

Speaker Redmond: "The House will come to order. It seems that many of our Members are over at the state library or down at the Reference Bureau so we'll probably have to stand at ease for 10 or 15 minutes until we get some more here. The House will come to order. The Members will be in the seats. Will the Doorkeeper make the announcement."

Doorkeeper: "All those not entitled to the floor, please go to the gallery."

Speaker Redmond: "The invocation will be by the Reverend Krueger, the House Chaplain."

Reverend Krueger: "In the name of the Father, the Son, and the Holy Ghost, Amen. I ask you Members humbly to join me in a prayer for a former Governor of this State who is undergoing an operation. Almighty God, our heavenly Father, we beseech Thee graciously to comfort Thy servant Otto in his suffering, and to bless the means made use for his cure. Fill his heart with confidence, that though he be sometime afraid, yet may he put his trust in Thee and be restored to health of body and mind, through Jesus Christ our Lord. Amen. Bless this House, O Lord, this day. Amen. For it is in giving that we receive. So runs a line from the familiar prayer of St. Francis. And so it truly is. Truth is often revealed in a paradox. Christians of many generations can testify from personal experience to the truth in the paradox, in giving... we receive. It is akin to the paradox stated by Jesus, 'He who loves his life loses it, and he who hates his life in this world will keep it for eternal life'. Or to the one by an old man, who said, 'What I have that matters is what I have given away'. Let us pray. O Almighty God, who alone can order the unruly wills and affections of simple men, grant unto Thy people they may love the things which Thou command and desire that which Thou dost promise, that so, among the sundry and manifold changes of our world, our hearts may be truly and surely there fixed, where true joys are to be found, through Jesus Christ, our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. Committee Reports."

O'Brien: "Mr. Matijevich..."

Speaker Redmond: "Representative Walsh."

Walsh: "Mr. Speaker, will the record show that Representative Waddell



is absent because of illness."

Speaker Redmond: "The Journal will so show."

O'Brien: "Mr. Matijevich from the Committee on Executive to which House Bill 60 and 99 were referred; reported the same back with the recommendation that the Bills do not pass. Mr. Matijevich from the Committee on Executive to which House Bill 81 was referred; reported the same back with Amendments thereto with the recommendation the Amendments be adopted and the Bill as amended do not pass. Mr. Matijevich from the Committee on Executive to which House Bill 309 was referred; reported the same back with the recommendation that the Bill do pass. Mr. Chapman from the Committee on Human Resources to which House Bill 280 was referred; reported the same back with Amendments thereto with the recommendation that the Amendments be adopted and the Bill as amended do pass. Mrs. Chapman from the Committee on Human Resources to which House Bill 277 and 279 were referred; reported the same back with the recommendation that the Bills do pass. Consent Calendar. Mrs. Chapman from the Committee on Human Resources to which House Bill 279 was referred; reported the same back with the recommendation that the Bill do pass."

Speaker Redmond: "Take the record on attendance. There being 131 present and 44 absent, a quorum being present. Order of business, Second Reading. I'd like to call the attention to the fact that on Senate Bills, First Reading there are a number of Bills that do not have House Sponsors. Any of the Members desire to sponsor these Bills it would be appreciated if you would so advise the Clerk. The gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, on the Calendar today Cities and Villages is marked Room C1. That's an error; it should be Room D1. For Cities and Villages, Room D1 at 2 o'clock and we have, Mr. Speaker, if the Members would listen. We have talked about a rule change that would provide the second Friday in April as the last day for filing House Bills and we've been assured by the Reference Bureau that any Bills that are requested by April 1st will be available. So I might just mention to the Members that if they want Bills that they ought to get to the Reference Bureau."

Speaker Redmond: "I have a communication from Senator Glass to the



friends of Pete Bobbett. Pete Bobbett left the Legislative Reference Bureau with over 30 years of State service including 11 years as Executive Secretary to the Bureau. To recognize Pete for his long years of dedicated public service, we are holding a legislative dinner in the Holiday Inn East, March the 12th, 1975. A cash cocktail bar at 6:30, dinner at 7:30, tickets at 10 o'clock. Just to call your attention to the fact that we do have dinner for Pete Bobbett. The order of business is Third Reading. House Bill 20. Is Representative Deuster on the floor? Take it out of the record. House Bill 47. Representative Grotberg on the floor? Take it out of the record. House Bill 50. Representative Grotberg. Take it out of the record. House Bill 91. Representative Deuster. Take it out of the record. House Bill 158. Representative Schisler. Read the Bill."

O'Brien: "House Bill 158, Schisler. A Bill for an Act to amend Sections of the Illinois Highway Code. Third Reading of the Bill."

Speaker Redmond: "Representative Schisler."

Schisler: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 158 ah... simply allows township road districts to accumulate funds. As you know, presently they have to spend each years assessment. Therefore, it makes it impossible for them to do ah... large road projects or buy equipment. I'd ask for a favorable roll call."

Speaker Redmond: "Any discussion? Representative Hart."

Hart: "I'd like to ask the Sponsor a question."

Speaker Redmond: "Indicates he'll yield."

Hart: "How many years ah... could the township accumulate ah... funds under this Bill?"

Schisler: "That ah... that wasn't spelled out in the legislation ah... I know the townships in my district ah... couldn't possibly say because the, the projects they have, they have 2, 3 years probably to buy a piece of equipment would be it."

Speaker Redmond: "Would you give the gentleman order in the House, please?"

Hart: "Well, do you know of any other place in the statutes where townships can accumulate funds for purposes like this without a referendum?"

Schisler: "I state to the gentleman that there's no ah... tax increase,



just simply that they could accumulate ah... one or two years, whatever they thought necessary to buy a large piece of equipment."

Hart: "Well, now are they... there is Amendments whereby townships can finance equipment, isn't there?"

Schisler: "Yes, I understand that's so."

Hart: "And you would assume if ah... if they had extra money ah... they wouldn't need to levy a tax or they should get permission from the voters before they begin accumulating it and ah... I think there ought to be a limit ah... first on ah... the authority of any taxing district to accumulate funds ah... and secondly, I think ah... authorities ought to be subject to a referendum ah... by the taxpayers in the township and I'm ah... I would like to know if you would hold this Bill ah... so that we could supply an Amendment ah... requiring ah... a referendum by the taxpayers before ah... this kind of action is undertaken."

Schisler: "No, I ah... don't wish to hold this Bill."

Hart: "Well, Mr. Speaker, I'd like to speak on the Bill then."

Speaker Redmond: "Proceed."

Hart: "This Bill ah... Ladies and Gentlemen of the House, I believe provides a very bad concept in the terms of financing of local governments. There are presently adequate means ah... for townships or other local taxing districts to borrow funds if they want to undergo a project such as buying equipment or building a building which require funds for more than one year. However, I think that the concept of the Sponsor of this Bill has ah... tried to introduce into the law in Illinois through this method ah... completely fails in the type of accountability in government that we should continue to be for. I do not believe that there should be the policy of the General Assembly of the State of Illinois to allow townships to accumulate funds ah... indefinitely without ah... any ah... reference to the voters of the particular taxing district involved. We have other places in the statutes whereby funds can be accumulated by local governments, but as far as I remember, there is always the requirement that there be a referendum in connection with accumulation and it's a general rule ah... if not a statutory rule that we do not appreciate an accumulation of funds for more than two



years. So if the township or other taxing districts has more money than it needs, it should ah... it should either return it to the taxpayers in a way of reducing the request for appropriations in the following or it should ask the voters for authority to ah... hold this money for a specific purpose, but I think this Bill goes much too far. It's too broad in its concept; it's too vague in the, in the way that ah... the taxing authorities are accountable to their taxing ah... district voters and I believe that in the present status this Bill should be defeated. I would ask the Members of the General Assembly to ah... not vote for this Bill in its present form so that we could have the Bill brought back ah... for the purpose of introducing an Amendment ah... authorizing this only through a local referendum. Thank you very much."

Speaker Redmond: "The gentlemen from DuPage, Representative Hudson."

Hudson: "Would the ah... Speaker respond to a question or two?"

Speaker Redmond: "Speaker won't, but the Sponsor will."

Hudson: "Thank you, Mr. Speaker."

Speaker Redmond: "Representative Schisler. Representative Schisler.

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

Speaker Redmond: "The question has been propounded or desires to propound a question. Representative Hudson, will you yield?"

Hudson: "Cale, I would have a question on ah... In looking at the Bill, the latter portion of it, it says, 'it shall not be a valid objection to any subsequent tax levy made under this Section that there remains unexpended money arising the levy of a prior year because of the accumulation permitted by this Section, etc., etc.'. Does that mean that regardless ah... of the financial state in which a township might find itself, even if it has unexpended funds, it seemingly has enough to ah... finance these projects, but that would not be an objection to an increased tax levy. Is that what the Bill means in part?"

Schisler: "Well the purpose of it is to accumulate funds ah... I... Because of the noise level in here I couldn't hear all of the question, but it seems to me that ah... they're not going to accumulate unless it's necessary and they'd be voted out of office if they accumulated ah... astronomical amount of money and ah... another thing.



I think you are familiar with township government which I'm sure the distinguished gentleman is that ah... they're under very close scrutiny."

Hudson: "Well, I know that and I'm a supporter of township government, I most certainly am, but I also know that in our own township, we're in a situation now where there are actually monies that are not expended and they're casting about for ah... ways and means to spend some of this money and I would, I would be inclined to have reservations about a measure that would permit ah... perhaps covert ah... accumulation of, of more and more money. Now maybe I misunderstand the thrust of the Bill and I know the purpose, apparently, the purpose is to build up and accumulation of funds."

Schisler: "I would say to the gentlemen that this for specific purposes. They have to ah... for equipment or bridge. I have ah... district, road districts in my counties that ah... do not have more than \$700 annually to spend and so ah... I would say to the gentleman that he can see that it's necessary that they ah... accumulate money in order to... I have one township in my district where they have an M tractor with a blade on it as a road maintainer. They need to ah... accumulate money to buy a better piece of equipment."

Hudson: "Well, thank you, Gale. You've answered my questions."

Schisler: "Thank you."

Speaker Redmond: "The gentleman from Knox, Representative McMaster. McMaster. Proceed."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, if I can speak for a moment on this Bill, I think that the problem, er... one of the questions Representative Hart asked is there any means of a township to accumulate money now. Yes, in the bridge fund they can accumulate money, Dick. This is the only fund which, in which they specifically have that right, I believe. We do know that ah... township road districts, as they are called, over the years are, by law, I suppose, are required to expend all of their funds. They should end up with a zero balance at the end of the fiscal year and ah... then levy for the money they need in the next coming year. We like in our downstate townships, at least, to accumulate a little money to have a little balance. I know during the time I was township



supervisor for 10 years, I never expended any funds fully. I tried to maintain some balance in which to operate from the end of our fiscal year, at least, to the time when we would be getting tax money from the County Treasurer. In this day and age when road equipment, for instance, has gotten so high priced, there is no way you can have an appropriation each year that would provide you the funds to pay for that equipment. Therefore, I think you need the right to accumulate because if you do not have that right ah... your various utilities, railroads, for instance, come in and object to the township appropriation and ah... pay their taxes under protest and the township does not have access to that money that was paid under protest. For that reason, I think that this is a good Bill. Dick, I don't mind your suggestion of a referendum to accumulate. I have no problem with that, but somewhere's along the line, I think the township must have the right to accumulate funds for the purpose stated within the Bill."

Speaker Redmond: "The gentleman from Henderson, Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I ah... personally feel that House Bill 158 is a good Bill. It's something that we've needed for quite some time and with the time of inflation that we have here now is needed much more. There's many of these small roads, ah... townships that do any kind of a job on a road and so forth. It may cost ten to twelve thousand dollars to do this job and sometimes they have to put it off for ten or twelve years and the only way they're going to get this job done is to be able to accumulate this money. I think that these people that are in charge of this are elected by the people. If the people don't like the way they're handling it, why they could certainly vote them out of office. I think they're subject to the will of the people, probably as close as anybody we have to township government and, therefore, I think this Bill is needed by these particular small townships and I wholeheartedly support it."

Speaker Redmond: "Any further discussion? Representative Schlickman."

Schlickman: "Would the Speaker yield for a couple, er... would the Sponsor yield for a couple questions? Could the Sponsor advise me as to what the language is on page 3, line 35 of the Bill."



Schisler: "I would have to say to the gentleman, I'm a little bit embarrassed. I came over without a copy of the Bill."

Schlickman: "Well, I have a copy in my Bill book is not legible and I would like to know what that language is."

Schisler: "Well, my Bill book is loose leaf."

Schlickman: "Mr. Speaker, could we have the Clerk..."

Schisler: "I have a copy of the Bill now and would the gentleman restate his question."

Schlickman: "Sure, on line, on page 3, line 35, it's the last line on that page."

Schisler: "Would you read it to me. Our Bill is not clear. It's not clear."

Schlickman: "Could we have the Clerk, Mr. Speaker, read that line?"

Speaker Redmond: "Will the Clerk read the line please."

O'Brien: "Any road district may accumulate funds for the purpose of, underlined."

Schlickman: "Thank you. Representative, is this authority to accumulate funds for the construction of capital improvements and the acquisition of lands subject to the annual meeting of the electors or to a referendum?"

Schisler: "No, I don't think it is, but ah... I would say to the gentleman that they do have an annual ah... town meeting and ah... I'm sure that ah... any good road commissioner to take this up with the township officials."

Schlickman: "Well, Mr. Speaker and Members of the House, I've always been of the school of thought that funds for the acquisition of land and more particularly, for the construction of capital improvements ah... is a matter of public policy and one that should be subject to referendum and as a consequence feel very uncomfortable about this Bill and as a consequence am going to vote 'no'."

Speaker Redmond: "The gentleman from Cook, Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Would the gentleman answer several questions on this Bill? Representative Schisler, does this House Bill 158 only affect the commission counties where ah... road districts are ah... assume the obligations, the responsibilities of ah... what we in the ah... other township counties ah... refer to



as the ah... road commissioner?"

Schisler: "I'm referring to a road commissioner."

Yourell: "But this only affects downstate townships where the road districts are in authority, is that right?"

Schisler: "I think that's correct."

Yourell: "So this doesn't affect Cook County. Now can I ask you another question. Is there any Federal Revenue Sharing Funds ah... available for ah... the purpose which you describe as being necessary for the passage of this Bill for the construction buildings, machinery, equipment and so forth?"

Schisler: "Not to my knowledge."

Yourell: "Don't you get in the townships downstate, Federal Revenue Sharing Funds?"

Schisler: "I'm sure they do get ah... some, but ah... hasn't helped any of my townships and that's why I introduced this Bill."

Yourell: "Well, I rise ah... to speak in opposition to this Bill, certainly not because ah... my good friend and certainly capable legislator, Gale Schisler, has proposed it because that's not the reason, but I think the same responsibility and authorization for what you're trying to do can be found in Section 6-508 of the statutes which provide for a separate equipment and building tax for the purpose that you're ah... presenting House Bill 158. So what, in effect we're doing with this Bill, is ah... providing 2 taxes, providing 2 taxes to provide the same performance for the road districts ah... and I don't think that ah... we need that. You can do that in the Section that I quoted under the general levy and ah... equipment, building. So I would really, really, Gale, ask you to hold this until we can search out ah... the possibility under ah... the Section that I quoted in the statutes that you do already have the authority to do this and I would like a clearer answer if we could possibly get it on whether general, er... Federal Revenue Sharing Funds are used, can be used or allocated for this purpose so that we don't want to have another tax on tax on top of the general levy that you already can make for the purpose you seek in the Bill. So I would ask you to ah..., to hold this Bill til everybody can take a good look at it and ah... get the questions answered that have been put forth."



Speaker Redmond: "Representative Schisler."

Schisler: "Mr. Speaker, I would say to the gentleman that both of the ah... revenue sharing and the ah... and the other ah... method he mentioned are so small that ah... it really doesn't amount to anything and that's why that we need ah... accumulate the money."

Speaker Redmond: "Any further discussion? Representative Maragos."

Maragos: Mr. Speaker, was that the closing arguments by Representative Schisler?"

Speaker Redmond: "I think he was responding to Representative Yourell."

Maragos: "Oh, at this time, Mr. Speaker, I move that the... I move the previous question."

Speaker Redmond: "The previous question has been moved. All those in favor indicate by saying 'aye'; opposed 'no'. The 'ayes' have it. The gentleman may close."

Schisler: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think that ah... people are ah... thinking wrong about this Bill. I understand that park districts have this authority at the present time and I would also say to the ah... one distinguished gentleman that the ah... if you borrow money for equipment, then you're going to have to pay interest on that money and ah... therefore, the people are going to be ah... it's going to be an additional tax increase on the people and that's what I'm trying to avoid. It's just a simple matter of accumulating money on equipment and this Bill did pass out of Committee, 17 to nothing and as I said before, the ah... road commissioners ah... as we call them at home, their budget is scrutinized annually at the township meetings and I would ask for a favorable roll call."

Speaker Redmond: "The question is shall House Bill 158 pass. All in favor signify by voting 'aye'; those opposed 'nay'. Take a vote. Representative Palmer, for what purpose do you rise?"

Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, I think is an excellent Bill. The accumulation principle has been and is enunciated in several portions of the governmental bodies of the statutes concerning governmental bodies. If you take downstate road districts, they are pretty direly in dire straights for money to build or repair or build buildings or repair roads and this principle here that ah...



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Representative Schisler has embodied in this Bill only provides a way that they can do it. If, for one, they could not construct a road obviously or could not erect a building, a road district building or perhaps even buy equipment with the limitations on their tax levies. All this Bill does then is provide that the road district commissioner or actually the board of auditors of that township or the commissioners of a road district county ah... could accumulate these funds and I think it's good legislation. I think it's a good principle that has enunciated, has been enunciated here to serve a very good purpose and I might say to you this, that unless some of these downstate road districts get this kind of money, they're going to keep travelling on bad roads. What Representative Schisler's Bill, what he seeks to do here is provide a means by which this can be done. In each case the board of auditors have the right to finalize the appropriation submitted by the road district commissioner. So it is reviewed; there is no unilateral right on his part. It's a vote and I think everybody should vote for it."

Speaker Redmond: "Does the gentleman from Vermilion, Representative Craig, seek recognition."

Craig: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this Bill was previously stated the downstate road commissioners and the road districts are in a great financial need and I personally feel this is ah... good legislation to let this money accumulate so they can accomplish some things that they need to do. I think the only ones that objected maybe some, it gives ah... someone that wants to take it to court for a tax objection to have one when they are accumulating this money to spend because they'll make tax objections and I think all of us know probably one area where they will do that and then this can be prohibited then from letting this money accumulate, but I think the downstate road districts that I'm associated with need this advantage and I'm going to support the Bill."

Speaker Redmond: "Representative Hart, do you seek recognition?"

Hart: "Thank you very much, Mr. Speaker. Briefly, in explaining my vote the concept isn't good, but I don't think it isn't terrible. But all we want to do ah... is to ask the Sponsor to put a referendum on this. If the people in the local road districts want to vote



for it, fine, but if they want to vote against it, that's their prerogative, but it shouldn't be the policy of the General Assembly to come up here and provide for unlimited accumulation of funds by local taxing district for any purpose without specific referendum by the people. All we're asking is they say.... they go to the people and say they want this much money for this purpose, and we're going to take this much time to get their money. We'd like to have your authority. Then if the local people say yes, fine. If they say no, then they've got their directions. But for us to set policy like this, providing for no accountability in government by these local taxing districts is wrong. And I ask the Members of this Body to hold off their votes on this Bill, until we can have..... so that it will not pass and so we can discuss it further with the Sponsor to see if he would take it back to Second Reading for the purpose of attaching a referendum amendment to it, so that it would be subject to local referendum, and I think then we would have a Bill that we could live with."

Speaker Redmond: "Representative Schisler demand recognition?"

Schisler: "Mr. Speaker and Ladies and Gentlemen of the House, ah..... I will honor the gentleman's request and not wanting to belabor the fact, I want to ask permission of the House to take this out of the Record at this time."

Speaker Redmond: "I've been advised it's too late to take it out of the Record. You can Postpone Consideration if that's your desire. Representative Schisler."

Schisler: "I would ask to Postpone Consideration at this time."

Speaker Redmond: "You know, many of the detractors of the House of Representatives suggest that the House is too large and they point to the confusion and the turmoil to backup their remarks, and if any of you were up here, you would have to concur, and I would earnestly request that we keep the noise level within reasonable limitations as we take our seats and don't stand in the aisle, so that we can conduct our business. I hear some applause, is there more applause? House Bill 186. Representative Leinenweber."

Jack O'Brien: "House Bill 186."



Speaker Redmond: "I guess he's not here ah..... 190 the same. 192. Representative Miller. Read the Bill."

Jack O'Brien: "House Bill 192. Miller. A Bill for an Act to amend Sections of the Illinois National Guard's Naval Military Compensation Act. Third Reading of the Bill."

Miller: Thank you, Mr. Speaker....."

Speaker Redmond: "Representative Miller."

Miller: "Members of the House, House Bill 192 increases from \$10,000 to \$20,000 the death benefit paid by the State of Illinois to National Guardsmen killed in the line of duty. That is, paid to the surviving family National Guardsmen killed in the line of duty. If you recall, last year we passed a Bill increasing the death benefits for policemen and firemen who were killed in the line of duty and it was later called to my attention that we over-looked the National Guardsmen. Since this program was adopted in 1971, there have been two claims filed. I earnestly ask for your favorable vote on House Bill 192."

Speaker Redmond: "Any discussion? Representative Schlickman."

Schlickman: "Would the Sponsor yield to a couple of questions?"

Speaker Redmond: "He indicates he will."

Schlickman: "How long ago was it that the last increase was made? At what time did we reach the \$10,000 level."

Miller: "It is my understanding, Representative, that the program was ah..... adopted in 1971 for the National Guardsmen for the first time."

Schlickman: "At the rate of \$10,000."

Miller: "That is correct."

Schlickman: "So we're increasing it by 100 percent after a four year period. Is that correct."

Miller: "Ah..... that is correct. Ah.... to match up, Gene, with the provisions that we presently have for death benefits for policemen and firemen killed in the line of duty. Their program is adopted in 1969 and there have been quite a number of claims in that category. All I'm endeavoring to do here is to match the provision for a \$20,000 death benefit for National Guardsmen to that of policemen and firemen. After all, all three categories are serving the public's needs."



Schlickman: "The \$10,000 will be appropriated from the General Revenue Fund?"

Miller: "I believe it is. It's a program that is administered by the Attorney General of the State of Illinois."

Schlickman: "How much do you estimate this will cost annually?"

Miller: "Gene, it's difficult to measure ah.... the only thing that I can ah..... call to your attention is that since 1971, there have been two claims filed. One National Guardsmen was killed in an airplane accident and the second was, I believe, involved in a vehicle accident."

Schlickman: "Thank you."

Speaker Redmond: "Any further discussion? Gentleman may close."

Miller: "Thank you, Mr. Speaker. I ask for the favorable support of all the Members of the House."

Speaker Redmond: "Question is, shall House Bill 192 pass? All in favor, will signify by voting 'aye'. All opposed by voting 'no'. Take the Record. On this question, there are 119 'ayes', 1 'no'. This question having received the Constitutional Majority, is hereby declared passed. Representative Davis, Representative Caldwell, Representative Washington vote 'aye'. Fennessey and Barnes, and Craig, VonBoeckman, Barnes, all vote 'aye'. Houlihan, Byer, Londrigan, Mudd, Lucco, Geo-Karis..... I think maybe we better take another roll call. Take another roll call. All in favor, vote 'aye'. Opposed 'no'. Have all voted who wished? Clerk will take the Record. On this question, there are 149 'ayes', no 'nays', and the Bill having received a Constitutional Majority, is hereby declared passed. House Bill 278. Gentleman from Cook..... Read the Bill first."

Jack O'Brien: "House Bill 278. Jaffe. A Bill for an Act to prohibit the exclusion of coverage for the treatment of injuries resulting from rape. Third Reading of the Bill."

Speaker Redmond: "Gentleman from Cook, Representative Jaffe."

Jaffe: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill is a work product of the Rape Study Committee. It's the first one that comes to the Floor. Basically what it does is exactly what the summary says it does. It prohibits the exclusion of coverage for treatment of injuries resulting from rape in accident and health insurance



policies and a hospital service plan. This Bill has been agreed to by the Department of Insurance. It's also been agreed to by the insurance companies. I don't know of any opposition to it and I would appreciate a favorable vote."

Speaker Redmond: "Any discussion? Anybody seek recognition. The question is, shall House Bill 278 pass? All in favor, signify by voting 'aye', opposed 'no'. Have all voted who wished? Take the Record. On this question, there are 148 'ayes', no 'nays'. The Bill having received the Constitutional Majority is hereby declared passed. Representative Brinkmeier. House Bill 307. Is Representative Friedland on the Floor? Will you read the Bill?"

Jack O'Brien: "House Bill 307. Friedland. A Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Redmond: "Representative Friedland."

Friedland: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 307 is advanced by myself and the co-sponsors from both sides of the aisle and approved by the House Committee on Counties and Townships. It advances the concept that the General Assembly should no longer be have the burden for determining the salaries of township road commissioners. Ah.... the Bill removes the maximum limitation of \$14,000 and shifts that burden on future years to determine the salary to the appropriate town board, and the Bill is supported by the Mr. Russell Thalsort, the township officials association, and it passed Committee, and I urge your favorable support."

Speaker Redmond: "Any discussion? Representative Jaffe."

Jaffe: "Would the gentleman yield to a question?"

Friedland: "Yes."

Jaffe: "Ah..... Is there any other place in the Law where we do not set the salary ceilings for a township official or any other official that you know of?"

Friedland: "To my knowledge, Representative Jaffe, the other salaries are set within a range, and they will perhaps be other measures advanced this Session to eliminate some of those, too. Specifically, I don't know."



Jaffe: "Well, I would suggest to you that I think this is the first attempt ever not to put a ceiling on the salary of a township official. As a matter of fact, I don't know of an instance where we don't put a ceiling on the salary of county officers, on States Attorneys or anybody else, and I don't see why we should just give a blank check to a township supervisor. I just don't understand the rational for this Bill, and I don't think that the Sponsor has come forth with any rational for the Bill, and that being the case, I'm going to have to vote 'no' on this Bill."

Speaker Redmond: "Any further.... Representative Skinner."

Skinner: "Yes, Mr. Speaker, and my Representative friend from Skokie, I would like to come forth with the rational, which is very conservative rational and that is, that we in the General Assembly are not God. We cannot.... ah..... we cannot regulate the rate of inflation and quite frankly, I don't see why we should take the heat for any salary that any local governmental unit wants to set for any local official. If they want to set \$100,000 a year salaries for a township road commissioner, which is far in excess to.... what any of them are worth, I don't care. It doesn't make any difference to me. I don't know why it should make any difference to anyone else in this General Assembly. Frankly, you say this is the first attempt to give local government the responsibility and the ability to put the salary wherever they want, yeow, it may be the first. It won't be the last. I guarantee you that, because I'm sick and tired of the General Assembly playing God on this issue. We don't know what they're worth."

Speaker Redmond: "Representative Yourell."

Yourell: "Will the Sponsor yield for a question or two?"

Speaker Redmond: "He indicates he will."

Yourell: "Ah..... Representative Friedland, is it true that the town board of auditors can set or take the.... pay any salary they want to a road commissioner irrespective of how many miles of the road he's obligated to maintain? Now we have in Cook County several townships that have less than 20 miles of road to maintain, so that that township board of auditors could set that salary so it would cost the taxpayers and you know this is another tax because most townships in Cook County and throughout the State levy a road and bridge levy. Now they've



got all kinds of revenue sharing money. For example, my township has an excess of 600,000 dollars each year in Federal revenue sharing fund and for the first time..... the second time in many, many years, they're still levying taxes. Now, it use to be to the credit of that township and other townships, when they had the two percent commission's on the excess commission of the tax collector that they could then waive all taxes for the different functions of township government, and this they did in many instances, but now, it seems that even with the addition of hundreds of thousands of dollars in Federal Revenue sharing fund, they are again levying taxes. And I just think it's a shame that even though Representative Skinner seems to think that we have no business regulating salaries. We regulate our own salary. We regulate salaries in a lot of areas and not only in county government, but in State government, and I say to you that ah.... your taking this ah..... Bill to allow townships to pay any amount of money they want to irrespective of the amount of number of miles that they're obligated to sustain and maintain. And I ask you this question, is that a fact that ah..... there is nothing in this Bill that requires the town board of auditors to base a salary commitment to the road... township road commissioner based on miles of roads that he maintains?"

Friedland: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, the gentleman is correct. Some road commissioners already receive higher salaries than the \$14,000 ceiling in the Bill. Perhaps those are related in other sections of the Statute. What we're attempting to do here is just remove the burden from the General Assembly to.... and put that burden on the respective town boards to set the salaries of the road commissioners in future years. And I would point out that there is, for Representative Jaffe, there is one public official whose salary is not limited, and that's the RTA Board Chairman."

Speaker Redmond: "Gentleman from Cook, Representative Kosinski."

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

Speaker Redmond: "He indicates he will."

Kosinski: "Ah..... John, is this permissive legislation?"

Friedland: "Ah....."

Kosinski: "Rather than mandatory, is it legislation which permits the county board's act on their own rather than the legislature mandating



anything?"

Friedland: "Ah... Representative Kosinski, it would be the Town board, not the County Board."

Kosinski: "The town board, rather?"

Friedland: "Yes, it would permit the town board...."

Kosinski: "Not direct, but permit?"

Friedland: "Permit them to accept a salary at their discretion."

Kosinski: "So it is permissive legislation, rather than mandatory?"

Friedland: "One could say that, yes."

Kosinski: "Thank you."

Speaker Redmond: "Gentleman from Kankakee, Representative Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I would just like to make a couple of points in regard to this Bill, in that it troubles me a great deal. Township government, of course, is one of the most unique forms of government in our whole system in this country. It harks back to the old days of the town meetings of New England. We know, for instance, that these town boards generally meet once a year. I would like to ask each one of you if you know how many people attended that last town board meeting in your township. I would suggest to you that it was a very small amount of people. What's more, township government doesn't get the kind of publicity that we get and it seems to me that when we remove the limitations on salaries, that we are indeed opening up a pandora's box. That we are, indeed, allowing a small number of elected public officials to operate under a blanket. Because they don't get the kind of publicity that we do in the General Assembly. They don't get the kind of overview from the public that they maybe truly deserve, but the fact is, that it doesn't happen, and I would suggest that it would be a very dangerous precedent to remove a salary limitation at this level of government."

Speaker Redmond: "Any further discussion? Representative Friedland to close. Representative Bluthardt, pardon me."

Bluthardt: "Thank you, Mr. Speaker, Members of the House. It's my observation that several of those who got up and opposed this Bill will oppose every township bill, and the only township bill they will support is one that will abolish township government altogether. Let's look at the facts here. We're talking about an elected highway



commissioner. His salary would be established by the town board at their annual town meeting, prior to election. He would then run for office and when elected, his salary would be frozen for the four years as provided by the Constitution, so that we're not doing anything differently here, than we do with most governing bodies. Cities and villages establish their own salaries and they are protected, the taxpayers protect them in two ways. One, by the Constitution, that provides there shall be no change in that salary, and two, that if there's an abuse in the amount being paid in the salary, the taxpayer will get even the next time that man comes up for election or that township board comes up for election. We've done away by Statute with the old annual town meeting system, where every man had.... every elector had a right to vote on the budget and on the salaries. That's no longer the case. Townships, I understand, operate the same as the City Council or the Village Board. So we're not really taking any great chances here, by saying 'here you establish your own salaries. You're better qualified. You know better what the ah... proper salary should be for a highway commissioner. You know how many miles of highways you have. You know how many employees you must supervise, so why not place it there with the Town Board to establish the salary each four years, and let them, in turn, face the electorates. I urge an 'aye' vote for this Bill."

Speaker Redmond: "Gentleman from Kane, Representative Friedland, to close."

Friedland: "Mr. Speaker, Ladies and Gentlemen of the House. I would appreciate your favorable vote."

Speaker Redmond: "The question is, shall House Bill 307 pass? All in favor, signify by voting 'aye', opposed 'no'. For what purpose does the gentleman from DuPage, Representative LaFleur, arise."

LaFleur: "To explain my vote, Mr. Speaker."

Speaker Redmond: "Proceed."

LaFleur: "Mr. Speaker, Members of the House, I can't help but think that a lot of people are sitting on their hands here and really unaware of what this Bill contains and it is innocuous, because if you run a parallel to the villages, where the boards and the mayors have the ability to set the pay of the superintendent of roads, this is nothing



else than the township officials will be permitted to examine the duties of their road commissioner and set a salary that is commensurate. I think it is impossible for us to sit here and try to say that all townships are the same, all townships need to be treated as the same. I think the people at home can handle this affair very easily. I think the people at home can take care of this, and I think the responsibility should lie with the electors to see that these people handle this in a responsible manner, and I couldn't urge you too strongly to vote 'aye' on this."

Speaker Redmond: "Have all voted who wish? Take the Record. On this question, 104 'ayes', 38 'no', and the Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 420. Read the Bill."

Jack O'Brien: "House Bill 420. A Bill for an Act to amend Sections of an Act to perform certain charitable trusts in conformance with the Federal Tax Reform Act. Third Reading of the Bill."

Speaker Redmond: "Discussion? Representative Mugalian."

Mugalian: "Mr. Speaker, Ladies and Gentlemen of the House, this is a Bill that was called last week, but the Bill was not in your Bill Book. I believe the Bill, now, is in your Bill Book. I did explain that this passed unanimously out of Judiciary I. There were some questions about the Bill because the Bill is very technical. If ah..... the House wishes, I can read a brief explanation of what the Bill does and why it's needed."

Speaker Redmond: "Any discussion? Representative Peters."

Peters: "Mr. Speaker, if the Sponsor would yield for just one question. Representative Mugalian, in the brief discussion on this last week, Representative Houlihan did ask you why this Bill, the effective date of this Bill goes back to 1971."

Mugalian: "It's a drafting requirement. Illinois has previously passed a Bill to permit residents of Illinois to amend their trusts to comply with a new Federal Tax Reform Law. Because this is an Amendment to that, it must carry back to the date of the first Bill, rather than quote to the effective date of this Act."



Peters: "Would that, then, allow people who have filed their tax returns or who are in situations to be covered by this Bill for year 72, 3, 4, and 5, then be able to take advantage of ah..... this legislation that takes it back to 71?"

Mugalian: "That's exactly the purpose of it, yes. They can file for a refund on an estate tax payment to the Federal government. This in no way affects Illinois Revenue. It's a Bill that would permit us to take advantage of the Federal Estate Tax Law as the residents of other states."

Peters: "So then would the change in the date here, we would be.... if I get this right, we would be allowing people, who file their tax returns in 72, 3, 4 and 5 to get a rebate from the Federal government on their State payment of taxes for those funds or investments that are covered by this Act."

Mugalian: "Not the State, Representative Peters. Federal Estate."

Peters: "Oh, Federal Estate."

Mugalian: This is totally involved with the Federal Estate Tax, and if the Statute of Limitations time does not expire, they may be able to get a refund on their Federal Estate Tax if they amend their trust to comply with the very technical provisions of that act."

Peters: "Representative Mugalian, just one other question, just as an example, if we have..... as we have here legislation which affects Inheritance Taxes, if the effective date of those Inheritance Taxes has moved back to 1972 or 1973, would those individuals then also be able to lay new claim on the taxes, Inheritance Taxes, they paid to the State?"

Mugalian: "No, Sir, this has no bearing on Illinois Inheritance Tax."

Peters: "I know it has no bearing, but it is not basically the same idea? What I'm getting at is the question of the propriety of passing a law now which is effective four years prior to this date."

Mugalian: "Well the purpose of this Bill is that the Federal Tax Relief Act ah..... gave all the states, up to about 1974, to amend their trusts to comply with the Federal Estate Tax Provisions relating to charity and the exemption for charity. Congress determined that very many citizens of the United States did not amend their trusts in time



and, therefore, it extended the period to ah..... the latter part of 1975. Therefore, this Bill does the same thing. It extends that right to residents of Illinois, to get the benefits that are available in the certain technical provisions of the Internal Revenue Code."

Peters: "I ask these questions because I do recall again that in regard to the victim's compensation Act, we did pass..... I'm just talking about the idea here, we did pass legislation which would have changed the effective date of the Victim's Compensation Act to a month or six weeks prior to the initial law, and that was vetoed. Now, I labor under the problem of not being an attorney here, Representative Mugalian. I'm just concerned about the propriety of passing laws that do not either take effect on the date of passage or at some time in the future as opposed to taking it back."

Mugalian: "All this Bill does is permit Illinoisans to have the same benefits as the members of the other 49 States have. That's all. It's a parity Bill."

Speaker Redmond: "Any further discussion? Gentleman from Cook, Representative Mugalian, to close."

Mugalian: "This statement, this Bill was prepared by the Trust Committee of the Chicago Bar Association. As I say, it received the unanimous vote of the Judiciary I Committee, and it in no way affects State revenues or taxpayers ah... of the State of Illinois. It merely permits Illinoisans to have the same benefits as members of the other 49 States have in obtaining charitable deductions for their Federal and State tax, by making modifications of Trust Agreements to comply with the very technical provisions of the Internal Revenue Code."

Speaker Redmond: "Question is, shall House Bill 420 pass? Those in favor, vote 'aye'. Those opposed vote 'nay'. Have all voted who wish? Take the Record. On this question, there are 137 'ayes', no 'nays'. The Bill, having received the Constitutional Majority, is hereby declared passed. Order of Business - House Bills, Second Reading. House Bill 275. Any Amendments?"

Jack O'Brien: "House Bill 275. A Bill for an Act to amend Sections of the Criminal Code of 1961. Second Reading of the Bill. No Committee Amendments."



Speaker Redmond: "Any Amendments from the Floor? Third Reading. House Bill 299. Read the Bill."

Jack O'Brien: "House Bill 299. A Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the Floor? Third Reading. House Bill 368."

Jack O'Brien: "House Bill 368. A Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the Floor? Third Reading. Order of Business - Senate Bills, Second Reading. Senate Bill 17. Will you read the Bill? Representative Tipword."

Jack O'Brien: "Senate Bill 17. A Bill for an Act to amend Sections to an Act in relation to State Finance. Second Reading of the Bill. One Committee Amendment. Amend Senate Bill 17 in the House, on page 1 by striking line 1 and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative Tipword to explain the Amendment."

Tipword: "Mr. Speaker, I move the adoption of this Committee Amendment to Senate Bill 17. This is an Amendment that removes a portion that was amended into this Bill in the Senate, which has now been agreed to by the Senate and on both sides of the aisle, by the Leadership to put this Bill back into the shape that it should be, and I move the adoption of this Amendment."

Speaker Redmond: "Any discussion? Gentleman has moved the adoption of Amendment #1 to Senate Bill 17. Question is on the Motion to adopt. All in favor, signify by saying 'aye', opposed 'no'. The Amendment is adopted. Third Reading. On the Order of Business - Consent Calendar. Second Reading, House Bill 379. Read the Bill."

Jack O'Brien: "House Bill 379. A Bill for an Act to amend Sections of the Code of Criminal Procedure, Second Reading of the Bill with Committee Amendments. Third Reading."

Speaker Redmond: "On the Speaker's Table, Senate Joint Resolution 7. Representative Maragos."

Maragos: "Mr. Speaker, There are no Amendments to this, and I would like to move it to Third Reading, because this is the same as Senate Joint Resolution #10 of this previous Assembly and we need it soon."



Speaker Redmond: "Do you want to adopt the ah.... Joint Resolution?"

Maragos: "Yes, I do, Mr. Speaker."

Speaker Redmond: "The question is on the Motion to adopt Senate Joint Resolution 7. All in favor, signify by saying 'aye'..... Representative Hill. Explain the Resolution."

Maragos: "Mr. Speaker, Members of the House, the previous General Assembly had a joint committee for the study of property taxes and other similar legislation. We are.... by this Resolution we are continuing the functions of that committee, which will be both.... Senate committee and it is in the area concerning property taxes, and I would like to state as a result of that committee work last year.... last General Assembly, last two years, and I was not a Member of that Committee at that time, we have several Bills now pending before the House to correct some abuses in property tax legislation, so it is a very vital committee and the work has to continue, and I, therefore, I ask for your support of this Senate Joint Resolution."

Speaker Redmond: "Question is on the adoption. We'll have a roll call vote. All in favor, indicate by saying 'aye', opposed 'no'. Have all voted who wish? Take the Record. On this Motion, the 'ayes' are 130, no 'nays'. Motion is adopted. Resolution is adopted. I'd like to call the attention of the Members that there are quite a number of Senate Bills on First Reading, for which we do not have any House Sponsors, and they will stay on first reading until the House Sponsor identifies themselves. We'd like to refer them to Committees and proceed with the business of the House. Representative Shea, do you desire recognition?"

Shea: "Mr. Speaker, I move that we do now adjourn until ten o'clock AM tomorrow morning."

Speaker Redmond: "Representative Shea, the Clerk would like to go into Perfunctory Session for the purpose of Introduction, First Reading of Bills, and then recess in about ten minutes."

Shea: "Well, then can we.... I move that we do now recess until a quarter of two, at which time we will have a Perfunctory and then adjourn until ten o'clock tomorrow morning."

Speaker Redmond: "Representative Maragos."



Maragos: "Mr. Speaker, I'd like to make an announcement that due to an error it does not appear on the Calendar that the Subcommittee on Inheritance Tax Bills will meet this evening at six o'clock or right immediately after adjournment of the Revenue Committee. It was posted but for some reason, it was not put on there and the Chairman of that Committee, Representative Beatty has ah..... an announcement to make at this time."

Speaker Redmond: "Representative Beatty."

Beatty: "Mr. Speaker, the two Bills will be heard next week, along with another Bill, that Representative Borchers is going to have, so the two Bills that were set for today will be continued until next week, and we'll hear all three Bills at one time."

Speaker Redmond: "Now the question is on the adoption of the Motion to recess. All in favor, indicate by saying 'aye', opposed 'no'. The House stands in recess. Perfunctory Session and then the recess at quarter till two. Now that we're out of Session, I wonder if it's appropriate to introduce the Vice-Chairman of the Constitutional Convention, former Senator Tom Lyons. I just wanted everybody to meet the Gentleman to whom we are so indebted for the 1970 Constitution. We're in Perfunctory Session. We'll recess at quarter till two."

Jack O'Brien: "Introduction and First Reading. House Bill 665. Hart. A Bill for an Act to amend Sections of the Illinois Municipal Code. First Reading of the Bill. House Bill 666. VanDuyne. A Bill for an Act to amend Sections of the Election Code. First Reading of the Bill. House 667. Gene Hoffman et al. A Bill for an Act to amend Sections of an Act to create the Board of Higher Education. First Reading of the Bill. House Bill 668. Deavers et al. A Bill for an Act to amend Sections of an Act relating to local mutual districts, counties, townships, insurance companies. First Reading of the Bill. House bill 669. Kempiners et al. A Bill for an Act to amend Sections of an Act to prevent fraudulent corrupt practices in making and accepting official appointments. First Reading of the Bill. House Bill 670. Londrigan et al. A Bill for an Act to create a State Arson Bureau. First Reading of the Bill. House Bill 671. Londrigan et al. A Bill for an Act to amend Sections of the Illinois Vehicle Code. First



Reading of the Bill. House Bill 672, Londrigan et al. A Bill for an Act to amend Sections of an Act relating to the acquisition, possession and transfer of firearms. First Reading of the Bill. House Bill 673, Londrigan et al. A Bill for an Act to amend Sections of an Act in relation to State Police. First Reading of the Bill. House Bill 674, Tipsword. A Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 675, Gene Hoffman et al. A Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 676, Matijevich et al. A Bill for an Act to amend Sections of an Act relating to alcoholic liquors. First Reading of the Bill. House Bill 676, Ewell. A Bill for an Act to amend Sections of the Juvenile Court Act. First Reading of the Bill. House Bill 677, Ewell et al. A Bill for an Act to prohibit employment contracts between racetrack associations. First Reading of the Bill. House Bill 678, Ewell. A Bill for an Act to amend Sections of the Unified Code of Corrections. First Reading of the Bill. House Bill 679, Ewell et al. A Bill for an Act to amend Sections of an Act to provide for the, a privilege tax on mobile homes. First Reading of the Bill. House Bill 680, Skinner, J.D. Jones. A Bill for an Act in relation to property tax relief. First Reading of the Bill. House Bill 681, Ewell. A Bill for an Act to amend Sections of the Vital Records Act. First Reading of the Bill. House Bill 682, Ewell et al. A Bill for an Act to amend Sections of the Lead Poisoning Prevention Act. First Reading of the Bill. House Bill 683, John Dunn et al. A Bill for an Act making an appropriation to the Department of Transportation. First Reading of the Bill. House Bill 684, Walsh. A Bill for an Act in relation to state insurance of buildings, relation to the state insurance of buildings of local government entities. First Reading of the Bill. House Bill 685, Walsh et al. A Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 686, Lechowicz. House Bill 686, Giorgi et al. A Bill for an Act making an appropriation to the Department of Revenue. First Reading of the Bill. House Bill 687, Giorgi et al. A Bill for an Act to amend Sections of the Bingo License Tax Act. First Reading of the Bill. House Bill 688, Giorgi et al. A Bill for an Act to amend Sections of the Bingo License Tax Act. First Reading of the



Bill. House Bill 689, Leon et al. A Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 690, Yourell et al. A Bill for an Act to repeal an Act for the sale of United States Steel Corporation in the interest of the State of Illinois and certain lands. First Reading of the Bill. House Bill 691, Grotberg. A Bill for an Act making an appropriation to the Legislative Council. First Reading of the Bill. House Bill 692, Beatty et al. A Bill for an Act to amend Sections of an Act to authorize the organization of public health districts. First Reading of the Bill. House Bill 693, Mudd. A Bill for an Act to amend Sections of the Illinois Municipal Code. First Reading of the Bill. House Bill 694, Mudd. A Bill for an Act to amend Sections of the Illinois Municipal Code. First Reading of the Bill. House Bill 695, Macdonald et al. A Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 696, Dyer et al. A Bill for an Act to amend Sections of an Act to revise the law in relation to township organizations. First Reading of the Bill. House Bill 697, Pouncey et al. A Bill for an Act to make an appropriation to the Department of Local Government Affairs. First Reading of the Bill. House Bill 698, McCourt et al. A Bill for an Act concerning bail for the habitual offenders and those committing a crime while on bail on a felony charge. First Reading of the Bill. House Bill 699, Beaupre et al. A Bill for an Act to amend Sections of the Motor Fuel Tax Law. First Reading of the Bill. House Bill 700, Beaupre et al. A Bill for an Act to limit waiver of defenses in certain retail installment transactions. First Reading of the Bill. Committee Reports. Mr. Pierce from the Committee on Environment, Energy and Natural Resources to which House Bill 169 was referred; reported the same back with the recommendation that the Bill do pass. Consent Calendar. Mr. Pierce from the Committee on Environment, Energy and Natural Resources to which House Bill 284 was referred; reported the same back with the recommendation that the Bill do pass and be re-assigned to the Assignment of Bills Committee. Mr. Pierce from the Committee on Environment and Natural Resources, Energy and Natural Resources to which House Bill 290 was referred; reported the same back with the recommendation that the Bill do pass. Message from the Senate. A message from the Senate



by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed the Bills of the following titles and passage of which I am instructed to ask concurrence of the House of Representatives, to wit. Senate Bill #44, passed by the Senate March 11, 1975. Kenneth Wright, Secretary. Senate Bills First Reading. Senate Bill 19, Reed. A Bill for an Act to amend Sections of an Act to authorize counties to levy taxes for the maintenance of historical musuems. First Reading of the Bill. Senate Bill 33, Berman. A Bill for an Act to amend Sections of the Vehicle Code. First Reading of the Bill. Senate Bill 71, Berman. A Bill for an Act to amend Sections of an Act in relation to state finance. First Reading of the Bill. Senate Bill 41, Ebbesen. A Bill for an Act to amend Sections of an Act making certain appropriations, re-appropriations to the Capitol Development Board. First Reading of the Bill. Senate Bill 170, Lechowicz. A Bill for an Act to make certain appropriations to the Board of Governors in State Colleges and Universities. First Reading of the Bill. Representative Berman now moves we stand adjourned until 10 a.m. March 12, 1975. Seconded by Representative Katz."



HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

TWENTY-FIFTH LEGISLATIVE DAY

MARCH 11, 1975



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

INDEX
HOUSE OF REPRESENTATIVES
MARCH 11, 1975

<u>PAGE</u>	<u>TIME</u>	<u>NAME</u>	<u>DESCRIPTION</u>
1		Speaker	House to Order
		Doorkeeper	
		Speaker	
		Rev. Krueger	Invocation
		Speaker	Roll call. Committee Reports
		O'Brien	
		Speaker	
		Walsh	Waddell absent
2		Speaker	So show
		O'Brien	Reads committee reports
		Speaker	Take record on attendance
		Shea	Announcement
		Speaker	Order of business is Third Reading
3		O'Brien	HB 158
		Speaker	
		Schisler	Explains bill
		Speaker	Discussion?
		Hart	Will sponsor yield?
		Speaker	Indicates he'll yield.
		Hart	Question
		Schisler	Answer
		Speaker	Order in the House
4		Hart)	Discussion
		Schisler)	
		Speaker	Proceed
		Hart	Speaks on bill
5		Speaker	Recognizes Hudson
		Hudson	Would Speaker respond?
		Speaker	Speaker won't, but sponsor will.
		Hudson	Thank you

<u>PAGE</u>	<u>TIME</u>	<u>NAME</u>	<u>DESCRIPTION</u>
		Speaker	Recognizes Schisler
		Schisler	Responds
		Speaker	
6		Hudson) Schisler)	Discussion
		Speaker	Recognizes McMaster
		McMaster	Speaks on bill
7		Speaker	Recognizes Neff
		Neff	Speaks on bill
		Speaker	Recognizes Schlickman
		Schlickman	Will sponsor yield?
8		Schisler) Schlickman)	Discussion
		Speaker	Will Clerk read
		O'Brien	
		Schlickman	Question -
		Schisler	Answer
		Schlickman	Going to vote no
		Speaker	Recognizes Yourell
		Yourell	Questions on bills
9		Schisler) Yourell)	Discussion
10		Speaker	
		Schisler	
		Maragos	
		Speaker	
		Maragos	Move previous question
		Speaker	Ayes have it
		Schisler	To close
		Speaker	Question is, shall 158 pass?
		Palmer	Support bill

<u>PAGE</u>	<u>TIME</u>	<u>NAME</u>	<u>DESCRIPTION</u>
11		Speaker	
		Craig	Support bill
		Speaker	
		Hart	Explain vote
12		Speaker	
		Schisler	Take out of record
		Speaker	Too late
		Schisler	Put it on postponed consideration
		Speaker	Keep order in the House
		O'Brien	HB 186
13		Speaker	
		O'Brien	HB 192
		Miller	
		Speaker	
		Miller	HB 192, asks favorable vote
		Speaker	Any discussion?
		Schlickman	Will sponsor yield?
		Speaker	Indicates he will
14		Schlickman) Miller)	Discussion
		Schlickman	Thank you
		Speaker	Further questions?
		Miller	To close
		Speaker	HB 192 pass? 149 ayes, 0 nays
		O'Brien	HB 278
		Speaker	Recognize Jaffe
		Jaffe	Speaks on bill

<u>PAGE</u>	<u>TIME</u>	<u>NAME</u>	<u>DESCRIPTION</u>
15		Speaker	HB 278 pass? 148 ayes - 0 nays
		O'Brien	HB 307
		Speaker	
		Friedland	Urge favorable support
		Speaker	
		Jaffe	Would sponsor yield?
16		Friedland) Jaffe)	Discussion
		Speaker	Any further discussion?
		Skinner	Speaks on bill
		Speaker	
		Yourell	Will sponsor yield?
		Speaker	Indicates he will
		Yourell	Question
17		Friedland	Answer
		Speaker	
		Kosinski	Will sponsor yield?
		Speaker	
18		Kosinski) Friedland)	Discussion
		Speaker	
		Beaupre	Speaks on bill
		Speaker	
		Bluthardt	Urge aye vote
19		Speaker	
		Friedland	
		Speaker	Shall 307 pass?
		LaFleur	
		Speaker	Proceed
		LaFleur	Explain vote

<u>PAGE</u>	<u>TIME</u>	<u>NAME</u>	<u>DESCRIPTION</u>
20		Speaker	Take record - 104 ayes, 38 no
		O'Brien	HB 420
		Speaker	
		Mugalian	
		Speaker	
21, 22		Peters) Mugalian)	Discussion
		Speaker	
		Mugalian	To close
		Speaker	Shall 420 pass? 137 ayes, 0 nays Order of business, House Bills, 2nd Reading
		O'Brien	HB 275
23		Speaker	Any amendments? 3rd reading
		O'Brien	HB 299
		Speaker	Any amendments? 3rd reading
		O'Brien	HB 368
		Speaker	Any amendments? 3rd reading Order of business, Senate Bills, 2nd reading
		O'Brien	SB 17
		Speaker	
		Tipsword	Explain committee amendment, move adoption
		Speaker	Amendment adopted Order of business, consent calendar, 2nd reading
		O'Brien	HB 379
		Speaker	SJR 7
		Maragos	
24		Speaker	
		Maragos	
		Speaker	
		Maragos	Explain resolution
		Speaker	Resolution adopted

<u>PAGE</u>	<u>TIME</u>	<u>NAME</u>	<u>DESCRIPTION</u>
		Shea	Move adjourn till 10 tomorrow
		Speaker	Clerk wants perfunct session for intro and 1st reading
		Shea	Move recess till 1:45, then perfunct then adjourn
		Speaker	
25		Maragos	Announcement
		Speaker	
		Beatty	
		Speaker	House in recess
26,27		O'Brien	Intro and 1st reading
			House adjourns till 10 am March 12.