

Doorkeeper: "All persons not entitled to the House floor, please retire to the gallery."

Speaker Redmond: "The House will come to order. Members please be in their seats. We'll be led in prayer by the Reverend Krueger, the House Chaplain."

Rev. Krueger: "In the name of the Father, the Son, and the Holy Ghost, Amen. O Lord, bless this Session to Thy service, Amen. There is an Egyptian proverb which reads, 'Be a craftsman in speech so that thou mayest be strong. For the tongue is a sword and speech is more valorous than any fighting'. Let us pray. O Thou, who provide us and animate us all that lives, who art the source from which we come, the end to which we travel, and the center on which we rest. Help us to put our trust in Thee forever, enable us to surrender our will to Thine, to sacrifice each desire that is contrary to Thy law for the sake of Jesus Christ, Thy Son, Our Lord, Amen."

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

Clerk O'Brien: "Representative Matijevich, Chairman of the Committee on Executive reports the following Committee Bills for introduction. House Bill... House Bill 3484, being a Bill for an Act to amend Section 1 of an Act in relation to compensation to Members of the General Assembly. Action taken April 5, 1976, and recommend that it do pass."

Speaker Redmond: "Representative Washburn, do you seek..."

Washburn: "Thank..."

Speaker Redmond: "Representative Washburn."

Washburn: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'd like to show the record, er... the record to show that Representative LaFleur is absent due to illness, Representative LaFleur."

Speaker Redmond: "Any objection? Hearing none, the record will so show. Introduction and First Reading."

Clerk O'Brien: "House Bill 3482, Williams. A Bill for an Act to provide for the designation of flood plains regulation and destruction therein, penalties for violation thereof. First Reading of the Bill. House Bill 3483, Berman et al. A Bill for an Act making a supplemental appropriation to the State Board of Education. First



Reading of the Bill. House Bill 3484, Executive Committee. A Bill for an Act to amend Section 1 of an Act in relation to compensation to Members of the General Assembly. First Reading of the Bill."

Speaker Redmond: "Permission has been granted to take pictures. I'd like to call the Members attention to an error on the ah... House Calendar. House Calendar, on page 2, the only Bill that's on ah... House Bills, Second Reading is 3100. The other one should show House Bills, Second Reading, First Legislative Day. Memo that was submitted to Committee and Commission meetings, there's an error on it where it shows that we... House will be in Session on Friday, April the 9th. That is an error. We will not be in Session as far as we can tell. Representative Shea, do you seek recognition to recess the Regular Session so we can convene the First and Second Special Sessions?"

Shea: "Mr. Speaker, I move that the House do now stand in recess until after the adjournment of the Second Special Session."

Speaker Redmond: "Any discussion? The question's on the motion. Shall we... the motion to recess the Regular Session till after the adjournment of the Second Special Session. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Regular Session is in recess. First Special Session will come to order. The Members please be in their seats. Representative Shea."

Shea: "Mr. Speaker, I move that the Roll Call of the Regular Session of this date be used as the Roll Call for the First Special Session of Monday, April the 5th, 1976."

Speaker Redmond: "All in favor of the motion indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The motion's carried."

Shea: "I move that the First Special Session now stand adjourned until 10:35 a.m. in, on Tuesday, April the 6th."

Speaker Redmond: "Any discussion? Question's on the motion, shall the First Special Session stand in recess until 10:25 on April the..."

Shea: "Thirty-five."

Speaker Redmond: "Thirty-five on April the 6th. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it and the motion's carried. Second Special Session will come to order. The Members



please be in their seats. Representative Shea."

Shea: "Mr. Speaker, I move that the Roll Call of the Regular Session of April the 5th, 1976, be used as the Roll Call of the Second Special Session of the 79th General Assembly of Monday, April the 5th, 1976."

Speaker Redmond: "You've heard the motion. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The motion carries and the Roll Call of the Regular Session will stand as the Roll Call on the Second Special Session. Representative Shea."

Shea: "I move that the Second Special Session of the 79th General Assembly now stand adjourned until 10 a.m. or 10:40 a.m., Tuesday, April the 6th, 1976."

Speaker Redmond: "Any discussion? You've heard the motion. The question is on the motion of recessing the Second Special Session till 10:40 a.m. on April the 6th. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Second Special Session will stand in recess until... adjourned until 10:40 a.m. on April the 6th. Representative Shea."

Shea: "Mr. Speaker, could I have a little order in the chamber please?"

Speaker Redmond: "Give the Gentleman order. We're now back in the Regular Session. Representative Shea."

Shea: "Mr. Speaker, we have a new Member with us and I would like to take this opportunity if I could, but could we get some order so we could..."

Speaker Redmond: "Please give the Gentleman order."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, we have a new Member with us today from the 20th Legislative District. He takes the place of one of our colleagues who's gone to the Senate and at this time, I'd like to introduce Representative Domico. Would you stand up and say, hello?"

Speaker Redmond: "Representative Domico."

Domico: "Mr. Speaker, Ladies and Gentlemen of the House, it is a great honor for me to be seated as a Member of this august Body. My predecessors in this seat are now Alderman Vito Marzullo, the late Senator Sam Romano, and my current Senator John, D'Arco, Jr. I hope to serve this Body with honor and distinction just as my predecessors



did. Again, Mr. Speaker, thank you for your kindness and of the pleasure to be with you. Thank you."

Speaker Redmond: "House Bills, Second Reading. On House Bills, Second Reading appears House Bill 3100. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3100, Committee on Higher Education. A Bill for an Act to amend Section 8 and 11 of Article VI of an Act relating to alcoholic liquors. Second Reading of the Bill. This Bill has been read a Second time previously and Amendments #1 and 2 were ordered to lie on the table."

Speaker Redmond: "Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. House Bills, Third Reading. On House Bills, Third Reading appears House Bill 3036. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3036, Committee on Cities and Villages. A Bill for an Act to repeal a Chicago Regional Port Act. Third Reading of the Bill."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, Members of the House, I think it's not necessary to reiterate the purposes and the goals of this particular measure. We already have passed it twice in this House. Once, on the original Bill and then on an override and this came as a Committee Bill and I was asked to handle it for the Committee on Cities and Villages with Mr. Taylor being the Chairman. And I ask for a vote to pass this Bill out once more because it's very needed in order to save the economy of our State. Thank you."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "Indicates he will."

Schlickman: "This is a Bill that abolish the Chicago Regional Port District Act or repeal the Act and abolish the district?"

Maragos: "What it does, in effect, Mr. Schlickman, it transfers the duties of that district to the City of Chicago and combines it with the other port."

Schlickman: "What is the geographic... ah... what is the geographic scope of the Port District today?"



Maragos: "The geographic scope of the district today includes other areas, primarily some of DuPage County and as well as Cook County..."

Schlickman: "In other words, the district..."

Maragos: "However, if I may finish please. However, there have been no jurisdiction taken by the Port District to include any other area except the City of Chicago and primarily near the Lake Calumet Harbor."

Schlickman: "But the district's geographic scope does extend beyond the City of Chicago and by the passage of this Bill, we would be giving to the City of Chicago authority that extends beyond its municipal district. Is that correct?"

Maragos: "No, it would not because the power of the City would not be any greater than it has now. All it does is says that the district that is now contained and the duties of that particular district are going to be given to the City of Chicago. The district does not presently have any duties or jurisdictions outside the geographical areas of the City of Chicago."

Schlickman: "Well, let me ask you this. There will be a transfer to the City of Chicago the assets of the Port District, is that correct?"

Maragos: "That is correct, but I also..."

Schlickman: "What is the value of those assets?"

Maragos: "The values are millions of dollars, but also, Mr. Schlickman, how..."

Schlickman: "How many millions of dollars?"

Maragos: "Well, let me finish. It is also going to take over the liabilities of that particular district which are greater than the assets of many aspects because of bonding indebtedness of the district is much greater and if... I would like to state to you that the ground and the bottom of the Lake and the Lake upon which this Harbor and this Port District is operating was granted to the State of Illinois by the City of Chicago for one dollar. So this is really returning back to the City what belong... what was formerly the City's."

Schlickman: "In other words, by this Bill, we will be transferring to the City of Chicago the present extraterritorial authority of the district and we'll also be transferring to the City of Chicago without consideration on its part, millions of dollars of assets of this district, is that correct?"



Maragos: "No, it is not correct. As I pointed out to you, the minute the City of Chicago receives the transfer, if it succeeds... this legislation does succeed, then what will happen is that the power, the geographical area which the City now operates does not go beyond the extraterritorial powers of the City. The only, the only thing that is extraterritorial is the Board which is presently, means that members of DuPage County can become members of the Board. But there's no extraterritorial area outside of the City limits that will be conveyed to the City of Chicago."

Schlickman: "What functions will the City perform then?"

Maragos: "The same functions as far as the administration and operation of a Port District that are presently being operated by the present Port District."

Schlickman: "In other words, we'll be giving to the City of Chicago extraterritorial authority."

Maragos: "No, because the territor... the authority has never been used by the Port District outside the City limits of Chicago. So therefore, it... what it has not been doing, you cannot give it anything that it hasn't been doing. If it had operated any area outside the City limits, then I would say you've been correct."

Schlickman: "Well now, sir, you're a better attorney than that. You know doggone well that having authority is one thing and not exercising it is another. And what the City of Chicago would have is the authority whether or not it previously has been exercised."

Maragos: "No, but the point is the minute... As you understand, Mr. Schlickman, the minute the City takes jurisdiction, they cannot take jurisdiction which it does not have. It only can take the function at which it has the authority. All he's doing is getting the assets. It doesn't necessarily going to mean, going to take anything out in addition besides the assets."

Schlickman: "Mr. Speaker, may I raise a point of order?"

Speaker Redmond: "Proceed."

Schlickman: "Mr. Speaker, I have my Bill book here and I don't have a copy of this Bill in it and I would respectfully suggest that the calling of this Bill is out of order at this time."

Speaker Redmond: "Representative Washburn."



Washburn: "Thank you, (cough) excuse me. Thank you, Mr. Speaker.

Ladies and Gentlemen of the House, I think that ah... Representative Schlickman's ah... point should be well taken and I was seeking recognition to ask Representative Maragos to take this out of the record for today anyway so that we'd have a..."

Maragos: "Fine. Mr. Speaker, I'd be glad to take it out of the record."

Speaker Redmond: "Take it out of the record. On the order of Third, Reading, House Bill 3067."

Clerk O'Brien: "House Bill 3067, Committee on Human Resources."

Speaker Redmond: "Representative Beaupre."

Clerk O'Brien: "A Bill for an Act to create the Illinois Health Finance Commission. Third Reading of the Bill."

Speaker Redmond: "Representative Beaupre. Representative Mautino."

Beaupre: "May we take it out of the record, Mr. Speaker?"

Speaker Redmond: "Take it out of the record. 3111."

Clerk O'Brien: "House Bill 3111, Executive Committee. A Bill for an Act to amend Sections of the Metro East Exhibition Performing Arts Authority Act. Third Reading of the Bill."

Speaker Redmond: "Representative Younge."

Younge: "Mr. Speaker, would you take this out of the record, please?"

Speaker Redmond: "Take it out of record. 3148."

Clerk O'Brien: "House Bill 3148. A Bill for an Act making an appropriation to the State Board of Education. Third Reading of the Bill."

Speaker Redmond: "Representative Boyle and Ryan running as an entry. Representative Ryan, do you want to proceed with that?"

Ryan: "Is Representative Boyle not on the floor, Mr. Speaker?"

Speaker Redmond: "He doesn't appear to be."

Ryan: "Well, I would just as soon wait for Representative Boyle, Mr. Speaker."

Speaker Redmond: "Out of the record. Consideration postponed. On consideration postponed appears House Bill 3053."

Clerk O'Brien: "House Bill 3153. A Bill for an Act to amend Sections of the Election Code. Third Reading of the Bill."

Speaker Redmond: "Representative VanDuyne. 3053. Consideration postponed. You want that out of the record?"

VanDuyne: "Would you give me about five minutes?"



Speaker Redmond: "Okay, out of the record. 3055."

Clerk O'Brien: "House Bill 3055. A Bill for an Act creating the Violent Crimes Study Commission, defining its powers and duties. Third Reading of the Bill."

Speaker Redmond: "Representative Jaffe? Out of the record. House Joint Resolution 6, Representative Hirschfeld on the floor? Take that out of the record. House Joint Resolution 30, Representative Dyer? House Joint Resolution 30 out of the record."

Dyer: "Out of the record, please. Thank you."

Speaker Redmond: "Constitutional Amendments, Third Reading. On the Constitutional Amendments, Third Reading appears House Bill 10. Representative Mudd."

Mudd: "Mr. Speaker, I would ah... like to call this Bill if I might at this time. I think that ah... the House Members will have to realize that ah... because it is a House Joint ah... Constitutional Amendment that it's going to require 107 votes and I would hope that they would give us their attention on this particular ah... Bill."

Clerk O'Brien: "House Joint Resolution Constitutional #10. This Resolution has previously been read a Third time."

Mudd: "Okay, I believe this Resolution deals with the classification of real estate, deals with the ah... classification of real estate ah... to enable any county within the State of Illinois to classify real estate for the purpose of ah... taxation. And I think that the ah... the Bill is ah... selfexplanatory and I would hope that ah... at this time, everyone would ah... ah... give it ah... your vote of confidence and allow us to place it on the ballot in November elections to the citizens of the State of Illinois. I think that this Bill is even more important today since we have passed legislation for the minimum amount of, of ah... assessment that ah... counties can ah... realize from taxes. So I would just at this time ask for a favorable vote unless there are any questions."

Speaker Redmond: "Is there any discussion? The question is on the adoption of the Resolution. Shall House Resolution... House Joint Resolution 10 be adopted. All in favor indicate by voting 'aye', opposed vote 'no', 107 votes. Have all voted who wished? Have all voted who wished? Representative Maragos."



Maragos: "Mr. Speaker, Members of the House, I would like to rise and speak in support of this Amendment because it has a very important effect on the state taxation throughout the State of Illinois. I should point out to you that I also with the Committee on Revenue having Constitutional Amendment #35 which is very similar to this Amendment and I think these Amendments should all be sent over to the Senate and I, if this Amendment is passed by the Senate, then I will table ah... Amendment #35 which is coming up to be considered in the near future. What this does, it gives the opportunity and it's permissive. As I say, it gives the opportunity to every state, every county in the state to classify their real estate for taxation purposes. Cook County presently has that power under our Constitution and I think others should do it as well if they want it. It's a step in the right direction and I ask for your support."

Speaker Redmond: "Have all voted who wished? Representative Gaines 'aye'. Have all voted who wished? The Clerk will take the record. On this question there's 115 'ayes' and no 'nays'. The Resolution's adopted. House Resolution 12."

Clerk O'Brien: "House Resolution Constitutional Amendment #12. This Resolution has previously been read a Third time. Representative Mudd."

Mudd: "Mr. Speaker, Members of the House, I think that this is probably one of the most important Bills or Constitutional Amendments that we can place on the ballot in November. There's a great many of us Legislators throughout the State who have listened to our constituents for a good many years who oppose additional taxes for the rehabilitation of their property, individual tax, taxing properties, real estate ah... property. I think that it's time that we all joined together in the House and tell the people of this State that we do not want them to be ah... burdened and not want them to carry the excuse to the cities, the deteriorating areas by not rehabilitating their property because increased property evaluations and I think that ah... it's time that this Bill passes and we do not penalize the taxpayers who are willing to expend money to keep their property up. I think it has cost us a lot of additional tax dollars in the cities because of this and I think it's caused a great



burden on the elderly people of this state and I think the one thing we can do for the taxpayers and the property owners in the State of Illinois is to give them this incentive and not penalize them for keeping their property up and I ask you to join with me in passing this Constitutional Amendment through the House today. Thank you."

Speaker Redmond: "Representative Lechowicz. Representative Kane.

Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Speaker Redmond: "Indicates he will."

Lechowicz: "How does this effect Cook County?"

Mudd: "Mr. Chairman, er... Mr. Lechowicz, this does not effect Cook County in the sense that it would ah... give them any problems. What it does, I think that we've got some ah... Mr. Capparelli, Mr. Hanahan, have tried to pass bills to give people a break on ah... when they improve their property, then we don't ah... tack additional assessments on to 'em. What this Bill does in fact is give the power to the General Assembly to set up a mechanism by which we can make allow... for people who rehabilitate their property. It doesn't do anything now. It only allows us to annex the Constitutional that we do have the mechanics to allow these ah... ah... ah... improvements on their properties without additional assessments."

Lechowicz: "Well, that's what I thought, Joe, because if you recall correctly, the Assessor of Cook County, Tom Tully, came in before this General Assembly and to ah... Ralph Capparelli as far as the Sponsor of the Bill provided a tax relief whether it's the expansion or remodeling of an older dwelling. Now according to... what you're trying to do then is to have the General Assembly be in a position instead of doing it on a county by county basis, according as I read this, you're saying the General Assembly may provide by law for incentives for the rehabilitation or improvement of residential real estate through deferral of an increase in assessments. So as I read this, this will effect the other 101 counties the same procedure we follow for Cook County, is that correct, Joe?"

Mudd: "Yes, sir. We establish a uniform policy and... but it will allow the General Assembly to study and come up with a uniform policy by



which we'll ah... set up the deferral program for this."

Lechowicz: "You know, I think you're doing more than what you're stating on this floor. That's what I'm afraid of."

Mudd: "No, sir. It's unconstitutional now to challenge the assessment ah... calendar. What we have to do is make it Constitutional that the General Assembly can do this and then we can come back in another Assembly, but when they decide how to do it, they can come back and consider proposals on how to set it up."

Lechowicz: "In the referendum procedure, if we were to make an additional change then in Cook County under our existing law when this became law, we would have to go the referendum to make that approval. Is that correct?"

Mudd: "No, sir."

Lechowicz: "Just for the record, then. Thank you."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Would the Speaker yield for a question? I mean the Sponsor rather, I'm sorry."

Mudd: "Yes, ma'am."

Geo-Karis: "Mr. Sponsor, ah... we just passed a Bill, I don't know, last... I wonder if you could correct the voice level? Thank you. Capparelli's Bill, now how is your Resolution distinguishable from the Capparelli Bill that was signed into law by the Governor?"

Mudd: "It's my understanding, Representative, that the, that the Bill that was signed was an exemption to the Homestead Act. This would ah... make it uniform over all property owners, not just those who are eligible for homestead exemptions. It will make it for all property owners."

Geo-Karis: "Thank you."

Clerk O'Brien: "Representative Shea in the Chair."

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

Duff: "Mr. Speaker, I have a couple parliamentary inquiries."

Speaker Shea: "Proceed, sir."

Duff: "Mr. Speaker, it's my understanding that the, these Resolutions were held on the Calendar from last June and that they are not ah... dead under the 45 day Rule because they were put on the Spring Calendar, is that correct?"



Speaker Shea: "That's my understanding, sir."

Duff: "Is it also true then that House Bills which were put on this Spring Calendar are also exempt under 45 day Rule?"

Speaker Shea: "The 45 day Rule is the Committee Rule."

Duff: "There's an action rule on timing on the House floor, too, Mr. Speaker."

Speaker Shea: "That's a 30 day Rule."

Duff: "Well then, are they exempt under the 30 day Rule?"

Speaker Shea: "My understanding is that the rules provide that they have 15 days starting from today, sir. Those Bills were taken off the Calendar and put back on the Calendar."

Duff: "House Bills?"

Speaker Shea: "Yes, sir."

Duff: "Final question, Mr. Speaker. Ah... Since the Constitution requires that Constitutional Amendments be read in full ah... a Third time and since these Bills, these Constitutional Amendments were read in full a Third time last June ah... my question, Mr. Speaker, is, isn't there a potential problem in terms of Constitutional value of the vote for those Members of which we now have three or four who were not Members of the Body at the time the full reading was held in June?"

Speaker Shea: "Ah... Mr. Duff, the 79th General Assembly is a continuing Body that was sworn in and those Members are now Members of that Body and the law requires or the Constitution requires that a Constitutional Amendment be read in full to the Body. It has been."

Duff: "Thank you for the clarification."

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

Maragos: "Will the Sponsor of this Amendment yield to a question?"

Speaker Shea: "He indicates he will, sir."

Maragos: "Representative Mudd, I did not because of the noise... Would you get some order here please, Speaker, 'cause I can't.... Thank you. Representative Mudd, I would like to discover what your answer was to the inquiry, I think by Representative Geo-Karis and some other Legislator here earlier, Representative Lechowicz. Do we need a Constitutional Amendment to accomplish the purposes that you want by this Amendment instead of legislation. We could do it for Cook County. Why couldn't we do it here by each county on a permissive



basis? Well, why couldn't we give the home rule powers of each county a permissive right to proceed?"

Mudd: "Well, the first... to answer your last question first. First of all, all counties do not have the home rule provision. The other part of that was that the Bills that were passed by the Legislature and signed by the Governor allowed a ah... a break as far as a Homestead Exemption Act. It did not ah... give every home, home owner or real estate owner the same ah... opportunity ah... This... what this said, where we have no ah... tax classification, where we have no similar legislation. It would be unconstitutional ah... as far as trying to set up the mechanism to give breaks to those people who would rehabilitate their property. Now, I'm not talking about extensions or expanding property, only those things like aluminum siding..."

Speaker Shea: "Mr. Mudd, would you excuse me for a minute?"

Mudd: "Yes, sir."

Speaker Shea: "The Assistant Minority Leader, Mr. Walsh, on a point of order.

Mr. Walsh, would you wait one minute? Would those people not entitled to the floor, please remove themselves from the floor and would the Members please be in their seats. Now we're debating Constitutional Amendments and I think that we're all interested in 'em. So, would you please give the speaker some attention. Now, the Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, I don't have a copy of this Constitutional Amendment and I haven't found anyone around me who has a copy of it. I think we ought to take this out of the record until we do."

Speaker Shea: "Well, they were in your Bill books and on your desks. Perhaps the Pages have misplaced them on you."

Walsh: "Well, it's not reasonable that all of the Pages misplaced them. Nobody has a copy of it that I've been able to find ah... The Democrats don't even have books in front of me."

Speaker Shea: "Mr. Collins says he had one, but he gave it away."

Walsh: "He got it from Joe Mudd."

Speaker Shea: "The Gentleman from Peoria, Mr. Mudd."

Mudd: "Mr., Mr. Chairman, ah... this, this particular Constitutional Amendment has been on the Calendar in this General Assembly in the



House since the first month that we went in Session over a year ago."

Speaker Shea: "Well, Mr. Mudd, I can understand your feeling, but perhaps if we go to Concurrence and in that time, the Assistant Minority Leader will have an opportunity to have his assistant get him the Amendment and then we can get back to 'em. So with leave of the House, we'll take this out of the record. We will be back to it today and I will now go to Concurrence. And, Mr. Walsh, will you make sure that you have those? Well then, would you ask the Republican Pages to please get 'em and distribute 'em for you? On the order of Concurrences appears House Bill 1375. The Gentleman from Cook, Mr. Porter. You want that out of the record? Take that out of the record. House Bill 2435, Mr. Kozubowski wishes that out of the record. House Bill 2627, the Gentleman from Cook, Mr. Taylor. Is Mr. Taylor on the floor? Is Mr. Taylor on the floor? Take that out of the record for a minute. House Bill 2804, is Mr. Fennessey's Bill. Is Mr. Riccolo going to handle that, do you know? Mr. Riccolo here? Mr. Riccolo, do you ask leave of the House to have your name inserted as the Chief Sponsor of that Amendment, that Bill? The Gentleman from LaSalle, Mr. Riccolo, asks leave of the House to be the Chief Sponsor on House Bill 2804. Is there objection? Hearing none, Mr. Fennessey's name will be taken off as the Chief Sponsor and Mr. Riccolo's name will be inserted. Do you wish to call the Bill now or out of the record? Mr. Riccolo wishes the Bill out of the record. We're very quick today, Phil. Now on House Bill 233 which was Mr. Calvo's Bill, is Mr. Sam Wolf on the floor? Mr. Wolf, do you wish to become the Chief Sponsor of that Bill? The Gentleman from Madison, Mr. Wolf, asks leave of the House to be the Chief Sponsor of House Bill 233 and to have the name of Mr. Calvo, in lieu of Mr. Calvo. Is there objection? Hearing none, Mr. Wolf will be the Chief Sponsor of House Bill 233. Do you wish that called now, Mr. Wolf? Take it out of the record. On Motions, appears House Bill 3054 and the... on that order of business, the Gentleman from Tazwell, Mr. VonBoeckman. Do you want to go with that? Take that out of the record. On the order of Motions, appears House Bill 3427. The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker..."



Speaker Shea: "3347."

Schraeder: "Mr. Speaker, that's before the Rules Committee and at this time, I have to hold it."

Speaker Shea: "All right, take that out. House Bill 3301. Mr. Giorgi, House Bill 3301. What is that? From Giorgi to Matijevich. You the Chief Sponsor, Mr. Giorgi, perhaps you..."

Giorgi: "Mr. Speaker, 3301 is an exchange of property between the State and the County of Winnebago."

Speaker Shea: "That's properly before Rules Committee, isn't it?"

Giorgi: "Yes, but I have a Motion to ah... suspend the Rules Committee for immediate consideration because ah... the county's been trying to get this from the State for a couple of years and we finally got all the paperwork together."

Speaker Shea: "In the opinion of the Parliamentarian which will be the opinion of the Chair, seeing how the Bill is not an exempt Bill, it cannot be put on the Calendar. Would you come up and talk to the Parliamentarian about that, Mr. Giorgi?"

Giorgi: "Thank you, Mr. Speaker."

Speaker Shea: "On the order of Motions, appears House Resolution 151. Mr. Mann. On the order of Resolutions appears House Resolution 642. Mr. Leverenz and Mr. Huff. Mr. Leverenz. Is Mr. Leverenz on the floor? Do you want Mr. Huff to go with it, is that it? I guess we're taking it out of the record. Out of the record. On the Speaker's Table appears House Resolution 293, Mr. Collins. Is Representative Stearney on the floor? We'll hold 293. House Resolution 678, Mr. Beatty. Take that one out of the record. House Resolution... House Joint Resolution #61. The Gentleman from Cook, Mr. Kelly. Is Mr. Kelly on the floor? Do you want to call that one now? Take that one out of the record. House Joint Resolution 83, Mr. Polk. Mr. Polk, do you wish to call... That one's out of the record. Could the House Sponsor for Senate Joint Resolution 65, Mr. Egan's Senate Resolution, please identify himself with the Clerk? The Gentleman from Cook, Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, ah... Senate Joint Resolution 65 relates to ah... all Bills ah... amending the Illinois Public Employees Pension Laws. And what the Resolution



does is simply that any Bills or any Amendments which are related to ah... pension programs, that before the ah... decision is made by the House that these be admitted to the Illinois Pension Laws Commission for their review to be presented to the Members of the General Assembly and I would urge adoption of this Joint Resolution."

Speaker Shea: "The Gentleman from Cook, Mr. Terzich, moves for the adoption of Senate Joint Resolution 65. Is there any debate? On that, the Gentleman from Cook, Mr. Schlickman."

Schlickman: "Would the Sponsor yield for two questions?"

Speaker Shea: "He indicates he will. Would the Members please be in their seats and would those people on the floor of the House, not entitled to the floor, please remove themselves or I'll have the Doorkeeper do it. Proceed, Mr. Schlickman."

Schlickman: "I think, Mr. Speaker, what I should do first is raise the point of order. Where does this appear on the Calendar?"

Speaker Shea: "It appears on the Calendar on the Speaker's Table on page 5."

Schlickman: "Got it. Would the Sponsor yield for two questions, please?"

Speaker Shea: "He indicates he will, sir."

Schlickman: "Does this Senate Joint Resolution constitute an Amendment to the Joint Rules?"

Speaker Shea: "Turn Mr. Terzich on please."

Terzich: "Ah... Gene, I'm not sure whether or not that amends the Joint Rules. I believe it does."

Speaker Shea: "Hand me the Amendment, will you, Mr. Clerk? Proceed, Mr. Schlickman."

Schlickman: "Well, I think, before I proceed, Mr. Speaker, I'd like to know the answer to that question."

Terzich: "Well, I'll take it out of the record until I get that for you, Gene, if that's all right, Mr. Speaker."

Speaker Shea: "At the request of the Sponsor, we will take it out. But the answer to it, is that it does not. It's just a Senate Joint Resolution. Mr. Schlickman."

Schlickman: "Well, Mr. Speaker, in a constructive vein I simply suggest that if it's not an Amendment to the rules, it's going to be of no force or effect."



Speaker Shea: "Why don't you because of your parliamentary mind, discuss it with Mr. Terzich and perhaps if they think it's a good idea, they'll do it another way."

Schlickman: "There are many ways. I appreciate that, particularly here."

Speaker Shea: "And... Thank you."

Schlickman: "Thank you, Mr. Speaker."

Speaker Shea: "Take it out of the record. On the order of Constitutional Amendments. Mr. Walsh, do you have your Constitutional Amendments now?"

Walsh: "No, sir."

Speaker Shea: "Didn't your Pages get 'em for you?"

Walsh: "Not yet. I do not have H.J.R. 12. Is that the one that we're considering?"

Speaker Shea: "Well, Mr. Duff has it. So, I'm just... Would you like to go to H.J.R. 13 and back to 12? All right, on the order of Constitutional Amendments, Third Reading appears House Joint Constitutional... House Joint Constitutional Amendment Resolution #13 has been read a Third time. The Gentleman from Marion, Mr. Friedrich, is he on the floor? If we could ah... Mr. Polk, could we bust up that little playhouse for a minute and see if Mr. Friedrich's behind you there? He's off the floor. Take it off ah... there he is. Now if you Gentlemen would be kind enough to sit down so we could see him, we'd be very pleased. The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, Members of the House, this is a very simple Resolution and I think should have the support of all the Members of the House if for no other reason than to give the people of the State of Illinois the choice as to whether or not they're going to have government by appointment or have elected State Officials. There is no other thing in Illinois which occupies more people than public education. It takes two-thirds of our real estate taxes and it takes a third of our state taxes and certainly is something that should be responsive directly to the people. As you well know under our new Constitution, the State Superintendent is appointive. We now have a Board appointed by the Governor who appoints the State



Superintendent and in their wisdom or lack of wisdom, they appointed a man from Massachusetts to administer this great ah... important part of government. So I would be glad to answer any questions and other than that, I'd appreciate your vote."

Speaker Shea: "I'm sorry, Mr. Friedrich. Are we ready to proceed?"

Friedrich: "I hope so."

Speaker Shea: "Is there any debate with regards to House Joint Resolution Constitutional Amendment #13? Hearing none, all those in favor will vote 'aye', those opposed will vote 'nay'. It takes 113 votes, 107. Shea 'aye' please. The Gentleman from Marion, Mr. Friedrich, to explain his vote."

Friedrich: "Mr. Speaker, Members of the House..."

Speaker Shea: "Mr. Friedrich, could I get a little order please? Will the Members please be in their seat. One of the Members is trying to explain a vote on his Constitutional Amendment. Please proceed, sir."

Friedrich: "Well, in explanation of my vote, let me say again the real serious question involved in this Resolution is whether or not we have government by appointment or whether we elect the people who administer state government. Again, let me remind you that more people are involved in public education than other single ah... business of the State. A third of all the money appropriated around here goes for public education and two-third of your tax dollars at home go for public education. We now have a man from Massachusetts who's telling your local school board what the teachers salary should be, what the requirements for the textbooks are, what the curriculum is, what the standards for the classrooms are, all the things about integration and so on, and the local school board is, no longer has much to say about what goes on in your local schools. Now if you want government by appointment, you can vote 'no'. If you want government elected by the people, the thing to do on this is to vote 'aye'. I would appreciate your vote."

Speaker Shea: "Have all voted who wished? Mr. Schlickman, to explain his vote. Oh, I'm sorry. I'm... I didn't see... the Minority Leader from Grundy, Mr. Washburn, please."

Washburn: "Thank you, ah..."



Speaker Shea: "My apologies, sir."

Washburn: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. For a long time, there's been movements under way by certain groups and individuals to shorten the ballot, giving the general public lesser voice in those who operate their government. And certainly this is a case before us right now where one office ah... was eliminated from being chosen by the voters and was chosen by a few. And Representative Friedrich pointed out, he wasn't even chosen from the State of Illinois. He came here from out East like so many others have done during this administration. And certainly I think that this is an opportunity for those of us who feel that public officials should be elected and be responsible to a constituency; and in that manner, we'll have better government, more effective government and more efficient and effective government. I would suggest that some of the red lights are changed to green so that ah... Representative Friedrich's Resolution Constitutional Amendment Resolution #13 could be ah... presented to the voters and give them another voice in this office. And I would ask for your 'aye' vote and hope that the green lights can get up to 107, the necessary amount for its approval."

Speaker Shea: "Is there any further discussion? The Gentleman from Livingston, Mr. Ewing."

Ewing: "Yes, thank you, Mr. Speaker. I'd like to echo the comments of the Minority Leader on this side of the aisle. Most of us have just come through a primary election in which we promised time after time to return government to the people and to give local control. I think it's obvious if anybody has talked to their local school Superintendents that they're losing more and more control of the schools and a lot of it, I think, lays with out appointed Superintendent here in Springfield. This is a good Bill. Why should we be afraid to let the people decide how they want it. Let's give it the 113. Thank you."

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

Kempiners: "Thank you, Mr. Speaker. I'd like to explain my 'yes' vote. We're talking here about whether or not the position of Superintendent of Public Instruction ought to be an elected position or one appointed



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by a board which is appointed by the Governor. There's been some confusion on the floor of this House as to whether this addresses the election or the appointment of board members. It does not. What it's doing is returning the situation to the way it was before the 1970 Constitution. It adds another elective state wide official, meaning the Superintendent of Public Instruction. I think that this has become a very sensitive post and it's one that a person who wishes to serve in ought to go to the people and seek their support and be elected to it rather than appointed to it. And therefore, I, too, would urge a 'yes' vote."

Speaker Shea: "The Gentleman from Madison, Mr. Lucco."

Lucco: "Mr. Speaker, I rise in support of this proposition. First of all, I don't want to deal in any personalities at all and that's not the question in my mind at all. I think it's a matter that has been stated several times of putting it into the hands of the people and giving local control. This is one of the most effective positions in the State of Illinois, ranking in the top three or four elected positions in the past; and I certainly would like to see this go back on the ballot, giving the people the right to select their State Superintendent of Schools."

Speaker Shea: "Have all voted who wished? Have all voted who wished? The Gentleman from Stephenson, Mr. Brinkmeier. I'm sorry, sir, I didn't see you."

Brinkmeier: "Mr. Speaker and Members of the House, I couldn't agree more than previous statement was made regarding how important this post is and the people should have an option to select the personnel but I would remind this Body that we had that opportunity a couple of years ago when we should have provided for an elected State Board of Education. I, for one, don't believe that this/particular post should be an elected position. It's too sensitive for that and it shouldn't be political. And I think if we're going to get the best possible Superintendent, it doesn't necessarily mean it's going the guy that's going to get the most votes when he goes out before the people. So I would urge a 'no' vote on this and if you really want to do something constructive for education, now seriously consider getting an elected State Board of Education rather than an appointed Board."



And I would vote 'no'."

Speaker Shea: "Have all... have all voted who wished? The Gentleman from Winnebago, Mr. Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Constitutional Amendment. I support this Amendment to give the people of Illinois the opportunity to select who'll be the Superintendent of the Schools of our State. I think more and more as time goes on and the focus is now on the educational problems of the State of Illinois and many people throughout the State feel that the present circumstances with the State Board of Education is not necessarily been responsive to the people of the State of Illinois. In addition, the people of Illinois have the right ah... to have a great deal of input as to who will be the Superintendent of Schools ah... during the course of the administration as the Superintendent to a great degree is responsible for the direction of the schools in the State of Illinois and also the type of philosophy that the educational system in our state offers the young people. So I say, Mr. Speaker, Ladies and Gentlemen of the House, let's let the people of Illinois decide whether or not we want an elected Superintendent. Let's decide. Things have changed since the Constitution of 1970 and all the time we find some of the points that the Constitution included in ah... of 1970 has not been acceptable to the people of this State as reflected through the Legislature. The Constitution was meant to be amended. It was meant to have a careful examination and for these reasons, I vote 'yes' to give the people in the State of Illinois the chance to vote 'yes' or 'no' for an elected Superintendent."

Speaker Shea: "The Gentleman from Vermilion, Mr. Campbell."

Campbell: "Mr. Speaker, Ladies and Gentlemen of the House, I, too, rise in support of this Constitutional Amendment. What is wrong with our government of, for, and by the people? We keep talking we're going to take this out of politics and that out of politics and believe you me, nothing could be more political than appointive office. And I think it's time that we did put it back in the hands of the people and education to where it rightfully belongs. I would appreciate a few more votes up there ah... and pass this Constitutional



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Amendment."

Speaker Shea: "The Gentleman from Perry, Mr. Dunn, Ralph."

Ralph Dunn: "Thank you, thank you, Mr. Speaker. I, too, want to explain my 'yes' vote by saying that I was a Member of the Constitutional Convention. I took a lot of static once in a while for it and this is one of the real mistakes of the Constitution is the fact that we allowed the ah... State's Chief School Officer to be appointed instead of elected. I think that we need to present this again to the people this year and let them decide this November whether they want to continue on the road we're on now or whether they want to return the Office of State Superintendent back to the people and let them elect and choose the man. I'd urge an 'aye' vote."

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

Grotberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to explain my 'aye' vote. I would only remind each Member of this House that for the next six to eight weeks, we will hearing from education. We will be lined up and doing battle for or against education. At this point in time, we are the only elected officials dealing with that problem at the state level. I think it behooves each and every one of us to bring one more elected state wide official to help share the heat that's going to be with us for several decades. We can amend the Constitution another decade from now if it doesn't work, but I behoove each and every one of you to think about the campaign that you just went through, the conversations you've heard, the heat you've been taking and there is no on directly related to the administrative of schools anymore at the top of the pack that has to report to the people for his or her job and I think it's a sensitive post that only can be taken care of by someone who will listen, someone who can be voted out of office if the people decide to change and I recommend an 'aye' vote if for no other reason than that, get the heat where it belongs, at the top. Thank you."

Speaker Shea: "The Lady from Lake, Ms. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, ah... there have been very many fine comments... I have always supported the election of the Superintendent of the Schools. I have no, no ah... argument with the present Superintendent. I think he's trying



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to do a good job, but this is another example... we've had too much regulation by agencies and who's going to regulate the regulators and I do feel it's high time we return it to the people. We're far more sophisticated, the communications media does inform us what goes on with various candidates and the qualifications far more than ever before and I would request an 'aye' vote and support it."

Speaker Shea: "The Gentleman from Cook, Mr. Lundy. Does your light work, sir?"

Lundy: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like to ask for a verification."

Speaker Shea: "At the proper time, sir. The Gentleman from Cook, Mr. Bluthardt."

Bluthardt: "Well, Mr. Speaker and Members of the House, wasn't too many years ago that the movement was all for taking the Superintendent of Education out of politics and we did that with the adoption of the 1970 Constitution. The people of this State voted for it. Now we've hardly given it a chance to work and we say, let's, let's send ^{it} back to the people for another vote. Maybe they were wrong. I think we're wrong. I think we have an obligation to give the system a chance to work before we start fiddling with it and trying to change it again. I think that those who are voting green ought to give it a second thought and think of all the heat and all the movement that was going on seven, eight, and nine years ago to do away with the Superintendent of Public Education. I think, I think the Constitutional Convention did the right thing and I think we're doing the wrong thing if we're going to put it back to the people for a vote."

Speaker Shea: "The Gentleman from or the Lady from Cook, Ms. Catania."

Catania: "Thank you, Mr. Speaker. I haven't been able to find anybody even among those who've spoken for this ah... with a copy of this Amendment. I don't think we can vote on it until we have copies on our desks, can we?"

Speaker Shea: "About a half hour ago, Ms. Catania, Mr. Walsh raised that question and he was going to get the Republican Pages to distribute it and I thought it had been done."

Catania: "Mr. Speaker, you know you can't get the Republican Pages to do things like that."



Speaker Shea: "The Gentleman from Lake, Mr. Deuster."

Deuster: "Mr. Speaker, in explaining my yes vote and urging some reds and some present votes to go green so that we can pass this. I would like to say that there are two subjects that are of great concern to the people. The people are very frustrated. They are frustrated in Lake County, up in my area. They are frustrated in Chicago. They are frustrated all over the nation, all over the State with respect to the lack of quality of education in their schools. We have leaders in Chicago like Reverend Jesse Jackson speaking out and saying that we want the schools to have some discipline. We want a dress code. We want reading and writing and arithmetic. We want the performance in our schools and the leaders are frustrated among the people because the appointed bureaucrats don't seem to be getting the job done. Now it is not a question of politics. We are going to have politics any time that we are dealing with government. The question is whether you are going to have a bureaucrat or an appointed person leading the way in the school system or one who is directly responsive to the people. I think there is nothing wrong with politics with having the people who are paying the taxes having something to say directly about what is going on in the schools where their children are attending. And I urge as earnestly as I can that you vote green, vote yes for this Constitutional Amendment."

Speaker Shea: "Have all voted who wish? Have all voted who wish? Take the record. The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Since we know there is going to be a verification of the vote could we poll the absentees before the record is taken?"

Speaker Shea: "You're entitled to that, sir. Mr. Clerk, poll the absentees. The Clerk has an announcement to make also."

Clerk O'Brien: "There were some keys found by the doorman over in the Senate. Three keys that fit a cadillac in a leather case. They are marked Tolman Cadillac, Decatur, Illinois. Doorman in the Senate."

Speaker Shea: "Mr. Tipword or Mr. Dunn. Proceed with the poll of the absentees."

Clerk O'Brien: "Arnell. E. M. Barnes. Daniels. Ewell. Fleck. Garmisa. Greiman. Hanahan. G. L. Hoffman. Kucharski. LaFleur. Mann. McGrew. Palmer. Pierce. Rayson. Rose. Sangmeister. Stearney. Mr. Speaker."



Speaker Shea: "You have polled all of the absentees? Will the Ladies and Gentlemen please be in their seats, there has been a request for a verification. Proceed with the verification of the affirmative vote, but prior to that, Mr. Katz."

Katz: "Mr. Speaker, in the course of the debate on this matter it was said that this Constitutional Amendment would not affect the State Board of Education. I have just got a copy of the Amendment and I have just gotten a copy of the Constitution. As I read this Bill, it would totally eliminate the State Board of Education and since that misstatement was made in the course of the debate I believe the Members should be aware of that."

Speaker Shea: "Have you clarified it now, Mr. Katz?"

Katz: "I have stated what I understand the facts to be Mr. Speaker and I felt the Members ought to be appraised of what I believe the affects of this Amendment would be."

Speaker Shea: "Proceed with the verification of the affirmative vote. Would the Members please be in their seats. Just wait a minute, Mr. Clerk. Would the Members please be in their seats. Mr. Katz has one, Ms. Catania, he'll let you use. The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, in view of the fact that there has been a misunderstanding about this, I would like to change my vote from green to no."

Speaker Shea: "Mr. Schraeder wishes to go from aye to nay. Mr. Friedrich."

Friedrich: "Mr. Speaker, I would like to postpone consideration until all of the Members are present. I know there are a number of Members that are going to be for this are not here today and I would like to have at least a fair shot at this."

Speaker Shea: "The Gentleman wants to postpone consideration. Postpone consideration. Constitutional Amendments, House Joint Constitutional Amendment #12. The Gentleman from Peoria, Mr. Mudd."

Mudd: "Mr. Speaker, Mr. Chairman, I think the Amendment has been distributed. I think, I would like to just simplify what this particular Amendment tries to do so everyone can understand it. We cannot in downstate Illinois allow anyone at this particular time to keep up their property without reassessing them. We can not allow someone to put aluminum siding on a badly deteriorated piece of property without reassessing



them on a higher evaluation. All this Amendment does is to allow the Legislature to set up a mechanism by which we can allow people to improve their property without additional assessments. It is a permissive Bill for the Legislature, for no one else. It is an entirely different Bill than the Capparelli Bill. The Capparelli Bill reports to new construction in a four year leave on assessments up to \$15,000. It does not deal with the rehabilitation or the upkeep of property. I would hope that you would give us this vote on this. The people have asked for this for years. I think they have used it for an excuse in many areas of our cities not to keep their property up because they didn't want to be assessed at a higher evaluation. I would hope that you would all give it your support. I think the people of Illinois want this type of legislation and I ask you to support this Amendment and I ask for a Roll Call."

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

Maragos: "Mr. Speaker, prior to the time that the Assistant Minority Leader had asked some questions regarding the distribution of the Amendments to the Members, I had asked the Sponsor of this Legislation some questions regarding the necessity of having to go the route of a Constitutional Amendment or whether we could do it by legislative Act. And I still do not know whether this would be in conflict with other parts of the Revenue Article which say it would have to do with the question of classification. I think now that the House has expressed itself in the form of adopting in passing a Joint Resolution, Constitutional Amendment #10 which was just passed in which Mr. Mudd also sponsored. I think we should allow the local assessor and County Board and other County officials to first get that thing working if it is adopted by the people of the State of Illinois in a referendum and then we will come back to giving special thought to homeowners. What bothers me is that we may be opening up an area here of allowing relief in one sector of our taxing procedures and then makingfor other sectors. Therefore, at this time I think we are premature with this Amendment and I think there are many ways that we can still obtain the same relief Mr. Mudd desires without going the Constitutional Amendment route and therefore, I ask for you to vote against this Amendment."

Speaker Shea: "Is there any further discussion. The Gentleman from McHenry,



Mr. Skinner."

Skinner: "Mr. Speaker, if the Sponsor would yield to a question or two I would like to ask some."

Speaker Shea: "He indicates he will, sir."

Skinner: "For starters, I'm not sure you can answer this question, but can you tell me why this went to the Executive Committee instead of the Revenue Committee which might know something about it?"

Mudd: "It was my understanding at the time, Representative Skinner, that the Executive Committee deals with all Constitutional Amendments."

Skinner: "I hope the new rules prevent that in the future. In view of Representative Hanahan's Bill for downstate Illinois and Representative Capparelli's Bill for Cook County which allows for a \$15,000 exemption from Real Property assessments during the first five years of that exemption's life or the addition's life, why is this Amendment needed for the State Constitution?"

Mudd: "First of all the Capparelli Bill deals with new construction within the Cook County area. New construction. The Hanahan Bill deals with a exemption to the Homestead Act, which only takes in a particular area of people who are eligible."

Skinner: "Come again, only elderly?"

Mudd: "It was my understanding that his Bill dealt with the Homestead Exemption Act."

Skinner: "Well, I've got the feeling that if that is the Sponsor's understanding that this Amendment ought to be re-committed to Committee and that it ought to be discussed in depth because both Representative Capparelli's Bill and Representative Hanahan's Bill are exactly the same. Frankly, I have no idea why there was two Bills instead of just one Bill to cover the entire State and they deal with any addition to any piece of property. For instance, my parents are building a porch and it is not going to go on the tax roll, because of their Bill for the next five years. Now, I'm trying to figure and it is for all age groups. My parents aren't over 65. I'm trying to figure out what this Amendment does. Does this legitimize Representative Hanahan's and Representative Capparelli's Bills?"

Mudd: "Somewhat."

Skinner: "Somewhat. Now before you suggested that Representative Capparelli's



Bill was unconstitutional and yet the Governor signed it and as far as I know no court has held it unconstitutional. Why do you think it is unconstitutional?"

Speaker Shea: "Mr. Skinner, you can ask questions and get answers, but you cannot argue."

Skinner: "Gee, I thought people could tell when I was arguing."

Mudd: "I don't make the statement and I'm not qualified to make the statement that any one piece of legislation is unconstitutional. My Bill addresses itself to those people who would like to put aluminum siding on their property and that the assessors tell them that they have to classify them at a higher rate because of this. I think the people of Illinois decided that they felt that aluminum siding and those things to fix up the property without expansion, my Bill does not address itself to new additions or anything else only to those things to rehabilitate existing property and to bring it up to conform to address itself to aluminum siding, aluminum windows and those things that would bring their homes up to better standards. And they are not willing to do this. You've heard it. Every Member of this House has heard it over the years, but they do not wish to make these improvements because they do not want to be assessed at a higher cost. They can't afford it. And this causes quite a....."

Skinner: "Well, I have a, according to the copy of Constitutional Amendment #12, that I have before me, it says it would provide for incentives for the rehabilitation or improvement of residential real estate. Now wouldn't an addition to a residence to a home be an improvement?"

Mudd: "It would not be an improvement in my point of view. It would be an addition. My point of view would be those things that were done in order to maintain the existing piece of property. I maintain that anyone who expands his property is qualified for additional assessments because he broadens his living quarters or his useable property. But when he maintains his property in such a manner to cause an increase in evaluation of that property, I think this is wrong."

Skinner: "Mr. Speaker, if I might speak to the Bill or the Amendment. It seems to me that..."

Speaker Shea: "Proceed, Representative Skinner."

Skinner: "Representative is arguing basically for a site valuation tax



of in which the property owner would not have his assessment increased no matter how much he improves the property. Now I see a great deal of benefit in an Amendment like that, but given the construction that he is giving this Amendment, saying that an addition to a home won't fit, I just don't think this is going to solve the problem that he is pointing at."

Speaker Shea: "The Gentleman from Hardin, Mr. Winchester."

Winchester: "Will the Gentleman yield for a question?"

Speaker Shea: "He indicates he will, sir."

Winchester: "Representative Mudd, if this Constitutional Amendment is approved what's going to happen to the small counties? What's going to be the effect of the revenue coming into those small counties such as I've got in my District where the population of a County is small with a large percentage of senior citizens on the Homestead Exemption?"

Mudd: "I believe that if we pass this Amendment and we set off the mechanism by which people can rehabilitate their property without increased assessments it's going to stabilize the revenues in most Counties. It is going to create an incentive for people to keep their property in good shape and not deteriorate and it is going to guarantee those small Counties the continuity of revenues from now and for ever."

Winchester: "Thank you, Representative Mudd, but at this point in time most of our Counties are facing bankruptcy, and any additional laws that is going to affect the way revenues to the County Government is going to put us in a serious situation in County Government. Thank you."

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

Schlickman: "Well, Mr. Speaker and Members of the House. I rise in opposition to this proposed Constitutional Amendment on three grounds. Number one the subject is already covered by statute. Number two unlike the existing law this Constitutional Amendment would apply to all residential real estate whether it is quote, 'owner occupied' or not. In other words it would apply to commercial, not commercial but real estate which is rented which is owned by another for investment purposes. Finally, Mr. Speaker, Members of the House, I think that if this were to be read, passed, adopted by us and subsequently ratified and then implemented by legislation it would result in a reduction of real estate tax income at the local level and result in pressure on the General



Assembly to appropriate more money for the operation of local government. For that reason, I think it is fiscally unsound and inappropriate at this time. And I would urge a no vote."

Speaker Shea: "The Gentleman from Peoria, Mr. or I'm sorry the Gentleman from Franklin, Mr. Hart."

Hart: "Will the Gentleman yield?"

Speaker Shea: "He will, sir."

Hart: "Representative Mudd, why can't this be done by statute rather than by amending, why do you think it is necessary to amend the Illinois Constitution in a way that you are suggesting here?"

Mudd: "Representative Hart, I have been working on this problem when I was on the City Council in Peoria for some six years. We tried to get the assessors to agree that those improvements like aluminum siding and maintenance rejuvenation of residential property were ones that should not be penalized the property owner and we were told and we had a ruling from the Attorney General's Office that the only way that you could alleviate the problem of additional assessments for home improvement or maintenance was to attack it by Constitutional Amendment. The Constitution states that no that all improvements to a property will be taxes upon regard to that improvement. And we take people who get \$1300 or \$2000 aluminum siding job, they get a building permit for it then the Court Enforcement Department or Building Department of that municipality sends these permits or makes these permits available to the assessor and he adds that additional cost of alluminum siding and that to the assessed evaluation of that property. And they tell me that there is no way that they can stop doing this without legislation or a Constitutional Amendment to the effect."

Hart: "Thank you. Was that opinion of the Attorney General before the 1970 Constitution or afterwards?"

Mudd: "After, sir."

Hart: "Okay, and your position based on that that even a home rule county would not have the authority legally to do this without Constitutional Amendment such as you suggest."

Mudd: "Yes sir, it is my opinion that they cannot do it either."

Hart: "Thank you very much."



Speaker Shea: "Have all discussed it? The... those in favor will vote 'aye', those opposed will vote 'nay'. All voted who wished? The Gentleman from Peoria, Mr. Mudd, wants to put this on postponed consideration."

Mudd: "Thank you, sir."

Speaker Shea: "On the order of Constitutional Amendments, appears Constitutional Amendment #17. The Gentleman from Franklin, Mr. Hart. You want to go with that, sir?"

Hart: "Yes."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #17. The Amendment has been read a Third time previously."

Speaker Shea: "The Gentleman from Franklin, Mr. Hart, to explain the Amendment."

Hart: "Well, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment ah... will at least in part solve some of the problems of the ah... counties of Southern Illinois where ah... the assessed valuation is not high and where the population is sparse. We have counties in our area that ah... but for Federal Revenue Sharing would ah... have gone broke many years ago. Even with Federal Revenue Sharing, counties such as Polk, Hardin, and others are having a hard time even making ends meet. The 1970 Constitution abolished a practice of ah... of the counties charging other taxing districts a fee for the levy, extension, and collection of taxes. What this would do, would allow the counties a break even charge to the other taxing districts for the collection and extension of real estate taxes. This matter was heard before the Revenue Committee and ah... was given a favorable recommendation and I think it ah... would be a very, a very good solution to the financial problems of many of the counties throughout the State if this ah... matter could be proposed to the ah... electorate and passed. It has the support of the Counties ah... Problems Commission, as I understand it, and ah... the counties. And I would urge a favorable ah... vote for this Resolution."

Speaker Shea: "The Gentleman from Logan, Mr. Lauer, on the question."

Lauer: "Mr... Thank you, Mr. Speaker. I feel we should arise in support of this Constitutional Amendment. Those of you who have been here for the last four years will recall that this is a problem that this



House has attempted to handle a number of times before. In fact, this is substance of my House Bill 194 where the House of Representatives and the Senate concurring attempted to handle the problem by statutes. Unfortunately, there were some test cases that were brought in various Circuit Courts by the ah... taxing districts that did not wish to pay their share of the cost of extension and collection of taxes and the law was struck down as passed by both Houses of the 78th General Assembly and signed by the Governor and was found unconstitutional. I have great admiration for Representative Hart for bringing it now to the Constitutional Amendment route and would strongly solicit a vote of every Member of this House to put to the voters. I have no doubt whatever that they will approve it to have each taxing district pay on a cost basis for their fair share of extending and collecting taxes. Thank you, Mr. Speaker."

Speaker Shea: "The Gentleman from DuPage, Mr. Hudson."

Hudson: "Thank you very much, ah... Mr. Speaker. I, too, rise in support of Representative Hart's ah... very fine ah... piece of legislation here. I think that it provides the answer for hard-pressed counties. I come from a county that is financially hard pressed as a result of the loss of the three percent collection fee that they once could charge. And it seems to me that the ah... outstanding feature of this proposal is the proportionate share aspect. It's entirely fair. It's reasonable, well within Constitutional ah... ah... limits and considerations. I think it's the answer and it may be the only answer that we will be privileged to come up with at least in this Session of the Illinois General Assembly to the crying needs of our counties. I would urge as my colleagues have before me, ah... support of this proposal."

Speaker Shea: "The Gentleman from Franklin, Mr. Hart, to close."

Hart: "Well, thank you very much, Mr. Speaker. I think ah... the remarks of Representative Lauer and Representative Hudson ah... are very well ah... put the issue to the Members here and I would urge a favorable vote on this Constitutional Amendment ah... to attempt to do something ah... to alleviate the really huge problems that some of the counties of our State have and I would ask the Membership to support me in this ah... Amendment."



Speaker Shea: "The question is shall the House adopt House Joint Resolution Constitutional Amendment #17. This requires 107 votes. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? The Gentleman from Franklin, Mr. Hart, to explain his vote."

Hart: "Well, ah... thank you very much again, Mr. Speaker and Ladies and Gentlemen of the House. I know it's kind of busy time and, and we are presented with some major questions right here to be ah... to time the resumption of our Session, but ah... this matter has been pending around here ah... since last spring when it was favorable reported by the House Revenue Committee. As I said before, Revenue Sharing from the Federal government has been the only thing that has held many a county in Illinois together since the ah... abolition of the three percent fee for the extension and collection of taxes. This Constitutional Amendment does in no way ah... restore the ah... abominable practice of the counties making money from the other taxing districts. However, the unfortunate result of the 1972, ah... '70 Constitutional Amendment was ah... to allow the other taxing districts to make money from the counties and the counties have lost ah... millions of dollars in revenue that they ah... wou... they do need and must have to survive. I do not know how long ah... we can expect the Federal government to continue Revenue Sharing ah... in the ah... ah... future, but ah... we must give the counties the ability to function. We impose ah... obligations upon them and ah... I suppose the only other answer to that ah... would be to allow them to ah... to levy ah... ah... in the general corporate levy an unlimited amount to run the county, but I would like to see this put to the voters of the State of Illinois ah... to solve the problem of many, many, many counties throughout the State who have ah... virtually gone bankrupt."

Speaker Shea: "The Gentleman from Cook, Mr. Schlickman, to explain his vote."

Schlickman: "Well, Mr. Speaker and Members of the House, in explaining my 'no' vote, I should simply express the thought that the collection of taxes is a traditional, inherent function of county government that should be financed by the counties' own levy. What we have in this



proposed Constitute... Constitutional Amendment is the principle of practice of robbing Peter to pay Paul and on that basis, I vote 'no'."

Speaker Shea: "The Gentleman from Cook, Mr. Bluthardt, to explain his vote."

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

Speaker Shea: "He will, sir. I'm wondering if the people in the Republican aisle could clear that so we could see the speaker back there, please?"

Bluthardt: "Dick, ah... don't the counties presently have power to levy taxes to operate the various elective county offices?"

Hart: "Yes, but ah... in many counties the ah... the maximum corporate tax will not ah... pay the cost of ah... running the county."

Bluthardt: "Well, my fear here is that ah... the county politicians ah... are passing the buck on to local government rather than ah... you know, take the bull by the horn and, and adopt an additional tax, a necessary tax by which the... to cover the cost of collecting the taxes and distributing them. Seems to me that if we're going to elect ah... Treasurers and Collectors that ah... it's inherent there that we levy a tax for them to operate and do the collecting and not pass that buck onto local governments."

Hart: "Well, I understand what you're saying, Representative Bluthardt, but I think you're ah... probably familiar with maybe some county who haven't actually reached the maximum corporate levy, but most of the counties that I'm familiar with and, and certainly all of them in southern Illinois have for a long time, levied the maximum amount permissible. I, I doubt that the moves the Legislature would be to raise the ah... permissible corporate levy without attacking the referendum and I'm not even sure they'd be in a mood to raise it with a referendum, but ah... ah... the, the facts of the matter are that the subtaxing districts are getting benefits from the county that they are not paying for and ah... this would just allow ah... more of a fair play about who's going to pay for what you get."

Bluthardt: "Well, thank you, but I'd much prefer to see you come in with ah... legislation to increase the ah... levy for the counties to operate as they ah... were intended to operate rather than ah... put



this through a Constitutional Amendment."

Hart: "Well, in any event it will go to the people before it's decided.

And so I suppose that that's the ultimate place where it should."

Speaker Shea: "Have all voted who wished? Have all voted who wished?

Take the record, Mr. Clerk. On this question there are 122 'aye' votes, 18 'nay' votes, 2 Members voting 'present'. And the House does adopt House Joint Resolution Constitutional Amendment #17.

On the order of House Joint Resolutions, Constitutional Amendments appears #20. The Lady from Cook, Ms. Macdonald. Take it out of the record at the Sponsor's request. #29, Roscoe Cunningham."

Cunningham: "Mr. Speaker, several of the Members have told me that they were almost persuaded in this matter. It's going to be very difficult to get it passed. Let's put it off for a couple of days. I'd better think about it."

Speaker Shea: "Take it out of the record. #31, Representative Choate.

Take it out of the record. #33, Porter. Take it out of the record.

#34, Mr. Katz. Mr. Katz, take it out of the record. #35, Mr. Maragos."

Maragos: "Mr. Speaker, Members of the House, this Amendment's been

read a Third time and it's similar to Hou... ah... Joint ah...

Constitutional Amendment #10 which was just passed by the House. I

would like to keep this hostage in case #10 doesn't. If #10

passes, I will then table the motion. I would like to have the

same vote that we had on Representative Mudd's #10 Amendment and

I ask for your favorable support. 107 votes."

Speaker Shea: "The Gentleman from Cook, Mr. Maragos, moves that the

House do adopt House Joint Resolution Constitutional Amendment #35.

Is there any discussion? All those in favor will vote 'aye', those

opposed will vote 'nay'. Requires 107 votes. Voted who wished?

The Gentleman from Cook, Mr. Duff, to explain his vote."

Duff: "Now, Mr. Speaker, this is ah... I'm voting 'aye' on this, but I

want to make an inquiry ah... if I may of the Chair. What are we

doing in a situation like this where there is a Constitutional limi-

tation on a number of Constitutional Amendments that we may pass to

any one part of the Constitution. Ah... do we have any ah... con-

trol in either House or both Houses by our rules or joint rules to

guarantee that if we pass ah... more, as we are doing here, ah...



Amendments to one Section of the Constitution that there'll be some-
place along the line that a determination is made as to which one
is in fact ah... may constitutionally pass out of both Houses?"

Speaker Shea: "Mr. Duff, as I read the Constitution it, the limitation
is to three articles. There may be a number of Amendments to the
same article, but as I read the limitation, it's to three articles."

Duff: "Well, Mr. Speaker, do we have any indication or control which
control the Body at any given day how many articles we have amended
in each House? I wonder, for example, if we have already passed
ah... Amendments to more than three articles?"

Speaker Shea: "Well, as I read what we have done here this morning or
this afternoon, we have passed two to revenue and that's all that
I know of."

Duff: "Well, Mr. Speaker, what I'm really referring to is the fact that
we did some action that was brought up earlier on this floor in
last, in last June and as you so aptly pointed out to me in another
inquiry, the 79th General Assembly is one continuous Body and it
might be difficult for some of us to remember in particular ah...
without refreshing ourselves, are we..."

Speaker Shea: "I'll get that... I will get that information, Mr. Duff,
for you tomorrow."

Duff: "Thank you, well, if we're going to continue to vote on these
Constitutional Amendments ah... today, Mr. Speaker, it would be
timely it seems to me for us to get the information."

Speaker Shea: "Well, we've already... I've got somebody checking it, but
we've already passed some on revenue, so we're there now."

Duff: "Thank you."

Speaker Shea: "Have all voted who wished? Have all voted who wished?
Take the record, Mr. Clerk. On this question there are 121 'aye'
votes and 1 'nay' vote, 7 Members voting 'present'. And the House
does adopt House Joint Resolution Constitutional Amendment #35.
Agreed Resolutions."

Clerk Selcke: "House Resolution 680, White. House Resolution 683,
Kornowicz et al. House Bill 584, Geo-Karis et al. House Resolution
686, Kelly. House Resolution 687, Emil Jones et al. House Resolution
688, Brinkmeier et al. House Resolution 689, Polk. House Resolution



690, Schoeberlein et al. House Resolution 691, Griesheimer et al."

Speaker Shea: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, House Resolution 680 commends the friends of handi-
capped riders of Acorn, Illinois. House Resolution 681 commends Gen.
Harold Patton for allowing the use of the National Guard Facilities.
Resolution 683 honors Doctor Joseph Zobrnik, his accomplishment as
Superintendent of District 12. House Resolution 684 congratulates and
commends Ruth Gregory for her years of devoted service to her community.
House Resolution 686 commends the Illinois Central Gulf Railroad
Company for 125 years of service. House Resolution 687 honors the
Mustangs of Morgan Park High School. House Resolution 688 honors the
Honorable Molly Lutter, the Village Clerk ah... for 20, 61 ah... for
21 years. House Resolution 689 honors E. Lee Sieman, who's retiring
as Civil Defense Director in Rock Island County. And House Resolution
690 honors the ah... Service to God and Fellow Man Award from the
Aurora Kiwanis Club. And House Resolution 621 honors Ruth Gregory
of Waukegan. I move for the adoption of all the Agreed Resolutions."

Speaker Shea: "The Gentleman from Winnebago, Mr. Giorgi, moves for the
adoption of the Agreed Resolutions. All in favor will say 'aye',
those opposed 'nay'. The 'ayes' have it and the Resolutions is,
are adopted. Further Resolutions?"

Clerk Selcke: "House Joint Resolution 8... 84, Madigan. House Resolution
677, Ralph Dunn et al. House Resolution..."

Speaker Shea: "The... Excuse me, sir. The Gentleman from Perry, Mr. Dunn,
Ralph."

Ralph Dunn: "Thank you, Mr. Speaker. House Resolution 677 is a Reso-
lution that wasn't on the Agreed List, but I would like to have it
adopted today if we could. I'd like to move to suspend the appro-
priate rule which is 41(a) and adopt House Resolution 677 today.
House Resolution 677 directs that the Commission on Children..."

Speaker Shea: "Mr. Dunn, can we finish reading the rest of the Resolutions?
Then, I'll get back to you on that motion, sir."

Clerk Selcke: "House Resolution 682, Birchler et al. House Joint
Resolution..."

Speaker Shea: "Speaker's Table on those."



Clerk Selcke: "House Joint Resolution 85, Mahar."

Speaker Shea: "Motions. On the order of Motions, the Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Chairman and Ladies and Gentlemen of the House, I move that ah... Rule 31 (b) be suspended for the purpose of advancing House Bill 3484 to the order of Second Reading without reference to Committee. This Bill was introduced today as a Committee Bill by the Executive Committee. They had it posted. The subject matter was posted. It's a matter to the mandating of monthly pay for Legislators and it moved out with a 19 to nothing unanimous vote. So I see no sense in ah... assigning it back to Executive and having another hearing. So I ask for unanimous consent to ah... suspend House Rule 31(b)."

Speaker Shea: "Matijevich, somebody has raised the point... Mr. Walsh."

Walsh: "Yeh, the only point that I'd like to make, Mr. Speaker, and certainly not on this Bill, but on other Bills and since this is beginning of it, I think we ought to raise it on this. And that is that the Members of the House don't know what these Bills consist of. The Members of the Executive Committee do. The Members of the various Committees on Committee Bills know what is contained in them, but I think the other Members of the House and the members of the public are entitled to know what the finished product is and that there should be a Committee meeting on these, this Bill as well as all Committee Bills."

Speaker Shea: "Well, Mr. Walsh, and I apologize to the Gentleman who is the maker of the motion. I'm informed, Mr. Matijevich, that the rules require that the motion be in writing and appear on the Calendar. So would you see about doing that, sir? Turn Mr. Matijevich on."

Matijevich: "Mr. Speaker, that's right and that's why I was asking unanimous consent to waive that rule and I agree with the Majority Leader. Ordinarily, I would never make this motion, but we, but we have a matter of time. As you know, there's petitions going around and, and ah... I think that ah... this Committee by this unanimous vote ah... expressed... Yes, ah... Representative Lauer is asking me if it's the Pay Bill. Yes. I, I, you won't see me making this motion very often, Representative Walsh, but on this case, because of



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the matter of time and it was unanimous ah... I make it now and ask for unanimous consent. You can... but ah... I'd appreciate..."

Speaker Shea: "The Gentleman has asked for unanimous consent. Is there objection? The Gen... there is objection. There is objections. Mr. Lauer."

Lauer: "Mr. Speaker, thank you for your consideration. I would recommend to those on our side of the aisle that this the Bill that has been thoroughly heard and that the consensus is overwhelmingly in favor and this is one that is going to fly and you might just as well bring it to the floor now without ah... taking the time of the Committee. I would strongly recommend that the objections be withdrawn. I am Minority Spokesman on the Executive Committee."

Speaker Shea: "There still is objections. The Gentleman from Grundy, the Minority Leader, do you wish to speak to this, sir?"

Washburn: "Well, there are still objections."

Speaker Shea: "There are still objections. I didn't know if you wanted to speak. Objections being heard, Mr. Matijevich. Would you file the motion please, sir? Thank you. Now the Gentleman from Perry, Mr. Dunn on House Resolution 677, is that right, sir?"

Ralph Dunn: "Thank you, Mr. Speaker. House Resolution 677 ah... ah... asks that the Commission on Children look at the usage of the Southern Illinois Children's Service Center and report to the General Assembly or report back to the General Assembly as to ah... the proper use or what they think is the proper use of the facility and we ask for the report for June the first. So it's kind of imperative if we can get this back and I'd urge and move that we waive the appropriate the rule, 41(a), and adopt House Resolution 677 today if we could. It does not expend any money to be ah... that needs to be appropriated with it. The Children ah... the Children and Family Services agreed to it. The Commission on Children has already done some preliminary work along the lines. The Bill was ready to be introduced. In fact, it was on ah... kind of on... just about on the Agreed List when we adjourned March the third. Now I'd urge that we do this today if we can."

Speaker Shea: "The Gentleman asks for unanimous consent to hear House Resolution 677. Is there objection?"



GENERAL ASSEMBLY

STATE OF ILLINOIS

Ralph Dunn: "Ah... to adopt."

Speaker Shea: "Is there objection? Hearing no ob... do you object?"

The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Could the Sponsor be more specific and explanatory with respect to the content of this Resolution which calls for an investigation?"

Speaker Shea: "Mr. Clerk, read the Resolution."

Clerk Selcke: "House Resolution 677. Whereas the Illinois law provides that the Department of Children and Family Services shall maintain and operate the Southern Illinois Children's Service Center for the purpose of receiving neglected or dependent children, of giving them temporary care, pending completion of plans for their permanent placement of care; and whereas, the southern area of Illinois has a critical need for resources for its children; and whereas, in the summer of 1975, the Department of Children and Family Services proposed the closing of the Southern Illinois Children's Service Center; and whereas, an Ad Hoc Committee established to review the use and needs of the Center, held hearings and then recommended that the Center remain open and be expanded within the guidelines of the Department of Children and Family Services; and whereas, through no fault of either the Department... Center there exists... the Department or the Center, there exists a spirit of uncertainty and misunderstanding concerning the direction of the present program at the Center; and whereas, this atmosphere is having a negative effect on the children and staff at the Center and upon the services provided; and whereas, it is desired that the Center be kept open in order to help meet the needs of children of Illinois; and whereas, it would be in the best interest of the State of Illinois if the Commission on Children would make an independent review of the operation of the Center and report to the House of Representatives; therefore, be it Resolved by the House of Representatives, the 79th General Assembly, the State of Illinois that the Commission on Children is requested:

- (1) To examine the present usage of the Southern Illinois Children's Service Center as such usage relates to the children presently being served at the Center.
- (2) To determine how the Center could be utilized to meet, to better meet the needs of the Children of Illinois.



(3) To determine optional levels of programming which could be developed to meet the needs of Illinois. (4) To determine whether any physical improvements are needed in the building to house both sexes. And be it further Resolved that the Commission shall submit a report of its findings, conclusions, and recommendations to the House of Representatives before June 1, 1976."

Speaker Shea: "Mr. Schlickman objects. Mr. Dunn moves for a motion to suspend the appropriate rule for immediate consideration of House Resolution 677. Requires 107 votes. All those... Yes, sir. Mr. Schlickman."

Schlickman: "May I speak to the motion?"

Speaker Shea: "A motion to suspend, as I understand it, is nondebatable. Am I wrong, sir?"

Schlickman: "Well, if that's what the rules provide, I think they're wrong."

Speaker Shea: "Well, I take... as I remember you had an Amendment to change it."

Schlickman: "No, my Amendment had to do with the motion to adjourn."

Speaker Shea: "Oh, I see, but it always has been customary to let two people speak. So I will let you speak, opposed to the motion and let Mr. Dunn close in favor of the motion."

Schlickman: "Let him speak first."

Speaker Shea: "No, we'll let you."

Schlickman: "Mr. Speaker..."

Speaker Shea: "Turn Mr. Schlickman on."

Schlickman: "Thank you very much. Mr. Speaker, Members of the House, I rise with all due deference to the Sponsor and his motivation. I simply oppose this on the grounds, one, that I think any motion directing any Committee or Commission of this Legislature for an investigation first go to a Committee. I think we get to be too investigative-prone and despite the representation of the Sponsor, it does involve an appropriation of money. Maybe not directly, but indirectly. Number two, I don't know why this subject couldn't be covered through investigation if that is proper by a Standing Committee of this House. And it's on those grounds and for no other reason that I express my opposition to the suspension of the rules and the immediate consideration



of House Resolution 677."

Speaker Shea: "The Gentleman from... the Assistant Minority Leader, Mr. Walsh, on a point of order."

Walsh: "No, sir. I, I rise in support of the Gentleman's motion, Mr. Speaker. And I do so for these reasons."

Speaker Shea: "Well, sir, it's customary that we will let one opponent and one proponent and I'm going to let Mr. Dunn close, is that all right?"

Walsh: "Yeh, I guess that'll be all right, Mr. Speaker."

Speaker Shea: "Thank you. Mr. Dunn, to close."

Ralph Dunn: "Thank you, Mr. Speaker. I'll be perfectly willing to have the Assistant Minority Leader ah... close, but I would like to ask ah... the... the Resolution has been read. I think it's a matter of urgency that we ah... get on with this. In fact, the work is... most of it is being done and has been looked into already. There isn't any expenditure of money, extraordinary money. The Commission on Children, members of that Commission, most of them are co-sponsors on the Resolution with me. All of the Legislators from the 58th and 59th Districts are co-sponsors. I'd urge for a favorable vote to suspend the rule and ah... adopt the Resolution. Thank you."

Speaker Shea: "Now, Mr. Dunn will yield one minute of his time to Mr. Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, just, just a little bit of background."

Speaker Shea: "Mr. Dunn yielded one minute to the Assistant Minority Leader."

Walsh: "That, that time didn't count, did it, Mr. Speaker, that objection part? A little bit of background on this Resolution. First of all, Mr. Speaker, the Gentleman introduced it two, three weeks ago when we were here last and had hoped to have it considered as an Agreed Resolution. Everyone ah... involved in the Agreed Resolution process agreed that it should be so considered except for me. And my point in not agreeing to it was that it does indirectly involve the expenditure of money and I told the Sponsor and he ah... willingly ah... agreed to have it, have the rules suspended for the immediate consideration of this Resolution. All in the world that it does, is have the



Department of Children and Family Service do what it ah... they're required to do in the first place, but it gives the project a little bit of dignity because we urged them to do it and I would urge you, Mr. Speaker, to vote 'yes' on the Gentleman's motion to suspend the rules."

Speaker Shea: "The question is shall the House suspend the appropriate rule for immediate consideration of House Resolution 677. Requires 107 votes. All those in favor will vote 'aye', those opposed will vote 'nay'. All those voted who wished? Have all voted who wished? Take the record. Ah... I'm sorry, Mr. Hart. Turn the machine back on. That was my fault."

Hart: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This... Representative Dunn said this does have bipartisan support of all of the ah... Representatives of the 58th and the 59th Districts. This is a Children's Home. It's in Hurst, Illinois, which is in ah... the 58th District. It's been used for many, many years ah... for ah... ah... children who are temporarily housed there ah... because ah... the correctional problems or court problems or otherwise and ah... ah... recently, the ah... Department of Children and Family Services ah... indicated that they were going to close this ah... facility. But ah... we were able to prevail on them ah... before they did it to have a public ah... to have a hearing in southern Illinois and we met with them at the Marion ah... State Office Building, Director Lahey and others and ah... there was an Ad Hoc Committee appointed of the, some Judges and some state people, some Representatives and Senators and they came up with ah... a much better procedure and plan ah... which will keep this facility in operation. There's really a very much of a need in southern Illinois for ah... a place for ah... the housing of juveniles. The Legislature ah... two years ago imposed ah... a regulation that we can't house juveniles who are waiting trial with adults and yet we have no place for them. And maybe that would be one of the places where ah... these ah... children, young people could be. But all Representative Dunn is asking here is to have an investigation to determine what is the best use of this facility and I think, I think there are many ah... many views about it and ah... the Department of Children and



Family Services now that they understand how the people of southern Illinois feel about it, I've indicated that they want to keep it open. And so, I would urge a favorable vote on this motion to suspend the rules for the immediate consideration of this Resolution."

Speaker Shea: "The Gentleman from Kane, Mr. Grotberg, to explain his vote."

Grotberg: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I don't know that everyone knows that the board was shut off and is now on again, Mr. Speaker, and those that have a chance to get on this and help Mr. Dunn urge the Commission on Children to go down and look at this home. As Minority Spokesman of the House Human Resources Committee and somewhat of an expert in Children and Family Services, I commend Mr. Dunn for entering this Resolution because we have stacks of mail from all of the citizens of the Hurst ah... area who have been concerned about this only operation of Children and Family Services in that whole southern district. It is their only hope and it is not working well as are so many other things in that particular Department. I'm pleased to continue my war wherever it happens, whether it's in the southern district or in my own district or anywhere in the State of Illinois on behalf of kids. Mrs. Naomi Hyeth in the Commission on Children has a way of squeezing a buck pretty hard. If she's got time to go down there and check it out, I'm sure she'll come back with the facts. You cannot go wrong supporting this measure on behalf of the kids of southern Illinois and I strongly urge a green vote."

Speaker Shea: "The Gentleman from Cook, Mr. Duff, to explain his vote."

Duff: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise to add my voice to those supporting this ah... many of you who were here the time we passed ah... the law which said you could not house ah... juveniles under the same roof as adults in penal institutions. I see we have the vote. Thank you, Mr. Speaker."

Speaker Shea: "Have all voted who wished? Take the record. On this question there are 119 'aye' votes, 8 'nay' votes, 6 Members voting 'present'. And the House will now consider Resolution 677. The Gentleman from Perry, Mr. Dunn on the Resolution."

Ralph Dunn: "Thank you, Mr. Speaker. I'd urge the same vote on the



adoption of the Resolution and ask for your 'aye' vote on this please. Thank you."

Speaker Shea: "The Gentleman has... Does this call for the expenditure of money, Mr. Dunn?"

Ralph Dunn: "No, sir. It does not. It doesn't ah... the Department, the Commission on Children have an appropriation and they are already using it. It doesn't call for any expenditure of other funds."

Speaker Shea: "All right, the question is... The Gentleman from Perry, Mr. Dunn, moves for the adoption of House Resolution 677. All those in favor will say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. The Gentleman from McLean, Mr. Bradley."

Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, I now move that we stand adjourned until 10:30 tomorrow morning."

Speaker Shea: "Will you make that recess? They've got a few Bills and that to read in."

Bradley: "All right, well let's stand in recess right now and then we will adjourn until 10:30 tomorrow morning. We stand in recess right now for five minutes for the purpose of reading in those Bills."

Speaker Shea: "The Gentleman from McLean, Mr. Bradley, moves that the House now stand in recess for five minutes that the Clerk be able to read in some Bills and take care of some perfunctory matters and then that we adjourn until 10:30 tomorrow morning. But prior to that, Mr. Lechowicz, you have an announcement?"

Lechowicz: "Yes, Mr. Speaker, I do. Appropriations I will meet immediately after we adjourn this evening in Room 114. I'd like to also remind both Members of Appropriations I and II that we have a Joint Meeting tomorrow on the... on the House floor to hear the Bureau of the Budget, Mr. Leonard Schaefer, explain the budget documents to both the Appropriations I and II Committees tomorrow morning. Thank you."

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

Maragos: "Mr. Speaker, Members of the House, this is to remind the Members of the Revenue Committee and any other Members who have Constitutional Amendments that they are sponsoring that the Revenue Committee's meeting at 8:30 tomorrow morning sharp. This will be the last



opportunity for the Constitutional Amendments which are in Committee to be heard in this Session in order to take action before the Constitutional ah... cutoff date. 8:30 tomorrow morning in Room D1 in the State Office Building."

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

Barnes: "Thank you very much, Mr. Speaker. The Appropriations Committee, Division II will have a meeting at 8:30 tomorrow morning in the Speaker's Office. The Democratic Members of the Appropriations Committee, Division II, 8:30 tomorrow morning, Speaker's Office."

Speaker Shea: "Now, we go back to the Gentleman from McLean, Mr. Bradley's motion that the House do now stand in recess that the Clerk be allowed to read in some Bills and then that we adjourn until morning. All those in favor say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it."

Clerk O'Brien: "House Bill 3485, McMaster. A Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 3486, McMaster. A Bill for an Act in relation to qualifications and tenure of Township Assessors. First Reading of the Bill. House Bill 3487, Chapman. A Bill for an Act to amend Sections of the Illinois Emergency Services Disaster Agency Act. First Reading of the Bill. House Bill 3488, Mahar. A Bill for an Act to amend Sections of the Election Code. First Reading of the Bill. House Bill 3489. A Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 3490. A Bill for an Act to amend the Il... the Highway Education Student Assistance Law. First Reading of the Bill. House Bill 3491, Ralph Dunn. A Bill for an Act in relation to a tax upon persons engaged in the business of removal or extracting coal from the soil or subsoil of this State. First Reading of the Bill. House Bill 3492, Friedrich. A Bill for an Act to vacate an easement for highway purposes through certain land located in Madison County. First Reading of the Bill. House Bill 3493, VanDuyne. A Bill for an Act to amend Sections of an Act concerning jurors. First Reading of the Bill. House Bill 3494, DiPrima. A Bill for an Act to provide for the jurisdiction, special session of jurisdiction by United States, State of Illinois either wholly partially as to land owned by the United States under jurisdiction of the Veteran's Administration



First Reading of the Bill. House Bill 3495, Caldwell. A Bill for an Act creating a Commission to study Illinois laws relating to public utilities, defining its powers and duties. First Reading of the Bill. House Bill 3496, Caldwell. A Bill for an Act making an appropriation to the Commission on Public Utility Laws. First Reading of the Bill. House Bill 3497, Cunningham. A Bill for an Act to amend Sections of the Election Code. First Reading of the Bill. House Bill 3498, Cunningham. A Bill for an Act making an appropriation to the Comptroller to pay the annual expense allowance for all elected Precinct Committeemen. First Reading of the Bill. House Bill 3499, McMaster. A Bill for an Act to amend Sections of the Illinois Highway Code. First Reading of the Bill. House Bill 3500, McMaster. A Bill for an Act to amend Sections of the Illinois Highway Code. First Reading of the Bill. House Bill 3501, Terzich, McAvoy. A Bill for an Act to provide for the tax on persons engaged in sales at events of the type commonly known as 'flea markets'. First Reading of the Bill. House Joint Resolution Constitutional Amendment #33. Resolved by the House of Representatives, the 79th General Assembly, the State of Illinois, the Senate concurring herein. There shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution. Proposition to amend Section 5, 6, and 10 of Article IV, Section 2 of Article V, the Constitution to read as follows. Article IV, The Legislature. Session... Section 5, Sessions. (a) The General Assembly shall convene each year on the second Wednesday of December. The General Assembly shall be a continuous Body during the terms for which Members of the House of Representatives are elected. (b) The Governor may convene the General Assembly or the Senate alone in Special Session by a proclamation stating the purpose of the Session; and the only business encompassed by such purpose, together with any impeachments or con... confirmation of appointments shall be transacted. Special Sessions of the General Assembly may also be convened by joint proclamation of the presiding officer of both houses, issued as provided by law. (c) Sessions of each House of the General Assembly and meetings of Committees, Joint Committees and Legislative Commissions



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may be open to the public. Sessions and Committee Meetings of the House may be closed to the public if two-third of the Members elected to that House determine that the public interest so requires; and meetings of Joint Committees and Legislative Sessions may be so closed if two-thirds of the Members elected to each House so determine. Section 6, Organization. (a) A majority of the Members elected to each House constitutes a quorum. (b) On the first day of the December Session of the General Assembly in even-numbered years, the Secretary of State shall convene the House of Representatives to elect from its Membership a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate to elect from its Membership a President of the Senate as presiding officer. (c) For purposes of powers of appointment conferred by this Constitution, the Majority Leader of either party is a Member of the numerically strongest political party other than the party to which the Speaker or the President belongs, as the case may be. (d) Each House shall determine the rules of its proceedings, judge the elections, returns and qualifications of its Members and choose its officers. No Member shall be expelled by either House, except by a vote of two-thirds of the Members elected to the House. A Member may be expelled only once for the same offense. Each House may punish by imprisonment any person, not a Member, guilty of discretion to the House by... by disorderly or contemptuous behavior in its presence. Imprisonment shall be extended, shall not extend beyond twenty-hour hours at one time unless the person persists in disorderly or contemptuous behavior. Section 10, Effective Date of Laws. The General Assembly shall provide by law for a uniform effective date of laws passed prior to its May... prior to May 1 of a calendar year. The General Assembly may provide for a different effective date in any law passed prior to May 1. A Bill passed after April 30 shall not become effective prior to May 1 of the next calendar year unless the General Assembly by the vote of three-fifths of the Members elected to each House provides for an earlier effective date. Article V, The Executive. Section 2, Terms. These elected officers of the Executive Branch shall hold office for four years beginning on the Monday preceeding the second Wednesday in December after their



election and, except in the case of the Lieutenant Governor, until their successors are qualified. They shall be elected at the general election in 1978 and every four years thereafter. Schedule, this Amendment to the Constitution if approved by the voters at the general election in November, 1976, takes affect July 1, 1977.

Third Reading of the Constitutional Amendment. Amendment #1 to House Joint Resolution Constitutional Amendment #3. Amendment #1 amends House Joint Resolution Constitutional Amendment 33 on page 2, line 27 by deleting 'May' and inserting in lieu thereof, 'June'. And on page 2, line 27 by deleting 'May' and inserting in lieu thereof 'June'. And on page 2, line 27 by deleting 'May' and inserting in lieu thereof 'June'. And on page 2, line 30 by deleting 'April 30' and inserting in lieu thereof 'May 31'. And on page 2, line 30 by deleting 'May' and inserting in lieu thereof 'June'. House Joint Resolution Constitutional Amendment #35. Resolved by the House of Representatives, the 79th General Assembly, the State of Illinois, the Senate concurring herein, there shall be submitted to the electors of the State for adoption or rejection in the general election next occurring at least six months after the adoption of this Resolution. Proposition to amend Section 4 of Article IX, the Constitution to read as follows: Article IX, Section 4, Real Property Taxation. (a) Except as otherwise provided in this Section, taxes upon real property shall be levied uniformly by valuation ascertained by the General Assem... as the General Assembly shall provide by law. (b) Subject to such limitations as the General Assembly may hereafter prescribe by law counties may classify or to continue classify real property for purposes of taxation. Any such classification shall be reasonable and assessments shall be uniform within each class. The level of assessment or rate of tax of the highest class in a county shall not exceed two and half times the level of assessment or rate of tax of the lowest class in that county. Real property used in farming in a county shall not be assessed at a higher level of assessment than single family residential real property in that county. (c) Any des... ah... depreciation in the value of real property occasioned by a public easement may be deducted in assessing such property. Third Reading of the Constitutional



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Amendment. Another introduction. House Bill 3502, Jaffe. A Bill for an Act to amend Sections of an Act concerning public utilities. First Reading of the Bill. And no further introductions. Representative Bradley moves that the House stands adjourned until 10:30 a.m. Tuesday, April 1, 1976."

