the Bill. 542. Rigney et al. Amends Motor Fuel Tax Act. First Reading of the Bill. 543. Rayson et al. Amends Fair Employment Practice Act. First Reading of the Bill. 544. Rayson et al. Amends the Criminal Code. First Reading of the Bill."

Catania: "We'll now go to the House Joint Resolution and the Constitutional Amendments."

Selcke: "House Joint Resolution Constitutional Amendment 19. Jaffe et al. Resolved by the House of Representatives of the 78th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the State for adoption or rejection at the General Election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 3 of Article VII of the Constitution to read as follows: 'Article VII. Section 3. County Boards. A.



A County Board shall be elected in each County. The number of Members of the County Board shall be fixed by Ordinance in each County with a limitation provided by law. B. The General Assembly by law shall provide methods available to all Counties, except Cook County, for the election of County Board Members. No county shall change its method of electing Board Members except as approved by County-wide referendum. C. Members of the Cook County Board shall be elected from 15 single member districts. Each member shall be a resident of the District he represents. No later than June 30th, the year after the adoption of this Amendment and the year after each Federal Census year thereafter, the Cook County Board by ordinance shall divide the county into 15 single member districts from which the Members of the County Board shall be elected at the next election of the County Board Members, and each election of County Board Members thereafter until the County Board is required to be redistricted. The method of electing Members of Cook County Board is not subject to change by referendum.

First Reading of the Constitutional Amendment."

Catania: "Representative Simms, are you moving to adjourn the House until 10:00? All those in favor, signify by saying 'aye', all opposed. Motion carried."

