

Speaker Blair: "The House will be in order. The Invocation will be by Doctor Johnson."

Doctor Johnson: "Now, we pray. Almighty Father bestow upon me and all of my colleagues assembled in this House the full measure of Your divine spirit. Grant that we may want more to serve than to be served, more ready to understand than to be understood, more inclined to exercise patience than to be the recipient of it, more ready to extend compassion than desirous of receiving it, more ready to pardon a colleague than to demand pardon when we have been wronged, more ready to speak a word of consolation than to accept such words from others, more eager to find favor in Your sight than with those whose favor is often as fickle as is our own. We pray this in the name of Him who taught to seek Your righteousness above all things. Amen."

Speaker Blair: "Roll Call for attendance. Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has refused to concur in the House in the adoption of the Amendment of House of Representatives a Bill of the following title to wit, Senate Bill 210; action taken by the Senate, June 17, 1974; Edward E. Fernandes, Secretary. A message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has acceded to the request of the House of Representatives for a Conference Committee to consider the difference between the two Houses in regard to House Amendment #1 to Senate Bill 84; action taken by the Senate, June 17, 1974; Edward E. Fernandes, Secretary. A message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has acceded to the request of the House of Representatives for a Conference Committee to consider the difference between the two Houses in regard to House Amendment #1 to Senate Bill 634; action taken by the Senate, June 17, 1974; Edward E. Fernandes, Secretary. A message from the Senate by Mr. Fernandes, Secretary."



Mr. Speaker, I'm directed to inform the House of Representatives the Senate has acceded the request of the House of Representatives for a Second Conference Committee to consider the difference between the two Houses regarding Senate Amendment #4 to House Bill 32; action taken by the Senate, June 17, 1974 . . ."

Clerk Selcke: "A message from the Senate by Mr. Fernandes, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills of the following titles in the passage of which I'm instructed to ask concurrence of the House, Senate Bills 1273, 1432, 1482, 1535, 1538, 1552, 1553, 1555, 1566, 1614, 1619, 1621, 1623, 1627, passed the Senate, June 17, 1974;

Edward E. Fernandes, Secretary. No further messages. Do we

have any Agreed Resolutions? Agreed Resolutions, Mr. Speaker."

Speaker Blair: "Agreed Resolutions."

Clerk Selcke: "House Resolution 1031, McMaster, et al. House Resolution

1032, McMaster, et al. House Resolution 1033, Porter, et al.

House Resolution 1034, Yourell, et al. House Resolution 1036,

Capparelli, et al. House Resolution 1039, Porter, et al."

Speaker Blair: "Mr. William Walsh."

Walsh, W.: "Mr. Speaker, Ladies and Gentlemen of the House, these are the Agreed Resolutions. House Resolution 1031 commends the people of Henry, Warren, McDonough and Fulton Counties who responded promptly and unselfishly to the emergency conditions existing in Knox County; and they further commend the National Guard and Army Reserve Units from Galesburg. House Resolution 1032 urges Governor Dan Walker to seek immediate disaster relief from the appropriate federal authority in order that the City of Abingdon and surrounding communities be declared emergency disaster areas following the tornado last weekend. House Resolution 1033 congratulates the Glenbrook North Spartans on winning the Illinois High School Basketball Championship. House Resolution 1034 congratulates the Chicago South Chamber of Commerce on the 80th Anniversary of its chartered existence. House Resolution 1036 congratulates Florian Pielin on the occasion of his retirement. And House Resolution 1039 congratulates Paul Harrington Duff, M.D.,



beloved father of our colleague, Brian Duff, will celebrate his 80th Anniversary . . . the 80th Anniversary of his birth on July 6, 1974. And I move the adoption of the Agreed Resolutions."

Speaker Blair: "All right, is there discussion? The 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. Further Resolutions."

Clerk Selcke: "House Resolution 916, Walters, et al. House Resolution 1030, Beaupre, et al. House Resolution 1037, Keller. House Resolution 1038, Hyde, et al."

Speaker Blair: "All right, now, before we go on to Second Reading . . ."

Clerk Selcke: "Wait a minute, we've got introductions . . ."

Speaker Blair: ". . . well, I'm not . . . we can get to that. . ."

Clerk Selcke: ". . . Okay."

Speaker Blair: ". . . before we go on to Second Reading, two things; one, all the Bills that are on Second Reading have been read a second time. So after you have the Bill in the shape that you want it, we'll be happy to have it read a third time and considered right at the time that it's called. Secondly, Mr. William Walsh has an announcement concerning the schedule."

Walsh, W.: "Mr. Speaker, and Ladies and Gentlemen of the House, the tentative schedule for the coming two weeks is as follows, and I emphasize tentative, this week it appears that we will go through Friday, although there's a chance, and depending upon how rapidly we handle the work before us, that we will be out this week on Thursday. It would be well to plan on being here all of next week, including the weekend, although there are some negotiations underway and some efforts being made between the Leadership and the House and the Leadership in the Senate to adjourn finally for this Session of the Legislature on Thursday, on a week from this coming Thursday, which would be the 28th. I have no further announcements, Mr. Speaker, unless you would like to elaborate on this."

Speaker Blair: "Well, I think though that the Membership ought



to be made aware of the fact that the Leadership can only do so many things to try to expedite the operation of this House; and that real expedition comes from the individual Members and how they handle themselves with respect to debates and so forth. And so we're going to be moving right along now and to get this Calendar cleaned up. If you all want to get out of here earlier, rather than later, then your assistance in that respect would be the key towards accomplishing it. All right, we're going down the priority of call. If you'll notice, the Calendar now has Senate on it, the priority of call. So there shouldn't be any questions about where we're going. The priority starts at the beginning of each of the calls. So start the priority of Call on House Bills, Second Reading."

Clerk Selcke: "House Bill 2117, Shea . . ."

Speaker Blair: "Out of the Record. Out of the Record or are you going to go? Mr. Shea."

Shea: "Mr. Speaker, there is an Amendment on there; and if nobody would object, I'd like to go with the Amendment. If there's going to be objections, I don't think I'm going to go."

Speaker Blair: "Mr. Kempiners."

Kempiners: "Mr. Speaker, I'd like to know what Mr. Shea plans on doing if the Amendment is adopted. I would like to see this rereferred to Committee so we'd be able to study it. And if he would do that, I would not offer an objection; but if he would not, I would ask for a ruling from the Chair as to the germaneness of the Amendment."

Shea: "I think I'll just hold the Bill and find a more appropriate vehicle."

Speaker Blair: "All right. Yeah, he just said . . . well, do you want to go ahead with the Bill without the Amendment? Okay. Take it out of the Record."

Clerk Selcke: ". . . House Bill 2109, Brinkmeier . . . is he here? . . ."

Speaker Blair: "Is Mr. Brinkmeier here? Okay, go ahead."

Clerk Selcke: ". . . House Bill 2150, Katz . . . not here . . ."

House Bill 2199 . . ."





Speaker Blair: "Now, Mr. Katz is here. Do you want your 2150, Mr. Katz? 2150 amends the Vehicle Code. This Bill has been read a second time, and there are no Amendments. Do you desire to have it read a third time? All right, read the Bill a third time."

Clerk Selcke: ". . . House Bill 2150, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Blair: "The Gentleman from Cook, Mr. Katz."

Katz: "This is the Bill that would make it possible for the citizens of the State of Illinois to be able to apply for their automobile license tags without the inconvenience of having to find a notary in order to do it. It is a Bill that was and is strongly supported by the Secretary of State, who believes that, not only would it be a great convenience to the motorists for the State of Illinois in saving them the time of finding a notary, but the Secretary of State's office daily has to return about 9,000 letters because of the faulty completion of the form. In most instances the faulty completion is the failure to notarize. This Bill came out of the Motor Vehicles Committee here with, I think, a unanimous vote. We passed it last year. And I would strongly urge the enactment of House Bill 2150."

Speaker Blair: "Is there discussion? The question is, shall House Bill 2150 pass? All those in favor vote 'aye' and the opposed 'no'. Have all voted who wish? The Clerk will take the Record. On this question there are 103 'ayes' and 1 'nay'; and this Bill having received the constitutional majority is, hereby, declared passed."

Clerk Selcke: "House Bill 2199, Porter . . . there's one floor Amendment."

Speaker Blair: "All right, this Bill's been read a second time. There are no Committee Amendments, there's one floor Amendment."

Clerk Selcke: "Amendment #1, Porter, amends House Bill 2199 on page 1 and so forth."

Speaker Blair: "All right, the Gentleman from Cook, Mr. Porter, to explain the Amendment."



Porter: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 provides for the appointment of the Members of the Commission, three by the Speaker, three by the Minority Leader, three by the President of the Senate and three by the Senate Minority Leader. And it also changes the language as to the role of the Commission to provide that it would review the policies and procedures of the authority and its administration of the Act. And I move its adoption."

Speaker Blair: "Is there discussion? The question is on the adoption. All those in favor say 'aye', opposed 'no'; the 'ayes' have it, The Amendment's adopted. Further Amendments?"

Clerk Selcke: "No further . . ."

Speaker Blair: "Third Reading. Read the Bill a third time . . . Amendment . . ."

Clerk Selcke: ". . . House Bill 2199, a Bill for an Act to amend the Regional Transportation Authority Act. Third Reading of the Bill."

Porter: "Mr. Speaker, and Ladies and Gentlemen of the House, I . . . well, Mr. Speaker, I would like 2199 and 2200 to be heard together if we can. It's a companion appropriation Bill."

Speaker Blair: "All right, read 2200."

Clerk Selcke: "House Bill 2200, a Bill for an Act to provide for the ordinary and contingent expenses of the Legislative Advisory Committee on the Regional Transportation Authority. Third Reading of the Bill."

Speaker Blair: "All right, Mr. Shea, for what purpose do you arise?"

Shea: "Yeah, I'm wondering if the Gentleman . . . would you hold this until I talk to you for a minute?"

Porter: "Sure."

Clerk Selcke: "Out of the Record."

Speaker Blair: "All right, take . . . do you want both of them held, Mr. Shea? All right, take them both out of the Record. Well, take them out of the Record and I'll come back to them. Let's keep going. We don't have time to waste."

Clerk Selcke: "House Bill 2207, Choate . . . do you want to go with



it, Clyde? Do you want to go with it? He wants to go, should I read it a third time?"

Speaker Blair: "What is it?"

Clerk Selcke: "2207, Choate's Bill."

Speaker Blair: "Yeah, sure."

Clerk Selcke: "House Bill 2207, a Bill for an Act making an appropriation to the Department of Transportation. Third Reading of the Bill."

Speaker Blair: "The Gentleman from Union, Mr. Choate. There you go again. That static is coming off of your mike."

Choate: "Is it on again?"

Speaker Blair: "Your static is bad, yeah. Can't you have the . . ."

Choate: "I can't help it because I'm such a live wire."

Speaker Blair: "That's good. Now, why don't you have them check that out, Fred? Pick it up again and see if it'll work."

Choate: "How's my static now?"

Speaker Blair: "Okay, you're all right."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2207 appropriates \$180,000 to the Department of Transportation, the Division of Waterways, to rectify a situation brought about by the Division of Waterways and the Corps of Engineers. The Corps of Engineers with cooperation from the Division of Waterways is working on a \$10,000,000 flood control project on the Saline River. And as they . . . after they started to work on it, they found out that they're disturbing the water supply of the City of Harrisburg. They need this money to build a higher dam so that Harrisburg and the surrounding smaller communities will be able to have water, adequate water, for their home use and the city's supply until such time as canalization of the Middle-Fork Creek of the Saline River is cleared up and canalizes; and I would appreciate the support of the House, Mr. Speaker."

Speaker Blair: "Is there discussion? All right, the question is, shall House Bill 4307 pass? All those in favor will vote 'aye', the opposed 'no'. Have all voted who wish? The Clerk will take the



Record. On this question there are 119 'ayes', no 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed."

Clerk Selcke: "House Bill 2217, Kelly . . . Mr. Speaker, Kelly, this Bill has been read a second time and there's an Amendment."

Speaker Blair: "Mr. Kelly."

Clerk Selcke: "Amendment # . . . this Bill has been read a second time . . . Amendment #1 was tabled in Committee. Committee Amendment #2 amends House Bill 2217 and so forth."

Speaker Blair: "Mr. Kelly."

Kelly: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to make a motion . . . I would like to make a motion on House Bill 2217 to table Committee Amendment #2."

Speaker Blair: "All right, the Gentleman . . ."

Kelly: "That's the one we had in Committee."

Speaker Blair: ". . . offers to move the adoption of Committee Amendment #2 and then moves to table. All those in favor of the motion to table . . . Mr. Washington . . ."

Kelly: "This question was just raised to me by Representative Washington, and that is what particular Amendment is this #2. #2 is the . . . the only Amendment that we had on the Bill when it left the Committee. And I'm asking it to be tabled so that I can ask for an adoption of Amendment #3, House Amendment #3, which would only change Amendment #2 by implanting the word subsequent after the words second offense or second violation. This was recommended by a Member of the Judiciary II Committee; and I've certainly consented to attaching this on to the legislation. And that's why I'm asking for the tabling of Amendment . . . Committee Amendment #2 and the adoption of Amendment #3. I ask for your favorable adoption . . . support."

Speaker Blair: "All right, is there . . . is there leave to table Amendment #2? Hearing no objection, it's tabled. Read the next Amendment."

Clerk Selcke: "Amendment #3, Kelly, amends House Bill 2217 on page 1 and so forth."



Kelly: "As I indicated a few moments ago, this Amendment #3 merely adds the word subsequent in three different locations on this Amendment after the words second violation or second offense. So that it will read, 'second or subsequent violation'. The fact being that there might be someone who might possibly commit this crime a third time. And I ask for your favorable support."

Speaker Blair: "Discussion? The question is on the adoption of Amendment. All those in favor say 'aye', opposed 'no'; the 'ayes' have it, the Amendment is adopted. Further Amendments? Third Reading. Read the Bill a third time."

Clerk Selcke: "House Bill 2217, a Bill for an Act to provide for increased terms in imprisonment and so forth. Third Reading of the Bill."

Speaker Blair: "Mr. Kelly."

Kelly: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2217 maybe one of the most important Bills that you're voting on throughout the entire 78th General Assembly. To my knowledge, this is probably the only Bill that has made a direct attack against the drug traffic which is going on in our state. House Bill 2217 began as a very, very big Bill that covered lots of areas, including rewards in various other legislation that would've made a gigantic impact on Illinois. But the feeling of the Judiciary II Committee was that it encompassed too much and took in too much area. And, therefore, this Bill was reduced down to its present existence; and that is it's a Bill that is directed against the pushers of drugs. In fact, it imposes probably the stiffest sentence that you can impose against drug pushers, and that is upon the second time that you're convicted of trafficking in dangerous drugs you would receive a mandatory life imprisonment sentence with no possibility of probation before a 20-year period. While this is certainly strong legislation, and is in the same area of capital punishment, I happen to feel that it belongs in that area. I've received numerous correspondence from Doctor Andrew Toman, the Cook County Coroner, pointing out the statistics in Illinois that drug



traffic has nearly tripled in the deaths relating to drugs in the first quarter of this year in '74 as compared to '73. I also have the support of various organizations for police organizations, of church organizations, Illinois Church Action on alcoholic problems. And I ask for your favorable support on this particular piece of legislation . . . for any questions that there might be."

Speaker Blair: "All right, is there dis . . . is there questions now? Mr. Yourell."

Yourell: "Yes, would the Gentleman respond to a question or two?"

Under your Bill, Dick, if a 10-year old child is caught selling drugs for the second time, does it provide for a mandatory life sentence without parole for 20 years?"

Kelly: "What we're speaking about here in this Bill is not someone who just accidentally one time, this is a second offender that's had a second felony once, which is a major crime in this state. And during the testimony in our Judiciary II Committee, it was brought up by the . . . by the Gentleman who was testifying at the Committee hearing that the trafficking of drugs is in our grade schools right now. This is a problem. And if this will help stop 10-year olds and 12-year olds from becoming involved in this, I would say that it definitely would include the control in this area, yes."

Yourell: "In other words, what you're telling us that if a 10 or a 12-year old child is caught selling drugs for the second time, that he is mandated by the courts to be put away for life, is that right?"

Kelly: "Under the present laws of Illinois right now, you're not . . . when you're a 10-year old child or a 12-year old child, you're not patted on the back. And this is . . . they'll be . . . there possible can be in some . . . in the areas of the young children, but the major number of people that this Bill was directed at, as you know, are the pushers, not the 10 and 12-year olds."

Yourell: "Would you answer my question, yes or no, can a 10-year old receive a life sentence under your Bill?"



Kelly: "Representative Yourell, under the age of 16, you would be under the Juvenile Act of the State of Illinois according to . . ."

Yourell: "So then what you're saying that if a 16-year old child is convicted, then that 16-year old child receives a mandatory life sentence?"

Kelly: "16-year olds is not a child, 16-year olds is definitely in the . . . can be tried as a child or as an adult and is very much knowledgeable about what he is doing right and what he is doing wrong at 16."

Yourell: "Thank you. I would like to address myself to the Bill, Mr. Speaker. I'm in complete accord that something must be done with the hard-drug pushers and users; but I can in no way in good conscience vote for a Bill that will provide for a mandatory life sentence for a 16-year old child. We talked continually about rehabilitation, we talked continually about reform in our correctional institutions and in our prisons; and here is a Bill before that will provide a mandatory life sentence without hope for parole for a 16, or 17 or an 18-year old child who has been convicted a second time of selling drugs. Now, I'm willing to support, and I asked Representative Kelly to put me on this Bill, and I see that I'm not a Cosponsor of the Bill in spite of my request of him, and I indicate to you that if you vote for this Bill, you don't believe in rehabilitation, you believe in the ultimate sentence . . . the life sentencing of a 16-year old child to the deprivations of the life in our prisons today, which can only make him worse, and worse and worse. So, Ladies and Gentlemen, although I do agree and would support strong legislation that would do something to curb useage and the selling of hard drugs in the State of Illinois, I cannot in good conscience put a 16-year old in jail for life."

Speaker Blair: "Mr. Tim Simms."

Simms: "Mr. Speaker, if the Sponsor would yield for a question? Representative Kelly, during testimony, did the Illinois State's Attorneys Association take any type of posture at all on your Bill?"



Kelly: "The Illinois State's Attorneys did not testify for or against on the Committee so . . ."

Simms: "What groups have endorsed your concept of a criminal penalty for those that violate . . . the sanction of your Bill?"

Kelly: "Mr. Speaker, can you give me some order, please?"

Simms: "Representative Kelly, have there been any groups that have, in the hearings dealing with your Bill, have come forth as a way of endorsement of the contents of it. Now, the State's Attorneys Association has taken no posture. Has there been any other groups that have taken either a pro or a con posture regarding the legislation?"

Kelly: "Yes, the Illinois Police Federation, the South Suburban Police Association and several members of the police chiefs throughout the state . . . well, one police chief from Richton Park was before the Committee, and a narcotics officer also testified at the hearing in favor of the legislation."

Simms: "But there have been no groups of any state-wide import that have come forth in a way of recommending your legislation, is that correct?"

Kelly: "Well, I have a letter of approval or recommendation, Illinois Church Action on Alcoholics Problems asking for severe penalties to be administered to second offenders of pushing hard drugs. This is as far as I know of state-wide organizations."

Simms: "And they specifically endorsed your Bill?"

Kelly: "They specifically endorsed strong legislation, it says, 'Your Bill, House Bill 2217, as I understand it will be amended, but it will essentially impose very severe penalty for second offenders for pushing hard drugs'. So, yes, they do endorse my Bill."

Simms: "Well, I've never heard of them; but I guess that doesn't matter. Well, it seems to me, Mr. Speaker, a Bill of this magnitude would've have had some type of endorsement from some state-wide organization, such as the State's Attorneys Association, who are going to be charged with the enforcement of this type of legislation. And for these reasons, I would urge the Members





to take a very close look at the contents."

Speaker Blair: "Mr. Getty."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House, would the Sponsor at least yield for a question?"

Speaker Blair: "Yeah, he says he will."

Getty: "Mr. Kelly, would you tell us if this applies to a mere delivery as opposed to a sale?"

Kelly: "As you know, in this area it's very difficult to determine whether it's a sale or whether it's an exchange. And just as it is presently on the law, and this would include . . . this would not be separated, whether it would be the actual exchange, sale or manufacture. It would be included."

Getty: "All right, so what you're saying is that a 16-year old or, indeed, any age person who was merely delivering it to somebody else for their own use or another's use would be as guilty and as subject to this mandatory life sentence as a person who is actually doing it for gain. In other words, the same penalty as the real pushers, that's what this Bill means?"

Kelly: "Well, once again, Representative Getty, I will reiterate that this is not the first offense, this is the second major offense of having narcotics. And it's not going to be just an innocent person that's just been trafficking, this is someone that's been brought before before the judicial and already received an earlier sentence. This is not an innocent person."

Getty: "But this would apply to a 16-year old who would possibly not even know the grams or quantities involved in order to make him subject to this, is that correct?"

Kelly: "This is very similar to the New York legislation that we have right now . . . that has been in existence in New York. As a matter of fact, I based this Bill to a large degree on many of the areas of the New York legislation. And their's reads exactly as this does. And the age . . . and as you know, underneath of this Bill, if you're below the age of 18, you do receive a reduced sentence, and that is, instead of having your 20 years of required sentence, it's reduced to 15. So there is a provision



between the age of 16 and below 18."

Getty: "All right, now, could you tell us . . . I note from the sheet that you gave out on this that morphine, 30 grams of morphine, would be one of the subject matters that would be involved, is that correct?"

Kelly: "Well, what I gave you on this sheet here was a prepared statement. As a matter of fact, I asked an expert in this area to give me his opinion, this is Mr. Roger North, who is with the Comptroller's office, George Lindberg's office, and he had a great deal to do, as a matter of fact, played a major role in defining these substances. And as you know, Illinois is probably one of the leading states in the area of definition on controlled substances. And he prepared a statement indicating which category that these various substances belonged in. And if it's listed on here, you can believe it that it's in one of the categories that's considered."

Getty: "Well, my point is this, what is 30 grams of morphine? How many pills would that be?"

Kelly: "This already is considered, everyone of these items listed on here, already is a Felony 1 and considered major and dangerous in the areas of drugs. And it's not being anymore than transferred to this new classification of weighing . . ."

Getty: "But you're giving a mandatory life sentence with an absolute minimum of 20 years, or in the case of a person under 17, 15 years, before they could possibly see the light of day, is that correct?"

Kelly: "That . . . is correct."

Getty: "And . . . morphine is something that's available through legal as well illegal channels, is that correct?"

Kelly: "I'm trying to get some legislation in the state here to make some strong drug laws; and this happens to be where it can be made. Right now the present laws are so weak anyone can make a fortune in one year and come out and retire for life. And that's why I'm directing this Bill in this area."

Getty: "All right, now, Mr. Kelly, could you answer just one more



question? What sanctions in this Bill would require a state's attorney to file the charges if in his judgment he just didn't want to . . . or, indeed, a judge . . . to make a finding of guilty if in his judgment he didn't want to? Are there any sanctions against a judge, who doesn't make a finding of guilty, or against the state's attorney, who doesn't file a proper charge?

Kelly: "Are you referring to plea bargaining in this area?"

Getty: "I'm referring to filing a charge when he knows that the . . . the absolute minimum this person can get is 20 years if this is enacted."

Kelly: "Well, I've had different opinions on this. The counsel for both parties in the Judiciary II Committee feel that there is availability for plea bargaining. And the attorney that I discussed it with, who I've got a lot of confidence in, tells me that there's none. I, personally, am willing to have it be without bargaining or with . . ."

Getty: "Mr. Speaker, I'd like to address the Bill now. The one thing that bothers me about this, and I want to go on record as saying I support increased penalties . . ."

Speaker Blair: "Yeah, well, I, you know, I can break my arm doing this."

Getty: ". . . Mr. Speaker, on the Bill, I would like to say that I support the concept of increased penalties; however, we are including in this Bill many concepts that would possible prove to be conter-productive. A state's attorney who has a second offender, and he sees that he's a 16-year old boy, or he sees a 35-year old housewife, who delivered 30 grams of morphine, something she 'legally' got, she isn't doing it for profit, she isn't a pusher, but she fell down a second time. And she's going to get a mandatory life imprisonment and she . . . the first time she can see the light of day is 20 years; or in the case of the 16-year old child, 15 years. In conscience, I can't support a Bill like that, although I would gladly support a Bill which would increase penalties for second or subsequent offenders, but not to this extent. And for that reason, Mr. Speaker, I will not



support this; and I would ask that this Bill be reconsidered by the Sponsor or amended."

Speaker Blair: "Mr. Leinenweber."

Leinenweber: "Thank you, Mr. Speaker, would the Gentleman yield to a couple of questions?"

Speaker Blair: "Yeah, he . . ."

Leinenweber: "Representative Kelly, there was the Committee Amendment, which struck everything after the enacting clause, and in effect, rewrote the Bill. That has been adopted, is that correct?"

Kelly: "That was adopted, as you know, in the Committee meeting. The new Amendment, which was adopted on the House floor, is exactly the same . . . exactly the same Amendment that we had in the Committee hearing, except the word subsequent was added in three places. So it is, in fact, the same piece of legislation, yes, Sir."

Leinenweber: "In other words, it was the same except for some cosmetic clarifications, is that right?"

Kelly: "Yes, it was."

Leinenweber: "Were there any other Amendments other than the one Amendment that have been adopted?"

Kelly: "No."

Leinenweber: "In other words, we're debating essentially the same Bill, which was debated in Committee and passed out, is that right?"

Kelly: "Yes, it is."

Leinenweber: "Thank you. Mr. Speaker, if I might address the Bill briefly."

Speaker Blair: "Yeah, go ahead."

Leinenweber: "Much has been said about the possibilities of young people, and the housewife and so forth who might all of a sudden find out that they are subject to a mandatory criminal penalty of at least 20 years in the penitentiary. Nevertheless, we cannot lose sight of what in fact this young person or this housewife has done. This housewife and this young person has delivered a dangerous controlled substance to some other person. In other



words, stealing the habits of some unfortunate individual, whether or not that person has done it for profit or not, the end result, the enslavement of the user, is the same. Consequently, I cannot, in my heart, find a great deal of merit in the fear that some special classifications of persons might be harmed by this statute. I would also like to address myself very briefly to the argument that was made in Committee and has been made on the floor of this House that plea bargaining would defeat the purpose of this Bill. That is true. There is no way that I know of constitutionally that we can prevent plea bargaining or we can prevent the improper charge being filed against the individual, nor can we control the results of a grand jury. However, this Bill, the use of mandatory penalties, special classification of a crime, will bring plea bargaining out into the open for everybody to see. We will know for once and for all whether or not a judge has found someone innocent or guilty of a lesser charge because of what he considers extenuating circumstances or we will know whether or not it was the state's attorney who perhaps has chosen the easy way by filing a case under the wrong charge. Nevertheless, the responsibility for the final resolution will be up . . . out in the open for everyone to see. One of the big problems of plea bargaining is that the public, the general public, does not know who or what has gone on. They think that a person who's back out on the streets because of a breakdown in the judicial system; consequently, I think a Bill like this that let's in the light of day, that pinpoints responsibility and for probably what is one of the worst crimes imaginable, and I certainly support this Bill."

Speaker Bill: "The Gentleman from Cook, Mr. Maragos."

Maragos: "Mr. Speaker, there's been enough discussion. I think we can all explain our votes and in justice to what you had said earlier so we could move a little . . . proceed along. I move the previous question."

Speaker Blair: "All right, all those in favor of the Gentleman's



motion say 'aye', opposed 'no'; the 'ayes' have it. The previous question has been moved. Mr. Kelly to close."

Kelly: "I would certainly like to ask for your support of this strict drug measure. As it was brought up on this House floor, there's many areas where we have young people involved, in our grade schools, in high schools and in our colleges. I don't agree with some of the comments that were made about these innocent, young people that have been convicted for the second time of pushing a dangerous drug. They're being used in every instance by the pushers, the big pushers, and they will have to come out into the open and show themselves. This Bill has been placed upon . . . and based upon the New York legislation which was adopted in 1972 in New York. During the first year alone in New York, drug traffic and reduced by more than 300 percent, in the first year alone. Now, I'll tell you something, Gentlemen, you may think this is very strict and very strong legislation; but let me tell you something else, the State of New York even includes marijuana on their statutes. This does not in any way include marijuana, hashish or anything of this nature. This is just dangerous, strong drugs; and if you would rather leave the law as it is, well, then vote against me. But if you think we need strong drug laws, I would appreciate your support."

Speaker Blair: "The question is, shall House Bill 2217 pass? All those in favor will vote 'aye' and the opposed 'no'. All right, Mr. Brinkmeier."

Brinkmeier: "Mr. Speaker and Members of the House, I did have one question I'd like to have an answer to it. If you'd just nod your head. Is there any difference here between the . . ."

Speaker Blair: "Let . . . let . . . we've allowed the leniency up until now, but we're trying to get a schedule, so we're going to adhere to the rules, and we won't ask question on explanation of votes."

Brinkmeier: ". . . very good."

Speaker Blair: "Okay."

Brinkmeier: "The reservation I have in my vote is the question of whether or not the addict pusher receives the same penalty as a



non-addict. I think maybe there should be some differentiation between that; but I do still want to say that this is a good Bill. And I'm a little concerned, too, for that 16-year old boy or girl who may be a second offender and be put away for 15 years; but I'll tell you something else we should be thinking about, far more than that 15-year old or 16-year old boy, but the classmates and the friends of this person who may become addicted if he's not taken off the streets. So I certainly would urge an 'aye' vote."

Speaker Blair: "Mr. Tom Miller."

Miller, T.: "Thank you, Mr. Speaker and Members of the House. We had four police officers before our Committee as we heard this Bill, and two a man, and they were speaking for about 60 different police agencies in the Cook County area. They portrayed a picture that I think you ought to know about. Number one, during the last year there were 900, 900, drug deaths in Chicago alone. As we look at the problem state-wide, it probably amounts to over 1,200. On top of that, 1,200 murders, if you will, with literally millions and potentially even billions of dollars that are stolen every year to feed the hard drug habits. It applies to every one of our communities today. No longer is only the inner city of Chicago a problem area with regard to hard drugs, it pervades suburban Cook County and all 102 counties throughout the State of Illinois. The four police officers also told us that if we make a stronger penalty, as Representative Kelly suggests, it's going to materially aid them in their work. And here's how it will do it, let's assume that a drug pusher who's on drugs has already been convicted once, and he's back on the street again, and he gets nailed a second time. Well, rather than go into the tank for a minimum 20-year term, he very well may spill the beans as to his source of supply. And through that mechanism, it will allow the policeman to get at the pushers, the big guys in the drug market. It seems to me when we look at the problems of our society today that the use of hard drugs is the major problem of all. Over 1,200 . . ."



Speaker Blair: "No, now, time's up: Mr. Yourell."

Yourell: "Thank you, Mr. Speaker, in explaining my vote, I want you all to know that when this Bill was heard in Committee, and I want to preface my remarks about this Bill that it in no way reflects my strong respect and liking for the Sponsor, but we had along talk about this Bill prior to the introduction and to the hearing in Committee. Now, in Committee what actually happened with this legislation is that everything after the enacting clause was struck. And they attempted to rewrite another Bill that was less stringent. Now, just . . . and they found out that came out of Committee with a 10 to 8 vote with two voting 'present'. And some of the Committee Members that I talked to said they voted to get it out of Committee as a favor to the Sponsor, and the hopes that he would clean it up before bringing it to the floor on Third Reading. Now, just two short years ago we passed the new Code of Corrections in the State of Illinois. Now, it seems to me we should let that new Code of Corrections, with its stiff penalties for narcotics peddling, work before we attempt to amend something that really hasn't had an opportunity to work. Now, you've heard talk about the New York statute. Now, two years ago I had all of these Bills drafted, relative and similar to the New York legislation. And my research in that legislation indicated that since that legislation was enacted in the State of New York more policemen have been killed because of the dramatic, dramatic, traumatic penalties inflicted on these young people. Instead of getting caught, they're going to get . . . shoot their way out and kill these policemen. Now, this Bill came out of Committee with a 10 to 8 vote with two voting 'present' in the hopes that it would be cleaned up and less drastic penalties invoked on those minors who are going to be put away for life under this Bill. So, you know, it's a proper thing today to vote against and for strong narcotics legislation; but this Bill is not the answer. This Bill does not get at the people we want to get at. This Bill gets at the young person . . ."





Speaker Blair: "All right, time's up: Mr. Holloway."

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

I want to explain my vote. I've had considerable experience in dealing in the juvenile sector of the law; and I happen to come from a district that has been victimized by youth-gang activity and youth-criminal activity. Now, I think this Bill as a re . . . is a result of a certain amount of panic because the drug problem is sort of moving from the area where people normally thought of the drug problem being, and that's in the ghetto. Now, I just want to pass on some observation and some advice from the ghetto; and that is that you're bothered now by a drug problem of youth . . . among your youth and if this Bill passes, you're going to be facing a problem of drug-use pushers. Because those over the age of 17, are going to use all sorts of pressure and duress to see to it that all drugs are pushed by 14's and 15-year olds. They are delivered and everything else. So you're going to have a situation where you're going to impose upon the youth in your urban communities an additional problem; and I want you to realize that a youth who is 14 years of age can be prosecuted as an adult if the state's attorney of the county so decides that that's what he is going to do. And this thing is going to be . . ."

Speaker Blair: "And Mr. Rayson."

Rayson: "Thank you, Mr. Speaker and Members of the House. To explain my 'no' vote, I can start first by saying I can't agree with Representative Yourell more. It seems like in Committee the Police Chief talked in terms of getting the big fella', the French Connection Metropole; but instead I think they're really trying to cut down what drug traffic there is in the schools. Now, what are the infirmities of this Bill because I don't quite know what we're voting on because we're really voting here on the Draconian measures, measures which have been shot down on a prior marijuana law and a controlled substances law a couple of years ago. It seems too Draconian. But besides that the other infirmities are this, the Cannibus Control Act we passed out a



few years ago had the Juvenile Court Act apply. In other words, the prosecutors could use that act to juveniles under 17. As a matter of fact, that Act applied to anybody under 18. Now, that would not apply to the Illinois Controlled Substances Act; therefore, it wouldn't apply here, and the people 17 and under would be subject to these Draconian penalties. Secondly, as Representative Getty pointed out, the Class 1A Felony charge would be applicable to manufacture and delivery. What is delivery? Delivery may be a sale, it may not be a sale. Delivery may be a little hashish in high school; and I suggest that the Illinois force have included hashish as part of the Illinois controlled substances, along with other substances. Now, Representative Brinkmeier pointed there should be a distinction between those who sell, because they're addicts and others; and I think they should. And I think there should be a distinction the kinds of drugs that we have under our Controlled Substances Act. But because we do not have these distinctions and instead have Draconian penalties . . ."

Speaker Blair: "Mr. Duff."

Duff: "Mr. Speaker, and Ladies and Gentlemen of the House, you know, this is a very appealing Bill when you hear it and when you talk about it at first. In fact, I was even considered if it could be put in some kind of shape to change it . . . supporting it myself; but I really think it's important that the Members of this House listen to the kind of comments that have been made today by Representative Getty, Representative Yourell and Representative Holloway. This Bill did not have the support of any major law enforcement association, except four policemen from a suburban police association who came in on it. It didn't have the support of any state's attorney, the people who work with this product know that no parole, no probation Bill doesn't function as it is intended to in the good minds of the promoters of the idea. It affects . . . plea bargaining, it affects the quality of prosecution, it takes discretion from a judge, who might know that he has a conviction on his hands, but maybe



a conviction with a certain problem within it. It results, as some of you have pointed out, in young people being used as pushers. Let me point out to you that the penalty in this Bill is greater than the penalty would be if a drug pusher was con . . . was in contact with a stool pigeon and he had a possibility of getting convicted and serving 20 years with no probation or no parole; and if he killed that stool pigeon, he'd get 14 years. Now, he'll kill him before he'll take this penalty; and then when the penalty comes before the court, the chance for him to get a jury to convict when they know they're putting somebody into jail for life with no probation or no parole is very, very chancy. Any prosecutor in the state will tell you that. Now, another thing this done . . . and with hard-punishment situations like this, is that the officers who are enforcing the drugs; and I think they're doing a good job, but nevertheless they do use a threat or something like . . ."

Speaker Blair: "Mr. Von Boeckman."

Von Boeckman: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I feel it's about time we peddled these 15 and 16-year old kids, they're pretty intelligent as we have said, and many times we've reduced the voting for our youngsters, and they become more and more intelligent every day, and as a former law enforcement officer, I see the people who are really behind these young kids using them, and I feel like if we institute this policy, I think it would be for the betterment of society. I vote 'yes'."

Speaker Blair: "Mr. Day."

Day: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, what we're talking about here is a question of how severe the penalty should be for a second conviction of sale of hard drugs. I, at the Committee hearing, I asked the Sponsor of this Bill this question which I thought was important; I asked him the question, do you consider . . . do you consider this second offense for the sale of hard drugs as serious an offense as murder? Murder, as you know, carries a minimum of 14 years. His answer was 'yes'."



My first inclination was that I didn't agree with him, that there is no offense as serious as murder; but on a little reflection when I thought of the young New York student at the university in our city, who was turned into a vegetable, in our hospital for something like six weeks, completely immobilized, probably will never recover. His mother had to come out and sit with him in the hospital for that time. Of course, she could move him back to New York. When you think of the people that have been turned into vegetables by the use of hard drugs, I think that you will agree with the Sponsor of this Bill and with me that this is an offense which is as serious as murder and it should have a very, very severe penalty. It's only way that I can see that we're going to create any real deterrent for the sale of hard drugs, and I think that this is a good Bill."

Speaker Blair: "Mr. Beaupre."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, I guess in every endeavor that you're involved in now and then you have to go back to basics. Sometimes we tend to lose sight of that. If . . . when the courts of our government and our system make decisions which we believe create new law, we chastise them, and we suggest that they ought to deal in their own area, the separation of powers that we believe in. This Bill is an over-reaction to a very serious social problem; but it is, indeed, an over-reaction. We can't afford to destroy our judiciary system by telling judges what kind of sentences they're going to impose in each and every case. Every case stands on its own merits, and every case has surrounding circumstances that ought to be taken into consideration. And I implore you to allow our judiciary to function in its traditional sense and to vote against this Bill."

Speaker Blair: "Mr. Palmer."

Palmer: "Mr. Speaker, and Ladies and Gentlemen of the House, this Bill represents a commitment that we made, many of us made, to the people within our districts that we would seek to do something about the pushers of hard drugs. It is a start, perhaps it is not perfect, and perhaps it will have some refinement in the



Senate. There's no doubt in my mind with the sale of hard drugs in the State of Illinois and every other state in large measure is performed by organized crime. And it's in this light that we seek to get at the . . . as one describes the guy in the big chair. I think that we should seek to remove from our society, at least, as under the egis of this Bill, the festering sore, the shaker, if you please, now upon the rough of mankind; and get this Bill passed, get it over to the Senate. Perhaps it will go . . . undergo some refinement there insofar as the juveniles are concerned; but at least we will say that we have tried to do something in this direction in keeping with our commitment. Thank you very much."

Speaker Telcser: "The Gentleman from Moultrie, Representative Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen, I rise on a point of personal privilege, and I don't do this often. But I have been timing this Bill and we've been on this Bill approximately 20 minutes after it had 107 votes. And I am told that there are 8 or 10 more people that want to speak on the Bill. We had no right to cut anyone off. The Bill has passed; but for the life of me I just cannot see why we can't get on with the next Bill. This Bill has passed. Thank you very much."

Speaker Telcser: "Have all voted who wish? The Gentleman from Lake, Representative Matijevich."

Matijevich: "Mr. Speaker and Members of the House, I'm the only one that was trying to use a vehicle of explaining my vote to ask especially that my name be recorded on the House Journal as dissenting to the procedure whereby we call Bills on Third Reading that are, in fact, are on Second Reading on our Calendar. I realize it's legal. The Bills were read yesterday; but I think it's a bad procedure and really in contravention of our House rules. I don't think it's in the public interest or in the Legislator's interests; and I'd like to have that recorded on the House Journal."

Speaker Telcser: "Okay, that will be journalized, Representative Matijevich. Have all voted who wish? Take the Record. On this



question there are 110 'ayes', 34 'nays', 18 answering 'present'; and this Bill having received the constitutional majority is, hereby, declared passed."

Clerk Selcke: "House Bill 2280, Shea . . . does he want that? . . . this . . . this Bill has been read a second time . . . Committee Amendment."

Speaker Telcser: "All right, the Bill has been read a second time. We have to adopt a Committee Amendment now."

Clerk Selcke: "House Bill 2280, Committee Amendment #1, amends House Bill 2280 on page 1 and so forth."

Speaker Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "I move for the adoption of the Committee Amendment. It makes the Act effective January 1, 1975."

Speaker Telcser: "Is there any discussion? The Gentleman's offers to move the adoption of Committee Amendment #1 to House Bill 2280. All in favor 'aye', opposed 'no'; the Amendment's adopted. Further Amendments?"

Clerk Selcke: "Amendment #2, Skinner, et al, amends House Bill 2280 on page 1 by deleting lines 1 and 2 and so forth."

Speaker Telcser: "The Gentleman from McHenry, Representative Skinner. Is the Gentleman on the floor?"

Skinner: "Mr. Speaker, and Ladies and Gentlemen of the House, assuming this is Mr. Shea's Bill that would require the State of Illinois in collecting a compatible tax not to charge any more than cost. This Amendment is not just my Amendment, this is an Amendment which is Spon . . . Cosponsored by Representative Miller and Representative Arnell. This . . . if this theory that a city will be able to collect a piggy-back tax or authorize a piggy-back tax, such as the cigarette tax or an income tax, at no charge to the city other than the absolute cost that will be determined by the department. It seems to me that we ought to go across the board with this theory. Amendment #2 says that the State of Illinois' Department of Revenue may charge no more than cost for the collection of the State Sales . . . of the local sales tax for cities and counties. Now, at the present time



they charge 4 percent. We have previously passed a Bill which lowers it to 2 percent, which was vetoed by the Governor, which we repassed this year; but even the 2 percent is too high because it only cost between a half a percent and one percent to do the collecting. So it seems to me if we're to be consistent in this Bill with this approach, that we should pass this Amendment."

Speaker Telcser: "Any discussion? The Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I'd oppose this Amendment. I can understand Representative Skinner's concern about the charge that the state is presently making for the sales tax. It's 4 percent of the total gross collected for our municipalities. Representatives Miller and Arnell have tried to reduce that down to 2 percent; but I think all that this Amendment to this Bill would do would end up scuttling it because there isn't any way the Governor would sign the Bill if this Amendment went on it. And I'd ask respectfully to have Mr. Skinner withdraw the Amendment; and if he doesn't want to do that, I would ask for the support of the House defeat this . . . that Amendment to this Bill. The theory may be good; but I think he's trying to scuttle the Bill if he wants to proceed with the Amendment."

Speaker Telcser: "Is there further discussion? If not, Representative Skinner to close."

Skinner: "Yes, Mr. Speaker, and Ladies and Gentlemen of the House. When this Bill was first considered in the Revenue Committee, we agreed to vote it out when Representative Shea agreed to accept the Amendment. And at that time, he was in favor of the Amendment. He's shaking his head strongly, so I imagine he'll be able to explain why I'm speaking incorrectly when he explains his vote; but I'd like to point out that this may be the precursor for Chicago income tax. And if you want a Chicago income tax, I think that this Amendment is a minimum trade off you should give to the rest of the state."

Speaker Telcser: "The Gentleman offers to move the adoption of Amendment



#2 to House Bill 2280. All in favor of the adoption signify by . . . do you want a Roll Call? . . . say 'aye', the opposed 'no'. All in favor signify by voting 'aye', opposed by voting 'no'. Take a Roll Call on the Amendment. Have all voted who wish? The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, and Ladies and Gentlemen of the House, whenever an issue comes up everybody says, 'Well, what the hell is this all about?'. What this is all about, in the first place, the original Bill is an attempt, in my opinion, to pay the way for Chicago income tax for which the state will have to take the heat because it will be collected along with the state income tax. It was told in Committee as being a piggy-back tax for cigarettes; and the cigarette people were the only people that came in to oppose it. Well, it seems to me if we're going to be consistent, then we should adopt this Amendment, which says that, 'The State of Illinois may charge no more than cost for collecting any tax which is compatible with the local tax'. Specifically, what we're talking about is the local sales tax for which municipalities and counties have to pay 4 percent. This only costs about half a percent to collect it; and it seems to me that if it's going to be good enough for a Chicago income tax, it certainly ought to be . . . or a Chicago cigarette tax, it ought to be good enough for the local sales tax across the state. And I would urge a 'yes' vote."

Speaker Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Well, I'd just like to have Mr. Skinner sometime pick up the Constitution and find out that the only way any municipality could levy a tax on income is if this General Assembly would authorize it; and perhaps he's the one that wants to put in the Bill, I don't think I or any Representative on this side wants to."

Speaker Telcser: "Have all voted who wish? Take the Record. On this question there are 44 'ayes', 67 'nays', none answering 'present'; the Gentleman's motion to adopt Amendment #2 fails. Further Amendments? The Gentleman from Cook, Representative Schlickman. One second now, Representative Schlickman, for what purpose do





you arise?"

Schlickman: "Mr. Speaker, with regards to House Bill 2280; I, hereby, request a fiscal note."

Speaker Telcser: "Okay . . . the Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, would you just have this Bill . . . it's been read a second time . . . hold it on the order of Second Reading until I can supply the fiscal note?"

Speaker Telcser: "Okay, this Bill will be held on Second Reading with Amendment #1 adopted and Amendment #2 not adopted. 2304. We're holding it on Second Reading. No, we won't come back to it today, no. 2304."

Clerk Selcke: "House Bill 2304, Shea, this Bill has been read a second time. One Committee Amendment amends House Bill 2304 on page 1, line 5, and so forth."

Speaker Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, I would move for the adoption of Committee Amendment #1, since the effective date of 2280 is January 1, 1975, this would reduce the appropriation from \$200,000 to \$100,000. And I'd move for the adoption of the Amendment."

Speaker Telcser: "Any discussion? The Gentleman's offered to move the adoption of Amendment #1 to House Bill 2304. All in favor 'aye', opposed 'no'; the Amendment's adopted. Further Amendments?"

Clerk Selcke: "That's it."

Speaker Telcser: "The Bill has been read a second time. Will the Clerk please read it a third time?"

Clerk Selcke: "House Bill 2304 an Act making an appropriation to the Department of Revenue. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, I'd ask that you hold this Bill until I file a fiscal note with 2280; and then I'd like to hear them together because this is the appropriation implement to 2280."

Speaker Telcser: "All right, let's hold this Bill on Second Reading, Mr. Clerk, Second Reading. House Bill 2341."

Clerk Selcke: "House Bill 2341, Ron Hoffman, this Bill has been read



a second time. Do you want Amendments?"

Speaker Telcser: "Are there any Committee Amendments? Would you read it a third time, Mr. Clerk?"

Clerk Selcke: "House Bill 2341, a Bill for an Act making an appropriation to the Department of Transportation. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Ron Hoffman."

Hoffman, R.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2341 appropriates \$50,000 to the Department of Transportation, Division of Waterways, to repair damage on Addison Creek at Stephenson Park Lagoon in Bellwood. There's a few things that motivated us to start this legislation; one, was the creek is adjacent to a tennis court, which is slowly being eroded, and will cause extensive damage to the point where they have a possibility of losing a \$35,000 tennis court by erosion to the bank that it rests on. It has at present eroded sufficiently an embankment wall adjacent to a lagoon so the lagoon can no longer be used by the park. This area was overlooked by the Department of Transportation in their initial cleaning and rehabilitation of Addison Creek a couple of years ago. And presently, farther upstream in one other municipality they're completing construction of interceptors for storms discharged into Addison Creek. If this damage or the embankment isn't completely restored within the next year or two and the interceptors pour more water from the areas and the heavy rainfalls into Addison Creek, we're going to have either complete collapse at that point, causing a back-up and extensive flooding conditions in Bellwood and the four other municipalities. And I would solicit your support on this."

Speaker Telcser: "Any discussion? The question is, shall House Bill 2341 pass? All in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the Record. On this question there are 120 'ayes', no 'nays', 1 answering 'present'; this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2354."



Clerk Selcke: "House Bill 2354, this Bill has been read a second time. Committee Amendment #1 amends House Bill 2354 on page 1, line 11, and so forth."

Speaker Telcser: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "House Bill 2354 is the Department of Labor's appropriation Bill for the next fiscal year. And the first Amendment is an Agreed Amendment, which cuts \$415,000 off the total; and I move for the adoption of Amendment #1."

Speaker Telcser: "Any discussion? The Gentleman's offered to move the adoption of Amendment #1 to House Bill 2354. All in favor of the adoption signify by saying 'aye', opposed 'no'; the Amendment's adopted. Further Amendments?"

Clerk Selcke: "Committee Amendment #2 amends House Bill 2354 on page . . . and so forth."

Speaker Telcser: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Amendment #2 is also a Committee Amendment, which was Agreed; and it adds \$20,000 for the offices of Collective Bargaining. It's a Department of Labor Bill."

Speaker Telcser: "Any discussion? The Gentleman offers to move the adoption of Amendment #2 to House Bill 2354. Whoop, whoop, the Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, would the Sponsor yield for a question?"

Speaker Telcser: "Indicates that he will."

Schlickman: "Could you be more articulate as to the contents of this Amendment?"

Giorgi: "This is Committee Agreed Amendment #2 which adds \$20,000 to the office of Collective Bargaining for the following purposes, \$15,000 for payments of \$100-a-day salary of two panel members, and \$5,000 for travel for the two panel members; \$20,000."

Schlickman: "When you say for collective bargaining, is this to implement the Governor's Executive Order?"

Giorgi: "The Governor's Executive Order is already implemented; it's Executive Order 6, I believe. This is for next fiscal year's budgetary needs." The office of Collective Bargaining is



located in the Department of Labor and is implemented as of, I think, February sometime when Executive Order 6 was published."

Schlickman: "Well, is this an appropriation to implement the Governor's Executive Order regarding collective bargaining for the next fiscal year?"

Giorgi: "That is entirely correct."

Schlickman: "Thank you."

Speaker Telcser: "Further discussion? The Gentleman offers to move the adoption of Amendment #2 to House Bill 2354. All in favor of the adoption signify by saying 'aye', opposed 'no'; the Amendment's adopted. Further Amendments?"

Clerk Selcke: "Amendment #3, Schneider, amends House Bill 2354 and so forth."

Speaker Telcser: "The Gentleman from DuPage, Representative Schneider."

Schneider: "Thank you, Mr. Speaker. Amendment 3 is an Agreed Amendment. It offered on the floor. It is a \$500 Amendment to repay agencies that are over-charged by the State; and I offer . . . seek its adoption."

Speaker Telcser: "Any discussion? The Gentleman's offered to move the adoption of Amendment #3 to House Bill 2354. All in favor 'aye', opposed 'no'; the Amendment's adopted. Further Amendments?"

Clerk Selcke: "Amendment #4, Giorgi, amends House Bill 2354 and so forth."

Speaker Telcser: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "This is also an Amendment that's agreed upon somewhat and it allows the Department of Labor to move to a new location, and it'll agree . . . agreed upon between the General Service offices and the Department of Labor. And I move the Amendment #4."

Speaker Telcser: "Any discussion? The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Would the Speaker yield for a question?"

Speaker Telcser: "Indicates that he will."

Tuerk: "What's the amount of that Amendment, Zeke?"



Giorgi: "Tuerk, it adds \$150,000 for moving purposes."

Tuerk: "That's is so that they can move their offices in the . . . in Chicago, is that correct?"

Giorgi: "Correct."

Speaker Telcser: "Is there further discussion? The Gentleman offers to move the adoption of Amendment #4 to House Bill 2354. All in favor of the adoption signify by saying 'aye', the opposed 'no'; the Amendment's adopted. Further Amendments? Third Reading."

Clerk Selcke: "House Bill 2354, a Bill for an Act to provide the ordinary and contingent expenses of certain agencies in State Government. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker and Members of the House, this Bill received thorough hearing in the Appropriation's Committee; and I move for the adoption of House Bill 2354."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 2354 pass? Those in favor signify by . . . oh, the Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, would the Sponsor yield for a question?"

Speaker Telcser: "Indicates that he will."

Schlickman: "How does the appropriation for fiscal '75 compare with fiscal '74? What is the amount of the increase overall?"

Giorgi: "'Gene, it's, I think, it's about the same."

Schlickman: "Well, under 2354 as it's been amended, what is the total appropriation to the Department of Labor for fiscal 1975?"

Giorgi: "\$86,354,900."

Schlickman: "And what was the total amount of appropriation for '74?"

Giorgi: "I don't have it in front of me, 'Gene, but I'm sure we can get it for you."

Schlickman: "Before we vote on it?"

Giorgi: "Well, no, I don't think that's important. I think that money will be spent by June 30th, so that we're in the new fiscal year. If there's any question about last year's appropriation, it has



nothing to do with this year's appropriation."

Schlickman: "What amount of the appropriation for fiscal '74 was lapsed?"

Giorgi: "I'm only a Member of the Appropriation's Committee, and I'm not 'privy' to all totals, 'Gene. Do you have a specific question? I'd gladly answer it for you. In other words, in the appropriation Bill for next year the lapses don't appear. In the appropriation Bill for next year the lapses don't appear."

Schlickman: "In other words, you don't know what the '74 appropriation was and you don't know what part of the '7 . . ."

Giorgi: "That's correct . . ."

Schlickman: ". . . '74 appropriations lapse."

Giorgi: ". . . 'Gene, there are a lot of things I know, and there are some things I don't know. I don't know that total."

Schlickman: "You're a good man. Thank you."

Speaker Telcser: "Is there further discussion? The question is, shall House Bil 2354 pass? Those in favor signify by voting 'aye', opposed by voting 'no' . . . priority of call . . . Have all voted who wish? Have all voted who wish? Take the Record. On this question there are 130 'ayes', 6 'nays', 4 answering 'present'; this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2366."

Clerk Selcke: "House Bill 2366, this Bill has been read a second time. Committee Amendment #1 was tabled in Committee. Committee Amendment #2 amends House Bill 2366 on page 1 . . ."

Speaker Telcser: "The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Committee Amendment #2 is a net decrease of \$46,500. It makes a technical adjustment between commodities and printing line items, which were printed in the Bill incorrectly, and increases personal services by \$6,800, retirement by \$2,900, social security adjustment, \$1,200, contractual services a reduction of \$40,000, travel a reduction of \$5,000, commodities of \$4,700, printing \$4,700, telecommunications an adjustment of \$10,000 less, for a net overall adjustment of \$46,500. I move



for adoption of Committee Amendment #2 to House Bill 2366."

Speaker Telcser: "Is there any discussion? The Gentleman offers to move the adoption of Committee Amendment #2 to House Bill 2366. All in favor of the adoption signify by saying 'aye', opposed 'no'; the Amendment's adopted. Further Amendments?"

Clerk Selcke: "Amendment . . . Committee Amendment #3 amends House Bill 2366 on page 1 and so forth."

Speaker Telcser: "The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Thank you, Mr. . . . I don't know if I should move the adoption of this one. There was some controversy as far as Amendment #3. This Amendment transfers the function of the Department of Agriculture's hot line, which helps farmers deal with shortages of products other than fuel to the fuel allocation office resulting in an increase of two case resolution officers. The breakdown of the increase is approximately \$30,400. I specifically would like to speak against this Amendment. It was adopted in Committee by a 15 to 12, it was a close vote. I thought it was an improper Amendment at that time. So Chuck Keller moves the adoption of the Amendment, Mr. Speaker. If he's here on the floor, I'd like him to move for its adoption; or else if he's . . . I'm opposed to Amendment #3."

Speaker Telcser: "Representative Keller on the floor? Is there proponents of this Amendment on the floor? No? The Gentleman move to table it then."

Lechowicz: "I move to table Amendment #3."

Speaker Telcser: "The Gentleman moves to table Amendment #3 to House Bill 2366. All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'; the Amendment's tabled. Are there further Amendments?"

Clerk Selcke: "Committee Amendment #4 amends House Bill 2366 on page 1, line 2, and so forth."

Speaker Telcser: "The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Committee Amendment #4 deletes the Fuel Allocation Office and inserting in lieu thereof the Office of the Illinois Energy Coordinator. And also in line 8



by deleting the words Fuel Allocation Office and inserting in lieu thereof . . . in lieu thereof the Office of the Illinois Energy Coordinator based upon the premise of the Governor's Executive Order. And I move for adoption of Committee Amendment #4 to House Bill 2366."

Speaker Telcser: "Any discussion? The Gentleman's offered to move the adoption of Amendment #4 to House Bill 2366. All in favor of the adoption signify by saying 'aye', opposed 'no'; the Amendment's adopted. Further Amendments?"

Clerk Selcke: "That's it, Arthur."

Speaker Telcser: "Third Reading."

Clerk Selcke: "House Bill 2366, a Bill for an Act to provide for the ordinary and contingent expenses of Fuel Allocation Office. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the ordinary and contingent expenses for the Office of Fuel Allocation for fiscal 1975. The budget request for fiscal '75 was \$455,100; it was amended by approximately \$36,000, a reduction. And if there are any questions, I will be more than happy to answer them. If not, I ask for a favorable Roll Call."

Speaker Telcser: "Any discussion? The question is, shall House Bill 2366 . . . the Gentleman from Cook, Representative Maragos."

Maragos: "Sorry, Ted, but I wanted to ask one question. What is the full import of the Fuel Allocation? Is this a new office, or is this the one that we . . . is this the one that came in the Governor's program originally or is this a new office . . . previous office?"

Lechowicz: "The Fuel Allocation Office began in the summer of 1973 as the Fuel Hot Line operated jointly by the Department of Agriculture and the Illinois Commerce Commission. They use job-'oriented' techniques to obtain an adequate propane for Illinois farmers and went to Washington to explain a need for federal propane allocation program. As you know, there's been a





allocation process for gasoline derivatives and this is the purpose of the office that was stated by Executive Order; and a number of other states, I believe, 27 to be exact, that have an office similar to it."

Maragos: ". . . this is the second year for this, it's not the first year?"

Lechowicz: "Well, it's really a year . . . going on the first year."

Maragos: "Yeah, all right, okay."

Speaker Telcser: "Further discussion? The question is, shall House Bill 2366 pass? Those in favor signify by voting 'aye', the opposed by voting 'no'. Bill, do you want to hit my switch? Laurino, vote me 'aye', thank you, Bill. Have all voted who wish? Take the Record. Laurino 'aye'. On this question there are 136 'ayes', 1 'nay', 1 answering 'present'. This Bill having received the constitutional majority is, hereby, declared passed. House Bill 2383."

Clerk Selcke: "House Bill 2383, Choate, this Bill has been read a second . . . Ted Lechowicz going to handle it?"

Speaker Telcser: "Ted, are you going to handle this . . . yeah, he'll handle it. The Bill's been read a second time, there are no Amendments. Will the Clerk please read it a third time?"

Clerk Selcke: "House Bill 2383, a Bill for an Act making an appropriation to the Department of Transportation. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 2383 appropriates \$185,000 to the Department of Transportation, Division of Waterways, for the acquisition of necessary right-of-way and for the relocation of the utilities in connection with the federal improvements to the Saline River and tributaries in the Saline Valley Conservancy . . . Conservation District. This Bill came out of Committee 28 to nothing. I'd appreciate a favorable Roll Call."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 2383 pass? Those in favor signify by voting 'aye',



the opposed by voting 'no'. Have all voted who wish? Take the Record. On this question there are 139 'ayes', no 'nays', 1 answering 'present'; this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2464."

Clerk Selcke: "House Bill 2464 has been read a second time. There are . . . there's one Committee Amendment. Amendment #1 amends House Bill 2464 on page 1 and so forth."

Speaker Telcser: "The Gentleman from Christian, Representative Tipsword."

Tipsword: "Mr. Speaker, Ladies and Gentlemen, this Amendment is an Amendment that just puts into the same format as the existing mobile home tax Bill. The . . . this Bill which would provide the depreciating schedule of rates for the mobile home taxes. It was . . . this Amendment."

Speaker Telcser: "Is there any discussion? The Gentleman offers to move the adoption of House Bill 2464. All in favor of the adoption signify by saying 'aye' . . . the Gentleman from Cook, Representative Lechowicz."

Lechowicz: "One question, Rollie, does this affect Cook County?"

Tipsword: "Pardon me?"

Lechowicz: "Does this affect Cook County?"

Tipsword: "This would affect every county in the state, unless the Bill of Representative Yourell's, which we passed yesterday out of this House, applied the option to the counties, then it would apply in only those counties which accept the option. This is a part of the package of Bills that the Subcommittee from Revenue on mobile home taxes put together and recommended to the Revenue Committee."

Lechowicz: "All right, thank you."

Speaker Telcser: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Tipsword, could you tell me why the mobile home tax becomes less per square foot as the mobile home gets older?"

Tipsword: "It is."

Skinner: "Why?"

Tipsword: "As it depreciates, you mean, as it gets older?"



Skinner: "Yes."

Tipsword: "Well, the only reason that we can . . . the only way that we can provide a differential for those people whose mobile homes are not the new ones, and not require them to pay exactly the same taxes. It's right on the basis of age. The Constitution prohibits on the basis of valuation itself."

Skinner: "Well, is the reason that you are decreasing the tax with age because the value of the mobile home is decreasing?"

Tipsword: "Theoretically, it's because the privilege of living in an older home diminishes over that of the privilege of living in a brand new one."

Skinner: "Well, Mr. Sponsor, I think you're drawing a very fine line; and I'm not sure which side of you body is on which side of the line. I, personally, think this is an unconstitutional Amendment."

Speaker Telcser: "Further discussion? The Gentleman offers to move the adoption of Amendment #1 to House Bill 2464. All in favor of the adoption signify by saying 'aye', opposed 'no'; the Amendment's adopted. Are there further Amendments? The Bill has been read a second time. Will the Clerk please read it a third time?"

Clerk Selcke: "House Bill 2464, a Bill for an Act to amend Section 3 of an Act to provide for a privilege tax on mobile homes. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Christian, Representative Tipsword."

Tipsword: "Mr. Speaker, Ladies and Gentlemen, this Bill that you just amended, now provides on the mobile home privilege tax that we enacted last year a declining rate to apply against these trailers upon the declining privilege of living in a mobile home as the mobile home grows older. For the first five years of that mobile home trailer's life from its date of manufacture, the rate would remain the same as we passed it last year. On the second five years of that mobile home's existence, the rate would drop to 90 percent of that previously applied. And after



. . . and from the tenth year on, the rate of 80 percent of the basic tax would then apply to this privilege. And in addition, it provides that a 70 percent of the basic rate would apply to senior citizens. It provides a declining rate of taxation upon the privilege of living in a mobile home. I move for the passage of House Bill 2464."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 2464 pass? Those in favor signify by voting 'aye', the opposed by voting 'no'. Have all . . . the Gentleman from Livingston, Representative Hunsicker."

Hunsicker: "I'd just like to explain my vote, Mr. Speaker. Personally, I'm going to vote 'no' on this because the supervisor assessors went around and it just put an extra \$1,000 on my home, which is 25 years old."

Speaker Telcser: "It gets more valuable with age, Carl, more valuable with age. Have all voted who wish? Take the Record. On this question . . . on this question there are 123 'ayes', 3 'nays' . . . Grotberg 'aye', that's Telcser and Grotberg 'aye' . . . 1 answering 'present'; this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2564. 2564."

Clerk Selcke: "House Bill 2564, this Bill . . . this Bill has been read a second time. It has one Committee Amendment, amends House Bill 2564 on page 2, by deleting lines 19 through 28, and so forth, Roscoe."

Speaker Telcser: "The Gentleman from Lawrence, Representative Cunningham."

Cunningham: "Mr. Speaker, the Committee Amendment was put on to earn and obtain the enthusiastic support of the Department of Local Governmental Affairs. It in no way diminishes the good affect of the Bill . . . yes, I move its adoption, please."

Speaker Telcser: "The Gentleman has offered to move the . . . is there any discussion? . . . the Gentleman's offered to move the adoption of Amendment #1 to House Bill 2564. All in favor of the adoption signify by saying 'aye', opposed 'no'; the Amendment's adopted. Further Amendments? That's it? Third . . . Representative Maragos, for what purpose do you arise, Sir?"



Maragos: "I'd like to ask, Mr. Speaker, what does the Amendment do?"

Cunningham: "Is it too late to explain?"

Speaker Telcser: "No, go ahead."

Cunningham: "Representative Sam, the affect of the Amendment is to direct that the Department of Local Governmental Affairs will take into account in determining the evaluation of railroads the increase that those railroads have made in the maintenance of the cost of the line and the roadbed itself in determination of that valuation for a reduction. And it is applicable only to those sections of the railroad whose discontinuance was recommended by the Department of Transportation study which came out last fall. It is not a railroad measure, as I assured Representative Beatty in Revenue Committee when you were there. This Bill is offered to satisfy the need of the elevator operators that the railway service be maintained throughout the State of Illinois, including your district."

Maragos: "Mr. Speaker, and speaking on this Amendment, I know that we heard it in . . . that's why I wanted to know if it was the same Amendment. I hope you are successful in the purposes of this Amendment, even though you face nothing, because it's well intentioned; but I doubt that you're going to get them to do it on this way; but I'll vote to support it. And that's all I can tell you right now."

Speaker Telcser: "Further Amendments? The Amendment . . . Clerk . . . the Gentleman from Kane, Representative Hill."

Hill: "I wonder if the Sponsor would yield for a question?"

Speaker Telcser: "Indicates that he will."

Hill: "Do I understand the Digest properly that the assessed valuation will be reduced in regards to the maintenance work done on the trackage, is that what . . . what it says?"

Cunningham: "Representative Hill, listen to me carefully, as I cannot afford to lose you on this Bill. I'm aware how many watch your light. Last fall, the Department of Transportation issued a well-considered, but very bad, study in regard to the railroad system throughout the State of Illinois. And it recommended a



total of 2,700 miles of rail line be discontinued throughout this state, and 240 of those miles are in the 54th District. It already aggravates our very serious transportation problem there. Unhappily, the railroads would be very glad to accept the recommendation of the Department of Transportation and discontinue tomorrow their operation of trains over the line because, without exception, the lines involved had gone into a state of disrepair, which required the oper . . . which requires the operation of the trains at speeds that are not economically profitable. Now, to try to offset that bad cycle, we seek by operation bootstrap here to encourage the railroads involved to make an expenditure towards the building up of the roadbed to make the line more feasible. Don't misunderstand it a bit, the railroads are not for this Bill, the people are for it, or those whose lives and livelihood depend upon the maintenance of the rail service in this system. Each year the railroads, if they spend more than they did in the prior years, the Department . . . for the road made 'commitments' on those lines only whose discontinuance was recommended by the study, each year the department must take into effect that increase in expenditure for a reduction in their assessed value. The affect has to be good to encourage the maintenance for the railroad system. I will appreciate your green light and so will your constituents."

Hill: "Mr. Speaker, and Ladies and Gentlemen of the House, I enjoyed that dissertation very much. It took you a very long time to answer the question; and, apparently, I was right in my assumption that this in the long-run will decrease the assessed valuation of the railroads in the State of Illinois where they have done some maintenance work on the railroad trackage. Now, I don't have that much faith in the railroads of the State of Illinois where I want to give them that power to charge off any of the expenditures. I'm sure they would go much further than just the trackage. And I'd like to point out to you that when any little homeowner in your district improves his house, regardless



of what improvement it is on that particular house, he has to get a building permit and that goes onto the home as a further assessed valuation of that house. Now, it seems to me that if we're going to give anyone a break in regards to assessed valuation in the State of Illinois, it should be that homeowner, and not the wealthy railroads in the State of Illinois. And I believe that we should be opposed to this piece of legislation. Thank you."

Speaker Telcser: "Please read the Bill a third time, Mr. Clerk."

Clerk Selcke: "House Bill 2564, a Bill for an Act to amend the Revenue Act of 1939. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Lawrence, Representative Cunningham."

Cunningham: "Well, Mr. Speaker, am I closing at this point or am I still appealing . . . well, let me say these things. Someone said long ago that ignorance is a hell of a thing to contend with. And it is . . . it is regrettably true that we have that demonstrated in comments that are made in this particular regard. It's sheer, utter, unsupportable nonsense to say that the long-range affect of this particular Bill is to reduce railroad valuation. This is not, I say again, is not a railroad Bill. It's a Bill for the communities that need rail service. The only possible effect of that is to encourage the development of the railroad system into a viable means of transportation for the benefit of all concerned. I ask you to put aside any inborn bias that you may have against large corporations, including defunct railroads, and recognize the realities as they presently exist. This Bill is entitled to your 'aye' vote. And I urge you on that vote . . . on that basis to give it in this case."

Speaker Telcser: "Any discussion? The Gentleman from Kane, Representative Hill."

Hill: "Was that his closing argument? I agree with the Gentleman from the other side, that ignorance is very difficult to counteract or very difficult to work with. I have been trying to work with this Gentleman for about three years and I've had first-hand



information on that subject. I'm not an enlightened attorney like the Gentleman from the other side. I'm just a little common, ordinary person from the City of Aurora; but when someone comes down here to give the railroads a break, like he is trying to give those people, it seems to me that he had better take under consideration those homeowners from his district who are paying the property tax; and, consequently, supporting all of those taxing bodies in his area. This is a real bad Bill, it's a bonanza for the railroads in the State of Illinois, and not for the property owners and the taxpayers that have to pay the taxes in regard to that property. And it seems to me that we should stop this and certainly cast a 'no' vote on this piece of legislation. Thank you."

Speaker Telcser: "Further discussion? The Gentleman from Kankakee, Representative Ryan."

Ryan: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, contrary to what the Gentleman from Aurora says, this is a people's Bill. I don't know if you're familiar or not, Representative Hill, with the United States Department of Transportation Study for reorganization on railroads; but if this plan takes affect, it's going to wipe out rural communities. And I would suggest that all of you downstate people that have grain elevator operators and farming communities in your district that you sit up and take notice on this Bill. This is not a Bill for the railroads, this is a people's Bill, and I encourage an 'aye' vote."

Speaker Telcser: "Is there further discussion? The Gentleman from Macon, Representative Borchers."

Borchers: "Mr. Speaker and fellow Members of the House, I was a . . . may I have a little quiet please? . . . I testified in St. Louis in relation to the federal regulations being proposed on the control of the railroads in our state, they mark over 2,000 miles. Most of it are little lines along where railroads help move the grain, particularly in central Illinois, southern Illinois. I can assure you that if this proposal of Federal Government goes through, it's going to close, as I recollect,





90 percent of the elevators in Illinois or they will be forced to move their grain by truck. The consequences of a short period of time and the grain comes in, and the corn, and the soybeans, just a short period of time in the fall. Well, it means that if the railroads are no longer functioning for the movement of this grain, that we will have a tremendous stockpile of grain, they'll have to be placed on the ground before they can be moved or else . . . or we will have to go to unusual and unnecessary expense, and the use of valuable gas and oils to move the grain to such elevators that are still able to operate that are on rail lines that will move the grain. So I certainly urge support of this Bill. It is for the people."

Speaker Telcser: "Further discussion? The Gentleman from Lake, Representative Griesheimer."

Griesheimer: "Mr. Speaker, will the Sponsor yield to a question?"

Speaker Telcser: "Indicates that he will."

Griesheimer: "I would like to find out whether the Farm Bureau has taken a position on this Bill if it's so vitally important to the farm industry of our state."

Cunningham: "Yes, they have; I understand it that they're for it. I haven't talked to them directly; but that representation was made by one of the grain elevator personnel that spoke to me."

Speaker Telcser: "Further discussion? The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker and Members of the House, it is rare that we have the opportunity to say anything we want on a Bill knowing that it will have no impact on whether the Bill passes or not; and, in fact, whether the Bill passes or not, it will have no impact on what the railroads pay. This Bill . . . or the Amendment has nothing to do with what is in the Digest. And I think we ought to look at the Amendment. It says that the Department shall give consideration to the amount of increase in expenditures for track maintenance in determining an appropriate reduction. Well, they might determine that no reduction was necessary. They might determine that an increase was necessary. But I'm



going to vote for this Bill because it's going to give Roscoe a good press release at home, even though it will do nothing to the laws of the State of Illinois, except fatten the law book."

Speaker Telcser: "The Gentleman from Lake, Representative Deuster."

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

I'd like to speak in favor of this Bill; and I think everyone ought to be conscious of what's really happening. Several years ago the railroads were losing their shirts and running passenger trains; and what happened is Congress ran through an Am Trak Act which abandoned them all and just put back a very few. Now, because the Penn-Central went bankrupt, and there were at least, I think, seven railroads operating freight service in bankruptcy or in receivership, the railroads have taken the same position with many freight lines that are serving rural areas all over this state and all over America. And now the Department of Transportation has agreed that the railroads are in trouble and they ought allow or facilitate the abandonment of all of these lines. Now, they're are going to be some discretions on the part of the railroads of whether they're going to push real hard for abandoning them and leaving you nothing but a lot of track with grass growing up through them around the state or whether, if the railroads can see that they're going to have a slight incentive or a slight possibility that if they improve these tracks and run them, they'll get a slight tax break, then the railroads might be inclined not to abandon them and not to leave you with nothing. And so this is one little step in the right direction to give some of the railroads the incentive to keep going. Otherwise, they're going to run and you're going to have nothing but tracks and a lot of crab grass growing up through your districts all over this state."

Speaker Telcser: "Further discussion? The Gentleman from Lawrence, Representative Cunningham, to close . . . did you want to say something, Rollie? I didn't see, I'm sorry. The Gentleman from Christian, Representative Tipsword."

Tipsword: "I just got up, Mr. Speaker. This Bill is of great interest



to me because I'm very much upset by the proposal for rail abandonment and discontinuance that have been proposed by the Federal Government. However, those proposals are preliminary in nature at this time. And, in fact, the State of Illinois will be having conversations with the Department again during the month of July to determine what that final program might be. In addition, three of the downstate congressmen, including Representative Madigan, who serves with us in this House, have now proposed a Bill in regards to the maintenance and upgrading of these railroad lines throughout all of southern Illinois, and, in fact, throughout all of Illinois, to insure that the grain will be handled and that all of these elevators will be served. I think, therefore, that perhaps this Bill, though very laudable in its preference, might be a little premature at this time. This Assembly will be here next January, that will be long before new tax bills are figured and new tax bills are sent out. We also may know by that time what the Department of Transportation and the Railroad Administrator and the Interstate Commerce Commission are really going to do. We don't know that this preliminary plan will be the one that will be finally adopted. In addition, there have been several alternatives that have been proposed, not only by the Federal Government, by people who've testified before the various hearings throughout this state and in surrounding states, by the Southern Illinois University, by the University of Illinois, many of these, I think, will be considered; and, hopefully, will be adopted in . . . in the program that the Department of Transportation is apparently attempting to put together. So at this time I must say that I'm going to vote 'present' on this Bill now because, although it might be something that is useful to us in the future, we're not sure of its application at this time; and, certainly, next January and February will be plenty early enough to make it effective for the coming tax year. So, although I love your purpose, Representative Cunningham, I would hope that maybe we could just keep this alive as a suggestion until we know a little



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more finally what the Federal Government may be going to do to us finally on this rail program."

Speaker Telcser: "The Gentleman from Lawrence, Representative Cunningham, to close."

Cunningham: "Mr. Speaker, and Ladies and Gentlemen of the House, this Bill mustn't become a question of personalities. If I lived in Aurora, I would vote with pride for Representative Hill and for all the other fine Representatives that come from the Aurora community. The fact remains that this particular Bill is endorsed by the Department of Local Governmental Affairs. There isn't one among us who hasn't been approached by concerned citizens in his area about the proposed abandonment of great segments of the rail traffic of the rail system throughout this state. And I venture to guess for the majority of us have assured our constituents that we were going to do something about it. But the fact remains that this is the only Bill that's before this Legislature that seeks in any whatever to meet the problem that is so widespread. This is the opportunity to put your vote behind your words and behind your constituent's needs in regard to rail service in Illinois. Put aside any fear whatever that it represents the serious reduction in the appraised valuation or the taxes paid by the railroad. In many instances the question is moot. Penn Central goes through the State of Illinois and pays not one dime of taxes now because it is in bankruptcy. And because of that fact it . . . the Bill doesn't affect them now; but, hopefully, it and other roads similar to that one, if they would build up the roadbeds, if they would return to the business of furnishing transportation for the public that needs their services, a happier day would come when they would all be far greater taxpayers than they are at the present time. This is operation bootstrap. I implore you to vote 'aye'."

Speaker Telcser: "The question is, shall House Bill 2564 pass? Those in favor signify by voting 'aye', the opposed by voting 'no'.

The Gentleman from Lawrence, Representative Cunningham."

Cunningham: "Mr. Speaker, nobody votes for as many of other people's



Bills than I; I'm calling in the due bill in this particular instance. This morning I had the pleasure of voting for Representative Choate \$180,000 to give away to Harrisburg and then the minute we turned it around and we gave 'em \$185,000. You add them together and that's \$365,000. It's discouraging to look up there and see that his light isn't on. There needs to be a reciprocity in this world. We . . . no man walks alone. And if we . . . we must show a little bit . . . a little bit of understanding in regard to the problems of others and we shouldn't engage in the mutual process of assassination of an idea merely because it wasn't ours or because we may have some other irritant. The need is here for the railroads. I ask you for your green lights for passage. Can you hear me all right, Minority Leader?"

Speaker Telcser: "The Gentleman from Lake, Representative Murphy."

Murphy: "Mr. Speaker, and Ladies and Gentlemen of the House, we all know that Roscoe has no roads down there in Lawrence County so we at least ought to give the poor fellow a railroad. So I urge an 'aye' vote on this Bill."

Speaker Telcser: "All right, the Gentleman from Christian, Representative Tipword."

Tipword: "Mr. Speaker, and Ladies and Gentlemen, I want to assure Representative Cunningham that I think his purpose here is laudable. In voting 'present' on this, I'm merely saying that maybe by the first of next year, the State of Illinois might not have to invest any money in this or any of their tax consequences because we don't know what the final plans are going to be. If we do provide this reduction in taxes for the railroads, I would suggest that they're after those farmlands laying in those townships that these railroads pass through are going to have their taxes raised in consequence of the amount of taxes that are taken off of the railroad real estate. So I think that while this is a laudable Bill in what the Representative is certainly trying to accomplish that we should go just a little slow to see whether we have to do this or not before we shift this burden of real estate taxation."

Speaker Telcser: "The Gentleman from Cook, Representative Peters."



Peters: "Mr. Speaker, Ladies and Gentlemen of the House, one of the questions that has arisen in regard to this issue has revolved around the question of whether this was premature or not. I suggest for the consideration of the House that at this point this is really the only Bill that is before us. It is a very serious problem in regard to the proper kind of rail service throughout the state. The farming community, the rural communities, our downstate areas, generally, do have a very serious problem in this regard. I think that the approach suggested by the Sponsor of this Bill is one that can meet this particular need. I know those of us in Chicago at any rate have received the assistance of many individuals from the downstate area in terms of our particular problems. And I would just suggest to the Representatives from Cook County, who might be a bit hesitant on this particular issue, that they take into consideration the needs of the downstate area; and provide the votes, I would hope, that might be needed to pass this measure and aid in this particular problem."

Speaker Telcser: "The Gentleman from Cook, Representative Hyde."

Hyde: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.

I think this is a very good Bill. I would direct the Membership's attention to the fact that this doesn't cover all railroads, it just covers a portion of a line recommended for discontinuance by the United States Department of Transportation Study. So it's an effort to help a railroad keep in service a line that has not been profitable and that is being taxed out of operation. So it's a very limited, restricted group of railroad tracks that will get the benefit of this; and actually the principle is an excellent one that I wish could be transferred to residential dwellings, namely, many people are fearful of improving their property because the minute they do and they pay for it, the taxes go up because they've increased the value. We should be thinking of ways to stimulate people to improve their property, whether it's railroads, or houses or what have you without having the specter of increased taxes, make them forebear taking that action. So this



Bill only addresses itself to a very few little railroads; and I think it's an effort to keep them in business and ought to be supported."

Speaker Telcser: "The Gentleman from Cook, Representative Richard Walsh."

Walsh, R.: "Mr. Speaker, Ladies and Gentlemen of the House, when this Bill was heard in the Revenue Committee, the Gentleman indicated that the Bill had the support of the Department of Local Governmental Affairs. It's my understanding that the department has indicated that they'd pretty much follow this line, even if this Bill is not passed. I'm not sure that they would; but I think in view of the Gentleman's representation, and in view of the fact that they certainly do need the transportation in the area, that we should give him an 'aye' vote. And I do vote 'aye'."

Speaker Telcser: "The Gentleman from Tazewell, Representative Kriegsman."

Kriegsman: "Mr. Chairman, Ladies and Gentlemen, I'm involved more with trucks than I am with railroads. Nevertheless, we need all types of transportation. We need the rails, we need the trucks, we need the barges, and we need the air. And I say the rails have been paying their fair share for these many, many years; and now the rails are in dire need, they're in trouble. And the property that they are on is good to almost no one except the rail. The minute they are abandoned, it goes to pot, it goes to weed, there's nothing but alleys, they're nothing. And all I can say is, let's give the rails a hand at this time. Thank you."

Speaker Telcser: "The Gentleman from Cook, Representative Duff."

Duff: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, you know, Roscoe only needs two more votes up there and it is a fact that Illinois has become a great state partly because of the initiative of the railroads crossing this state; and it's also a fact that in years have gone by . . . Roscoe, I'm going to quit talking, I'm losing you votes . . . as years have gone by, the railroads were the biggest source of revenue for some of the smaller and poorer counties. But it's also true that today they're in trouble. We've subsidized the airlines, we've subsidized the trucking industries, and we have a special taxation program . . .



Roscoe, in a minute, I'm going to get you 50 . . . we subsidized . . . and we have special taxation program in the counties . . . Roscoe, keep an eye on that, will you . . . which makes me think that if . . . had 'Stanley' started with 87 and got down to about 50 . . . I'm going to help you, Roscoe, get the record of theyear, we might get to the 10."

Speaker Telcser: "The Gentleman from Macon, Representative Borchers."

Borchers: "I . . . Mr. Speaker and fellow Members of the House, I'd like to tell you just about my county because I know that it's the same elsewhere. I want you to remember what Representative Hyde said, that this only applies to those lines being abandoned, and we need them. If this Bill is not passed, well, I don't want to say it that way, if the Federal Government's plans are carried out as intended at the present time, we will only have three elevators left out of 24 in Macon County still on a rail line, three out of 24. Now, that is going to affect us. To us this is absolutely vital. So please vote 'yes'."

Speaker Telcser: "The Gentleman from Marion, Representative Stedelin."

Stedelin: "Mr. Speaker, and Ladies and Gentleman of the House, for the life of me I can't understand a 'yes' vote on this. You know, the railroads for years have carried their share, there's no doubt of that whatsoever. Well, I'm from down in the County of Jefferson, Roscoe's going to lose several railroads and so am I and so are the rest. Let's give him a vote on this. We go ahead and help Chicago with the mass transit and help the railroads, let's get things going that we continue to have railroads for the rural districts in the State of Illinois. They've helped build it, let's keep 'em here, and I'm sure this Bill would do it. Thank you."

Speaker Telcser: "The Gentleman from Henry, Representative McGrew."

McGrew: "Thank you, Mr. Speaker. Mr. Cunningham was calling in all of his I.O.U.'s, and I'd just like him to know that he now owes me two."

Speaker Telcser: "Okay, Roscoe, you owe him two. The Gentleman from Moultrie, Representative Stone."





Stone: "Mr. Speaker, Ladies and Gentlemen, I don't know how accurate the Digest is, but the Digest says that the railroads that are recommended to be abandoned no longer have to pay taxes; and that's the way I read this. And I think if you people that have railroads bring to your towns that have been . . . that's recommended . . . recommended that they be abandoned, you vote for this Bill, you'll no longer have any property taxes coming in through your county from those railroads. That's what the Bill says and if it said that it's those railroads that are abandoned, I would be for the Bill; but this says those that are recommended. And I think it's a bad Bill."

Speaker Telcser: "The Gentle . . . Representative Cunningham, do you wish to respond? Oh, I'm sorry."

Cunningham: "I welcome the opportunity to correct the misunderstanding of my erudite friend from Monticello. This doesn't have any, any possible result of that nature, Paul. All we're doing here is saying that those railroads whose discontinuance is recommended by the study, those railroads who could if the Commission would let them discontinue their service, they can maintain the roadbeds that are in bad repair with an increased expenditure and thereby hopefully qualify for a small reduction when the Department of Local Governmental Affairs computes their taxes. It won't reduce the taxes your community collects. Take my word, for that, regardless of what the Digest portion to which you rely on says."

Speaker Telcser: "The Gentleman from Union, Representative Choate."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think that I was the very first person in the State of Illinois, if my memory is correctly . . . correct, that opposed the so-called report by the Federal Department of Transportation as far as the abandonment of certain railroads in the State of Illinois are concerned. No one who is voting on this piece of legislation, either 'aye' or 'no', realize . . . realize the drastic penalties that could be subjected to all of downstate Illinois if these railroads are abandoned. But the reason that I'm voting 'no' today



is in line with just exactly what Representative Stone said. We are being premature if we take this action today. The report that's being responded to by Representative Cunningham was prepared in February and it was prepared merely as a preliminary draft of a plan to improve rail service in the northeast and the midwest. Hearings by the I.C.C. are currently being held on that report. We might think that we're taking the right step in doing this today, what I'm saying to you that probably the finalization of that report and the hearings by the I.C.C. will not be completed before the next Session of the General Assembly. And we might find ourselves coming in here attempting to do something in the next Session of the General Assembly to yet bring relief to the railroads if they relief. But what I'm suggesting to you is that we're premature today. We don't know what the finalization of that report is going to be. We don't know what the actions of the I.C.C. is going to be. We don't have the adequate reports and materials at hand today to say this is what we need to do. And I think that we need to hesitate; we don't need to show the Federal Government at this time that we're going to do anything and everything and prostitute ourselves at maybe at the taxpayers expense, homeowners expense to do something that the Federal Government could be taking into consideration and attempting to legislate as far as they are concerned to bring relief and to say that they're not going to bring this abandonment about. I think that at this particular time, until such time as that report is finalized, that we need to say to the Federal Government, 'Look into this matter, you are the ones that are primarily, primarily overseeing the railroads since the inception of the railroads when they burned wood instead of coal, you are the ones that are charged with this responsibility at this particular time to see that they are not abandoned'."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh."

Walsh, W.: "Mr. Speaker, and Ladies and Gentlemen of the House, I've looked this thing over kind of carefully over the past few minutes, and for the life of me I can't see any reason why



Representative Cunningham shouldn't get this Bill passed. All we're doing here is telling the Department of Local Government Affairs to do what they've been doing in the first place, and we don't want any interpretation of the department to go against what they've been doing up until now. So I suggest to you that we have a very good Bill. It's a practice that should be continued, everybody knows, everybody who has any familiarity at all with transportation knows that railroads have been in deep trouble. Railroads are essential, not just to southern Illinois, central Illinois, or northern Illinois, they're essential to the entire state, they're essential to the entire nation. So it's time, Mr. Speaker, and Ladies and Gentlemen of the House, that we do something for the railroads, even if it's tokenism. And so I suggest to you and submit to you that we ought to give this Bill a vote."

Speaker Telcser: "The Gentleman from DuPage, Representative Hudson."

Hudson: "Mr. Speaker, and Ladies and Gentlemen of the House, it has been suggested here this morning that the railroads have paid their fare share over the years, and I will say they not only have paid their fair share, but they have paid more than their fair share. And it seems to me that the railroads have been placed in a position that's almost untenable by many of them. They're faced with competition through federal subsidies and other devices that make it hard for them to do business. I think they need help. I . . . it has been suggested, too, that perhaps the I.C.C. will do something for these hard-pressed roads. I think if the roads wait for the I.C.C., they will wait until you know what freezes over. This has been part of the difficulty, the I.C.C., and I think they need some preemption, I think they need some help. I have . . . was impressed with the comments that have been made earlier, particularly by Representative Hyde. I think he spelled it out very well; and I would urge . . . I intend to vote a green light on this; and would urge my colleagues to do likewise. Thank you."

Speaker Telcser: "Have all voted who wish? Take the Record. I'm



sorry, the Gentleman from Kane, Representative Hill."

Hill: "When the proper time comes, I'm asking for a verification."

Speaker Telcser: "Have all voted who wish? Take the Record. On this question there are 94 'ayes', 45 'nays', 18 answering 'present'. The Gentleman from Lawrence, Representative Cunningham, has asked for a poll of the absentees. As soon as the Roll Call comes out of the machine, the Clerk will read the absentees. Representative Lechowicz, for what purpose do you arise, Sir?"

Lechowicz: "Well, I thought that this needed about 107 votes because it affects home-rule counties."

Speaker Telcser: ". . . get the Bill . . . Representative Cunningham, for what purpose do you arise?"

Cunningham: "May I suggest in answer to the argument that it affects home-rule counties, the only home-rule county is Cook, and there's no trackage inside of Cook County that's recommended for discontinuance by the D.O.T. study in question. So it couldn't be out or . . . as long as I've got the microphone, I wanted to publicly say that nobody admires Representative Hill more than I. I deeply regret if anything that I said indicated any lack of intelligence on the part of the Gentleman. I think he's a splendid man. I think more of him than his mother does."

Speaker Telcser: "All right, the matter of the trackage being in Cook County is not really relevant to the question put by Representative Lechowicz. However, in that the State's Department of Local Government does have an obligation with the equalization factors, is that right, Ann?, yes, with the assessment of property and it is a state function. The Chair would rule that it is not a preemption of home rule and does not require 107; but it requires 89. The Clerk please read the absentees."

Clerk O'Brien: "Boyle, Caldwell, Carter, Dee, DiPrima, Ebbesen, Emil Jones, Klosak, Kosinski, Kucharski, Mann, Martin, Merlo, Pierce, Schoeberlein, Sharp, Ike Sims, Thompson, Walters and Washington."

Speaker Telcser: "Okay, a verification of the affirmative Roll Call has been requested by Representative Hill. Will the Members please



be in their seats? And would the Clerk please read the affirmative Roll Call?"

Clerk O'Brien: "Anderson, Arnell, Beaupre, Bluthardt, Borchers, Brummet, Campbell, Capparelli, Capuzi, Catania, Clabaugh, Collins, Cunningham, Day, Deavers, Deuster, Duff, Ralph Dunn, R. L. Dunne, Dyer, Epton, Fleck, Friedland, Geo-Karis, Gibbs, Giglio, Griesheimer, Grotberg, Hanahan, Harpstrite, Hart, Hirschfeld, Ron Hoffman, Robert Holloway, Hudson, Huskey, Hyde, Jenison, J. D. Jones, Juckett, Keller, Kempiners, Kennedy, Kent, Kriegsman, LaFleur, Lauer, Leinenweber, Macdonald, Madigan, Mahar, McAuliffe, McAvoy, McCormick, McCourt, McGrew, McMaster, Kenny Miller, Tom Miller, Molloy, Murphy, Nardulli, Neff, North, Palmer, Pappas, Peters, Philip, Polk, Porter, Randolph, Redmond, Rigney, Rose, Ryan, Schraeder, Sevcik, Shurtz, Tim Simms, Skinner, Soderstrom, Springer, Stedelin, Stiehl, Telcser, Terzich, Totten, Tuerk, Wall, R. A. Walsh, W. D. Walsh, Washburn, J. J. Wolf; Mr. Speaker."

Speaker Telcser: "All right, questions of the affirmative Roll Call. The Gentleman from Kane, Representative Hill."

Hill: "Campbell?"

Speaker Telcser: "Representative Campbell on the floor? Chuck Campbell is in the back by Norm Springer, Jack."

Hill: "Ralph Dunn?"

Speaker Telcser: "Ralph Dunn? Representative Ralph Dunn on the floor? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Telcser: "Take him off the Roll Call."

Hill: "Friedland?"

Speaker Telcser: "Representative Friedland on the floor? He's in his seat."

Hill: "Gibbs?"

Speaker Telcser: "Is Representative Gibbs on the floor? There he is sitting next to John Hirschfeld, Jack?"

Hill: "Giglio?"

Speaker Telcser: "Is Representative Giglio on the floor? Representative Giglio? How is the Gentleman recorded?"



Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Telcser: "Take him off the Roll Call."

Hill: "Hanahan?"

Speaker Telcser: "Representative Hanahan on the floor? Representative Hanahan? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Telcser: "Take him off the Roll Call."

Hill: "Hart?"

Speaker Telcser: "Representative Hart on the floor? He's in his seat."

Hill: "R. Holloway?"

Speaker Telcser: "Representative Bob Holloway on the floor? Bob Holloway? How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'aye'."

Speaker Telcser: "Take him off of the Roll Call."

Hill: "Jenison?"

Speaker Telcser: "Representative Jenison is in his seat."

Hill: "Kempiners?"

Speaker Telcser: "Representative Kempiners is standing by his seat."

Hill: "Kent?"

Speaker Telcser: "She's in her seat."

Hill: "Madigan?"

Speaker Telcser: "Mike Madigan is standing in the back with Zeke Giorgi."

Hill: "McAvoy?"

Speaker Telcser: "Representative McAvoy on the floor? He's in his seat."

Hill: "Nardulli?"

Speaker Telcser: "Representative Nardulli on the floor? Representative Nardulli? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Telcser: "Take him off of the Roll Call."

Hill: "Philip?"

Speaker Telcser: "Okay, now, Pate Philip is in his seat. Now, Bob Holloway has returned. Bob Holloway has returned."

Hill: "Sevick?"



Speaker Telcser: "Representative Sevcik is in his seat."

Hill: "Pat North?"

Speaker Telcser: "Standing by his seat."

Hill: "Totten?"

Speaker Telcser: "In his seat."

Hill: "Keller?"

Speaker Telcser: "Keller is in his seat."

Hill: "T. Miller?"

Speaker Telcser: "Tom Miller is in his seat. Now, one second, Jack.

Ralph Dunn has returned. Ralph Dunn has returned."

Hill: "Schneider?"

Speaker Telcser: "Representative Schneider on the floor? Representative Schneider? How is the Gentleman recorded?"

Hill: "Never mind."

Speaker Telcser: "Any further questions, Sir? None? What do you have, Mr. Clerk? Representative Mann, for what purpose do you arise, Sir?"

Mann: "How am I recorded, Mr. Speaker?"

Speaker Telcser: "How is Representative Mann recorded?"

Clerk O'Brien: "The Gentleman is recorded as being absent."

Mann: "Please, vote me 'no'."

Speaker Telcser: "Vote him 'no'. What do you have, Mr. Clerk? Representative Hunsicker, for what purpose do you arise, Sir?"

Hunsicker: "Change my vote from 'present' to 'aye'."

Speaker Telcser: "Record Representative Hunsicker as voting 'aye'.

Representative Waddell, for what . . . record Representative Waddell as voting 'aye'. I've already made note of that. I've made note of that, Sir. Record Representative . . . Mr. Clerk, record Representative Mike Madigan 'no'. Yeah . . . Representative Martin, for what purpose do you arise?"

Martin: "How am I recorded, Mr. Speaker?"

Speaker Telcser: "How is Representative Martin recorded?"

Clerk O'Brien: "The Lady is recorded as being absent."

Martin: "Please, vote me 'no'."

Speaker Telcser: "Record the Lady as voting 'no'. What's the score,



Mr. Clerk? On this question there are 91 'ayes', 48 'nays'; and this Bill having received the constitutional maj . . . oh, wait a minute . . . this Bill having received the constitutional majority is, hereby, declared passed. Giglio was taken off. House Bill 2567."

Clerk O'Brien: "House Bill 2567, Porter, one Committee Amendment amends House Bill 2567 on page 2 by deleting lines 20 through 24 . . ."

Speaker Telcser: "The Gentleman from Cook, Representative Porter."

Porter: "Mr. Speaker, and Ladies and Gentlemen of the House, Committee Amendment . . . Committee Amendment #1 merely changes the language of the Bill to the form suggested by the Department of Revenue. It makes no ther substantive changes; and I move its adoption."

Speaker Telcser: "Any discussion? The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "What form is that?"

Porter: "Well, Representative Lechowicz, it merely follows the suggestion that the Department had and makes no change whatsoever in the substance of the Bill. I'll explain the Bill after the Amendment is adopted."

Lechowicz: "Now, under that premise, that means that the Department of Revenue is in support of your Bill."

Porter: "The Department of Revenue, I believe, is neutral on the Bill. They've taken no official position one way or the other, but they did provide the Amendment."

Lechowicz: "I'd like to know exactly what the fiscal implication would be, even with the Amendment, I'd ask for a fiscal note."

Porter: "Well, all right, I've got that. I'll get to that in a minute."

Lechowicz: "All right."

Speaker Telcser: "Further discussion? The Gentleman's offered to move the adoption of Amendment #1 to House Bill 2567. All in favor of the adoption signify by saying 'aye', the opposed 'no'; the Amendment's adopted. Are there further Amendments? None? Now, to Representative Porter, are you going to speak about a fiscal note, did I hear you say?"





Porter: "I really don't have a fiscal note. I have a letter from the Department of Revenue stating what they believe the fiscal implications to be."

Speaker Telcser: "Representative . . ."

Porter: "I don't know whether that's sufficient for his purposes."

Speaker Telcser: ". . . did you file it with the Clerk?"

Porter: "No, I haven't . . . Mr. Chairman . . ."

Speaker Telcser: ". . . I tell you what . . . let's do this . . . back to two Bills for Representative Shea, who had the same problem. He has now, I understand, filed . . . he's not . . . I thought you were going to call those Bills, Representative Shea?"

Shea: "The Gentleman that requested the fiscal note objected to me writing it. He said he wanted it from the department and the department is now writing it and I should have it in a little while."

Speaker Telcser: "All right, well, my point is, Representative Porter, that you already have a note from the department. If you'll file it with the Clerk, I'll get back to your Bill and Representative Shea's too, okay?"

Porter: "Fine, thank you, Mr. Speaker."

Speaker Telcser: "Okay, we'll get back to you. House Bill 2675."

Clerk O'Brien: "House Bill 2675, Grotberg, a Bill for an Act making appropriations to the State Board of Election. No Amendments."

Speaker Telcser: "Okay, the Bill has been read a second time, would you read it a third time, Mr. Clerk?"

Clerk O'Brien: "House Bill 2675, a Bill for an Act making appropriations to the State Board of Election for making reimbursement expenses. Third Reading of the Bill."

Speaker Telcser: "Now, you want to change the numbers up on the board, Jack, you've got 2575? The Gentleman from Kane, Representative Grotberg."

Grotberg: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. At long last we come to a non-controversial Bill; and in all credit to the Gentleman who preceded us with counts and recounts, we would assume that this would probably go by voice



vote; but we would take a moment to explain the Bill. It merely appropriates \$300,000 to the Board of Elections just in case the R.T.A. situation comes to a 'recount'. There are several things going to probably make this a very valuable Bill right now for all parties to have. And I would be glad to entertain any questions on the Bill at all that could be offered by some people who may have a vested interest in this Bill. Otherwise, I would recommend and highly encourage the support of a Bill of this nature."

Speaker Telcser: "The Gentleman from Cook, Representative . . ."

Grotberg: "Again . . . again, Mr. Speaker, it is a simple Bill."

We took 6,000 possible precincts in the six-county area and by various means estimated that the cost of filing for a recount in those 6,000 precincts would range in the area of \$50 each, multiplied by 6,000 is \$300,000; and hopefully, this will never be needed. The courts are now beginning to see the wisdom of some of us who have been talking about it and it may not be needed; but should it be needed, it would be a great and comforting thing for those county officials that have to have deposits, clerks, election clerks and county clerks, to know that this money would be refunded through the Board of Elections."

Speaker Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Is there any manner . . . that the board has to expend this money?"

Grotberg: "No."

Shea: "Well, could the board just take this \$300,000 and use it for any other purpose?"

Gortberg: "No, the purposes are explicit in the Bill, Representative Shea. For the purpose of reimbursing, for instance, for official fees and court costs paid by such persons in any discovery of recount proceeding or election contest with respect to the March 19th, a specific election."

Shea: "But if the Bill became law and they had the \$300,000, and they didn't want to expend it for that purpose, they can transfer within that appropriation and use it for what they want then, is that correct?"



Grotberg: "I would not think so, Mr. Shea."

Shea: "Well, you know, if they've got the \$300,000, and they don't expend it, they still have the money appropriated to them, is that correct?"

Grotberg: "Yes, but for a specific line item and for a specific item of expense, Representative."

Shea: "Well, I know, but they can transfer so much within appropriations, can't they?"

Grotberg: "I don't know how. They may have a 5 percent leeway one way or the other like every other department, 2 percent."

Shea: "Well, can you tell me what . . ."

Grotberg: "I've been advised . . . I've been advised by the Minority Assistant over there that it is 2 percent."

Shea: ". . . Well, what's the need for this at this time if this Bill's been declared unconstitutional?"

Grotberg: "Repeat the question, Sir."

Shea: "What is the need for it at this time if this piece of law has been declared unconstitutional?"

Grotberg: "I think we've got a long way to go on that, Representative Shea. The lower court, of course, in Lake County has begun those proceedings; but I would be the last to say what higher courts are going to say."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think that this would be an absolute bad thing to do to appropriate \$300,000 for this purpose."

Speaker Telcser: "The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I opposed this Bill in Committee. I'm sure the record reflects that. It came out 17-8. There were only 8 Democrats there, and a few enlightened Republicans. What House Bill 2675 does is sets a very bad precedent where the state is expected to pay for discovery recounts on every contested public referendum in Illinois. And I'm not questioning the fact that they possibly that the previous referendum on March the 19th should be looked into; and I know that many of you were on the public media expressing your



concerns, and, in turn, looking for dollars for the dollar amount that's necessary for a public recount. But if you pass this Bill and subsequent Bills thereafter, you're establishing a precedent in this state that on every public referendum, if you don't like the outcome of it, you can come back to the state and ask for the money for a referendum recount. I think that is wrong. And for this reason, I oppose House Bill 2675; and it should be defeated."

Speaker Telcser: "The Lady from Lake, Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, I'm one of the Cosponsors of this Bill, and I would like to point out to the Members of the House that we have already paid for the expenses of recount in the races for State Representative. Now, discovery recount in this . . . in this type of a case is just as important. Afterall, if we are going to create a very large agency, the second only to the State of Illinois, by the referendum on March 13, certainly . . . and it would only pass by less than 1 percent of the votes, certainly it is important enough to consider discovery recount; and I think the \$300,000 will be well spent because it might save \$3,000,000 and \$3,000,000,000 of the people's money in the future. We cannot count on the courts, as Representative Grotberg said, we don't know what the entire decision will be it . . . when it goes all the way to the Supreme Court. However, if we could spend the money for our representative races for recount, certainly we can spend the money to help the people's taxes . . . tax burden. And this is what . . . one thing this will do."

Speaker Telcser: "The Gentleman from Cook, Representative Berman."

Berman: "Well, Mr. Speaker, in response to the last Speaker, I don't recall of any time that we have spent state money for discovery recount, and I think this would be a terrible precedence to set. And I urge a 'no' vote."

Speaker Telcser: "Further discussion? If not, the . . . the Gentleman from Kane, Representative Grotberg, to close the debate."

Grotberg: "Well, again, thank you, Mr. Speaker, and Ladies and Gentlemen of the House; and I have the utmost respect for those who



opposed this Bill. I truly do. But if you will recall, it was this Body that drew an imaginary line around six counties and forced a tremendous election expense upon those six counties; and now it would be no more than right, and just as constitutional, just as constitutional, for those who may have to seek to recount to have the people pay, and gladly pay, for such a recount. There is no known opposition to this Bill anywhere outside of Cook County. And I would appreciate very much an 'aye' vote for the people of the five-county region that we've hassled, and hassled and hassled. And I thank you very much for your support, Mr. Speaker."

Speaker Telcser: "The question is, shall House Bill 2675 pass?

Those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? The Gentleman from Kane, Representative Grotberg."

Grotberg: "Yes, Mr. Speaker, I have no particular problem explaining my vote on this. I just would like to see everybody light up one way or the other on this. It would make a good test vote for R.T.A. some future time; and anything that you can do to protect the people, that's all we're concerned about. And I think there are probably 2,000,000 of them out there that we're involved with. And, in fact, I think 2,000,000 people deserve more than 69 votes for this Bill, which could be the last great attempt, the last great attempt, to make sense out of an R.T.A. and a regional transit system by the will of the people."

Speaker Telcser: "The Gentleman from Cook, Representative Epton."

Epton: "Mr. Speaker, Ladies and Gentlemen of the House, I agree with the previous Speaker; but unfortunately I find it 'interminate' upon me to vote 'present' in this particular case. As some of you may know, our law firm has been engaged to handle this recount; and although I don't believe that our attorneys' fees can be reimbursed, just so there can be no question of our stand on this very excellent Bill. We want you to know that . . . we will have to vote 'present'. So our apology to the Sponsor."

Speaker Telcser: "Record Representative . . . 'present' . . . the



Gentleman from Cook, Representative Duff."

Duff: "Mr. Speaker, Ladies and Gentlemen of the House, I am a strong supporter of R.T.A. and I have been from the very beginning; and I still am. But fair is fair. We've asked the people to cast a vote, and we've got a very close vote, and a discovery is a reasonable request. I took the same position when 'Bernie Carey' had a very close race some years ago and wasn't able to get recount because of the cost involved. I just think it's plain fair, irregardless of how you stand on R.T.A."

Speaker Telcser: "Have all voted who wish? Take the Record. On this question there are 75 'ayes' . . . do you want to postponed? . . . Representative Murphy, for what purpose do you arise, Sir?"

Murphy: "I want to change my vote to 'no', Mr. Speaker."

Speaker Telcser: "Record Representative Murphy as voting 'nc'. He wants to change his vote. Representative Juckett, for what purpose do you arise? All right, he's going to put it on Postponed, so . . . the Gentleman has asked for Postponed Consideration. He has that right under the rule. The Bill will be put on Postponed Consideration. We have some distinguished guests with us now; and I'd like to have Representative Eugenia Chapman do the honors of introducing them to the Members of the House."

Chapman: "Mr. Speaker and Members of the House, today we have with us two visitors from West Frankfurt, West German, Frankfurt, West Germany; and they are champion runner, Michael 'Laer', who is the best junior distance running in West Germany for 3,000 and 5,000 meters; and another outstanding runner 'Helmet Henshal'. District 214 which is in the area which includes parts of the 1st, and 3rd and 4th Legislative Districts, I won't mention all of the Legislator's names, have for three years now sponsored an international track and field invitational. And with the boys today is Bruce 'Shamar', a resident of the 2nd Legislative District, who is the originator of the invitational. Michael, by the way, won the two-mile race in Mt. Prospect this June 8th. Please, join with me in honoring them today."

Unknown: "We appreciate to you to be here this day and I thank you very



much." (One of the persons from Germany)

Speaker Telcser: "House Bill 2725. Some of your . . . some of your friends, Al."

Clerk Selcke: "House Bill 2725 has been read a second time. Committee Amendment #1 amends House Bill 2725 on page 1 and so forth."

Speaker Telcser: "The Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker and Members of the House, House Bill 2725 deals with the question of amending the various codes of the counties and the municipalities and various state statutes, which authorizes the municipalities and counties to impose a use tax on tangible, personal property purchased at retail. The Amendment #1, which is presently being considered, corrects the Bill in the form that it was introduced as recommended by the Department of Revenue for the purpose of making sure that there is no double taxation. In other words, where a retailer already has charged in the area a retail occupation tax there will be no duplication of a use tax. And, therefore, I recommend the adoption of Amendment #1 to House Bill 2725."

Speaker Telcser: "Is there discussion? The Gentleman offers the adoption of Amendment #1 to House Bill 2725. All in favor 'aye', the opposed 'no'; the Amendment's adopted. Are there further Amendments? No further Amendments, the Bill has been read a second time. Will the Clerk please read it a third time?"

Clerk Selcke: "House Bill 2725, a Bill for an Act to authorize the imposition of a municipal use taxes and county use taxes. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker and Members of the House, in further explanation, this Bill, in the case of items, titled or registered with an Illinois state agency requires proof of payment or exemption from tax as the condition for registration or title. Now, this also provides for the Department of Revenue to collect a tax and direct remittance to the municipalities and counties. It is a little bit more expensive than the Bill that was passed earlier by Representative Celeste Stiehl, and it deals with the same problem



where many of the bordering states have an advantage over our state in that they avoid . . . so many of our taxpayers avoid payment of this tax. And I ask for your unanimous consent on this much-needed legislation to overcome many of the loopholes for many people; and, therefore, deprive our retailers and our businessmen from the needed revenue that they need in order to support our State of Illinois. And I ask for your adoption."

Speaker Miller: "Is there discussion? The question is, shall House Bill 2725 pass? All those in favor will vote 'aye' and those 'nay'. Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 107 'ayes', 7 'nays' and 8 voting 'present'. This Bill having received the constitutional majority is, hereby, declared passed."

Clerk Selcke: "House Bill 2751, Kempiners . . ."

Speaker Miller: "Are there any Amendments, Mr. Clerk?"

Clerk Selcke: ". . . This Bill has been read a second time, has one Committee Amendment, amends House Bill 2751 on page 1 by deleting lines 19 and 20 and so forth."

Speaker Miller: "The Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you, Mr. Speaker, this Committee Amendment is agreeable to me. It deletes some controversial language, which I concur as unworkable; and I move its adoption."

Speaker Miller: "Is there discussion? The Gentleman moves the adoption of Committee Amendment #1. All those in favor say 'aye', opposed 'nay'; the 'ayes' have it, and the Amendment's adopted. Are there further Amendments, Mr. Clerk?"

Clerk Selcke: "No, Third Reading."

Speaker Miller: "All right, the Bill is on Third Reading."

Clerk Selcke: "House Bill 2751, a Bill for an Act to amend the Revenue Act of 1939. Third Reading of the Bill."

Speaker Miller: "The Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you, Mr. Speaker. This legislation deals with the three-year farm rollback, and it basically makes specific what the intent of the law is with regard to who is responsible for monies owed to units of local government when the rollback is applied





for. It makes the person applying for the rollback responsible and it also authorizes the county treasurer to disperse the income when it's paid. And I would support . . . seek your support."

Speaker Miller: "Is there discussion? The Gentleman from Cook, Mr. Richard Walsh."

Walsh, R.: "Will the Gentleman yield for a question?"

Kempiners: "Yes."

Walsh, R.: "A question arose in Committee, you indicate that the person applying for the rollback is responsible; but is the non-payment of taxes a lien against the real estate in the event the person applying has gone to Switzerland or someplace?"

Kempiners: "I checked with Senator Fawell, who was the Sponsor of this law, and he states that the notation that's made on the deed when an application is made that provisions of Chapter 120, paragraph 501, may be applicable to this property. So that anybody who is considering purchasing, for example, will have that red flag flashed at him."

Walsh, R.: "Anybody purchasing would have to what, Bill?"

Kempiners: "Would have this notation on the deed if there's any type of a search done, that he will be aware that there may be a financial obligation due to the local property."

Walsh, R.: "Well, where . . . it doesn't really answer my question. Is it your understanding that the nonpayment of taxes as a result of the rollback is a lien against the real estate?"

Kempiners: "This doesn't . . . if it is, it's already lost, that if the nonpayment is there. I'm sure that it is a lien; but it's already in the law that it's a lien."

Walsh, R.: "Well, does your Bill just say that as between the . . . one who applies for the rollback and a purchaser, it is the one who applies who is responsible?"

Kempiners: "Yes, it has . . . it makes specific that the person who makes the application should be liable for that act."

Walsh, R.: "And there is no other change insofar as liens on real estate for nonpayment of taxes?"

Kempiners: "No, no."



Speaker Miller: "Is there further . . . is there further discussion?"

The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Would the Sponsor yield for a question, please?"

Speaker Miller: "Proceed."

Tipsword: "Representative Kempiners, I regret I was called off the floor a minute ago, and perhaps this has been asked of you already, but I'm somewhat disturbed by this . . . by your Bill in regard to, in the southern third especially of Illinois, and scattered throughout all the rest of Illinois, are many people who consider themselves to be farmers . . . but regrettably they can't make a living at it."

Kempiners: "That language has been deleted by the Amendment. You're talking about the language about the 75 percent income?"

Tipsword: "Yes."

Kempiners: "That language has all been deleted with my concurrence.

I've found that it's completely unworkable. For example, what you're saying is if a couple owned a farm, and the wife worked, had a job as a teacher, and they didn't qualify. Well, I admitted that this was unworkable and went along with the Committee and deleted that language."

Tipsword: "Does it also apply to the situation where the farmer himself can't make a living farming and takes a job on the side?"

Kempiners: "No, this . . . we did not change that language. We eliminated it altogether. So there's no threshold that has to be met in order to apply for this. It's out altogether. And what's left is a Bill that just makes explicit what was intended by the law when it was passed. It wasn't that explicit."

Tipsword: "Thank you."

Speaker Miller: "The Gentleman from Ogle, Mr. Brinkmeier. All right, he doesn't care to talk. The Gentleman from Cook, Mr. Matijevich. I'm sorry, from Lake, I believe."

Matijevich: "I'd like to have him respond to a question."

Speaker Miller: "Proceed."

Matijevich: "Representative Kempiners, I was following you so closely in your response to Representative Tipsword, and then you dropped it



off and said that all the Bill does now is follow the intent. If you would explain to me the intent, then I think I'd understand your . . ."

Kempiners: "Well, the intent is to make somebody liable for the differential between the agricultural assessments that has been applied for and the . . . do you understand the farm-rollback program? . . ."

Matijevich: "Yeah, right, right."

Kempiners: ". . . Representative Matijevich? . . . for when property is developed and no longer an agricultural production, then somebody is liable for the three-years differential between the assessed valuation as agriculture and as the highest value in the property. And it was the intent of Senator Fawell that the person who made application is liable, but it didn't come out that way. And I have a situation in one of the counties in my district where some homes have been built on the property and the people who bought the homes are going to be made liable for that three-year obligation. So what I'm trying to do is indicate that it's the purpose of the law for any question that the person who applies for the rollback is liable for those taxes, rather than somebody who buys a home and it slips through that . . . this obligation that's there."

Matijevich: "All right, now, I understand that now. Here is a problem I have in my community; and I'm really not a, as you may know, a farming area. However, we do have in my community a lot of land that has been for years used for agricultural interests. And what has happened because of our tax structure and the fact that developers are coming in, large-scale developers, people no longer can farm those lands at a profit and they are now selling them to developers, even though they'd rather hold onto the land. How does your Bill relate to that problem?"

Kempiners: "The Bill is . . . the Bill really doesn't affect that, it does not change the situation, other than it's intended . . . the law itself was enacted with the intent of keeping that property in farmland, as open-space farmland, as long as possible. Now, the wording that I took out may have been intended to keep the



farmer on the land, but I . . . the firm here was opposed to it, and even before they came to me and talked to me about it, I had looked at it and found it to be unworkable. So this Bill really doesn't affect that situation. It just makes clear that whoever applies for this particular rollback is the one that ought to be responsible for payment of the three-year rollback taxes."

Matijeovich: "I think it's a good Bill."

Kempiners: "Thank you."

Speaker Miller: "Is there further discussion? The Gentleman from Union, Mr. Choate."

Choate: "If I understood correctly, and I . . . it's terribly hard to understand on the floor anymore as you well know . . . did you say that the 75 percent of income has been deleted?"

Kempiners: "Yeah, that's been taken out altogether with Amendment 1."

Choate: "Fine, now, and this might have been covered in Representative Matijeovich's questioning, I don't really know; and if it was, you can tell me. And if it satisfied him, it satisfies me; but I just couldn't hear the dialogue here. For the purposes of limitation, how is the income to be defined? Now, that I assume would not have any bearing anymore inasmuch as we took out the 75 percent, is that right?"

Kempiners: "No, Clyde, all that language that states the person liable for taxes on that real property must derive at least 75 percent of his total yearly income from a farming or agricultural operation, taken out entirely."

Choate: "All right, now, in other words, you've cleared my question totally if you've taken that complete section out."

Kempiners: "Right."

Choate: "I have . . . I have no particular objection, unless someone else is versed more than I am in the art of farming, and I would suggest the way Representative Craig is talking to Matijeovich back there, maybe he's got a question."

Speaker Miller: "The Gentleman from Vermilion, Mr. Craig."

Craig: "Representative Kempiners, if I would own some land by a town that was 'joined', and I sold to a, say 30 acres, to a developer, who



was going to build homes or what have you. Are you saying then that the developer should pick up the three years of the tax over the farmer, or the homeowner or who?"

Kempiners: "Well, I'm saying that it should not be the homeowner, the person who buys that home. I'm saying whoever . . ."

Craig: "Well, I'm saying it also shouldn't be the farmer . . ."

Kempiners: ". . . now, wait a minute, I'm saying whoever has applied for the reduced taxes, is the one that is liable for this three-year obligation. Now, it may not be the farmer, it may be the developer; but whoever makes application, he's doing so with the understanding that if he sells the property, or I shouldn't say sells, but if he develops the property, there's a three-year differential that has to be made up. And he is the one who has received that tax break, so he ought to be responsible for the, you know, the taxes that are incurred."

Craig: ". . . no, but if I as a farmer, now, if I'm going to develop it, I can see where I would have to pay it; but if I sell that property, I don't think I should be held responsible for the three years when I sell it."

Kempiners: "Okay, Representative Craig, I think that I could really answer your question by saying I am not the one who has made this distinction. Would . . . the situation, as it is under the original Act, is in this Act. I've made no change or attempt to make a change in who's responsible other than stating that the person that's clarifying the situation that was intended at the person making the application for the rollback as the one responsible. In other words, when he makes the application for the lower taxes, he realizes that if the land is to be developed, that when it's developed, there will be three-year obligation for the differential between the agricultural assessment and the highest use assessment."

Speaker Miller: "The Gentleman from Cook, Mr. Shea."

Shea: "Could you tell me the state of the law at this time and what your Bill does?"

Kempiners: "Okay, the state of the law at the present time is that the . . . it states that any person, the person, liable for taxes



on that real property shall pay to the county treasurer, et cetera, et cetera, and I'm saying that any person who has applied for the rollback, you know, is liable for the three preceding years tax differential."

Shea: "All right, what if the owner of the real property . . . say somebody's got a farm of 200 acres, and the owner, the then owner applies, and instead of . . . say it's an area where land is selling for \$6 and \$7,000 an acre, and it's farmed . . . the then owner pays at the rate of agricultural land, not at 50 percent of actual cash market value."

Kempiners: "Right, that he's made an application for that . . ."

Shea: "He's made that application. Let's say that goes on for three years, that person then dies and leaves the farm to his children. The person that supplied . . . the person that supplied is now deceased, what happens to the increased taxation? Is somebody obligated to pay it then?"

Kempiners: "No, as long as the land is in the agricultural, you know, an agriculture . . ."

Shea: "No, let's say, they want to develop it."

Kempiners: ". . . I would imagine the estate . . . you're saying that the farmer made the application and then died, I would imagine his estate would be liable for it."

Shea: "Well, as I read this Bill, the present law says the person that applies, which would be the deceased farmer. Therefore, he would no longer be the owner and his children would not be obligated for the three years back taxes. As I read this new language, the people that inherited the land would now be obligated, if they used that for development purposes, would be obligated to pay the real estates taxes for the preceding three years, which could, in effect, you know, just really hurt tremendously because of the difference in taxes."

Kempiners: "Well, this would be only if they chose to sell . . . to develop the land, rather than continue it in agriculture."

Shea: "Well, but what I'm saying is there's a lot of people today sittin' on acreage and farmin' it because they can't afford to sell it."



And right now they're paying taxes at farm rates on it. That if that person died and gave it to his children or left it to his children, and they went ahead, now that they've taken it at the new valuation, where they don't have the big capital gains problems, what you're doing then, though, is under this Bill putting them in a position where they're going to have pay the taxes, the real estate taxes, for three years, which could be a substantial amount of money."

Kempiners: "All right, Jerry, if you'll look at the intent of the existing law, it is to encourage in rapidly developing areas, where farmland is skyrocketing, encourage the farmer to stay on that land as long as possible. So what you're saying is that what I . . . what my response to that would be, that if the farmer dies and his heirs did have that tax obligation, there would be a ready market for that property, and they wouldn't be under a financial strain to pay that differential. Now, it's not the total taxes, it's just the differences between the taxes on land assessed as agricultural and land assessed at its highest value."

Shea: "Do you have any idea how much that is in here?"

Kempiners: "No, Sir."

Shea: "I can tell you it is a substantial amount of money."

Kempiners: "I can understand that; but again it would on property that was very high on value because of the pressure of development."

Shea: "Well, that may be, but you've got some people, once they pick up the land, and say they even start to develop it themselves, you know, they're going to be obligated for some taxes that could, you know, I . . ."

Kempiners: "Right, you're correct; but somebody under the existing law would already be liable."

Shea: ". . . No, under the present law, the deceased is the one that took out the exemption. He is no longer here, therefore, nobody is obligated, under the present law. That law . . ."

Kempiners: "Well, his estate would be . . ."

Shea: ". . . that law was drafted four years ago to specifically take that into account. That was originally a Senate Bill that



came over here. Really it was, I think, it was Senator Fawell and it was originally 30 or 40 acres, I think, or whatever it was, 20 acres originally. And then we reduced it, I think, Representative Murphy had an Amendment last year to take it down to 10 acres . . ."

Kempiners: "Right, 10 acres."

Shea: ". . . and I think before we get into tinkling with this too much, we ought to look at it a little bit more. And I'd like to talk to you about it."

Kempiners: "Okay, if it would make you feel better, before I introduced this, I did take it over to Senator Fawell to find out if, you know, I wanted to find out what his intent was. And he looked over this, and one of the reasons I changed the wording or eliminated the wording I did was because it violated his intent. I'm willing to work with you on it. Like I said it's not that important a Bill that I'm going to get hung up on it."

Shea: "All right . . . all right, do you want to take it out and we'll talk about it?"

Kempiners: "Okay."

Speaker Miller: "Take it out of the Record, Mr. Kempiners? This will be held on Third Reading. Call the next Bill, Mr. Clerk."

Clerk Selcke: "House Bill 2781, this Bill was read a second time, it has no Amendments. Read it a third time, Mr. Speaker?"

Speaker Miller: "There's no Amendments? Read the Bill a third time."

Clerk Selcke: "House Bill 2781, a Bill for an Act to amend Sections 2, 2.1, 2.5 and so forth."

Speaker Miller: "The Gentleman from Cook, Mr. Douglas."

Clerk Selcke: "Third Reading of the Bill."

Douglas: "Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 2781 contrary to what it was originally assumed to be is not a revenue Bill. It's a public health oriented Bill. The purpose of the mobile home licensure program is to assure safe drinking water, adequate sewage disposal of refuse collection, rodent control and other things that relates to the public health of people living in mobile homes. The proposed legislation is





considered as an emergency to prevent circumvention of the Mobile Home Park Act. It's been proposed by the Department of Public Health. It passed Committee with no opposition; and I would be very happy to answer any questions or else solicit your favorable support."

Speaker Miller: "Is there discussion? The question is, shall House Bill 2781 pass? All those in favor will vote 'aye' and opposed 'nay'. Have all voted who wished? Take the Record, Mr. Clerk. On this question there are 115 'ayes', 3 'nays' and 2 answering 'present'. This Bill having received the constitutional majority is, hereby, declared passed."

Clerk Selcke: "House Bill 2804, Choate, this Bill does not have any Amendments and it was read a second time."

Speaker Miller: "The Bill is now on Third Reading. Read it the third time, Mr. Clerk."

Clerk Selcke: "House Bill 2804, an Act making an appropriation to the Board of Trustees of Southern Illinois University. Third Reading of the Bill."

Speaker Miller: "The Gentleman from Union, Mr. Choate."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of this . . . of the House, this Bill came out of the Committee 28 to nothing. It creates a beef-testing station in southern Illinois, the same as the successful station at Western Illinois University. What it really does is it's attempting to upgrade the quality of Illinois cattle, bring more profits to the cattle producers, certainly produce a better product for the consumer, there's the possibility for the expansion of the cattle industry in the State of Illinois. I would say that if you've been paying attention to the plight of the cattle raiser in recent months, you would agree with me that we're going to have to do something to improve the cattle industry in the State of Illinois. And I think this is a step in the right direction as has been proven by Western Illinois University; and I would appreciate the support of the Membership. It's a \$100,000 appropriation."

Speaker Blair: "Is there discussion? The question is, shall House



Bill 2804 pass? All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wish? The Clerk will take the Record. On this question there are 126 'ayes', no 'nays'; this Bill having received the constitutional majority is, hereby, declared passed."

Clerk Selcke: "House Bill 2810, no Amendments . . . do you want to go on Third now . . ."

Speaker Blair: "Third? Yeah, read it a third time."

Clerk Selcke: ". . . House Bill 2810, a Bill making an appropriation to the Department of Conservation. Third Reading of the Bill."

Speaker Blair: "The Gentleman from Kane, Mr. Grotberg."

Grotberg: "Thank you, Mr. Speaker. Again, Ladies and Gentlemen of the House, we have along the Fox River several serious problems have addressed this Session. This one addresses the 54-square mile flood plain of the Ferson-Otter Creek, which comes into the Fox River, just above St. Charles, in a highly developed area. In fact, right at this moment, the Division of Waterways is having its public meeting in St. Charles on the nature of that whole problem. I would request a favorable Roll Call to get into their hands enough money to establish a new 100-year flood plain that is long since out-of-date working on the one they've got from the late 1940's."

Speaker Blair: "Is there discussion? The question is, shall 28 . . . House Bill 2810 pass? All those in favor vote 'aye', the opposed 'no'. Have all voted who wish? The Clerk will take the Record. On this question there are 117 'ayes', no 'nays'; and House Bill 2810 having received a constitutional majority is, hereby, declared passed."

Clerk Selcke: "House Bill 2835, Fennessey, the Bill was read a second time. It has one Committee Amendment, amends House Bill 2835 . . . amends House Bill 2835 on page 3, line 2, and so forth."

Speaker Blair: "Whose Amendment is that?"

Clerk Selcke: "It's a Committee Amendment."

Speaker Blair: "Oh, it's a Committee Amendment. Mr. Craig, are you going to explain the Amendment?"



Craig: "What the Committee Amendment does is all vehicles registered in Illinois by an applicant who registers some of these vehicles under apportionment. Now, they have to register these vehicles the 1st of January, and the man who does that with his trucks as he registers them on reapportionment, he can get his license the 1st of January, rather than have to come in and register them and then come back in June and get his license. It makes him one deal where he can do it all at one time. And I move for the adoption of Amendment #1."

Speaker Blair: "Is there discussion? The question is on the adoption of the Amendment. All those in favor say 'aye', opposed 'no'; the 'ayes' have it, the Amendment's adopted. Are there further . . ."

Clerk Selcke: "Amendment #2, Fennessey, amends House Bill 2835 on page 1, line 1, and so forth."

Speaker Blair: "Mr. Fennessey."

Fennessey: "Mr. Speaker and Members of the House, this is a Bill that was introduced by the request of the Secretary of State; and what it does is amends the Vehicle Code. It changes the registration period for motorcycles as originally written from the calendar year to the fiscal year; and for campers and recreation vehicles from the fiscal year to the calendar year. And Amendment #2 just removes the portion pertaining to the motorcycles. I move for the adoption of the Amendment."

Speaker Blair: "All right, the question is 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?"

Clerk Selcke: "No, that's it."

Speaker Blair: "All right, then read it a third time."

Clerk Selcke: "House Bill 2835, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Blair: "Mr. Fennessey."

Fennessey: "Mr. Speaker and Members of the House, as I said, as the Bill is now amended, all it does is changes the recreational vehicles and campers from the fiscal years to the calendar year basis. And this is being introduced at the request of the Secretary



of the State to help them with their paper work and so forth, just make more of an efficient operation. The Secretary of State's office."

Speaker Blair: "Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, would the Sponsor yield to a question?"

Speaker Blair: "Yeah, he says he will."

Geo-Karis: "I notice, Mr. Fennessey, in the Digest you change the registration period for motorcycles from a calendar year to a fiscal year basis, is that correct?"

Fennessey: "No, the Amendment #2 I put on to now remove that portion of the Bill."

Geo-Karis: "All right, thank you."

Speaker Blair: "Any further discussion? The question is, shall House Bill 2835 pass? All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? The Clerk will take the Record. On this question there are 127 'ayes', no 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed."

Clerk Selcke: "House Bill 2847, this Bill has been read a second time. No Amendments."

Speaker Blair: "Read it a third time."

Clerk Selcke: "House Bill 2847, a Bill for an Act to amend the Revenue Act of 1939. Third Reading of the Bill."

Speaker Blair: "Mr. Grotberg."

Grotberg: "Thank you, Mr. Speaker. Again, Ladies and Gentlemen of the House, I don't know why these Bills are all coming at once; but I'm pleased that they are. This General Assembly has been involved for about a year in what supposedly was an energy crisis. I think about the only thing that happened out of here was that we reduced the automobile speed limit to 55 miles-an-hour. I believe the Governor and a Federal committee passed out gasoline during the winter months and fuel oil. But from a constructive standpoint there's a little thing left that hasn't been done. And that is what can the individual homeowner do about conserving energy and being inspired to invest in some of the techniques that



it takes to use what we already have, that way-out thing called, solar energy. Lest anybody give me credit for this Bill, it is not my Bill. It was passed, just as you read it, by the Indiana State Legislature in their last Session unanimously. This simply says that any homeowner who cares to indulge in the concept of solar energy, shall be able to have a reduction in the assessed value of his home. There he is, Mr. Hill. I can see it now shining over Aurora. That he may have a reduction in the assessed value of his home as an incentive, as an incentive, if you will, to go ahead and build and construct either solar heating or solar cooling in his home. If you have been reading lately in the Reader's Digest a series of articles on the house that runs on the sun. The scientific papers are full of it. I don't want to talk this little Bill to death; but it could be the only thing we did about saving energy in this whole 78th General Assembly. And I would be glad to answer questions on it. It's self-explanatory."

Speaker Blair: "Any questions? Mr. Schneider."

Schneider: "Thank you, Mr. Speaker. I hate to depress you. Now, does it . . . it seems to me, John, that I could put up a series of windows adjoining maybe my family room, or let's say my living room, or bedroom; and I could call it a solar energy heating system and be able to get a \$2,000 exemption without it having really changing my central heating system at all. So I can maintain two systems. I might, in effect, merely just place a greenhouse next door to me in which the sunlight comes through the greenhouse into my family room; and I then will claim it as a solar energy heating system or device and receive a \$2,000 exemption. I see no definitions in the Bill. Does it mean it has to be totally a system for the whole house or could we just do it partially?"

Grotberg: "I would think that it would be in a total system for the whole house, Mr. Schneider. I would assume that after you've torn out your furnace, and lived with your greenhouse, you'll find that you do have a solar energy device."



Schneider: "Well, I like that line . . . I think it is . . ."

Grotberg: "You can't have it both . . ."

Schneider: ". . . I think it's a tremendous line, but I don't think it does anything for a definition of what a solar energy heating system is. It doesn't say in the Bill that there should be total dependance on that system. I would like to have that happen. I know that there is some architectural activities that have to take place before you can construct that . . ."

Grotberg: "I'd be glad to hold this on Second Reading if you want a better definition of solar energy, I certainly would."

Schneider: ". . . Well, I'm with you on encouraging it, and I think it would be better, John. I don't know where to begin on it, but it makes sense. It's up to you. If you want to go with it and try to pass it?"

Grotberg: "Well, I could put it on in the Senate, it doesn't matter, either way."

Schneider: "Why don't you make a decision on holding it and let's see . . ."

Grotberg: "Well, hold it for a few minutes, Mr. Speaker, if that's all right with you . . . if we can come back and that's a very good Amendment; but it shall be totally . . ."

Speaker Blair: "Well, let's understand that once you've had your shot on its being called, you're going to go to the end of the line as far as today's calls . . ."

Grotberg: ". . . I'll take a Roll Call . . ."

Speaker Blair: ". . . now, I've said that to other Members and we can't keep deferring and making arrangements and then wanting to call your Bill whenever you want to call it."

Grotberg: ". . . very good, it pleases me fine, I'll take a Roll Call on it, Mr. Speaker."

Speaker Blair: "All right, the question is, shall House Bill 2847 . . . Mr. Schlickman . . ."

Schlickman: "Mr. Speaker and Members of the House, whether or not there's an exemption, or excuse me, a definition of what constitutes a solar energy heating or cooling system to me seems to be irrelevant."



What we should be concerned about is the policy that is contained in this Bill, the policy being more on . . . of using the local real estate tax as an incentive to bring about some kind of improvement energywise. This is a public policy being established by this state. And if that's the case, I should think that the incentive would be provided by the state and not by units of local government, who will suffer financialwise by this Bill. I, therefore, suggest that the Bill, with or without a definition, is bad and should be defeated."

Speaker Blair: "Is there any further discussion? The question is, shall House Bill 2847 pass? All those in favor vote 'aye' and the opposed 'no'. Have all voted who wish? Mr. Grotberg, explanation of vote."

Grotberg: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Again, I see that about half the House is ready for some conceptualization on this. We shall return next spring with a better-written Bill doing probably what we started out to do here in the very same sense. Thank you very much, and I'll take the 'lost' Bill."

Speaker Blair: "All right, have all voted who wish? The Clerk will take the Record. Yeah, on this question there's 48 'ayes', 36 'nays'; and this Bill having failed to receive a constitutional majority is, hereby, declared lost."

Clerk Selcke: "House Bill 2849, this Bill has been read a second time. There are no Amendments."

Speaker Blair: "Mr. Wash . . . read it a third time."

Clerk Selcke: "A Bill . . . House Bill 2849, a Bill for an Act making an appropriation to the Teachers' Retirement System. Third Reading of the Bill."

Speaker Blair: "Mr. Washburn."

Washburn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I suspect that lengthy explanation of this Bill and the following Bill will not be necessary as similar legislation passed out of here with a near unanimous vote. And this Bill, House Bill 2849, passed out of Appropriation's Committee with a 28 to nothing vote."



nothing vote. Anyway House Bill 2849 provides an appropriation of \$34,967,512.48 so the Teachers' Retirement System is the first of 50 annual payments to amortize the actuarial unfunded liability as of June 30, 1971. You will recall that this concept of amortization amortizing the unfunding liability for the downstate Teachers' Retirement System is based on agreement and the Court of Claims case entered into by the Attorney General, Illinois Educational Association and the Teachers' Retirement System. Now, as I understand, the Pension Laws' Commission planned to increase state contributions to the statutory level gradually over a period of years, does not address itself to the unfunded liabilities built up over prior years. This Bill is designed to repay the actuarial unfunded liability in the system by 50 annual payments for approximately \$35,000,000, and unfunded liability of some one billion, one and a three quarters billion dollars. Now, this Bill represents the moral obligation of the state to fully fund the Teachers' Retirement System and provides the first step towards this goal. As an appropriation Bill it does not obligate the state by statute to continue this program should other alternatives be identified and adopted at a later date; and I ask for your favorable support."

Speaker Blair: "Is there discussion? Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 2849 and --50 are designed to bring the state's and Chicago Teachers Retirement System to a 100 percent actuarial funding level. While it is realizing a proper funding for the Teachers' Retirement System as one of this year's most pressing and important issues, these Bills do contain several questionable features. First of all, these Bills would cost the state \$350,000,000 in the current fiscal year. That's \$350,000,000 this current fiscal year, an amount which estimates of state revenues an expansion for the current fiscal year indicate, unfortunately, we cannot afford. Secondly, it's a problem that applies, not only to the Teachers' Retirement System, but to all of the state-run pension systems in varying degrees. To deal with this problem on





a piecemeal system-by-system basis would be counter-productive by the attempt of the Legislature, in both Houses and on both sides of the aisle to bring about equity and uniformity in the Illinois for its pension systems. Taking a piecemeal approach to solving this problem could raise financial as well as theoretical havoc since you must deal with fund . . . unfunded liabilities of 1.9 billion dollars for the State Teachers' Retirement System and \$3,000,000,000 for all the state-run pension systems. Thirdly, the Illinois Public Employees' Pension Laws Commission has approved the funding plan, which would increase the state's contribution to all the state-run pension systems by a given percentage of 8-year fiscal scale for each year. For these reasons, unfortunately, I have to oppose both of these Bills."

Speaker Blair: "Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, we, not only have a moral obligation, we have a legal obligation to follow the Constitution of Illinois, which provides that pension funds, in essence, are to be protected. The teachers . . . the teachers pay 8 percent per month into these pension funds. I wholly support these Bills. I think they're necessary. I think we could preserve the integrity of the law, and the integrity of the law as set forth in the Constitution to protect these pension funds; and it's about high time that we did our proper duty and followed through. That is one of the reasons why teachers are very insecure. They feel that their pension isn't going to be there when they're ready to retire. And I certainly am speaking in favor of the Bills."

Speaker Blair: "Mr. Shea."

Shea: "Will the Sponsor yield for a question?"

Speaker Blair: "Yeah, he indicates he will."

Shea: "What is the current cost, not the makeup, but the current cost?"

Washburn: "This amount, perhaps you're referring to Representative Lechowicz' \$300,000,000, this amount contained in these two Bills that he was talking about is \$136,000,000 more than what is contained in the O.S.P.I. ordinary appropriation Bill. It's not an



additional \$300,000,000 like some might have understood his statement to mean, it's an additional \$136,000,000. Is that what you're getting at, Jerry?"

Shea: "Well, Bud, we're hearing just one Bill, aren't we?"

Washburn: "Yes."

Shea: "2849?"

Washburn: "Right."

Shea: "All right, this is an additional \$35,000,000, is that correct?"

Washburn: "Correct."

Shea: "All right, now the following Bill . . . the following Bill is about \$200,000,000, isn't it \$275?"

Washburn: "Right, \$253."

Shea: "All right, now, that is the actuarial cost for paying those retired people now they're retired obligation toward some build-up, isn't it?"

Washburn: "Right."

Shea: "All right."

Washburn: "For 1975."

Shea: "All right, now, that will meet all the current obligations of the plan. What are the current obligations under that Bill, do you know? . . . or under those two plans?"

Washburn: "\$151,000,000."

Shea: "So, in effect, we are building up \$100,000,000, is that right there?"

Washburn: "Right."

Shea: "Now, how much over do these two Bills go over what the Governor said he had for this program, do you know?"

Washburn: "About \$136,000,000, that was my first point, Representative . . ."

Shea: "About \$136,000,000 more than the Governor said?"

Washburn: "Yes."

Shea: "Well, could you tell me what is the purpose of the additional money all of a sudden?"

Washburn: "Well, it isn't all of a sudden. There's several purposes for it. Last year a similar attempt was made, and as I stated in my



opening remarks, it was an . . . court of claims stipulation. One, another is that it's a moral obligation as Representative Geo-Karis pointed out to this General Assembly before we fund these systems. And thirdly, because the system is so funded at such a low percentage now, it's down somewhere around 30 percent in comparison to some others at 50 and 70 and 75. So I think those are three good reasons why these Bills should be passed."

Shea: "Well, could you tell me at what percentage the Social Security System is funded?"

Washburn: "No, I couldn't."

Shea: "Well, do you think the Social Security System is funded at a higher or lesser level than this?"

Washburn: "I wouldn't have any idea, but I hear rumors all the time that it's not funded at too good a level."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I'd ask you to look at these Bills. They certainly far exceed what the Governor has said is available for education and the teachers. Now, I can full well support the concept of the additional full-funding money for our local schools in order to insure every child in this state an adequate education. But what we are saying with these Bills, in effect, if I read them right, is that the State of Illinois, you and I will not stand behind our obligation to those people that are retired and those people presently in the pension plan because for the last 30 years we have been funding our pension plan on a pay-as-you-go basis. Now, in order, I guess, to embarrass the man sitting down in the second floor, we all of a sudden want to be full funding of pension plans. Now, there isn't a person here that will stand up and say I want to increase taxes; but we sure want to increase in spending. I think we can find the \$70,000,000 additional money for the kids within the current income in the current budget; but there is no way that this additional money can be found within the revenue estimates of this state; and I think all you're doing is making appropriations knowing full well the Governor is going to have to veto them or knowing full well that you and I would have to come



back here and raise taxes. I think that this is a bad program and should not receive sufficient votes to pass."

Speaker Blair: "Mr. Skinner."

Skinner: "Mr. Speaker, I would have to take strong exception to the words of the prior Speaker. We are not trying to embarrass the man on the second floor. What we're trying to do is make him live up to a campaign promise, not given one time, but given several times during his campaign for the . . . for Governor. I would also like to point out that if we really want to have the teachers on our backs, we ought to follow the previous Speaker's suggestion or at least his implication that we fund the Teacher Retirement Fund at the level at which the Social Security Fund is funded. Do you know how much money is in the Social Security Fund? About enough to take it nine months. Now, if that's what your idea of current funding is, I would sincerely suggest that your views are ill-taken in the State of Illinois. I don't think we have to follow the Federal Government's example. It's a very poor example on this matter."

Speaker Blair: "Mr. Epton."

Epton: "Mr. Speaker, and Ladies and Gentlemen of the House, I believe we've all heard these arguments on many, many occasions; and I move the previous question."

Speaker Blair: "All those in favor of the Gentleman's motion say 'aye', oppose 'no'; the 'ayes' have it, the previous question has been moved. Mr. Washburn."

Washburn: "Well, thank you, Mr. Speaker. I assure you these Bills aren't introduced to embarrass anyone. They're introduced to establish a level that will assure retired teachers and those presently engaged in that profession of their pension checks. Just let me point out one interesting figure, that last year the pay-out level was \$97,000,000; and in one year it jumps to \$151,000,000; and at that rate it wouldn't take very many years for the Teachers' Retirement System to be broke. Therefore, I urge that we take this first step in paying our moral obligation of one and three quarter billion dollars into this system and ask for your favorable vote."



Speaker Blair: "All right, the question is, shall House Bill 2849 pass?

All those in favor will vote 'aye' and the opposed will vote 'no'.  
Have all voted who wish? Have all voted who wish? The Clerk  
will take the Record. You have to come up here and tell the  
Clerk because we're not going to sit here and take votes here.  
The Clerk will add you . . . the Clerk will add your name. On  
this question there are 1 . . . there are 121 'ayes', 10 'nays';  
and this Bill having received the constitutional majority is,  
hereby, declared passed. The next Bill. For what purpose does  
Mr. Ewell arise?"

Ewell: "Mr. Speaker, my switch got stuck in the wrong position and  
I surely wouldn't want anyone to think that I was voting 'yes'.  
I'd like to be recorded as voting 'no' on this matter publicly."

Speaker Blair: "Switch Ewell publicly."

Ewell: "All right, thank you."

Clerk O'Brien: "House Bill 2850, Washburn. No Committee Amendments."

Speaker Blair: "Read it a third time."

Clerk O'Brien: "House Bill 2850, a Bill for an Act making an appro-  
priation to the Superintendent of Public Instruction for the  
Teachers' Retirement System. Third Reading of the Bill."

Speaker Blair: "Mr. Washburn."

Washburn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the  
House. This Bill was mentioned in the debate on the previous  
Bill; and it provides an appropriation of \$253,000,000 from the  
Common School Fund for the fiscal year, a statutory contribution  
for the downstate Retirement System and the city of Chicago's  
Retirement System. House Bill 2850 provides a statutory funding  
requirement for both Teachers' Retirement Systems. The amounts  
contained in this Bill were verified by Mr. Baker of the Teachers'  
Retirement System. These amounts are based on those required by  
the Illinois Revised Statutes. A like piece of legislation passed  
this House last year as was the case with the previous Bill. And  
I ask for your favorable support."

Speaker Blair: "Is there discussion? The question is, shall House  
Bill 2850 pass? All those in favor will vote 'aye' and the opposed



'no'. Have all voted who wished? Have all voted who wished?

The Clerk will take the Record. On this question there are 130

'ayes', 11 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed. The next Bill."



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Jack O'Brien: "House Bill 2851. No Committee Amendments."

Speaker Blair: "Read it a Third time."

Jack O'Brien: "House Bill 2851. A Bill for an Act making an appropriation to the Comptroller. First Reading of the Bill."

Speaker Blair: "The gentleman from Grundy, Mr. Washburn."

Washburn: "Ah... Thank you, Mr. Speaker and ladies and gentlemen of the House. This Bill is no less important the previous two. House Bill 2851 makes an appropriation of forty-nine million, five hundred and ninety thousand dollars to the Comptroller to provide a hundred dollar a month salary increase for State employees under the Governor under the Personal Code. State employees affected by this piece of legislation have not received an across the board salary increase for many years. Only token so-called cost of living increases have been approved over the past few years and those falling far short of the inflationary spiral. Let me point out that in 1971 the so-called cost of living increase was 3% and the consumer price index rose 3.3%. In 1972 a 5.5% cost of living increase as compared to a 7% consumer price index figure. And in 1973 a 4.2% so-called cost of living increase in relation to an 11.2 actual cost of living increase. And now this year, the Governor proposes an average of 5.5 cost of living increase and it's anybody's guess how much the consumer price index will escalate in the next few months. His pay plan would increase the salaries for those presently drawing up to \$600 a month by only \$30, about 7.9 figure for the lowest paid employees. It would increase those in excess of \$1,200 per month by \$60. So, the rich get richer and the poor get poorer under his plan. Under House Bill 2851, the lower salaries, the lower the salary, the greater the percentage increase. Therefore, this plan benefits the lowest paid employees the most. It was stated in the Appropriations Committee by the Deputy Director of the Department of Personal that 75% of State employees earn below \$10,000 per year and that's several hundred full-time State employees qualify for and are on public aid rolls. A full-time employee in this State, in this day and age, starts employment at \$404 per month, \$4,848 a year and none of us can take pride in this fact. And every day, heads of Departments of agencies come before the Appropriations Committee and state that they have



numberable vacancies in their Departments for which they cannot attract employees. This Bill would help solve that problem by increasing State salaries in the lower levels to a comparable figure offered in the private sector attracting more and better qualified State employees. Now, ladies and gentlemen, this is extremely important and this very piece of legislation was approved by the Appropriations Committee by a vote of 15 to 2 with 3 voting 'present' and I ask your favorable support today."

Speaker Blair: "The gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, ladies and gentlemen of the House, House Bill 2851 appropriates approximately forty-nine million dollars, forty-nine million dollars to provide a pay increase for State employees at a flat rate of a hundred dollars. As you know in 1973, we acted on two Bills similar to House Bill 2851. One was by Representative Jones, House Bill 998, making a flat \$35 per month increase and one by Representative Choate, 1932, which provided a cost of living increase for State ah... certain State employees. It was the Comptroller's position on both of these Bills that he not have the necessary authority to carry out such an appropriation contained in House Bill 998 and 1932. According to our staff analysis, no ah... such legislation has been introduced or passed since last spring to authorize the Comptroller to make pay increases and this Bill, House Bill 2851, has no substantive companion Bill. I would suggest that even if this Bill were passed by the General Assembly and signed by the Governor, the Comptroller would not issue warrants on this appropriation. Until that question is answered, I would oppose this legislation. There has been strong concern both in Committee when this Bill was heard as far as the necessary ah... substantive appropriation, er... ah... Bill to accompany this giving the Comptroller the authority to do what's contained in House Bill 2851. Another point I'd like to bring out is that House Bill 2851, unfortunately, even though it, as the sponsor has indicated, that we, unfortunately, just don't have the money to accomodate all of the State employees. If we would limit this appropriation Bill to the 75% of State employees who make less than the \$600 or \$700 a month that we're really





looking forward to helping. I think we could possibly accomodate this in what the Governor's trying to do. I have to, unfortunately, request that ah... the membership would vote 'no' on House Bill 2851 due to fiscal reasons."

Speaker Blair: "Dave Jones."

Jones: "Mr. Speaker, ladies and gentlemen of the House, I rise in support of House Bill 2851 which provides for a pay raise for State employees which is needed to keep pace with salaries paid in the private sector. We have many, we may legislate and appropriate here in the General Assembly, but the end result is the performance of the individual, individual State employee who performs the various services to the citizens of Illinois. For good government we need qualified and dedicated employees and we need to accomodate them with proper compensation. Governor Walker indicates there's been a reduction in the number of State employees which would indicate that those remaining employees are performing in expanded capacities. The pay, this pay raise accomodates them for this expanded productivity. At a recent meeting of the State Employees Association, I pledged to support legislation to accomplish this objective when the proper vehicle became available. House Bill 2851 is that vehicle and on behalf of the loyal and dedicated State employees, I solicit your affirmative vote."

Speaker Blair: "Richard Walsh."

Walsh: "Ah... Mr. Speaker, ladies and gentlemen of the House, ah... in accordance with your instructions, I went up to the Speaker's rostrum, the Clerk's desk and changed my vote on House Bill 2850. I didn't get a chance to do it publicly, a la Representative Ewell. And I would like to indicate my opposition to this Bill as well. It just seems to me that it's ah... totally irresponsible to vote these appropriations knowing full well that the money is not in the State treasury to pay the Bill. Ah... I don't think it's any more proper to do this than to draw a check on your bank knowing the money is not in the bank and I think the only thing to do is vote 'no' and I intend to vote that way."

Speaker Blair: "The gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker and members of the House, at no time should those



who are in favor of raising salaries for administrators, those of you who are in favor of raising salaries for judges, those of you who are in favor of raising salaries for various county officers, those of you who are in favor of raising legislative salaries should stand up and say that some working person, some clerk, some laundry worker in the Department of Mental Health making a grand total of \$460 a month, no member of this General Assembly ought to say to that person that they don't deserve, they should not be considered for a pay raise in this day and age. I don't know what it takes to make people realize that we just can't keep going at these kinds of salaries. We can't expect public employees to continue working and doing, do their job without, in some way, just falling further and further behind this inflationary spiral. I think the idea that Representative Lechowicz brought up may be a good, valid point, but I think we ought to change the law. I, at the same time, vote for this Bill. Representative Washburn should be commended for bringing to the attention the plight of many thousands of working people at the bottom of the ladder, at the scale where they really need help and to come into this General Assembly and say, yes this is more important. This is truly more important than paying judges \$42,000 a year. This is truly more important than paying some Director or some Assistant Director a five or ten or fifteen thousand dollars a year salary increase. This is just a little adjustment being requested of you and a vote 'aye' would certainly go a long way in helping our State employees keep up with the high cost of living in this day and age. I urge an 'aye' vote."

Speaker Blair: "The gentleman from Cook, Mr. Peters."

Peters: "Mr. Speaker, I move the previous question."

Speaker Blair: "Okay, all in favor say 'aye'; opposed 'no'. The 'ayes' have it. The previous question's been moved. The gentleman from Grundy, Mr. Washburn, to close."

Washburn: "Well, thank you, Mr. Speaker and ladies and gentlemen of the House. I'm glad that Representative Hanahan pointed out all the conversation going around here ah... to increase salaries of those in the upper brackets and just think that we have full-time State



employees on public aid rolls. I'd like to point out that my staff about last Thursday, I believe it was, compiled a list of everything we'd voted on in appropriations and we've passed out about half of the State budget, about three and a half billion dollars. And at this point, and these Bills, the prior to it, the Teacher's Funding Bills and this pay raise Bill were included in that figure. And at that point, we had only appropriated twenty-seven million dollars more than what was contained in the Bills originally. In the estimates for ah... for surplus for this fiscal year '74 range all the way up to a hundred and sixty million. So I don't see how we're in trouble or can be considered fiscally irresponsible when we're at that stage of the appropriation process. And I ask for your favorable vote."

Speaker Blair: "The question is shall House Bill 2851 pass. All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? Mr. Gibbs."

Gibbs: "Mr. Speaker and ladies and gentlemen of the House, being a resident of Springfield and having contact with the State employees, much more contact I think than most of the legislators have. I think it's very irresponsible for us to say here today that we're acting irresponsibly when it isn't in the Governor's budget. The question is priorities. When we send these Bills to the Governor, he has the opportunity, at that time, to determine who has higher priority, one of his Directors making forty-five or fifty thousand a year who should get another five or ten thousand, or should it be these fellows making four and five hundred dollars a month and trying to support a family on it. We know and you know that we can't do that and we have to take care of these families. And I think when it comes to the Governor's desk that this is the Bill that he should put number one priority on because these are the people who are performing the best work for the State and we're familiar, living here in Springfield. I think that if the Directors and the legislators and the judges salaries are increased thirty and thirty-five per cent, to some extent, before that's even discussed, we should certainly pass legislation of this nature. Thank you."

Speaker Blair: "Have all voted who wished? The Clerk will take the



record. Mr. Epton."

Epton: "Mr. Speaker, in explaining my vote, I ordinarily wouldn't take the time of the House, but I do think it's somewhat of a shame that some of our previous speakers would pit one against the other. I have stated before, I state again. I will vote for a pay raise for any public official or any public servant. I don't think it has to be an either, or. I just like the tendency to suggest the judges or legislators or others who are elected, are not as much entitled to a pay raise as those who are earning considerably less. I will vote for these Bills and I plead with my colleagues not to be dissuaded from those with greater salaries and would take issue with the House sponsor, Mr. Fleck. I don't think it's incumbent upon us to wait and see what the Governor will and will not do. Our request for a pay raise is justified just as this previous Bill..."

Speaker Blair: "Have all voted who wished? On this question there are 118 'aye', 15 'nays', 10 'present'. This Bill having received the Constitutional majority is hereby declared passed. Next Bill."



Clerk Selcke: "House Bill 2857, Fennessey; this Bill has been read a second time. No Amendments."

Speaker Blair: "Mr. Fennessey."

Clerk Selcke: "House Bill 2857 . . ."

Speaker Blair: "Third time . . ."

Clerk Selcke: ". . . a Bill for an Act to amend the Vehicle Code. Third Reading of the Bill."

Fennessey: "Mr. Speaker and Members of the House, this is another Bill introduced at the request of the Secretary of State's office. What it does it deletes the registration fee required for state-owned vehicles. At the present time, the state-owned agencies are now licensed . . . the vehicles are licensed for \$5. There was a terrific volume of unnecessary activity involved in generating warrants and handling costs and so forth. And this represents the loss of funds to the paying agency and the payment of the State Treasury of funds' which are not available to the receiving agency. This is another Bill introduced in the interest of this agency in the Secretary of State's office; and I ask for a favorable Roll Call."

Speaker Blair: "Is there discussion? The question is, shall House Bill 2857 pass? All those in favor vote 'aye' and the opposed 'no'. Have all voted who wish? On this Bill, Mr. Lechowicz? Do you want to explain your vote? We're at 145 now. Mr. Lechowicz, go ahead."

Lechowicz: "Just for my own information, Mr. Speaker, if I may, we're delting the registration requirements by vehicles owned by state or state agencies. And I was wondering when they pay that fee, doesn't the money go to the respective . . . how is the money distributed, that's what I want to know?"

Speaker Blair: "We're not ask . . . we're on explanation of votes, we're not on questions and answers. If you care to go over and ask him, you may do that. But have all voted who wished? On this question there are . . . take the record . . . 152 'ayes', 1 'nay'; and this Bill having received the constitutional majority is, hereby, declared passed. The next Bill."



Clerk Selcke: "House Bill 2858, this Bill has no Amendments. Third Reading. House Bill 2858, a Bill for an Amendment to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Blair: "The Gentleman from Vermilion, Mr. Craig."

Craig: "Mr. Speaker and Members of the House, all this Bill does is give them a month earlier to put their license plates on, and other . . . automobile license plates now they can't display them until December the 1st and truck plates June the 1st. This will make truck plates be able to be displayed May 1st and automobile plates November the 1st; and the reason for this is it gives like where the banks and places like that that sell them, it'll give them a little more time and this will be left up to the . . . will be left up to the discretion of the Secretary to give a little more time there to have this when these rush periods so they won't have so much extra help right at one time. They can take care of it a little more, give them two months more to operate and hand these plates a little more evenly."

Speaker Blair: "All right, is there discussion? The question is, shall House Bill 2858 pass? All those in favor will vote 'aye', the opposed 'no'. All right, Mr. Hunsicker."

Hunsicker: "Representative Craig, what happens . . . a person buys a new car in October and you can display the license already the 1st of November, do you buy the following year's license or do you have to pay partial license for the ensuing year?"

Craig: "You say when he buys one in October?"

Hunsicker: "Suppose he buys a new car in October the 15th or 20th of October and he applies for a license, and he can display his new license the 1st of November?"

Craig: "I think he'll have to buy the last year's license plates. If he buys them right now, you have to wait 'til December to . . . and I don't think that would be allowed to get dealer's plates in. I think he'll have to buy a half-year's plate for it."

Hunsicker: "That was my question, you could display your new license the first of November already when you buy a car the latter part of October, then you can buy both of them if you want to



put on the new license."

Speaker Blair: "All right, have all voted who wish? Take the Record. On this question there are 121 'ayes', 7 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed. The next Bill."

Clerk Selcke: "House Bill 2868, this Bill has been read a second time. There's one Committee Amendment. Amendment #1 amends House Bill 2868 on page 2 and so forth."

Speaker Blair: "The Gentleman from Cook, Mr. Lundy, on the Amendment."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 2868 simply conforms the Bill to the agreement between the Sponsors and the Department of Local Government Affairs. It puts the Bill in the form which the department feels it could administer. And I move its adoption."

Speaker Blair: "All right, the question is on the adoption of Amendment #1. All those in favor say 'aye', opposed . . . Mr. Richard Walsh."

Walsh, R.: "This Bill was heard in Committee and I don't recall any suggested Amendment. I wonder if you could explain just what the Amendment does."

Lundy: "Well, Mr. Speaker, it's a Committee Amendment. It was adopted by the Committee . . ."

Walsh, R.: "Oh, is it a Committee Amendment? I withdraw the question, I'm sorry."

Speaker Blair: "Okay, any further questions on the adoption of the Amendment then? All those in favor say 'aye', opposed 'no'; the 'ayes' have it, the Amendment's adopted. Further Amendments?"

Clerk Selcke: "No further Amendments."

Speaker Blair: "All right, read the Bill a third time."

Clerk Selcke: "House Bill 2868, a Bill for an Act in relation to equalization by the Department of Local Government Affairs in the valuation of assessment of property in counties. Third Reading of the Bill."

Speaker Blair: "The Gentleman from Cook, Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2868 is a Bill of enormous importance to the school districts,



park districts and other local taxing districts located in Cook County. To that the Bill is necessary because of the sudden, unannounced and unanticipated unfreezing of the real estate tax multiplier by the Department of Local Government Affairs earlier this year without any advanced notice to the taxing districts and especially to those districts that are taxing at their maximum rate. The department decided to unilaterally unfreeze the multiplier which had been frozen by Governor Walker for two years. The result of this sudden decision was that local taxing districts which are taxing at their maximum rate were not able to adjust their budget or to seek an increase in their rates through referendum in order to offset the decrease in revenues they would experience through the decrease in assessed valuation resulting from the reduced multiplier, which the department proposes to issue for Cook County. The department held hearings on this matter in Chicago. It received a . . . it received a flood of testimonies from park districts, local school districts and others about the disastrous affect that the . . . this unanticipated loss that revenue would have on their operations; and the department is now awaiting the fate of this Bill to determine what final multiplier it will issue for Cook County. Prior . . . during the period of the freeze, the multiplier which was in effect in Cook County was 1.59. The proposed new multiplier, which the department has proposed to issue is 1.48. A 7 percent reduction. What House Bill 2868 would do to remedy this temporary dislocation would be to freeze the multiplier for Cook County at the 1.59 level for this year only, and I emphasize 'for this year only', in those quadrants of Cook County which were not reassessed in 1973. For the one quadrant, that is, quadrant 2, which was reassessed in 1973, the department would put into affect the new proposed multiplier, that is, the 1.48 multiplier. I'd like to respond to what I think will probably by some questions or some criticisms that may be raised about this Bill. Number one, some Members may fear that this Bill will result in a loss of a tax decrease that would otherwise accrue to some taxpayers in Cook County. I don't





believe that's true; and let me tell you why. The unfreezing of the multiplier occurred at a time when it was too late for school districts and other taxing districts to re . . . to adjust their budget for this year. If they loose the additional revenue that will result from the 1.48 multiplier, they will not be able to reduce their budget; they've made financial commitments, in the case of school districts, they've made commitments to teachers and others. All that will happen is that the districts will borrow money to make up the difference between what they had anticipated getting in local tax revenues and what they will be getting. And that cost of that borrowing, the interests on those funds will be paid by the taxpayers in those taxing districts in future years. So there's no real tax saving which will result this year from the reduced multiplier. A second criticism which I anticipate is that if the multiplier is frozen in quadrants 1, 3 and 4, those taxpayers will be paying an unfair . . . unfairly high share of the tax burden. I don't think that's true either. The only . . . the only . . . for taxing districts, which are not taxing at their maximum rates or which have no maximum rates, their rates will simply go up to reflect the decrease in assessed valuation if a 1.48 multiplier goes into effect. So freezing the multiplier at 1.59 will not result in any dollar savings in taxes to . . . or letting it go down to 1.48 will not result in any dollar saving to taxpayers because the rates of those districts, taxing at the maximum will simply go up to reflect the reduced assessed valuation. This isn't a complicated. The Revenue Committee looked favorably on this Bill and did report it out; and I ask you to trust the judgment of the Committee to pass this Bill. It is a fair Bill. It is . . . it is not a perfect Bill by any means. It is a temporary compromise solution. It is an attempt to settle fairly an enormously difficult problem and to balance in a fair way the interests of the taxpayers and the taxing districts of Cook County. I ask for your support."

Speaker Blair: "Any further discussion? Mr. Shea."

Shea: "Well, Representative Lundy, would you . . . or could you tell



me why the . . . your . . . as I understand this Bill, you've done a couple of things. One, is that you say that in Cook County . . . are you, with the Amendment, are you saying that a multiplier could be . . . a different multiplier could be in each quadrant or assessment district?"

Lundy: "That's correct."

Shea: "Quadrant?"

Lundy: "Each quadrant, that's right."

Shea: "All right, now, you've got some language in here that you're striking out. That certain amendatory acts that were in '71 were not applicable in Cook County and are now going to be made applicable in Cook County. Why are you doing that?"

Lundy: "I don't have the language, Jerry."

Shea: "Well, well, you're taking language . . . in '71 we amended certain sections of 629A and 627, which calls for the hearing of the multiplier, and certain of those sections, 627 and 629A had Amendments on them that were not applicable in townships or in counties that were home-rule units. Can you tell me why now you're making that law applicable?"

Lundy: "I will try as soon as I get a chance to look at the language."

Speaker Blair: "All right, while you're checking that out, I noticed that the Attorney General of the State of Illinois is on the floor back on the Republican side of the aisle, Bill Scott. Shall we . . . in order not to hold up the House, can we take this out of the Record while we have negotiations going on? Mr. Lundy?"

Lundy: "That's agreeable, Mr. Speaker."

Speaker Blair: "We'll come back to it. Let's take it out of the Record for right now; and skip 2874, pick up 2878."

Clerk Selcke: "House Bill 28 . . . 78 . . ."

Speaker Blair: "Mr. Choate?"

Choate: "Mr. Speaker, I rise for the purpose of an introduction. In the Speaker's Gallery is the wife of Representative James Von Boeckman, Norma Von Boeckman. Mrs. Von Boeckman's mother, Rita Davis. I'm especially proud to introduce Captain James Von Boeckman of the United States Air Force; his wife, Vicki; their children, Kelly,



Jim and Stacy. Would you please stand in the Speaker's Gallery?"

Clerk Selcke: ". . . House Bill 2878 has been read a second time.

No Committee Amendments; but some floor Amendments. Amendment #1, Philip, amends House Bill 2878 on page 2 and so forth."

Speaker Blair: "Mr. Philip. Are there Amendments? Oh, all right, Amendment #1, Mr. Philip."

Philip: "Mr. Speaker . . ."

Speaker Blair: "Turn Mr. Philip on."

Philip: "Am I on? Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 2878 . . ."

Speaker Blair: "Wait, wait, Pate, we can't hear you. Hold it up a little closer, let's see, try it."

Philip: ". . . Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 2878 amends the Governmental Ethic's Act. It allows the candidates who forgot to file their Ethic's statement by April 30th to refile between July 8th and July 20th. This does not apply to Members of the General Assembly. Amendment #1 changes the language to comply with the Constitution regarding Members of the General Assembly. I move the adoption of Amendment #1 to House Bill 2878."

Speaker Blair: "The Gentleman from Cook, Mr. Shea."

Shea: "Will the Sponsor yield?"

Speaker Blair: "Yeah, he indicates he will."

Shea: "Pate, is your Amendment such that those people that are mandated by this General Assembly were expending their time, but excluding those people that are constitutionally mandated?"

Philip: "That is correct?"

Shea: "Thank you."

Speaker Blair: "Mr. Shea . . . Choate."

Choate: "Representative Philip, isn't this about the same thing that we did a couple of years ago when people did not file and we gave them an extension at that time?"

Philip: "Representative Choate, that is correct. As you're probably aware, when you, as a candidate, filed your petition for office, you were required to file an Ethic's statement. Then . . ."



Choate: "No, I'm familiar with what I've got to do, Page, and you are too because we're not want of anybody that did not file; but I ask you, in the last Session of the General Assembly, did not just about the same thing happen and we gave an extension at that time to other municipal and local candidates throughout the state?"

Philip: "That's absolutely correct."

Choate: "When we get on Third Reading, I'd like to address myself to the Bill."

Speaker Blair: "Well, you'll certainly be recognized for that purpose, Sir. Mrs. Geo-Karis."

Geo-Karis: "Will the Sponsor yield for a question? Pate, do I understand you correctly, your Bill as amended would not apply to legislative candidates or would not apply to Legislators, which is it?"

Philip: "It would not apply to legislative candidates, House and Senate."

Speaker Blair: "All right, is there any . . . are there any further questions? Mr. James Houlihan."

Houlihan, J.: "Would the Gentleman yield for a question?"

Speaker Blair: "He indicates he will."

Hanahan, J.: "Pate, when you originally drafted this legislation, I was aware that you exempted all candidates that were required to file. I see that you've changed that. Is there any reason for having made that change?"

Philip: "Yes, I think two reasons. Primarily, the first reason was as you're probably aware as a candidate you were, not only notified once, but you were notified twice in writing by the Secretary of State. I don't think there's any reason why a Member or a candidate of the General Assembly did not file his Ethic's statement, seeing that he's been notified twice in writing. The other thing is if you'd read Article 13 of the Constitution, it separates the Members of the General Assembly from local candidates; and it mandates us to file an Ethic's statement, for members of local candidates, it says we may, we may, it doesn't say shall. So that's the reason primarily for the Amendment."



Houlihan, J.: "Pate, do you recall the wording of that notification from the Secretary of State's office?"

Philip: "No, I do not."

Houlihan, J.: "I think, Pate, if you look at the wording, it reminds us that we have to file within a specific period of time; and I believe that in that notification there's enough ambiguity that those candidates that were not currently officeholders, could be led to misconstrue what the notification was and if they had already been in compliance with that procedure. And I think that the notification was adequately . . . was very, very good; but was adequate for us, but for those candidates that were not incumbent, it would lead them to be somewhat confused as to what their obligations were in filing Ethic's statements after the primary."

Philip: "Well, let me also point out another difference. As you're aware, the Secretary did . . . they did notify Members of the General Assembly. Now, there wasn't a county clerk or any other election official that notified county candidates. Now, this is the first time the county candidates had to file their Ethic's statements. So I think there is quite a bit of difference between Members of the General Assembly, who were notified not once but twice, and local candidates for county office and county boards who have never been mandated. And I might remind you of this that when the Eth . . . the original Ethics' Act was passed two years ago, it did have . . . the original Bill did have a provision that the . . . all of these candidates be notified, whether they be for state office or local office. And also that original Bill provided a 15-day grace period, which was stricken from that Act; and, unfortunately, if we would had that enacted at that time, we wouldn't have had this problem today."

Houlihan, J.: "At the proper time, I'd like to speak against this because I believe that if we are going to change the rules, change the rules for local candidates, we should change them for all candidates for the filing. We should really be equitable in dealing out this kind of an extension."



Speaker Blair: "Mr. Gibbs."

Gibbs: "Pate, you keep referring to candidates. Does this apply to officeholders, county officeholders, who fail to file?"

Philip: "That is correct."

Gibbs: "It's an excellent Bill, thank you."

Speaker Blair: "Mr. Harold Washington."

Washington: "Will the Sponsor yield for one question?"

Speaker Blair: "He indicates he will."

Washington: "Representative Philip, you alluded to Article 13, Section 2, Statement of Economic Interests in the Constitution, is that correct? I see this language, 'All candidates or holders of state offices and all members of a commission or board created by this Constitution shall file a verified statement of their economic interests as provided by law. The General Assembly by law may impose a similar requirement upon candidates or holders', et cetera, et cetera. Is that distinction upon what you're basing your Amendment?"

Philip: "That is correct."

Washington: "Thank you."

Speaker Blair: "Further questions? All right, the question is on the adoption of Amendment #1. All those in favor say 'aye', opposed 'no'; the 'ayes' have it, the Amendment's adopted. Are there . . ."

Clerk Selcke: "Amendment #2, J. Houlihan, amends House Bill 2878 on page 2 and so forth."

Speaker Blair: "The Gentleman from Cook, Mr. James Houlihan."

Houlihan, J.: "Mr. Speaker, and Ladies and Gentlemen of the House, Amendment #2 now is not in conformity with the Bill as amended. I would move to table that Amendment."

Speaker Blair: "All right, the Gentleman offers to move the adoption and then moves to table Amendment #2. All agreed for this? No objections? Leave? Table 2."

Clerk Selcke: "Amendment #3, J. Houlihan, amends House Bill 2878 as amended on page 2 and so forth."

Speaker Blair: "All right, James Houlihan."



Houlihan, J.: "Amendment #3 would amend House Bill 2878 in such a fashion that all candidates, not only those candidates for local offices, but also those candidates for the Legislature would be exempted in this particular legislation. I don't think that the distinction that Representative Washington referred to and that Representative Philip has referred to in terms of the 'may' and 'shall' in the Constitution has any bearing on this matter because, in fact, we have required . . . the Legislature has required these candidates to file and that puts them in the same category. Further, I think if you look at the notification coming from the Secretary of State's office and look at the time distinctions of when a candidate has already filed in the primary, he is . . . could be led to believe that he had complied with the law by his filing during the primary as opposed to those of us who are incumbent and had to file earlier. And I think for that reason the notification did not clarify or clearly indicate that these candidates would be required to file anew having filed just within three or four months; and I would ask for an affirmative vote on Amendment #3."

Speaker Blair: "Is there discussion? Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Here we are on Amendment #2 to 2878 to incorporate . . . I'm sorry . . . Amendment #3 to incorporate the Membership of the General Assembly on the exemption basis. This is approximately three days later that we passed the campaign disclosure Bill requiring five filings. Now, it's my understanding that the Leadership on this side and the Leadership on the other side informed all candidates who were elected in the primary of the responsibility of filing their campaign disclosure statements. And I don't know who's going to be doing that for the campaign disclosure, but I'm talking about the . . . it's part of the campaign ethic's statement. I know I received a letter from Clyde Choate requesting . . . just as a reminder that he had a certain date to file it, and that was April the 30th. Now, if we're going to start ex . . . including people who are duly elected in the primaries from the exemption



of the laws that are on hand, that were, not only notified the Secretary of State, but by the Leadership as well, I think what we're going to have to do is incorporate in a campaign disclosure about 10 notifications and maybe a personal service. And I think Amendment #3 should be defeated. People should know what they're running for, what they're responsibilities are, and there shouldn't be any excuses. I would hope that Amendment #3 be defeated."

Speaker Blair: "Mr. Berman."

Berman: "Thank you, Mr. Speaker, I also rise in opposition to this Amendment. I believe under the constitutional limitation and differential that's placed between candidates for the General Assembly and candidates for other offices, this Amendment if placed on this Bill will put the entire Bill into constitutional jeopardy; and I think if we are going to agree with the concept, as Representative Philip suggests, then this Amendment should not be on the Bill."

Speaker Blair: "Mr. Dee."

Dee: "Mr. Speaker, and Ladies and Gentlemen of the House, I'd just like to join with my colleague across the aisle, Representative Berman, pointing out that if this Amendment is included in this Bill we are liable to jeopardize just exactly what we're trying to cure, principally, a little reprieve for the county and township offices, and I urge you to vote 'no' on this Amendment."

Speaker Blair: "Mr. Ewell."

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

Speaker Blair: "He indi . . . on the Amendment or on the Bill?"

Ewell: "On the Amendment."

Speaker Blair: "Mr. Houlihan."

Houlihan, J.: "Surely."

Ewell: "Relative to this Amendment, has their court suit been filed?"

Houlihan, J.: "Ray, I believe that there are a number of court suits filed; and, in fact, I believe in one of the downstate judicial districts that the courts had already ruled that the local candidates should be put back on the ballot."





Ewell: "All right, well, then let me say in addressing myself to the Amendment, I would have to oppose it on several grounds. First of all, I think that in essence this matter ought to be left to the courts. Now, the Constitution of the State of Illinois has mandated that we file certain Ethics' statements in order to be eligible for office; and it mandated that we file the necessary legislation to make this possible. Now, when we live in a society where the people go to jail everyday, where they haven't read the law, but yet we look at these instances, and we say that it's awful hard to have a candidate thrown off the ballot. I should like to point out that when the regular organization candidates were tossed out of the Democratic Convention, there was no appeal. Other people simply took their places without argument, without benefit of the vote; and what we had was just a simple appropriation of their offices. I think that one of the things that the independent candidates and all the others that you have to take notice of is that they, too, are subject to the law. I say what went around at the Democratic National Convention has come around again to haunt the people who now seek their office in return. I think that we would be ill-advised to change the entire law of the State of Illinois simply to allow for the grievances of a few individuals. It's the name of the game; if you're going to be in the political game, one of the first things you ought to do is learn the rules of the game. I think that this matter ought to be left to the courts, and I think this is a bad Amendment; and when I think when we realize that the Democratic Party was big enough to stand up under their pressure of being thrown out of the Democratic National Convention, I'm sure that these candidates are going to be big enough to withstand their burden and come back in future years. Thank you."

Speaker Blair: "Mr. Maragos. Mr. Maragos."

Maragos: "Yes. Mr. Speaker, again, meeting the challenge given to us by you . . . by us . . . by you this morning to us, I move the previous question."



Speaker Blair: "All those in favor of the Gentleman's motion say 'aye', opposed 'no'; the 'ayes' have it. The previous question has been moved. The Gentleman from Cook, Mr. James Houlihan, to close."

Houlihan, J.: "Mr. Speaker, and Ladies and Gentlemen of the House, I believe that in response to Representative Ewell's that if we are going to legislate in this matter, if we are going to try to take a stand, then we ought to do it equitably and we ought to involve all of the candidates that are involved in this particular controversy. I don't believe that we would call into question the constitutionality of the law by adopting this Amendment. And I would, therefore, ask for a favorable Roll Call."

Speaker Blair: "All right, the question is, shall Amendment #3 be adopted? All those in favor say 'aye', opposed 'no'; the 'nays' have it. All right, is Mr. Houlihan joined by four others? Mr. Rayson, Mr. Douglas, Mr. Schneider, Mr. Fary. All right, we'll have a Roll Call. The question is, shall . . . no, Fary didn't join? We're short one. Lundy joins . . . Lundy joins and Jaffe joins. All right. All right. Okay, there are enough there to request a Roll Call. So we'll have one. All those in favor will vote 'aye' and those opposed 'no'. Mr. Gibbs."

Gibbs: "Mr. Speaker, and Ladies and Gentlemen of the House, very briefly, I think the comment was made that if we adopt this Amendment, it would raise the constitutional question . . . I think the Constitution is very clear under Article XIII, Section 2. It says, 'That the candidates for office or state office and all members of a commission created by this Constitution shall file a verified statement'. And then it goes on to say, I think these are the determining words, 'As provided by law'. There isn't any question that we have the right to change the law. So I don't think there's any constitutional question. I think it's only fair if we allow some of them, such as the County Record of Deeds, to get by with it, I think we ought to let legislative candidates, too. I support this Amendment."

Speaker Blair: "Mr. Yourell. No, Mr. Yourell is out. Mr. Rayson."



Rayson: "Well, Mr. Speaker, to explain my vote, I can't agree with Representative Gibbs more, I think it's only fair, and I think we in the Legislature should recognize the fairness of this . . . the remarks of one Gentleman saying, 'Let the courts decide' suggests perhaps the courts might suggest that this is part of the legislative intent and there at doubt and it maybe prejudicial to the cases of those involved who may not be scheduled because they didn't timely file in April. So I feel that only fairness suggests that these people should be included. I can't understand otherwise, unless it's politcally motivated. And I would that that is not the case of this august body."

Speaker Blair: "Mr. Cunningham."

Cunningham: "Mr. Speaker, and Ladies and Gentlemen of the House, we see again the parable about the politics making strange bedfellows. I'm surprised to be voting the same way as the liberal block on this particular issue. And it's such a delightful irony that they are voting the way they are because for many months now they have specialized in legislating us all into straightjackets. But when they don't get into the straightjacket in time, they want to unzipper it. And it should be a reminder to them about the quality of mercy coming down as the gentle rain. In this particular instance, though, in the year in which everyone has declared open season on politicians, we ought to encourage each who have the nerve and courage to put his name on the ballot and extend to him a little bit of mercy. So I'm happy to join with my liberal friends across the aisle in voting green for this cause and urge all the rest of you to do so also."

Speaker Blair: "Take the Record. On this question there are 80 'nays' and 31 'yeas'; and Amendment #3 fails. Further Amendments? All right, Third Reading, and read the Bill a third time."

Clerk Selcke: "House Bill 2878, a Bill for an Act to amend the Illinois Governmental Ethic's Act. Third Reading of the Bill."

Speaker Blair: "The Gentleman from DuPage, Mr. Philip."

Philip: "Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 2878 as amendment . . . as amended allows those candidates,



excluding the Members of the General Assembly, who forgot to file an Ethic's statement, to come back and file it between the dates of July 8th and the 20th. As you're probably aware, the Illinois Secretary of State, on his own initiative, notified every candidate for the General Assembly, that's the House and the Senate, notified them twice in regard to their Ethic's statement. Also the Comptroller of the State of Illinois, on his own initiative, informed all of those employees who make over \$20,000 every year. Unfortunately, the candidates for county board, the candidates for county office were not notified by anybody. This clears up the problem; and I ask your favorable support."

Speaker Blair: "All right, now, there were some Members that asked to be heard, are they on here? On Third Reading? Mr. Choate did. That's all. Do you want to be heard now, Mr. Choate? Do you want to be heard now?"

Choate: "Yeah."

Speaker Blair: "Okay."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, and I'm sorry, and I apologize to you, Mr. Speaker, for not hearing you recognize me; but Judge Barry was talking to me. I have great fears and I have a conflict of emotion as far as this Bill is concerned; and when Representative Philip answered my question in the affirmative a moment ago, it only reminded me and guaranteed me that my memory was correct, that some two years ago other candidates throughout the State of Illinois had did exactly what it . . . they did in this primary election to a great extent, and that was either knowingly or unknowingly ignored and violated the laws of this state and the Constitution in not filing their Ethic's statement on time. I sat on the floor of this House for I don't know how many years. When it comes to ethics, it seems like it's been 1,000 years because all I've heard this General Assembly preach in recent years is ethics, ethics and ethics. I subscribed to the editorial that appeared in the 'Olympic Trial Team' of newspapers last Sunday, that ignorance of the law is no excuse in this particular instance; and I don't care whether it's the candidate for county clerk, county coroner, or Representative, Senator



or Governor. There is a portion of the statutes that if you're interested in that law in that office you should know the wherewith all that it takes to get there. And as long as we keep extending time and instances of this nature, we're going to be confronted with this same problem every Session of the General Assembly because there will be some Johnnies-come-lately come running up to you and say, 'Oh, I honestly meant to file that thing, I just forgot it', or, 'I didn't know about it'. Well, if the office is worth having, it's worth having the knowledge of what it takes to get there. I'm saying to you we passed an Ethic's Bill out of this House of Representatives last week. I'm saying to you that the present Ethic's law that we have on the statutes is as stringent if not more stringent than most of the other states of our nation. And if we truly believe and sincerely want to put a Code of Ethic's in the State of Illinois, subscribe to and adhere to by elected officials, then it's time that we quick giving a scapegoat . . . quit giving them a gate to get out, make them abide by the statutes, the Constitution, and file the same as anybody else. I think we're setting a bad precedent. I probably voted for this two years ago, I don't know, to give an extention. I don't think I did; but I might have. But I'll tell you I'm not going to vote for it anymore. I'm not going to vote for it today, I'm not going to vote for it in the future if I'm here. They should be aware of the path that they've got to follow to become a candidate on either the Republican or Democratic ticket or any other ticket in this state to serve the public. And I say it's a bad precedent, Mr. Speaker."

Speaker Blair: "Mr. Tim Simms."

Simms: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this legislation. I can agree with the comments of the distinguished Minority Leader; and I think his point is extremely well taken. And I think in many cases many of the candidates for the local offices perhaps did not have the political experience perhaps as others of us have had. Also I think perhaps the State Senate was a little bit negligent last year when a Bill that was



sponsored by my colleague from Winnebago, Representative North, would have required the county clerks to provide notifications for those candidates. The Senate subsequently did not take the initiative and pass that legislation. But I think the county clerks throughout the State of Illinois perhaps should be equally as courteous as the Secretary of State in the State of Illinois has been those legislative candidates; and I'm the first to say that Secretary of State, Mike Howlett, is a very courteous and very efficient state official; but the Secretary of State, the precedence that he established, perhaps the county clerks throughout Illinois should've had the courtesy perhaps or should've taken the initiative from him and provided this type of information. In one county, from the county of Lake, I'm informed, that the county clerk, in fact, notified candidates that they did not have to refile. And in our particular county, our county clerk did not notify the candidates that, instead of taking that time of courtesy, he used his time to send out illegal lottery tickets to raise money for his campaign. So I think it's a case that perhaps the people . . . the candidates that are running this time should be given this forgiveness legislation; and, hopefully, in the next Session of the Legislature a mechanism will be established whereby the county clerk and the Secretary of State should give official notification of the legal requirements that individual must follow if he's going to continue . . ."

Speaker Blair: "Mr. Redmond." Mr. Redmond."

Redmond: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise in support of this measure. I think that when 500 candidates for public office and local office fail to file, it's a pretty good indication that we in the General Assembly did not set out the procedures sufficiently clearly so that this would not happen. This is a matter of extreme importance in DuPage County, it's of extreme importance to the Democratic Party in DuPage County. Because our people were not notified, they filed their statement when they filed their nominating papers in December; but 10 of the 12 candidates for county board would be ruled off the ballots, and



every candidate for county office would be ruled off the ballot. I have to extend my appreciation to the Republican County Chairman and my colleague, Pate Philip's, for collaborating with me in an effort to try to straighten the situation out. We don't have people clamoring to be on the Democratic ballot. The fact that we haven't had a successful county candidate since 1934 may in somewhat explain the difficulties that we have. But it's extremely important that this Bill pass, and it seems to me that it would hurt no one to vote for it. And I'm trying to remember that 'vengeance is mine'sayith the Lord, and it would seem to me that we should not be vengeful about these people, who are not professional politicians, and in most instances have listened our requests and are entreaties have consented to run for public office; and I would appreciate an 'aye' vote."

Speaker Blair: "Mr. Hart."

Hart: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House.

I don't like it; but I'm going to vote for this Bill because if we don't pass it, it's going to create chaos in the State of Illinois and clog up the courts, and we're going to get various decisions conflicting. But I just want to say this to those who didn't file, that I don't see how anyone who can't follow simple instructions can expect the public to elect him to office."

Speaker Blair: "Mr. James Houlihan."

Houlihan, J.: "Mr. Speaker, and Ladies and Gentlemen of the House, I think there's been full discussion of this Bill. I would just remind all those who voted green on the Amendment, Amendment #3, to make this say, 'We're going to accept anybody . . . accept everybody to vote a red light on this Bill', because I believe that in exempting just a few candidates, we're getting into a very, very bad precedence, we're getting involved with what we did in the Legislature a while back when we decided to put emcumbents first on the ballot and giving some preference to Legislators; and I think that's a bad precedence."

Speaker Blair: "Mr. Peters."



Peters: "Mr. Speaker, I move the previous question."

Speaker Blair: "All those in favor of the previous question say 'aye', opposed 'no'; the 'ayes' have it, the previous question has been moved. The Gentleman from DuPage, Mr. Philip, to close."

Philip: "Yeah, Mr. Speaker, and Ladies and Gentlemen of the House, I might make this one point to the Minority Leader that we have extended to the Members of the General Assembly and some municipal candidates the filing. This will be the second time. We have never extended, never extended, to county officials or judges or county board member candidates, et cetera; so this is the first time for them. Secondly, as you know, the State Election Board's reports are in round figures 500 candidates who have not filed. I happen to think that that 500 is an understatement because I happen to know of judges in my own county of DuPage, there isn't one Democrat candidate on the county level that has filed his Ethic's statement. So, consequently, come November, they wouldn't have any candidate. So we're trying to be fair about this. We say that this is the first time they had to file, and they have not been notified. So I ask for your favorable consideration."

Speaker Blair: "All right, the question is, shall House Bill 2878 pass? All those in favor will vote 'aye' and the opposed 'no'. The Gentleman from Union, Mr. Choate."

Choate: "Mr. Speaker, I realize that what the Representative Philip said is absolutely right; but with all the publicity that that extension received on a little over a year ago, there's no one in the State of Illinois that desires to be a candidate that should not have been aware of the filing. I gonna' say this to you today, that if you defeat this Bill, in the future everybody will file. If you grant this extension, I can predict to you that in the future there will be other people not file and they'll be in here asking for an extension. I vote 'no'."

Speaker Blair: "Have all voted who wish? Mr. Ewell."

Ewell: "Mr. Speaker, very briefly, I want to say that when everybody in here who wore the white hat talks about campaign disclosure, we voted those Bills through like bullets. And I'm saying that





just as sure as we voted campaign disclosures through this Body, we're going to find out that there are going to be people who are going to fail to . . . fail utterly with their campaign disclosure. I'm saying that this Body will be clogged from this state and forevermore . . . petitions from people who forgot to tell us about \$1,000 here, \$10,000 there and maybe \$100,000 under the rug. I'm saying that all we're doing is opening up this Body to constant petitions from people who won't even read fundamental rules. And I agree, if it's fair for the Legislative candidates, then it's fair for all the other candidates; and let's put an end to it. If by legislating we are perpetually going to allow change, after change after change, then the law becomes uncertainty in and of itself. Gentlemen, this is a mistake. When we talk about meeting every year, we're going to be meeting every week in this particular Body simply to take up our own mistakes. There has to be a beginning and there has to be an end. It's a bad precedent and I think we ought to vote against this Bill."

Speaker Blair: "Mr. Borchers."

Borchers: "Mr. Speaker and fellow Members of this House, it just happens that my fellow Republican was one of those who failed to file, though . . . are many of those who ought to know better. So if there's a passage, I intend to vote 'present'; and if it is necessary to give the 89 votes, why I'll give the 89th vote, if it works out that way."

Speaker Blair: "Mr. Philip."

Philip: "Mr. Speaker, I think I'm going to quit while I'm ahead."

Speaker Blair: "Mr. Ralph Dunn. Same thing. All right, have all voted who wish? The . . . Mr. Jim Houlihan."

Houlihan, J.: "Mr. Speaker, at the proper time, I'd like to be recognized for a verification."

Speaker Blair: "All right. Have all voted who wish? The Clerk will take the Record. All right, now, right now we're at 99 'yeas' and 30 'nays'. The Gentleman from Cook, Mr. Houlihan, has requested a verification on the Roll Call. Well, I'm not going to unless



somebody asks me to. The Gentleman from DuPage, Mr. Philip."

Philip: "I request we poll the absentees, Mr. Speaker."

Speaker Blair: "All right, the Clerk will poll the absentees."

Clerk Selcke: "Beatty, Caldwell, Capparelli, Carter, D'Arco, DiPrima, Douglas, Ebbesen, Farley, Fleck, Garmisa, Getty, Grotberg, Hanahan, Ron Hoffman, Jaffe, Klosak, Krause, Laurino, Lemke, Lundy, Madigan, McGrew, McPartlin, Mugalian, Nardulli, Patrick, Pierce, Rayson, Sevcik, Shea, Shurtz, Ike Sims, Stedelin, Taylor, Terzich, Thompson, Walters; Mr. Speaker."

Speaker Blair: "All right, now, we're going to verify. Are you withdrawing your request now, Mr. Houlihan? I'm sorry, what did you say? No? Do you want to continue with the verification?"

Houlihan, J.: "Yes, Mr. Speaker."

Speaker Blair: "Okay, will the Gentlemen please be in their seats, now. Let's . . . okay, if you'd get in your seats, we'd probably save anywhere from five to ten minutes on this process because for us to go all over the floor looking for you, it just takes that much more time. So if you would help us help you, kindly be in your seat. And the Clerk will proceed in a deliberate fashion to verify the affirmative Roll Call."

Clerk Selcke: "Alsup, Anderson . . ."

Speaker Blair: "Mr. Alsup . . . he's . . . oh, okay, go ahead."

Clerk Selcke: ". . . Arnell, Barry, Beaupre, Bluthardt, Boyle, Bradley, Brinkmeier, Brummet, Calvo, Campbell, Capuzi, Chapman, Clabaugh, Collins, Craig, Cunningham, Day, Deavers, Dee, Deuster, Duff, Ralph Dunn, R. L. Dunne, Dyer, Fennessey, Flinn, Geo-Karis, Gibbs, Giorgi, Greiman, Griesheimer, Hart, Gene Hoffman, Jimmy Holloway, Robert Holloway, Hudson, Hunsicker, Huskey, Jenison, Dave Jones, Juckett, Keller, Kempiners, Kennedy, Kent, Kriegsman, Kucharski, LaFleur, Lauer, Leinenweber, Londrigan, Macdonald, Mahar, Mann, Matijeich, McAuliffe, McAvoy, McClain, McCormick, McCourt, McGah, McMaster, Kenny Miller, Tom Miller, Murphy, Neff, North, Peters, Philip, Polk, Redmond, Rigney, Rose, Ryan, Schisler, Schlickman, Schneider, Schoeberlein, Schraeder, Sharp, Timothy Simms, Skinner, Soderstrom, Springer, Stiehl, Stone, Telcser, Tipsword,



Totten, Tuerk, Von Boeckman, Waddell, Wall, R. Walsh, W. Walsh, Washburn, J. J. Wolf; and Mr. Speaker."

Speaker Blair: "Questions . . . Mr. Calvo. I recognized Mr. Calvo for whatever purpose . . ."

Calvo: "Mr. Speaker, I would like to be recorded as voting 'present'."

Speaker Blair: ". . . Re . . . how is he recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'yes'."

Speaker Blair: "Move the Gentleman from 'yes' to 'present'. Mr. McGrew."

McGrew: "I'd like to be recorded as 'aye'."

Speaker Blair: "Record Mr. McGrew as 'aye'. All right, are there any other changes before we verify? All right, Mr. D'Arco . . . D'Arco votes 'aye'. Mr. Mann."

Mann: "How am I recorded, Mr. Speaker?"

Speaker Blair: "You're recorded as voting 'aye'."

Mann: "Please, change that to 'no'."

Speaker Blair: "Well, I don't know, you're recorded as voting 'aye' and 'present'. You're recorded as voting 'aye'."

Mann: "Change that to 'no'."

Speaker Blair: "Is he recorded as voting 'aye'?"

Clerk Selcke: "The Gentleman is recorded as voting 'aye'."

Speaker Blair: "Record Jaffe 'no'. Mr. Caldwell 'aye'. Mr. Pappas 'aye'. Caldwell and Patrick 'aye'. Mr. Nardulli 'aye'. All right, where are we now so we can start? No, Mann, you stayed on 'aye', didn't you? Mr. Mann, what did you do? Did you go to 'no'? You went to 'no'? All right, Mr. Mann went from 'aye' to 'no'. All right, we're at 103 'ayes' and 32 'nays'. Now, Mr. Houlihan, James Houlihan."

Houlihan, J.: "J. J. Wolf?"

Speaker Blair: "J. J. Wolf is in his seat."

Houlihan, J.: "Mr. Washburn?"

Speaker Blair: "Mr. Washburn? How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'yes'."

Speaker Blair: "He's not in his seat, I don't see him on the floor. Take him out of the Record."

Houlihan, J.: "Mr. McAuliffe?"



Speaker Blair: "Mr. McAuliffe? How is the Gentleman . . . there he is, he's in the back."

Houlihan, J.: "Mr. Tuerk?"

Speaker Blair: "Mr. Tuerk is in his seat."

Houlihan, J.: "Mr. Schoeberlein?"

Speaker Blair: "Schoeberlein is in his seat."

Houlihan, J.: "Mr. Ryan?"

Speaker Blair: "Who? Ryan? He's in his seat."

Houlihan, J.: "Mr. Kennedy?"

Speaker Blair: "Mr. Kennedy? How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'yes'."

Speaker Blair: "Take him off the record."

Houlihan, J.: "Mr. Juckett?"

Speaker Blair: "There he is in the back. Go ahead."

Houlihan, J.: "Mr. Mahar?"

Speaker Blair: "How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'yes'."

Speaker Blair: "All right, he's in the balcony."

Houlihan, J.: "Mr. Boyle?"

Speaker Blair: "Mr. Boyle, he's back there. Mr. Arnell? Yeah, I said he was, Don. He's on the record. Go ahead."

Houlihan, J.: "Mr. Clabaugh?"

Speaker Blair: "Mr. Clabaugh? Well, he's not here right now, so take him off the record."

Houlihan, J.: "I have no further questions."

Speaker Blair: "All right, put Mr. Clabaugh back on. Mr. Kelly, are you going to switch your vote? Mr. Kelly goes from 'no' to 'aye'."

Houlihan, J.: "Mr. Speaker?"

Speaker Blair: "Yeah."

Houlihan, J.: "I have no further questions."

Speaker Blair: "No further questions. Mr. Hanahan votes 'aye'. Well, you want it taken off, Mr. Totten. Mr. Shurtz votes 'aye'. All right, give me a Roll Call. Well, Leland Kennedy is back, put him back on the record. On this question there are 105 'ayes' and 31 'nays'; this Bill having received the constitutional majority is,



hereby, declared passed. Now, let's go back and pick up . . ."

Clerk Selcke: "House Bill 2109 . . . 2109, Brinkmeier, this Bill has been read a second time. There are no Amendments."

Speaker Telcser: "The Gentleman from Ogle, Representative Brinkmeier; we'll read a third time now . . ."

Clerk Selcke: "House Bill 2109, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Ogle, Representative Brinkmeier."

Brinkmeier: "Mr. Speaker and Members of the House, the existing School Code requires that each school district to establish a calendar for 185 days per year, 176 of which shall be classroom days. Now, if a school district fails to comply, then they are penalized to the extent of one percent per day for each day they fall under the requirement. Now, what House Bill 2109 would do, it would allow the Superintendent of Public Instruction to waive that one percent per day penalty if the school district was closed down because of the energy crisis, because of the lack of being able to get the necessary fuel. In the Education Committee this proposal did not receive a dissenting vote; and I would solicit your support."

Speaker Telcser: "Any discussion? The question is, shall House Bill 2109 pass? All in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the Record. On this question there are 123 'ayes', 1 'nay', 1 answering 'present'; this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2150. Representative Katz, do you want that called? Did you do that today? Oh, I'm sorry. Okay, what's the next one, Fred?"

Clerk Selcke: "House Bills 2199 and 2200 are being held on Third Reading."

Speaker Telcser: "Representative . . ."

Clerk Selcke: "Porter."

Speaker Telcser: ". . . Porter, is he on the floor? He's not on the floor. 2207. Does Clyde want his called? Clyde . . . Representative Choate, do you want 2207 called?"



Clerk Selcke: "It's gone, it's gone."

Speaker Telcser: "It's gone already?"

Clerk Selcke: "The next one is 2280; 2280 and 2304 were held on  
Second."

Speaker Telcser: "Is that Representative Shea's?"

Clerk Selcke: "Yeah."

Speaker Telcser: "Representative Shea . . ."

Shea: "Yeah, Mr. Speaker, I'm still waiting for the department's  
note; and my good friend, Gene, doesn't want me to proceed without  
it. So I'll hold them."

Speaker Telcser: "Okay, Representative Porter had one, but he's not  
on the floor. But if his seatmate will inform him, we'll try  
to get back to his Bill. Does this got a fiscal note? Is he  
coming in or what? All right, what else do we have, Fred?"

Clerk Selcke: "2304 . . ."

Speaker Telcser: "Do you want your Bill called, it was on Second . . .  
Okay, here's Representative Porter, Fred, let's get the Bill  
that . . . he's filed a fiscal note . . ."

Clerk Selcke: ". . . 2199 and 2200 . . ."

Speaker Telcser: ". . . No, that's not it, 20 . . . do you want 2199  
or 2200 called, John? No, he doesn't want those called. 2567  
is the one from this morning."

Clerk Selcke: "2567 . . ."

Speaker Telcser: "All right, the Gentleman has filed a fiscal note from  
the agency, the Bill has been read a second time, I think an  
Amendment was adopted; now, will the Clerk please read it a third  
time?"

Clerk Selcke: "House Bill 2567, a Bill for an Act to amend the Illinois  
Income Tax Act. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Porter."

Porter: "Mr. Speaker, and Ladies and Gentlemen of the House, this  
Bill amends the Illinois Income Tax Act to correct an inequity  
that resulted from a change in the Federal law. Under our present  
Illinois Income Tax Act, a taxpayer must add back the 50 percent  
of the net long-term capital gain that is not taxed for Federal income



tax purposes. But the taxpayer does not get to subtract the 50 percent of the net long-term capital loss that he could not use in computing Federal adjusted gross income. So the purpose of this Bill is to correct the inequity in the law that resulted when the Federal Income Tax Act was changed to require \$2 of capital losses to offset each dollar of capital gains. The maximum subtraction that would result for Illinois income tax purposes if the law were adopted, in any year for each tax return would be \$25. So the maximum tax impact is \$25 per return. The Illinois Department of Revenue estimates the maximum tax impact would be \$1 to \$2,000,000 if the Bill were adopted. The Bill in its present form consists of Amendment #1, which was actually drafted the Department of Revenue and it is . . . the Bill is supported by the Illinois Society of Certified Public Accountants. You should note that the Bill does not affect corporate taxpayers at all, it affects only individuals, estates and trusts. I have prepared and have distributed to you, since Representative Lechowicz questioned the fiscal impact, a sheet that should be on your desks; and I ask that you look at it. It shows the affect of the present law for three years on a hypothetical situation; where in the first year there was \$2,000 of long-term capital gain, in the second year there was \$2,000 of loss, and in the third year, again, \$2,000 of gain. If you note, under the present law, over that three-year period where there was a total of \$2,000 of long-term capital gain for the taxpayer, he would actually be taxed on \$3,000 under the Illinois Income Tax Act. I think that this is inequitable. I think that it can be easily corrected. The cost to the taxpayers would be less than two-tenths of one percent of our total income derived from the income tax. And the Department of Revenue is not opposing this Bill. In fact, they drafted it in its present form. I urge your 'aye' vote."

Speaker Telcser: "The Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker and Members of the House, I rise to state that we had many questions about this Bill. I'm glad that the Speaker the Sponsor of this Bill, states that it will not affect the



corporate entities. However, we are setting up a bad precedent in that if we allow this to hap . . . take place, even though it's for the individual taxpayer, it is for the affluent taxpayer primarily, rather than to the non-affluent, who does not have any capital gain problems. But more importantly, Mr. Speaker and Members of the House, we have stated time and again since 1969 to every time that attempts have been made, especially on this side of the aisle, to give relief or to amend the income tax law that said, 'Do not touch that because it's a sacrosanct'. A \$1,000 exemption for each individual should be left alone, not because it's working in all these other considerations, but when you want to give credit for sales tax, when you want to give credit like 'the way' Pierce did for school children, for parents to pay for tuition, they wanted to make other forms of credit against income tax, everybody says, 'Please do not touch it'. Now, comes along the affluent taxpayer, who may have a capital gain, and it would include some of us who may be speaking on this Bill, I say it is an unfair . . . and I think it was . . . it would deal with a very small portion of our people; and I would say because of the fact that it, not that I don't doubt the equity of the unfairness of the situation, but we are going to be opening up another loophole which we will allow later on the corporate entities to come in and say that if you could do it for the individuals that a uniformity question, and by the uniformity situation, they may question the constitutionality being left out; and we may be opening up a bigger hole and a dike than we realize. Therefore, I ask that we do not support this particular Bill."

Speaker Telcser: "Further discussion? The Gentleman from Sangamon, Representative Gibbs."

Gibbs: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, in reference to the capital gain's tax, Joseph Kennedy stated that there wasn't any question that it does help the poor people because it gets money out into circulation. And without the capital gain's tax, without the consequences of the capital gains, then you wouldn't,





the people would be hoarding their money. So there isn't any question that this Bill does help the poor people by keeping the money being generated out into circulation. Therefore, I support the Bill and hope that you will, too."

Speaker Telcser: "Further discussion? If not, Representative Porter wish to close the debate? The Gentleman from Cook, Representative Porter."

Porter: "Mr. Speaker and Members of the House, I feel, as Sam Maragos does, that we should not change the Illinois Income Tax Act for purposes of policy. That is to encourage sectors of the economy or to benefit certain small or special interests. This Bill does not do that. It's not intended to do that. It's intended to take care of an inequity that came into the Illinois Income Tax Act, not by anything that we did, but rather by what the Federal Government did to change their law. It is designed, not for policy purposes, but to correct this inequity. Whether it affects a large number of people or a small number of people, I think is irrelevant. It's a question of fairness; and I think the fairness or rather the unfairness is perfectly evident on the example that I've handed out to you. I would urge you not to tamper with the Illinois Income Tax Act for policy reasons, but to correct it when it has become inequitable; and I urge your 'aye' vote."

Speaker Telcser: "The question is, shall House Bill 2567 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? The Gentleman from Cook, Representative Porter, to explain his vote."

Porter: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I would ask your favorable consideration. The change is a small one, the amount of money involved is not great. The Department of Revenue, as I say, has drafted this Bill in its present form. They do not oppose it. The impact is very small and it does correct an inequity that is in the law. I think that it affects, as Representative Gibbs has said, I think it affects both small and large taxpayers. In fact, the benefit, if you look at it, the benefit for small taxpayers is a great deal greater than those for



large taxpayers. The benefits for a person with a very small amount of capital gains or losses is greater than the others.

Thank you."

Speaker Telcser: "The Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker, in explaining my vote, I agree in principle what the supporter is saying, except that what bothers me is the fact that if we allow this to happen, tomorrow the big corporations are going to come in and say, 'You are discriminating against corporations, under our Constitution we should have the same rights'; and, therefore, you're going to be opening up a Pandora's box of allowing a much greater fiscal escape on taxes. And that's the only thing that I'm afraid of. I agree in principle what the supporter is doing here, but it may be not under the uniformity provisions of our Constitution. We may be opening up something that will be inequitable for the people of the State of Illinois and be giving the so-called 'fat cats' the opportunity to come into the backdoor. That's why I ask you to vote 'no' on this Amend . . . on this particular Bill."

Speaker Telcser: "The Gentleman from Cook, Representative McAvoy.

Dave, are you seeking recognition? No? The Gentleman from Sangamon, Representative Londrigan."

Londrigan: "Mr. Speaker, Ladies and Gentlemen of the House, my, my, where are those Republican Leaders over there who shot down the sales tax on food and medicine for five years in a row? They took the floor, the leading orators on that side, the leading accountants, a couple there who never vote 'yes' on anything almost. Look at their green lights. Everytime we have tried to give some tax relief. Some cases we haven't had one Republican vote; but now look at all the Republican green lights over there, When the Republican businessmen are going to profit by this capital gain and loss Amendment. They stood time after time on the other side and said, when Ogilvie was in there, 'We can't allow the first tax exemptions because when we do, others will follow. Keep the law as it is without exception'. And we couldn't get a vote for sales tax relief on food and medicine for the people who



need it, the people who work; and now when we have this type of measure for the few, for the rich few, we're going to apparently have some tax relief. As I said, my, my, how times do change when the other side is responsible for the tax revenue. I would think that those who spoke so eloquently against these tax measures which are a raid on the State Treasurer would get up now and have the same speech on a measure which certainly doesn't deserve the support as the sales tax abolishment on food and medicine, our circuit breakers and other such Bill. Let's hear some oratory from the other side on these tax Bills."

Speaker Telcser: "The Gentleman from Cook, Representative J. J. Wolf."

Wolf, J.: "Well, Mr. Speaker, I'm not going to really address myself to the Bill. I guess it's more of a point of personal privilege. Now, the Gentleman from Sangamon referred to it's a Republican businessman's Bill, and that's why Republicans vote for it. I'd like to point out that I've been supported by labor ever since I've run for this House, and when I hear that kind of talk, all I can see in my mind is a great big brown bean pot. And if you don't know what that is, that's a crock."

Speaker Telcser: "The Gentleman from Cook, Representative Peters."

Peters: "Mr. Speaker, and Ladies and Gentlemen of the House, I might also remind the distinguished Representative from Sangamon County that this piece of legislation was, in fact, suggested, and supported and written by an individual who was elected as a people's Governor of the state, who is interested in bringing some equality to our tax situation. I suggest for the Representative from Sangamon to consider the fact that in his district, and in mine and in all of our districts there are thousands of people who are making \$9, \$10 and \$11,000 a year who have put away a few dollars hoping to buy some kind of stock. This is in a way some kind of a benefit to them. And really brings the law into conformity with what the legal requirements of the Federal Government are. I resent the insinuations made by the Representative from Sanagmon County. I think this is a fine Bill."

Speaker Telcser: "Have all voted who wish? Take the Record. On this



question there are 96 'ayes', 23 'nays', 20 answering 'present'; and this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2751. Representative Fleck, for what purpose do you arise, Sir?"

Fleck: "I didn't want to vote for that, no."

Speaker Telcser: "Would you record Representative Fleck as voting 'no' on this Bill on this last Roll Call? Now, this Bill has been read a third time, was held on Third Reading. The Gentleman from Will, Representative Kempiners."

Kempiners: "Thank you, Mr. Speaker, this is the Bill regarding the farm rollback. I've gone over the side of the aisle and talked to Representative Shea and some of the others that had questions, and I would seek your support on a favorable Roll Call."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 2751 pass? Those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the Record. On this question there are 111 'ayes', 1 'nay', 2 answering 'present'; and this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2868. This Bill has been read a third time, held on Third. The Gentleman from Cook, Representative Lundy."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe Representative Shea and I have worked out our difficulty over certain language. The language he was worried about has been replaced in the Bill and in the existing law by the . . . by Amendment #1 that was adopted in Committee. And since I summarized the Bill earlier, I would just say, again, that it's very necessary as far as the local taxing districts in Cook County are concerned. Those that are taxing at their maximum rate, the Chicago public schools stand to lose about \$36,000,000 this year if the lower multiplier goes into affect in Cook County. The taxing districts in the rest of Cook County would bring that total up to about \$100,000,000; and I emphasize again that that is not money ultimately that will go back into taxpayers pockets because the unfreezing of the multiplier came too late in the year



for the taxing districts to be able to change their budgets. They have made their commitments, they will spend that money one way or another. If they don't get in tax revenues, they will borrow it and then the taxpayers will have to pay the interest on it, as well as, paying . . . suffering a reduction in services in future years because of the cost of financing a loan. I'm ready to answer any questions."

Speaker Telcser: "The Gentleman from Kane, Representative Friedland."

Friedland: "Mr. Speaker, would the Sponsor yield?"

Speaker Telcser: "He indicates that he will."

Friedland: "Mr. Sponsor, how would this measure affect overlapping taxing districts that overlap Cook County into other counties?"

Lundy: "Well, it wouldn't affect them any . . . they wouldn't be treated any differently under this Bill than they would under the existing law. In other words, there's a different multiplier applicable in Kane County than there is in Cook right now. And there would be a different multiplier applicable in Kane County than there would be in Cook under this Bill."

Friedland: "Would this measure if passed, Mr. Sponsor, delay issuing of tax bills in any areas that you know of?"

Lundy: "No, I have a letter from Frank Kirk, the Director of the Department of Local Government Affairs, who indicates that on the day that . . . well, in the first place, that the downstate counties, my information from him is, that the multipliers, the final multipliers have already been issued or at least are ready to be issued right now. As for Cook County, if this Bill is passed and signed, the Director informs me he can issue the multiplier for Cook County on the day the Bill is signed."

Speaker Telcser: "The Gentleman from Cook, Representative Juckett."

Juckett: "Thank you, Mr. Speaker, will the Sponsor yield to a question?"

Speaker Telcser: "He indicates that he will."

Juckett: "What townships and what part of the City of Chicago make up quadrant 2?"

Lundy: "Quadrant 2 contains the following townships, suburban townships, Elk Grove, Hanover, Lyden, Maine, Norwood Park, Proviso, River Forest,



Riverside, and Schamburg and Jefferson Township in the City of Chicago."

Juckett: "So these townships would not be affected by your Bill?

They would have . . ."

Lundy: "That is . . ."

Juckett: ". . . they would have the lower equalizing rate?"

Lundy: ". . . that is correct. They would have the same rate which the Department of Local Government Affairs has already announced.

It intends to apply county-wide unless this Bill passes.

Juckett: "No, the reason for this is, as I understand it, that these areas were assessed on a fair market vlaue as is called for by the law, is that correct?"

Lundy: "Are you talking about the reason for singling out quadrant 2?"

Juckett: "That is correct."

Lundy: "The reason for singling out quadrant 2, Representative Juckett, is that the increases in assessment experienced in quadrant 2 in 1973 are of a different order of magnitude than have occurred in any of the other quadrants during the years in which they've been assessed. And it was not felt fair to the taxpayers in those districts to not allow a lower multiplier to go into affect in that quadrant."

Juckett: "Yeah, but wasn't their multiplier arrived at because that quadrant 2 was being assessed on the fair market value as required by law?"

Lundy: "No, I don't think . . . I don't think that's right."

Juckett: "Are you saying that the assessor did not assess it on fair market value?"

Lundy: "Well, the assessor determines the fair market value in the process of assessing; but he then assigns an assessed valuation according to the ordinance which has been adopted by the Cook County Board which sets varying percentages of fair market value for varying kinds of property."

Juckett: "Well, now, the assessment in my Township of Maine went up some 24 percent; and I believe the assessment in Elk Grove Township went up, Schamburg went up . . . what was it, 55 or 54 percent . . .



Now, was that based . . . wasn't . . . I thought it was based because they were going to the fair market value. Now, if they didn't go on the fair market value, then what is the reason for distinguishing?"

Lundy: "Well, I don't think you're . . ."

Juckett: "Just because their assessments . . ."

Lundy: ". . . I don't think you're right that that's the reason for the very large increases in assessed valuation in those townships."

Juckett: ". . . Because it was put on fair market value?"

Lundy: "No, I say I do not think that that's the reason for the increase."

Juckett: "Well, then what was the reason for the increase?"

Lundy: "Well, there was several reasons, as I understand it. One is that the assessor has converted to a new method of assessment using computers which allows him to come much closer to ascertaining the real market value of real estate before he assigns the assessed valuation in accordance with the ordinance. The second reason is . . ."

Juckett: "I think isn't that fair market value though?"

Lundy: ". . . well, Bob, the assessor has always been under a statutory obligation to assess at a certain percentage of fair cash value."

Juckett: "Right."

Lundy: "What I'm saying is that part of the reason for the increase in quad' 2 is that he's got a system now which allows him to more accurately determine what fair cash value is, that doesn't mean he's assessing the property. It doesn't mean he's assigning an assessed valuation which equals the full fair cash value of the property. He's not permitted to that under the county ordinance; but he is able to determine more accurately what the fair cash value is. But there's another reason, which I think maybe even more important than the changeover in methods that explains the increases in assessment in that quadrant, and that is that there's been an enormous amount of development, especially industrial



development in some of those townships, and that really is where the bulk of the increase in the assessment comes from.

Juckett: "Well, in Maine Township there has not been a huge increase in industrial development; but I think part of your answer is correct. There has been an increase; but there also goes with any kind of increase in development increased services, roads, sewers, park, schools, et cetera. Now, my question to you, in the quadrants, say for the North Shore of Evanston, are you telling me that the properties in Evanston, and New Trier and Nile are not assessed as the areas in quadrant 2? They are not assessed on fair market value or fair cash value in relation to the percentages of homes, apartments and industry."

Lundy: "No, what I'm saying, Bob, is that the increase in assessed valuation in those townships didn't . . . wasn't anything like the increases in assessed valuation in the townships you've been describing. Just as an example, quadrant 1 was reassessed in 1972. For Evanston Township the increase in assessed valuation was less than five percent, in New Trier it was less than two percent. So that we're not talking about a problem that's even the same kind of problem as we're talking about in quadrant 2."

Juckett: "So the people in those townships and in those areas will have to pay higher taxes because this multiplier will make an increase in their tax bill."

Lundy: "Well, it depends on what you mean, Bob. Higher than what? They're not paying higher taxes than they did last year. They're not . . . and they're not even paying higher taxes than they would at the 1.48 multiplier went into affect as to those taxing districts which are not at the maximum because as the multiplier goes down, and, therefore, the equalized assessed valuation goes down, the rates will simply rise to make up the difference. The taxing district levy dollars; they don't levy rates."

Juckett: "Not at those . . . not if those rates are at full value."

Lundy: "Well, that's true; for those districts that are taxing at the maximum, they would experience a revenue law. What I have said earlier in the debate is that will not in the long term mean any





tax saving to those taxpayers because the taxing district can't change their budgets this year. They've made their financial commitments. They will simply have to borrow the money to operate, and the taxpayers in future years will wind up, not only paying for services, but also paying the interest on the money that the districts have to borrow this year."

Juckett: "In other words, Joe, those taxing bodies would not live within their budget?"

Lundy: "No, they would be living within their budget, but their . . ."

Speaker Telcser: "All right, wait . . . Representative Juckett, would you bring your remarks to a close. You're taking up an awful lot of floor time."

Juckett: "Well, thank you, Mr. Speaker. I think it was the first time I spoke today, and I see we're just at the end of the time, Mr. Speaker; and I think there's an awful lot of confusion resulting here. And I think you'd better have a little more explanation from the Sponsor."

Speaker Telcser: "The Gentleman from Cook, Representative Tom Miller."

Miller, T.: "One question, if I may, Mr. Speaker, of the Sponsor?"

Speaker Telcser: "Indicates that he'll yield."

Miller, T.: "Representative Lundy, could you point out to me what quadrants are involved in southern Cook County and southwest Cook County?"

Lundy: "I'm sorry, I didn't hear the question, Tom."

Miller, T.: "I'm trying to determine what quadrants are involved in south Cook County and southwest Cook County."

Lundy: "Those . . . those are quadrants three and four."

Miller, T.: "If this Bill were enacted into law, what affect would it have on the taxpayers in that area?"

Lundy: "Well, it's hard to say what affect it would have on each individual taxpayer. The affect it would have on the multiplier applicable to the . . . to the property located in those quadrants would be that it would leave the multiplier at 1.59, which it's at right now."

Miller, T.: "And it would not in any way increase their real estate taxes



in the coming years?"

Lundy: "The Bill would not. If the property has . . . had been reassessed at a higher value . . . well, it hasn't been reassessed since, in the case of quadrant three, since 1970, and in the case of quadrant four since '71, so that the Bill . . . it would not have the affect of increasing anybody's taxes in quadrant in three or four over what they've paid in the last two years."

Speaker Telcser: "Okay. The Gentleman from Cook, Representative Berman."

Berman: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. It's easy to understand how we get confused when we start talking about the impact of a Bill of this nature. But let me tell you what it does or what the purpose of the Bill is in relation to preventing a terrible situation regarding several of the institutions that this Legislature, I'm sure, is very concerned about. Number one, is the Library Board. The Chicago Public Library, if this Bill doesn't pass, will result . . . will have a loss in revenue in this year of \$700,000 that they cannot make up in any other way. The Evanston Library Board will have a loss of revenue of \$600,000. The Chicago Board of Education testified at hearings held by the School Problems Commission that without a correction in the multiplier such as this Bill seeks to accomplish, the Chicago Board of Education will lose \$33,000,000, \$33,000,000. And that is computed based on 1973 budget that has already been spent, the '74 that is six-eighths spent on their partial budget, and the projection for next year; \$33,000,000 for the Chicago Board of Education loss of revenue. What we're trying to do by this Bill, which admittedly is not the perfect answer, but because of the action by the Department of Local Government Affairs and the time frame who are limited in the type of relief that we can seek, but: what we're trying to here is to allow these taxing bodies to operate on the basis that they have gone to the taxpayers with as far as revenue and tax rates are concerned. And I think that this is really what the whole Bill is about; to allow these taxing bodies, the school



boards, the library boards, other taxing bodies that are at their maximum tax rate to operate within the framework of their budgets and their tax revenue as presented to the taxpayers. And for those reasons, I think that is the intent of what the taxpayers intended, that's the intent of what these boards intended, and that is what this Bill seeks to accomplish; and I urge an 'aye' vote."

Speaker Telcser: "The Gentleman from Cook, Representative Richard Walsh."

Walsh, R.: "Mr. Speaker, Ladies and Gentlemen of the House, the Gentleman on the other side of the aisle alluded to the . . . the Governor's tax freeze or his equalizer freeze, which seems to have gotten us into this fix. And his solution is a legislative freeze to take over from the executive freeze that was imposed last year. I would just like to point out to my colleagues from Cook County the affect of this Bill. It would freeze the equalizer in the quadrants one, three and four at 1.59. The affect of which would be a higher assessed valuation and a higher tax bill for your constituents. It would impose the lower equalizer, 1.48, for those in quadrant two, which happens to be me. So I'm probably speaking against my interests. However, I don't think it's equitable to impose a freeze such as this. The burden is on the Department of Local Government Affairs to arrive at a equalizer for the entire county. Now, it's extremely important that you realize the affect of this because those of us in quadrants one, three and four would, in affect, be paying a higher share of the tax bill for the county-wide services, such as the County of Cook, the Forst Reserve District and the Metropolitan Sanitary District, than you would otherwise pay. You would have an assessed valuation arrived at by applying a 1.59 equalizer, rather than an assessed valuation arrived at by applying a 1.48 equalizer. I believe this is an extremely bad Bill; it's going to result in higher tax bills for your constituents. And I don't see any reason why we should bail out the executive department in their particular drama. I recommend a 'no' vote."

Speaker Telcser: "The Gentleman from Cook, Representative McCourt."



McCourt: "Mr. Speaker, Ladies and Gentlemen, normally I wouldn't be for a Bill such as this because I'm not for increasing taxes; but I think we all should remember that this is just a one-shot deal, it's just . . . take affect for one year; and it's to correct a situation that there's no other way to correct it. And I would earnestly solicit the support of all the Members of this House in support of this Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Lundy, to close."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.

To respond to Representative Walsh's comment, this Bill does not result in higher taxes for anybody. It does result in freezing the tax multiplier at the level that it's at this year and was at last year and the year before that. It does not result in higher taxes for any taxpayer. Now, he referred to the fact that the problem that we face today is the result from a two-year freeze by the Governor of the tax equalization factor. A freeze, in my opinion, of questionable legality. Well, he is certainly right that our problem today results in the Governor's action. But believe me the problem is not the executive branch's problem, it is the problem of the school districts, and the park districts and the libraries in Cook County who are going to experience a loss of millions of dollars this year, dollars which they had every right to expect they were going to have because they were operating on the basis of assessed values, which has been frozen for two years, and which they were never informed until after their budgets were made, were going to be lowered. Now, if they'd been informed in time, they could've gone to their taxpayers and said, 'Look, either you give us an increase in the rate to make up for the loss in assessed valuation or we count our services', or they could've simply cut their budgets; but they didn't have time to do either one of those things because of the late date at which the multiplier was unfrozen, the taxing districts had made their budgets, they had made their financial commitments, and it is now too late for them to not spend that money. They will be



spending it one way or another. If they experience a loss in revenue from a reduced multiplier, they will simply borrow the difference; and the taxpayers in Cook County will be paying for financing those loans for several years into the future. Let me add one other point, the multiplier . . . the 1.48 multiplier which the Department of Local Government Affairs proposes to issue for Cook County was demonstrated in the hearing before the School Problems Commission to be based on outdated sales data. It is in the opinion of many lawyers indefensible. It simply cannot be defended; and I tell you that what will happen if we do not freeze the multiplier at 1.59 for three-quarters of Cook County is that the taxing districts will be in court before the end of this week to prevent D.L.G.A. from issuing this multiplier. And that will mean the tax bills will be held up; it will mean that local government won't get the revenues they're anticipating. This Bill is a reasonable, temporary compromise solution to the problem. It isn't perfect; but given the situation we're in, it's really the best we can do. And I urge an affirmative vote."

Speaker Telcser: "The question is, shall House Bill 2868 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Johnson, Representative McCormick."

McCormick: "Mr. Speaker, Ladies and Gentlemen of the House, I know the Bill is going to pass. I voted for it in Revenue Committee; and stated it is the worst Bill that I've voted for in two weeks. But I think that we ought to make one thing for certain. I think we ought to call attention to one thing. There's no place in the local government law or the revenue law in this state that authorizes the Governor to freeze a multiplier. The Governor himself froze the multiplier a couple of years ago in order to make brownie points for somebody, I don't know. Then in this same situation, you go up into Cook County and in order to make more brownie points, he unfreezes the multiplier to reduce one of the quadrants in Cook County. Now, then I'm saying this, if the Governor, without any legal right at all to freeze the multiplier, can freeze it, then he could come along in order to make brownie points, he can unfreeze



it to give a little lower tax rate to some people in Cook County. Why in the world does the board . . . the Department of Local Government come back and put it on the back of the Cook County Legislators to come in here and overrule the Governor in order to make you the sucker of putting the tax increase on the homeowner, instead of him going right on back and illegally changing his mind again like he's been doing for two years. If I was a Legislator in that district, I wouldn't want to be responsible for voting a tax increase on my people, when my Governor, my Governor, illegally froze it and then released it; and now he don't have the guts to illegally freeze it again. So I'm going to vote 'no'."

Speaker Telcser: "The Gentleman from DuPage, Representative LaFleur."

LaFleur: "Mr. Speaker and Members of the House, I would like each Member to consider this very carefully because we're doing somebody else's job for them. And I think this was an ill-conceived attempt to raise taxes and avoid the consequences of raising the taxes. In Committee, Chicago schools came before us and they said that passage of this Bill meant \$36,000,000 to them. Now, when you raise money by taxes, there's only two ways you can do this; raise the rate or raise the valuation. Now, what they are doing by this Bill is accelerating the increase of valuation by the quadrant system of Cook County. It is going to cause untold hardship upon the taxpayer. It is going to make difficulties. It is going to put new concepts. And it is going to be very difficult to explain back home, especially in Cook County. Now, I represent part of Cook County and I also represent Kane County. Last year we passed a Bill that allowed us to help adjust taxes between in . . . one taxing district where it fell into two counties. This is, again, going to cause us untold problems of trying to be helpful to these districts that fall into two areas. I believe that each person here should look at this very carefully, think of the concept of it, think of the difficulty to enforce it, think of the hardship to the taxpayer. And I would urge each person here to vote 'no'."



Speaker Telcser: "The Gentleman from Cook, Representative Katz."

Katz: "I think that the Gentleman who has been so long identified with tax matters and who predicted the passage of this Bill was certainly signaling an excellent development because this Bill is necessary for the survival and the well-being of the school children in my district and the district of a number of other individuals. What has taken place is that the unwitting victim of these events over which they had no control, really the schools, and in the last analysis, the school children of the district, these events took place after the schools could no longer make any reductions in expenses. We require that in order to sever teachers, they must do so by a certain date. These events took place after that date, and this is the only way left. And I do applaud by the fine Legislators from the 11th District, who are sponsoring this attempt to help the school children, and these school children are, in fact, the children of the taxpayers of our metropolitan area. And this is an excellent Bill that is vitally needed; and I urge its support."

Speaker Telcser: "The Gentleman from Cook, Representative Porter."

Porter: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Bill also. I think that Representative Katz has correctly pointed out that budgets have been made, commitments have been made. The Chicago school districts' budget, particularly, is affected. And then the Governor comes along and he throws everything into chaos by announcing a change in policy after two years of holding the multiplier in a frozen position. I think that we have to grant this relief; I think that it's essential for all of our districts, our schools, our parks, all of the taxing districts that have their budgets made. And I urge everyone in the House to vote 'aye'."

Speaker Telcser: "The Gentleman from DuPage, Representative Gene Hoffman."

Hoffman, G.: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise to explain my vote and to concur 100 percent with Representative McCormick because we wouldn't be here today on this Bill if it weren't for the illegal actions on the part of our Governor.



So I say, thank God for the General Assembly, because without us . . . without us, the deal would be a problem, this state would be in one terrible condition. Now, the confusion, when we get involved in multipliers, is great. To attempt to explain it on the floor and to handle the debate, which has taken place on it, is extremely difficult. But the concept of township multipliers is in itself not a bad idea. The idea to deal with the problem in Cook County at the present time seems to me to be reasonable and fair. There will not be . . . it will not affect those townships who had been reassessed, they're going to be treated the same level because the assessed valuation has gone up. However, there will be some taxing bodies within these districts which will be severely affected because they're rate of growth has not been the same as the average in the districts. However, I think under the circumstances, the best that we can make out of a bad situation is this particular program; and I would encourage your support."

Speaker Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I'm a little bit shocked to see some of my downstate colleagues where they say to me, 'This is a bad Bill', because this is exactly what you asked us to do for you in the Seventy . . . in the 1971, where you said, 'Let us equalize by township, let us equalize by townships in our counties so we can make up for the differences of different assessors'. Remember that, C.L.? And what I'm telling you has happened in Cook County. And starting with the 1972 tax year, the first year the assessor could do it, under the new Constitution, he's got to do it quadrant by quadrant. He's going ahead and change the method of assessment. And that was just approved in the Supreme Court last week in a case called, 'LaSalle National Bank versus the county officials'. So that's the legal method of doing it. Now, all we're asking you to do in this Bill is give us a hand to take care of some of our local governments up there that's dependent on tax dollars to get by. Let us do the same thing that you wanted to do within





your county. Give us a hand now."

Speaker Telcser: "Have all voted who wish? The Gentleman from Cook, Representative Dee, to explain his vote."

Dee: "I think I'd better stop while we're ahead."

Speaker Telcser: "Have all voted who wish? The Clerk will take the Record. On this question there are 106 'ayes', 22 'nays', 24 answering 'present'; and this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2874. No, are there . . . he doesn't want to call it . . . Fred, what's 2751, is that on the call somewhere? 275 . . . House Bill 194. Out of the Record? Out of the Record, Mr. Clerk. Stan, 2007? . . . House Bill 2007."

Clerk Selcke: "House Bill 2007; this Bill has been read a second time. It has no Amendments."

Speaker Telcser: "Will you read it a third time, Mr. Clerk?"

Clerk Selcke: "House Bill 2007, a Bill making an appropriation to the Department of Transportation. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker and Members of the House, House Bill 2007 appropriates \$100,000 for the Department of Conservation of the State of Illinois to buy additional land, which is really marshland, south of Wolf Lake, which is the only conservation area and state park in Cook County. This area has to be purchased at this . . . during this fiscal year due to the fact that there are various people and interests that are coming in to purchase this property and will cost the state a lot more money at a later date. There are a lot of speculators who want to come in and buy this property for expansion of mobile home parks and other uses. If we do not have any more recreational space left in this particular Wolf Park area, it is the only recreational area in Cook County that adjoins a state border, like Indiana; and, therefore, cannot be taken over by a forest reserve district or a city park district of Chicago. Therefore, I ask for your favorable vote. All the Members of the 30th District, Representative Collins, Representative Giglio are also Cosponsors of this Bill, and



I would ask for your favorable support."

Speaker Telcser: "The Gentleman from Cook, Representative Palmer."

Palmer: "If the Sponsor would yield for a question?"

Speaker Telcser: "He indicates that he will."

Palmer: "How many acres are involved, Sam?"

Maragos: "18.10 to the best of my knowledge."

Palmer: "And who owns it now?"

Maragos: "It is part of the 'Shedd' estate and there is already talk there is another private developer vitally interested, which will cost us twice as much tomorrow; and it is not the present fellow who is asking for the zoning, there is another adjoining property in this area."

Palmer: "Are there two appraisals on it?"

Maragos: "There will be under the law. The Department of Conservation does . . . has to by law have to have two appraisals before it sells."

Palmer: "How much do you figure it's going to sell for?"

Maragos: "Well, in a ballpark figure of \$100,000 or less. But we've given them the authority to go up to \$100,000 in this particular case, including the cost of appraisal and handling."

Palmer: "That figures out about howmuch an acre?"

Maragos: "About \$5,000."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh. Did you want recognition, Representative Walsh? The Gentleman from Cook . . ."

Walsh, W.: "Mr. Speaker, and Ladies and Gentlemen of the House, will the Gentleman yield for a question?"

Speaker Telcser: "He indicates he will."

Walsh, W.: "In regard to the . . . do you have a commitment that you know of or is there is commitment that the Department of Conservation will take care of this land in that it will become a state park?"

Maragos: "Mr. Majority Leader, that's a very vital question because we have criticized the Department of Maintenance and other areas. However, the cost of this figure if they wait another year or two



will be three times as much. So the question of maintenance is not involved because if they're going to maintain . . . they promised to maintain it; and it already has improved some of the maintenance for which I have been criticizing them in our present parks. But they have promised to maintain it in the proper form."

Walsh, W.: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, my question I don't think was answered the way I would hope it would've been answered, and that was an unqualified 'yes' that the department is going to take it, develop it and have it become a state park. I'm afraid that what we're getting into here is what we got into a year ago or two years ago when the state spent some \$6 or \$7,000,000 for the acquisition of the Edgewater Golf Club so that it could become a state park; and, in fact, what we did those few years ago was acquire that land so that the Chicago Park District could develop it for other purposes. And there's other legislation here before us in this Session that we're acquiring land, and it looks like the state is not going to take care of. Now, I suggest to you if the state is going to acquire recreational land for park districts or forest preserve districts that our local to care for, then we ought to do it for all of the park districts and all of the forest preserve districts and not just a few. I suggest to you that we ought to, in view of what happened with the Edgewater Golf Club where the state poured away the \$6 or \$7,000,000 and spent it, in fact, for land for private or for a municipal park district, I suggest to you that we ought to give this a close look. In fact, we ought to wait another six months before we acquire this land and vote 'no' on this Bill."

Speaker Telcser: "The Gentleman from Sangamon, Representative Gibbs."

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

Speaker Telcser: "He indicates that he will."

Gibbs: "Sam, did you say there were appraisals? Did you say there were no appraisals on the property?"

Maragos: "I can't hear . . . I can't hear the . . ."

Speaker Telcser: "He wants to know if there were any appraisals on this



property."

Maragos: "There had been plenty of appraisals, and before they could acquire it it has to be on the law, there has to be two appraisals made. We had at one time . . . these are tentative, independent appraisals which we . . . for which the state is not bound for, but we're talking between \$4 to \$5,000 a acre, and that includes acquisition. But . . ."

Gibbs: "What's a tentative appraisal? I've never heard of that."

Maragos: ". . .the state officially has not taken appraisals because they wanted to wait another fiscal year; and the Department of Conservation at that time have finally awakened to the fact that a private developer who wants to spend \$200,000 to take this land right now. And if we don't use our condemning powers, we may have to pay a higher price a year from now."

Gibbs: "The Department of Conservation has eminent domain, don't they?"

Maragos: "They do, but still under eminent domain they have pay a fair price, as you know, Representative Gibbs, being a lawyer."

Gibbs: ". . . have to pay a fair price for the . . . is that what you're saying?"

Maragos: "No, but if a private developer goes in today and pays \$200,000 for it, and I don't care what happens next year, the best estimate in every appraisal that will come along will surely be worth \$300,000. So we're trying to save the state money in the long-run by following this procedure."

Gibbs: "How do you know it'll be higher? How do you know it won't be lower?"

Maragos: "Because of the fact we have received, shall we say, information, unauthorized information, that a private developer whose mobile park is right next door to this property who wants to expand his mobile park is willing to pay at least one and a half times what we're offering here today."

Gibbs: "You were previously asked who owned the property, I don't think you answered. Who does own the property?"

Maragos: "Mr. Speaker, I still can't hear him."

Gibbs: "Who owns the property?"



Maragos: "Right now, it is the 'Shedd' estate, which has been . . . the 'Shedd' estate that has the pro . . . the owners who have had the 'Shedd' aquarium and who are now in negotiations . . . we have received . . . private developer."

Gibbs: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, in addressing myself to the Bill very briefly, there isn't any question, if the owner of this property, he's entitled to a fair market value; and by this type of a Bill, we're . . . it seems like we're going backwards. We don't have appraisals on this. They have the power of eminent domain; and if the state wants to take the property, just like Representative Hoffman's Bill, let them come in and do it in the proper manner. But, I think, to do this backwards we'd be setting a precedent that we shouldn't establish. Now, whether or not the property is going to be worth \$200,000 or \$500,000 or \$50,000 next year shouldn't be the controlling factor. I certainly would be very strong against this type of a move."

Speaker Telcser: "The Gentleman from Cook, Representative Collins."

Collins: "Mr. Speaker, I rise in support of this Bill. We are faced with a problem in the area where the immediate acquisition of this property is very important. We have, as Representative Maragos has pointed out, an existing facility out there, a private trailer court, who is interested in expanding and has, in fact, been coached on the property in the past. There are other private developers who may be interested in this land. Now, in regard to remarks of the Majority Leader, there is no park district, Chicago Park District, land in the area; and this would not be available or even feasible to be developed as Chicago Park District. We have the exiting state park there at the William's Power Conservation area, which is state land; and all we're asking is a little additional area within the existing state conservation area. It . . . the Department of Conservation is very much interested in this land, and all that this Bill has done is bring what is to us an emergency situation to a head right away. The department has plans to acquire this land; and



Representative Maragos has, I think, accelerated their movement. I think it important that we . . . that we support this Bill; and I would hope that the Members of the House would vote for House Bill 2007."

Speaker Telcser: "The Gentleman from Cook, Representative Yourell."

Yourell: "Thank you, Mr. Speaker and Members of the House, I really don't have any questions. I do have a suggestion to the Sponsor, however, maybe he can get U. S. Steel to buy it and donate it to the state."

Speaker Telcser: "Representative Maragos to close the debate. Representative Maragos to close the debate."

Maragos: "Mr. Speaker, and Ladies and Gentlemen, this measure has been properly discussed and fully discussed; and I ask for your affirmative vote."

Speaker Telcser: "The question is, shall House Bill 2007 pass? Those in favor signify by voting 'aye', the opposed by voting 'no'. Okay, the Gentleman from Cook, Representative Juckett."

Juckett: "Mr. Speaker, because of a possible conflict, please record me as voting 'present'."

Speaker Telcser: "Record Representative Juckett as voting 'present'. Skinner 'aye'; Carl, will you hit Skinner's switch for him, 'aye', Juckett 'present'. All right, switch Schneider 'aye', Sam . . . okay, have all voted who wish? Have all voted who wish? Take the Record. On this question there's 99 'ayes', 12 'nays', 16 answering 'present'; this Bill having received the constitutional majority is, hereby, declared passed. Bob Mann 'aye'. House Bill 2152."

Clerk Selcke: "House Bill 2152; this Bill's been read a second time. It has an Amendment. Committee Amendment #1 amends House Bill 2152 on page 1 and so forth."

Speaker Telcser: "The Gentleman from Perry, Representative Dunn."

Dunn, R.: "Thank you, Mr. Speaker. I'd like to move the adoption of House Resolution # . . . or Committee Resolution #1 on House Bill 2152."

Speaker Telcser: "Any discussion? The Gentleman offers to move the



adoption of Amendment #1 to House Bill 2152. All in favor 'aye', opposed 'no'; the Amendment's adopted. Further Amendments?"

Clerk Selcke: "No further Amendments."

Speaker Telcser: "Okay, the Bill has been read a second time. The Clerk please read it a third time."

Clerk Selcke: "House Bill 2152, a Bill for an Act to permit counties not under township organization to change the election schedule and so forth. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Perry, Representative Dunn."

Dunn, R.: "Mr. Speaker, I'd like permission to consider House Bill 2153 along with this Bill; it's a companion Bill. 2152 and 2153 together."

Speaker Telcser: "Okay, are there any objections? Hearing none, will the Clerk read . . . 2153 has been read a second time. Are there any Amendments, Mr. Clerk?"

Clerk Selcke: "No Amendments."

Speaker Telcser: "Will you please read it a third time?"

Clerk Selcke: "House Bill 2153, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Perry, Representative Dunn. These two Bills, now."

Dunn, R.: "Thank you, Mr. Speaker. House Bills 2152 and 2153 permits commission counties, there are 17 commission counties in the State of Illinois, and this permits them to . . . it's not mandatory . . . but it will permit them to hold a referendum and elect county commissioners in even number of years for terms of four years, instead of electing . . . having an election every year. The savings to the county would be an election in each commission county, say one election for every odd numbered year; and I'd like to move the passage of House Bills 2152 and 2153. I'll be glad to answer any questions."

Speaker Telcser: "Is there discussion? The question is, shall these two Bills pass? All those in favor signify by voting 'aye', the opposed by voting 'no'; the Clerk will make one copy of the Roll Call. Have all voted who wished? Kempiners 'aye'. Take the



Record. On these two questions there are 140 'ayes', no 'nays', none answering 'present'; and these two Bills having received the constitutional majority are, hereby, declared passed. House Bill 2204."

Clerk Selcke: "House Bill 2204; this Bill has been read a second time. No Committee Amendments; but we do have an Amendment from the floor. Amendment #1, Beaupre, amends House Bill 2204 on page 1 and so forth."

Speaker Telcser: "The Gentleman from Kankakee, Representative Beaupre."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, Amendment #1 is an Amendment to increase the appropriation from \$20,000 to \$30,000. I would like to explain to you that while this Bill was in the appropriation's process that we were contemplating doing this flood study by satellite; and in the process we had determined that with meeting the people involved and the engineers from the Department of Transportation that we cannot get sufficiently critical data from satellite study; and, therefore, it's going to involve additional costs, either in using airplane flights or onboard personnel to go on sight and do engineering studies. And, therefore, we need an additional appropriation. This Bill is supported by the Department of Transportation. I cleared it with the Appropriation's Committee on both sides of the aisle, that is to say, a number of the Members. And I move for favorable adoption."

Speaker Telcser: "Any discussion? The Gentleman's offered to move the adoption of Amendment #1 to House Bill 2204. All those in favor of the adoption 'aye', opposed 'no'; the Amendment's adopted. Further Amendments?"

Clerk Selcke: "No further Amendments."

Speaker Telcser: "The Bill has been read a second time. Will the Clerk please read it a third time?"

Clerk Selcke: "House Bill 2204, a Bill for an Act making an appropriation to the Department of Transportation. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Kankakee, Representative Beaupre."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, this Bill arose at the result of a discovery within the last year that while





the Kankakee River, one of the major rivers in our state, has been studied for numerous purposes, that the Department of Transportation has absolutely no data on the river in regard to engineering studies for the purposes of flood control. This Bill, I think, sets a new precedent in these studies in that you will note it is worded very carefully to make sure that the Department of Transportation's recommendations, as a result of this study, is consistent with preserving the natural streambed of the stream. It has the support of environmentalists; and I would ask your favorable support."

Speaker Telcser: "The Gentleman from Lake, Representative Griesheimer."

Griesheimer: "Mr. Speaker, will the Sponsor yield to a question?"

Speaker Telcser: "He indicates that he will."

Griesheimer: "Mr. Beaupre, I'm going to ask whether you have any mandatory provisions in here with regard to reporting. And the reason I ask for this is that you might recall that last year we had a similar Bill with an appropriation of approximately twice this amount of money to the same division, Water Resource Management of the Department of Transportation, for the study of the lake-front erosion problem in Lake Michigan. Much to my surprise, after the Governor signed this Bill, the Department of Water Resource Management never bothered to call upon the Governor for the issuance and release of the money; and a full four and a half months later told me that they were still thinking about getting the money but had never bothered to obtain it from the Governor. Meanwhile, the water erosion problem in Lake Michigan is getting worse, and worse and worse. And so far as I'm able to tell, and I believe Representative Lundy has also contacted the Department of Water Resource Management, they're still sitting back trying to figure out who's going to conduct this study. And I think that if we're going to have these studies and give this money to the Division of Water Resource Management, we'd better build into the Bill mandatory reporting so that we have the information that we're paying for."

Beaupre: "Well, Mr. Griesheimer, I would assure you that those of us



who are interested in this Bill and Representatives from this district on both sides of this aisle that is involved in the study of this river will make very sure that there is some sort of reporting. I don't know what the . . . the Bill makes no mention of employees or how the Department of Transportation is to conduct the study. We are in the process of looking into some rather new approaches to doing this sort of thing. And all I can say at this point is that we will monitor very closely the activities of the department and see that the money that's spent as a result of this appropriation's Bill is done so for and the purpose that we intend to accomplish."

Speaker Telcser: "Further discussion? Do you wish to close the debate, Sir? The Gentleman from Kankakee, Representative Beaupre, to close."

Beaupre: "I would merely ask for your favorable support of this measure."

Speaker Telcser: "The question is, shall House Bill 2204 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the Record. On this question there are 117 'ayes', no 'nays', 2 answering 'present'; and this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2218. Do you want . . ."

Clerk Selcke: "House Bill 2218 . . . this Bill has been read a second time. It has no Committee Amendments; but there's one floor Amendment."

Speaker Telcser: ". . . Okay, one floor Amendment."

Clerk Selcke: "Amendment #1, Choate, amends House Bill 2218 on . . ."

Speaker Telcser: "The Gentleman from LaSalle, Representative Fennessey."

Fennessey: "Mr. Speaker and Members of the House, House Bill 2218 is the downstate Demonstration Transportation Project; and this Amendment makes this Bill conform with Amendment . . . makes this Bill conform with the Amendment I placed on Speaker Blair's downstate Transportation Project yesterday. And I move for the adoption of the Amendment."

Speaker Telcser: "Is there any discussion? The Gentleman offers to move



the adoption of Amendment #1 to House Bill 2218. All in favor 'aye', the opposed 'no'; the Amendment's adopted. Further Amendments?"

Clerk Slecke: "No further Amendments."

Speaker Telcser: "The Bill has been read a second time. Mr. Clerk, would you read it a third time."

Clerk Selcke: "House Bill 2218, a Bill for an Act creating the Rural Transportation Assistance--Demonstration Project and so forth." Third Reading of the Bill."

Speaker Telcser: "The Gentleman from LaSalle, Representative Fennessey."

Fennessey: "Well, as I said in explaining the Amendment, this is the downstate Demonstration Project. It allows counties to set up private projects. It . . . because the federal funds have become available in the last year some \$30,000,000 of funds, \$10,000,000 for the next three years, is the reason we had to change the Bill from last year. And I ask for a favorable Roll Call."

Speaker Telcser: "The question is, shall House Bill 2218 pass? Those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the Record. On this question there are 126 'ayes', 3 'nays', 12 answering 'present'; and this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2219."

Clerk Selcke: "2219 is next."

Speaker Telcser: "Yeah, I said that, 2219."

Clerk Selcke: "Oh, I didn't, I'm sorry, I didn't hear you. House Bill 2219; this Bill has been read a second time, it has no Amendments."

Speaker Telcser: "Read it a third time, Mr. Clerk."

Clerk Selcke: "House Bill 2219, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from LaSalle, Representative Fennessey. 2219."

Fennessey: "Mr. Speaker and Members of the House, this is . . . allows counties to lease school buses for the downstate Demonstration Transportation Project. It doesn't mandate the school district to



lease them; but if they're available and would want to lease them to the counties, they may. That's all the Bill does."

Speaker Telcser: "Any discussion? The question is, shall House Bill 2219 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Take the Record. On this question there are 118 'ayes', 4 'nays', 7 answering 'present' . . . Maragos 'aye' . . . this Bill having received the constitutional majority is, hereby, declared passed."

Clerk Selcke: "House Bill . . ."

Speaker Telcser: "Committee Reports."

Clerk Selcke: ". . . Committee Reports. Mr. North from Cities and Villages to which Senate Bill 1612 was referred. Reported the same back with the recommendation the Bill be passed. Mr. Neff from Transportation to which Senate Bills 1493, 1494 and 1495 were referred. Reported the same back with the recommendation the Bills do pass. Mr. Bluthardt from Elections to which House Bill 2837 was referred. Reported the same back with Amendments, thereto, with the recommendation the Amendments be adopted and the Bill as amended do pass. Mr. Bluthardt from Elections to which Senate Bill 1291 was referred. Reported the same back with the recommendation the Bill do pass. Mr. Bluthardt from Elections to which Senate Bill 1641 was referred. Reported the same back with Amendments, thereto, with the recommendation the Amendments be adopted and the Bill as adopted do pass. Mr. Bluthardt from Elections to which House Resolution 910 was referred. Reported the same back with the recommendation that the Resolution as amended be adopted."

Speaker Telcser: "Messages from the Senate."

Clerk Selcke: "A message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House of Representatives in the passage of the Bill of the following title, House Bill #2826, together with the following Amendments, thereto, in the adoption of which I'm instructed to ask concurrence of the House. It passed the Senate as amended June 18, 1974; Edward E. Fernandes, Secretary."



Speaker Telcser: "The Gentleman from Cook, Representative Getty."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House, I move that the House does not concur in the Senate Amendment to House Bill 2826."

Speaker Telcser: "Is there any discussion? The Gentleman from Will, Speaker Blair. The Gentleman has already moved to nonconcur, Speaker Blair."

Speaker Blair: "Did Mr. Getty move to nonconcur?"

Speaker Telcser: "Yes, he did, Sir."

Speaker Blair: "All right. If I could have your attention for a moment, this is with respect to this drug Bill that Mr. Getty had up in here yesterday or the day before. And the Senate has put an Amendment on the Bill, which is a preemption Amendment with respect to this money. Now, I think that there is considerable merit to the Senate's position with respect to the Amendment that the Senate put on; but rather than get that point into an argument tonight, and in order to expedite the resolving of it, what I'm going to suggest is that we go along with the motion to nonconcur so that the Senate will end up refusing to recede and we can get this matter into a Conference Committee as quickly as possible."

Speaker Telcser: "Further discussion? The Gentleman moves the House do not concur with Senate Amendment . . . what Bill is that, Fred? . . . the Gentleman moves the House do not concur with Senate Amendment #1 to House Bill 2826. All in favor signify by saying 'aye', the opposed 'no'; the House does not concur with Senate Amendment #1. Introduction to First Reading."

Clerk Selcke: ". . . Bill 2889, Soderstrom et al, appropriates \$7,500 to the Illinois Mississippi Canal and Sinnissippi Lake Commission. First Reading of the Bill. House Bill 2890, Soderstrom et al, creates the Illinois Mississippi Canal and Sinnissippi Lake Commission. First Reading of the Bill. House Bill 2891, Calvo et al, amends an Act relating to attorneys, general and state's attorneys, and so forth. First Reading of the Bill. House Bill 2892, Lechowicz et al, makes an appropriation to the Board of Trustees to the University of Illinois. First Reading of the



Bill."

Speaker Telcser: "Representative Calvo, for what purpose do you arise, Sir?"

Calvo: "Mr. Speaker, in connection with House Bill 2891, which was just ready, first time I talked to Speaker Blair and to the Minority Leader; and I don't believe there's any objection. I would like to move that Bill be placed on the order of Second Reading without reference to Committee."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh."  
Walsh, W.: "What is that Bill number?"

Speaker Telcser: "2891. Representative Richard Walsh, for what purpose do you arise, Sir?"

Walsh, R.: "Well, apparently the Gentleman is introducing a Bill now and is moving to advance it the Bill to Second Reading without reference to a Committee?"

Speaker Telcser: "That's correct, Sir."

Walsh, R.: "Well, I wonder if the Gentleman would once again explain the Bill."

Calvo: "Mr. Walsh, this Bill amends Chapter 14, paragraph 4, the Attorney General's Act, by providing that in the event the Attorney General in representing a state officer . . . a state officer; and it appears that the interests of the state are not being properly taken care of through the directions of the officer that is being represented, that those directions are not being followed, that state officer may then notify the Attorney General and five days after such notice may retain counsel who shall be deemed to be a special assistant Attorney General."

Walsh, R.: "And the cost of retaining this private counsel would be born by the state?"

Calvo: "Well, I assume it would, Sir, if that circumstance arose because it is part of Chapter 14, which provides for the furnishing of an attorney by the Attorney General."

Walsh, R.: "I would object."

Speaker Telcser: "The Gentleman has objected, Sir. Do you wish to put a motion to try to get 107 votes?"



Calvo: "No."

Speaker Telcser: "No? Okay. The Gentleman from Cook, Representative Bill Mahar, with respect to an agreed motion."

Mahar: "Mr. Speaker, I move to suspend Rule 67 to have Senate Bill 1237 taken from the Committee on Cities and Villages and placed on Second Reading. I've check on . . . am I on? . . . I've checked on both sides of the aisle . . ."

Speaker Telcser: "Calvo did put his motion . . ."

Mahar: ". . . the Committee Chairman doesn't object. I move for adoption."

Speaker Telcser: ". . . The Gentleman has moved to take Senate Bill 1237 . . . nothing, the Gentleman did not persist in his motion . . . is there leave to use the attendance Roll Call as the affirmative vote for the Gentleman's motion? Hearing no objections, the attendance Roll Call will serve as the affirmative vote for Representative Mahar's motion to discharge Committee with respect to Senate Bill 1237. The Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, it would seem to me that for the Record, the Sponsor should describe the Bill."

Speaker Telcser: "1237."

Mahar: "Am I on? Gene, you want a description of the Bill? This is a Bill . . ."

Schlickman: "I'm simply suggesting that . . . the Bill be described before we vote on your motion."

Mahar: ". . . this is a Bill that allows the . . . a portion of the Village of Madison to be in the Metropolitan Sanitary District. It's an Agreed Bill; it's a Bill . . . it's a routine procedure."

Speaker Telcser: "Okay, we've received leave to use the attendance Roll Call for the Gentleman's motion. Okay. Any . . . the Gentleman from Peoria, Representative Schraeder."

Schraeder: "Mr. Speaker, I have consent from both sides of the aisle and the Chairman of the Executive Committee to finish hearing House Resolution 894, which was inadvertently not posted, and I ask leave of the House to have it heard without being posted again."



Speaker Blair: "All right, would you restate your motion, Mr. Schraeder?"

Schraeder: "House Resolution 894 was partially heard in Executive and put over and it was not posted for . . . to be . . . finished in hearing; and I have permission from both sides of the aisle and the Chairman of the Commission to have it heard without having it posted again. And I'd like leave . . ."

Speaker Blair: "All right, is the Gentleman moving to suspend the appropriate rules so that House Resolution 894 may be heard in Executive Committee on Thursday morning? Is there leave to use the attendance Roll Call? Yeah, Rule 18. All right, leave then; and that may be posted. Mr. Calvo."

Calvo: "Mr. Speaker, I wonder if Mr. Walsh would object if House Bill 2891, have leave to have it posted in the Executive for a hearing Thursday."

Walsh, R.: "Well, I think the Bill should be introduced and follow the course that all other Bills do, Mr. Speaker."

Calvo: "You won't waive the provisions of the posting?"

Walsh, R.: "I don't see any reason why this Bill should be given any treatment other than that which has been accorded other Bills."

Calvo: "Well, Mr. Speaker, then I think under those circumstances, since we've been waiving the rules relative to posting now for about three weeks, I would like to have a vote of the House as to having this Bill heard in Executive Thursday."

Speaker Blair: ". . . Well, what is the motion now?"

Calvo: "The motion . . . I asked for leave, Mr. Speaker, to have the Bill heard in Executive Thursday; and, apparently, there was an objection to that."

Speaker Blair: "All right, well, wait a minute, we're back . . . that motion really goes to taking the job of the assignment of Bills in Committee. And in essence would be forcing the Committee to do that. The Rules Committee will be meeting on . . . when, Thursday, Mr. Walsh? . . . tomorrow, Wednesday? . . . you should address yourself to the emergency nature of that proposal before the





House Rules Committee tomorrow when it's considering other measures if Mr. Walsh is agreeable to taking it up."

Calvo: "Fine, fine, that'll be fine, Mr. Speaker."

Speaker Blair: "All right. Now, on Senate Bills, First Reading, read those . . . those who were picked up by Mr. William Walsh."

Clerk Selcke: "Senate Bill 1633, an Act to amend the Civil Administrative Code of Illinois. First Reading of the Bill. Senate Bill 1640, an Act in relation to transcript of debates of the General Assembly. First Reading of the Bill."

Speaker Blair: "Well, Mr. Walsh, on those Bills . . . right, they've been assigned now by the Committee to Executive; and you want to have leave on those so that they can be set for this hearing. Mr. Walsh? I say you want to have . . . on those two Bills . . ."

Walsh, W.: "Yes, Mr. Speaker, I wanted . . . I'm afraid it's kind of an inappropriate time in view of what this fellow in front of me just did. I wanted to suspend the provisions of Rule . . . the applicable rule so that House Bill . . . or Senate Bills 1633, 1640 and also Senate Bill 1235, a House Sponsor of which is Representative Schoeberlein, to be heard in the Executive Committee at their Thursday meeting."

Speaker Blair: "Mr. Choate."

Walsh, W.: "I think I made a mistake . . ."

Choate: "Did I understand the Majority Leader to ask for certain Bills to be heard in Executive on Thursday?"

Walsh, W.: "That's correct. These matters have been cleared with the . . ."

Choate: "Well, have these Bills . . . are they in about the same status that Representative Calvo's Bills were in?"

Walsh, W.: ". . . Mr. Speaker, there's seem to be a case of mistaken identity."

Choate: "Incidentally, you're right; but I notice your brother is listening."

Walsh, W.: "No, he isn't . . ."

Speaker Blair: "Well, I suggest that since that . . . that's really not meeting until Thursday."



Walsh, W.: "Thursday, the . . ."

Speaker Blair: "Well, why don't we clear the air on that on. We can do that one tomorrow. Take those two out of the Record and now, Mr. McMaster's."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, I would ask for permission of the House to suspend the appropriate rule to hear Senate Bill 1314 in Counties and Townships tomorrow morning. And we are meeting tomorrow, not Thursday."

Speaker Blair: "All right, is there . . . Mr. Choate."

Choate: "Would you tell me what the Billis, Representative McMaster."

McMaster: "Representative Choate, the Bill is concerned with township revenue sharing funds that is an attempt to clear up the Senate . . . House Bill 739, which we passed last Session, was signed into law by the Governor and was considered to be unconstitutional by the Attorney General and federal revenue sharing people. Senate Bill 1314 is an attempt to clear this up and make it constitutional. The Bill has been assigned to Counties and Townships Committee as of yesterday, I believe; and we did not have the opportunity to post it. I would like to hear it in Committee. The merits of the Bill can be considered there or they can be considered on the floor."

Speaker Blair: "Mr. Yourell."

Yourell: "Yes, thank you, Mr. Speaker. I object to this because this is a Bill of some substance and I think that it should be given the proper treatment. There are many areas that . . . in this Bill will expand the powers of townships far and beyond what they are now statutorily. We're talking about expanding the provisions of the statutes that will provide the townships to be given the consideration to spend money in areas where they heretofore have not been able to spend them. So I think this is a matter of some important, it's a matter of some substance; and I would like to object to that."

Speaker Blair: "Mr. McMaster."

McMaster: "Representative Yourell, I do not deny the fact that it is a matter of substance, this is why I feel it should be heard in



Committee, Buz. We're not moving for Second or anything like that. We will have ample opportunity to discuss it at that time; and if we pass it out on the floor. I'm not objecting to a full discussion of this legislation. I think we should have it."

Speaker Blair: "Mr. Yourell."

Yourell: "Mr. Speaker, I certainly agree with the Chairman of the Committee; but I think on this short notice with a Bill of this importance and substance, it should have the opportunity for witnesses to appear in Committee to talk to us and tell us their ideas about this legislation. We certainly can't get witnesses down here tomorrow. We don't have time. I think if it's a matter of that import, as the Chairman suggests, then all considerations should be given to the substantive matter of the Bill so that we can get witnesses down here."

McMaster: "Well, Buz, I don't if we're even going to have another Committee meeting or not, time is getting short. Let's hear it in Committee and hassle it around there, Buz."

Speaker Blair: "Well, we're at the point where you've asked for leave . . . leave has not been given. Do you want to persist in your motion to suspend the provisions of Rule 18?"

McMaster: "Well, Mr. Speaker, as far . . . I don't know if there's enough people on the floor to procure the necessary votes. I don't know when we can hear it and have sufficient time to action on the Bill if we don't hear it tomorrow."

Speaker Blair: "Well, I understand your problem, but I just have one vote."

McMaster: "Buz, I would ask you to remove your objection. I'd like to hear it. And I don't know whether we can otherwise. Representative Yourell."

Yourell: "Mr. Speaker, I don't want to be arbitrary about this thing; but I am convinced that this is a matter of great importance. And I was just advised of the matter this morning. You told me yesterday that somebody would contact me relative to this Bill yesterday. Nobody did. Just about two hours ago, Dave came over and handed me a fact sheet on the Bill. Now, I had a call from



Senator Nimrod about 1 o'clock this afternoon. This is not a Bill that has suddenly become live again. This is a matter that's been kicking around, not only in the Senate, but in the House two years ago. And, certainly, if there was an attempt to made at an earlier date to provide us with the information, we would've probably agreed to do this; but it's a day late. And I think I shall sustain my objection."

McMaster: "Well, Buz, as you know, we had a similar Bill in the House to do the same thing. It got hung up in the Rules Committee over misinterpretation of the rules. This is the reason we could not consider it earlier. This is why it came over from the Senate. And I do apologize if the people did not talk to you yesterday. They told me they were going to; and beyond that, I don't know. But let's try the vote, see if we've got the votes. I don't think we have."

Speaker Blair: "Mr. Yourell."

Yourell: "Yes, I withdraw my . . ."

Speaker Blair: "All right, the Gentleman, Mr. McMaster's, persisted, and objected and withdrew. And leave's been given to use the attendance Roll Call to suspend provisions of Rule 18 so that Senate Bill 1235, is that . . . 1314 may be heard in the Counties and Townships Committee tomorrow. Is that it? Mr. Randolph."

Randolph: "Mr. Speaker, the Revenue Committee will meet immediately following the Session in D1, and there are a number of witnesses from out of the city. I'd appreciate it if all Members would be on . . . come over immediately."

Speaker Blair: "All right, any further announcements? Mr. . . . Mr. Soderstrom."

Soderstrom: "Mr. Speaker, and Ladies and Gentlemen of the House, I arise to make a motion regarding two Bills that I have introduced. They have to do with the recreation of the Illinois Mississippi Canal and Sinnissippi Lake, an appropriation of \$7,500 therefore. And I've introduced the Bills; now, I make the motion that these Bills be moved to Second Reading, Second Legislative Day."

Speaker Blair: "The Gentleman's introduced these Bills, he's asking for



leave to have them advanced to the order of Second Reading without reference. Is there objection? He's ruling to suspend the provisions of . . . all right, hearing no objections, then we'll use the attendance Roll Call to suspend the rules and the Bills will be advanced to the order of . . ."

Soderstrom: "They recreate the Smississippi Canal and the appropriation therefore it, Jack. It was an oversight that it didn't get to Appropriation's Committee; and I've talked to the Speaker, your Leadership and Bud Washburn, Appropriation's Committee; and they all say okay."

Speaker Blair: "Mr. Washburn."

Washburn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, the Appropriation's Committee will meet tomorrow morning at 8 o'clock in Room 400, 8 o'clock in Room 400; and I would like leave to hear the following two Bills in addition to those that have already been posted. And those two Bills are House Bill 2635 and House Bill 2876."

Speaker Blair: "All right, is there leave to hear those Bills? Use the attendance Roll Call to suspend the rules then. Rules' suspended, they may be heard. Mr. Collins."

Collins: "Mr. Speaker, I move the suspension of Rule 67A so the Executive Committee can be discharged from consideration of House Bill 2866. I would move that this Bill be taken from Committee and placed on the order of Second Reading, Second Legislative Day. I have cleared this with Leadership on both sides of the aisle. This Bill is the Bill that raises the total amount of bonds authorized to be issued under the Capital Development Bond Act by \$4,500,000 for the acquisition of the containerized facilities at the Chicago Regional Port District."

Speaker Blair: "Is there objection? Hearing none, then leave will be given to use the attendance Roll Call to suspend the rules. That Bill may be placed on the order of Second Reading, Second Legislative Day, yeah. Mr. Tuerk."

Tuerk: "Mr. Speaker, Industrial Affairs Committee will meet tomorrow morning at 9 a.m. in M5. This meeting has been moved up from



10 o'clock to 9 o'clock."

Speaker Blair: "All right. Mr. Duff."

Duff: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise for the purpose of making an announcement. Judiciary II will meet immediately after adjournment tonight in Room 212. We don't have a lot of Bills. We'd like to get the quorum early. I'd appreciate it if everybody would get there on time."

Speaker Blair: "All right, that is . . . we had hoped to be able to get to motions this evening; but we will get to those tomorrow. The Gentleman from DuPage, Mr. Philip."

Philip: "Mr. Speaker, if we're on announcements, I'd like to make an announcement and remind the Membership we have a House-Senate ballgame tomorrow night at Isles Park at 6 o'clock. I hope all the players will stay home tonight and not do any drinking or gambling, to get to bed early so you're in good shape. So I hope to see you tomorrow night."

Speaker Blair: "Mr. William Walsh."

Walsh, W.: "Mr. Speaker, I move to suspend the provisions of the rules relative to Bills, Resolutions and Motions expiring on the Calendar today so that they will not expire today, but are given one day more on the Calendar."

Speaker Blair: "All right, this is a standard leave to use the attendance Roll Call. No objections, we'll use that for those Bills, Resolutions and other matters that would expire today may be held over for one more day."

Walsh, W.: "Now, Mr. Speaker . . ."

Speaker Blair: "Go ahead."

Walsh, W.: ". . . now, Mr. Speaker, I move to suspend the provisions of Rule 36D relative to extending the time for House Bills in the House beyond May 25th through tomorrow."

Speaker Blair: "Is there any objections? If not, leave to use the attendance Roll Call. The Gentleman's motion prevails."

Walsh, W.: "And finally, Mr. Speaker, to announce that there will be a Rules Committee meeting tomorrow morning at 10 o'clock in Room M3; and if there's nothing more, Mr. Speaker, I move that the House



stand adjourned until the hour of 10:30 a.m. tomorrow."

Speaker Blair: "All those in favor of the Gentleman's motion to adjourn say 'aye', opposed 'no'; the Gentleman's motion prevails. The House stands adjourned until 10:30 tomorrow. First Special Session. Leave to use the attendance Roll Call of the Regular for the First Special? No objection, that will be done. The Gentleman from Cook, Mr. William Walsh, moves to adjourn the First Special Session until after the adjournment of the Regular Session tomorrow. All those in favor say 'aye', opposed 'no'; the 'ayes' have it, and the First Special Session is adjourned."



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		Speaker Blair		
		Porter	Together HB 2199 & 2200	
		Speaker Blair		
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		Shea	Please hold	
		Speaker Blair	TOOR HB 2199 & 2200	
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		Choate	Explains HB 2207	
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11		Kelly	Opposes
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17		Leinenweber	
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31		Clerk Selcke	HB 2354, Amendment #1	
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		Speaker Telcser	Amendment #1 adopted	
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32		Schlickman	Discussion	
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33		Tuerk	Discussion
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34		Schlickman	Question
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		Speaker Telcser	HB 2354 vote passed
		Clerk Selcke	HB 2366, Amendment #2
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35		Lechowicz	Amendment #2
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		Lechowiz	HB 2366 Amendment #3 explains
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37		Maragos	Question?	
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		Speaker Telcser	HB 2366 vote passed	
		Clerk Selcke	HB 2383	
		Speaker Telcser		
		Clerk Selcke	HB 2383, 3rd	
		Speaker Telcser		
		Lechowicz	Explains HB 2383	
38		Speaker Telcser	HB 2383 vote passed	
		Clerk Selcke	HB 2464, Amendment #1	
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55		Walsh, W.		
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56		Speaker Telcser		
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		Mann	'No'	
		Speaker Telcser		
		Hunsicker	'Aye'	
		Speaker Telcser		
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60		Speaker Telcser		
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		Martin	'No'	
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		Lechowicz	Question?	
61		Porter		
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63		Shea	Questions	
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64		Lechowicz		
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		Chapman	Introduction	
67		Speaker Telcser		
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68		Maragos		
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		Clerk Selcke	Amendment #1	
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71		Matijeich	Question	
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72		Matijeich	Discussion	
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73		Craig		
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74-75		Kempiners	Discussion	
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78		Speaker Blair	HB 2804 passed	
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79		Craig	Explains CA #1	
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83		Schlickman	Opposes	
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		Grotberg	To close	
		Speaker Blair	HB 2847 is lost	
		Clerk Selcke	Reads HB 2849, 3rd	
		Speaker Blair		
84		Washburn	Explains HB 2849	
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84		Lechowicz	Opposes, speaks on HB 2849	2850
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86-87		Shea	Yield?	
88		Washburn	Discussion	
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		Epton	Moves previous question	
		Speaker Blair	Previous question is moved	
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89		Speaker Blair	HB 2849 passed	
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90		Speaker Blair		HB 2850 passed
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92-93		Speaker Blair		
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94		Hanahan	Supports	
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96		Speaker Blair		
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		Speaker Blair	HB 2857 passed	
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		Craig	Explains HB 2858	
99		Speaker Blair		
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		Craig	Discussion	
		Speaker Blair	HB 2858 passed	
		Clerk Selcke	Reads HB 2868, 2nd	
		Speaker Blair		
		Lundy	Explains CA #1	
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		Walsh, R.		
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		Speaker Blair	CA #1 adopted	
		Clerk Selcke	Reads HB 2868, 3rd	
		Speaker Blair		
100-101		Lundy	Explains HB 2868	
102		Speaker Blair		
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		Speaker Blair	Introduces the Attorney General, Bill Scott	
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		Shea	Yield?	
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104		Philip	Discussion	
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105		Houlihan, J.		
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106		Gibbs		
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		Clerk Selcke	Reads Amendment #3	
107		Speaker Blair		
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108		Lechowicz	Opposes	
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109		Ewell	Yield? Opposes	
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		Maragos	Moves previous queston	
110		Speaker Blair	Previous queston moved	
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		Gibbs	Explains vote 'aye'	
		Speaker Blair		
111		Rayson	Explains vote 'aye'	
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		Cunningham	'Aye'	
		Speaker Blair	Amendment #3 fails	
		Clerk Selcke	Reads HB 2878, 3rd	
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114		Simms Speaker Blair	Supports	
115		Redmond Speaker Blair Hart Speaker Blair Houlihan, J. Speaker Blair	Supports  Supports	
116		Peters Speaker Blair Philip Speaker Blair Choate Speaker Blair	Moves previous question Previous question moved To close  Explains vote	
117		Ewell Speaker Blair Borchers Speaker Blair Philip Houlihan, J.	Explain vote 'no'  Explains vote  Verification	
118		Speaker Blair Philip Speaker Blair	Poll the absentees	



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		Speaker Balir		
		Calvo	'Present'	
		Speaker Blair		
		McGrew	'Aye'	
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		Speaker Balir		
120-121		Houlihan, J.	Questions of affirmative	
122		Speaker Blair	HB 2878 passed	
		Clerk Selcke	Reads HB 2109, 3rd	
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124		Maragos	Opposes	
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125		Gibbs	Supports	



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126		Porter	Explains 'aye' vote	
		Speaker Telcser		
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		Speaker Telcser		
127		Londrigan	Opposes	
		Speaker Telcser		
		Wolf, J.J.	Personal privilege	
		Speaker Telcser		
		Peters	Supports	
128		Speaker Telcser	HB 2567 passed	
		Fleck	Didn't want to vote	
		Speaker Telcser	HB 2751	
		Kempiners	Explains HB 2751	
		Speaker Telcser	HB 2751 passed	
129		Lundy	Explains HB 2868	
		Speaker Telcser		
		Friedland	Yield?	
		Lundy Discussion		
		Speaker Telcser		
130-131 132-133		Juckett	Yield?	
		Lundy	Discussion	
		Speaker Telcser	Bring remarks to close	
		Juckett		
		Speaker Telcser		



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134		Miller, T.	Yield?	
		Lundy		
		Speaker Telcser		
135		Berman	Supports	
		Speaker Telcser		
		Walsh, R.	Opposes	
		Speaker Telcser		
137		MCCourt	Supports	
		Speaker Telcser		
138		Lundy	To close	
		Speaker Telcser		
		McCormick	Explains vote	
		Speaker Telcser		
		LaFleur	Explains vote	
139		Speaker Telcser		
		Katz	Explains vote	
		Speaker Telcser		
		Porter	Explains vote	
		Speaker Telcser		
140		Hoffman, G.	Explains vote	
		Speaker Telcser		
		Shea	Explains vote	
141		Speaker Telcser		
		Dee		
		Speaker Telcser	HB 2868 passed	
		Clerk Selcke	Reads HB 2007, 3rd	
		Speaker Telcser		



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		Maragos	Explains HB 2007	
		Speaker Telcser		
142		Palmer	Yield?	
		Maragos	Discussion	
		Speaker Telcser		
143		Walsh, W.	Discussion	
		Maragos		
		Speaker Telcser		
		Gibbs	Yield?	
144-145		Maragos	Discussion	
		Speaker Telcser		
146		Collins	Supports	
		Speaker Telcser		
		Yourell	A suggestion	
		Speaker Telcser		
		Maragos	To close	
		Speaker Telcser		
		Juckett	'Present'	
		Speaker Telcser	HB 2007 passed	
		Clerk Selcke	Reads HB 2152, 2nd	
		Speaker Telcser		
		Dunn	Explains CA #1	
147		Speaker Telcser	CA #1 adopted	
		Clerk Selcke	Reads HB 2152, 3rd	
		Speaker Telcser		
		Dunn	Wants HB 2152 & 2153 together	
		Speaker Telcser	Leave granted	



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		Clerk Selcke	Reads HB 2153, 3rd	
		Speaker Telcser		
		Dunn	Explains HB 2152 & 2153	
148		Speaker Telcser	HB 2152 & 2153 passed	
		Clerk Selcke	Reads HB 2204, 2nd	
		Speaker Telcser		
		Beaupre	Explains Amendment #1	
		Speaker Telcser	Amendment #1 adopted, 3rd	
		Clerk Selcke	Reads HB 2204, 3rd	
		Speaker Telcser		
149		Beaupre	Explains HB 2204	
		Speaker Telcser		
		Griesheimer	Yield?	
		Beaupre		
		Speaker Telcser		
		Beaupre	To close	
		Speaker Telcser	HB 2204 passed	
		Clerk Selcke	Reads HB 2218, 2nd, Amendment #1	
		Speaker Telcser		
		Fennessey	Explains Amendment #1	
151		Speaker Telcser	Amendment #1 adopted	
		Clerk Selcke	Reads HB 2218, 3rd	
		Speaker Telcser		
152		Fennessey	Explains HB 2218	
		Speaker Telcser	HB 2218 passed	
		Clerk Selcke	Reads HB 2219, 3rd	
		Speaker Telcser		



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		Fennessey	Explains HB 2219	
		Speaker Telcser	HB 2219 passed	
		Clerk Selcke	Reads Committee reports	
		Speaker Telcser		
		Clerk Selcke	Reads messages from Senate	
153		Speaker Telcser		
		Getty	Not concur to SA #1 to HB 2826	
		Speaker Telcser		
		Blair		
		Speaker Telcser	House does not concur	
		Speaker Telcser	Introduction, 1st	
154		Clerk Selcke	Reads 1st reading Bills	
		Speaker Telcser		
		Calvo	HB 2891 placed on 2nd without reference to committee	
		Speaker Telcser		
		Walsh, W.		
		Speaker Telcser		
155		Walsh, R.	Explains again	
		Calvo	Explains bill	
		Speaker Telcser		
		Mahar	Suspend rules HB 1237	
		Speaker Telcser	Leave granted	
		Schlickman		
		Speaker Telcser		
		Mahar		
		Schlickman	Discussion	
		Speaker Telcser		



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156		Schraeder	Suspend rules HR 894	
		Speaker Telcser		
		Schraeder	Restates motion	
		Speaker Blair	Leave granted	
		Calvo		
		Walsh, R.	Disagreement	
157		Calvo	Wants vote to hear HB 2891 in Executive Committee (Thursday)	
		Speaker Blair	Wait for Rules Committee	
		Clerk Selcke	Reads Senate Bill, 1st	
		Speaker Blair		
		Walsh, W.	Bills heard in Executive	
		Speaker Blair		
158		Choate		
		Walsh, W.	Discussion	
		Speaker Blair		
		McMasters	Suspend rules for SB 1314	
		Speaker Blair		
		Choate		
		McMaster		
		Speaker Blair		
		Yourell	Objects	
		Speaker Blair		
		McMaster		
159		Speaker Blair		
		Yourell	Still objects	
		McMaster	Discussion	
		Speaker Blair		



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160		McMaster	Asks Yourell to remove objection	
		Yourell	Withdraws	
		Speaker Blair	Leave granted	
		Randolph	Announcement	
		Speaker Blair		
		Soderstrom	Motions for two Bills to go to 2nd	
161		Speaker Blair		
		Washburn	Leave suspended, announcement	
		Speaker Blair	Leave granted	
		Collins	Suspend rules for HB 2866	
		Speaker Blair	Leave granted	
162		Tuerk	Announcement	
		Speaker Blair		
		Duff	Announcement	
		Speaker Blair		
		Philip	Announcement	
		Speaker Blair		
		Walsh, W.	Suspend rules	
		Speaker Blair	Leave granted	
		Walsh, W.	Suspend further rules	
		Speaker Blair	Leave granted	
		Walsh, W.	Announcement	
163		Walsh, W.	Moves House stands adjourned	
		Speaker Blair	House stands adjourned	
		Speaker Blair	1st Special in order	
		Speaker Blair	1st Special is adjourned	

