

APR 11 1975

1.

Mr. John Paintor (Doorkeeper): "All those not entitled to the floor, please, go to the Gallery."

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

Reverend Krueger: ". . . of the Father, of the Son and the Holy Ghost, Amen. Oh, Lord, bless this House this day, Amen. Fifth and sixth verse, the third Chapter, of the Book of Proverbs, 'Trust in the Lord with thine heart and lean not under thine own understanding. In all thy ways acknowledge Him and He shall direct thy path'. In 1821, Reverend George Dawson wrote this prayer for confidence in God, 'Almighty God, Lord of the storm and of the calm, the vexed in the sea, and the quiet haven of day and night of life and death, grant onto us so to have our hearts stayed upon Thy faithfulness, by an unchangingness and love that, whatsoever, beside . . . betide us, how ever black the cloud or dark the night, with quite faith trusting in Thee, we may look upon Thee with untroubled eye in walking lowliness towards Thee and in lovingness towards one another, abide all the storms and troubles of this mortal life. Beseech in Thee that we may turn to the souls true good, we ask it for Thy mercy's sake shown in Jesus Christ our Lord, Amen.'"

Speaker Redmond: "Roll Call for attendance. Consent Calendar, Second Reading, Second Day. House Bill 903."

Mr. Jack O'Brien: "House Bill 903, a bill for an act making appropriation from the Road Fund of the Department of Transportation for refunding Federal reimbursements to the Capital City Railroad Relocation Authority. Second Reading of the Bill."

Speaker Redmond: "Third Reading. Introduction to First Reading of bills."

Mr. Jack O'Brien: "House Bill 1921, Kempiners, a bill for an

act to amend the Consumer Finance Act. First Reading of the bill. House Bill 1922, E. G. Steele, a bill for an act to amend sections of an act authorizing Sanitary Districts. First Reading of the Bill. House Bill 1923, E. G. Steele, a bill for an act to amend the Illinois Municipal Code. First Reading of the bill."

Speaker Redmond: "Committee Reports."

Mr. Jack O'Brien: "Mr. Boyle from the Committee on Appropriations II, to which Senate Bill 294 were referred. Reports that same back with the recommendation that the bill do pass. Mr. Fennessey from the Committee on Elections to which House Bills 145, 378, 465 and 495 were referred. Reports that same back with the recommendation that the bills do pass. Mr. Fennessey from the Committee on Elections to which House Bills 405, 470 and 628 were referred. Reports that same back with amendments, thereto, with the recommendation the amendments be adopted and the bills as amended do pass. Mr. Fennessey from the Committee on Elections to which House Bills 351 and 490 were referred. Reports that same back with the recommendation that the bills do not pass. Mr. Fennessey from the Committee on Elections to which House Bill 856 was referred. Reports that same back with the recommendation that the bills do pass. Consent Calendar. Mr. Fennessey from the Committee on Elections to which House Bill 198 was referred. Recommend that the bill go to Interim Study Calendar. Mr. Katz from the Committee on Judiciary II to which House Bill 376 and 382 were referred. Reports that same back with the recommendation that the bills do pass. Mr. Katz from the Committee on Judiciary II to which House Bills 53 and 562 were referred. Reports that same back with amendments, thereto, with the recommendation the amendments be adopted and the bills as amended do not pass. Mr. Katz from the Committee on Judiciary II to which House Bills

APR 11 1975

3.

178 and 212 were referred. Reports that same back with amendments, thereto, with the recommendation the amendments be adopted and the bills as amended do pass. Mr. Katz from the Committee on Judiciary II to which House Bill 254 was referred. Reports that same back with amendments, thereto, with the recommendation the amendments be adopted and the bill as amended do pass. Consent Calendar. Mr. Fary from the Committee on Labor and Commerce to which House Bills 241, 345, 489 and 650 were referred. Reports that same back with the recommendation that the bills do pass. Mr. Fary from the Committee on Labor and Commerce to which House Bills 44 and 932 were referred. Reports that same back with the recommendation that the bills do pass. Mr. Fary from the Committee on Labor and Commerce to which House Bills 343 and 344 were referred. Reports that same back with the recommendation that the bills do not pass. Mr. Fary from the Committee on Labor and Commerce to which House Bills 3, 160, 240, 294 and 874 were referred. Reports that same back with amendments, thereto, with the recommendation the amendments be adopted and the bills as amended do pass. Mr. Fary from the Committee . . . Committee on Labor and Commerce to which House Bill 628 was referred. Reports that same back with the recommendation that the bill do pass. Consent Calendar. Mr. McLendon from the Committee on Personnel and Pensions to which House Bills 567, 643, 689, 917 and 918 were referred. Reports that same back with the recommendation that the bills do pass. Mr. McLendon from the Committee on Personnel and Pensions to which House Bills 167, 358, 460 and 629 were referred. Reports that same back with the recommendation that the bills do not pass."

Speaker Redmond: "Introduction to First Reading."

Mr. Jack O'Brien: "House Bill 1924, Deavers, a bill for an act to amend an act to revise, codify the Laws in relation

to Savings and Loan Associations. First Reading of the bill. House Bill 1925, Matijevich, a bill for an act to provide for the election of Trustees of North Shores Sanitary District. First Reading of the bill. House Bill 1926, Matijevich, a bill for an act in relation to use of Eminent Domain and coal development purposes. First Reading of the bill. House Bill 1927, Matijevich, a bill for an act in relation to the payment of real estate taxes on open-space lands. First Reading of the bill."

Mr. Fred Selcke: "House Bill 1928, Lundy, amends Health Maintenance Organization Act. First Reading of the bill. House Bill 1929, Hart, amends an act that provides a law in relation to clerks of courts. First Reading of the bill. House Bill 1930, Hart, et al, amends the Unemployment Compensation Act. First Reading of the bill. House Bill 1931, Hart, et al, provides that States Attorney shall receive the same salary received by Circuit Judges. First Reading of the bill. Got any further? Ah . . . House Joint Resolution Constitutional Amendment Number 20 resolved by the House of Representatives of the 79th General Assembly, Senate concurring, herein, that there shall be submitted and elected to the General Election next occurring at least six months after the adoption of this resolution and proposition amends Section 3 of Article 14 of the Constitution of the State of Illinois to read as follows: Article 14, Section 3, Constitutional initiative for Legislative Article, amendments to Article 4 of this Constitutional may be proposed by petition signed by a number of elected people, which number at least 8 per cent of the total votes cast for candidates for governor in the preceeding gubernatorial election. An amendment shall be limited to structural procedural subjects contained in Article 4. The petition shall contain the text of the proposed amendment, the date of the General Election at which the proposed amendment is to be submitted, shall have to be signed by the petitioning electors, not more than 24 months

APR 11 1975

5.

proceeding the General Election shall be filed with the Secretary of State at least six months before that General Election. The procedure for returning the validity and sufficiency of the petition shall be provided by Law. If the petition is valid and sufficient, the proposed amendment shall be submitted to the Electors at that General Election and shall become effective and approved by either 3/5's of those voting on the amendment or a majority of those voting in the Election. However, any such amendment providing for a structural change in the General Assembly shall not become effective until the year after the year of the next Federal Decennial Census notwithstanding any provision and any schedule to provide for it in the petition. The schedule of this amendment takes effect upon its approval by the electors and applicable to any amendment proposed pursuant to Section 3 of Article 14, which was submitted to the same General Election as this amendment or any subsequent General Election. First Reading of the Constitutional Amendment. House Joint Constitutional Amendment Number 21, Schlickman; resolved by the House of Representatives of the 79th General Assembly of the State of Illinois, Senate concurring, herein, that there shall be submitted to the Electors of this State for adoption or rejection at the General Election next occurring at least six months after the adoption of this resolution. A proposition to amend Sections 3 and 6 of Article 4 of the Illinois Constitution to read as follows: Article 4 of the Legislature, Section 3, Legislative redistricting, A) Legislative Districts shall be compact in figures and substantially equal in population; B) In the year following each Federal Decennial Census Year, the General Assembly by Law shall redistrict the Legislative Districts. If no redistricting plan becomes effective by June 30th of that year, a Legislative

Redistricting Commission shall become instituted not later than July 10. The Commission shall consist of eight members, no more than four of them shall be members of the same political party, the Majority Leader and the Minority Leader of the House, the representatives shall each appoint to the Commission one Representative and person who is not a member of the General Assembly. The present Minority Leader of the Senate shall each appoint to the Commission one Senator and one person who is not a member of the General Assembly. The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that has made the original appointment. A Chairman, Vice-Chairman shall be chosen by a majority of all members of the Commission. Not later than August 10th the Commission shall file to the Secretary of State a redistricting plan approved by at least five members. If the Commission fails to file an approved redistricting plan the Supreme Court shall submit the names of two persons not of the same political party to the Secretary of State not later than September 1. Not later than September 5 the Secretary of State, publicly, shall draw by random selection of the name of one or two persons to serve as a ninth member of the Commission. Not later than October 5 the Commission shall file to the Secretary of State a redistricting plan approved by at least five members. An approved redistricting plan filed by the Secretary of State shall be presumed valid and shall have the force of effective Law and shall be published promptly by the Secretary of State. The Supreme Court shall have original exclusive jurisdiction over actions concerning redistricting of the House and the Senate, which shall be initiated in the name of the people of the State by the Attorney General. Section 6, Organization, A) A majority of the

APR 11 1975

7.

members elected to each House constitutes a quorum. B) On the first day of January, the session of General Assembly on odd numbered years, the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives to serve as presiding officer and to supervise the organization and operations of the House. Then the Governor shall convene the Senate to elect from its membership a President of the Senate as presiding officer. C) Each House of the General Assembly shall have the Majority Leaders and shall be elected by those members of that House, with the members of political party having the highest number of members in that House at a party caucus convene and presided over by the Chairman of the State Central Committee of that party. Each House of the General Assembly shall, also, have a Minority Leader who shall be elected by those members of that House with the members of political party having the second highest number of members in that House that the party caucus convene and presided over by the Chairman of of the State Central Committee of that party. D) Each House shall determine the Rules of its proceedings, judge the elections, return the qualifications of its members and choose its officers. No member shall be expelled by either House, except by a vote of 2/3's of the members elected to that 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 disrespect of the House by disorderly or contemptuous behavior in its presence. Imprisonment shall extend beyond 24 hours at no time unless the person persists in the disorderly or contemptuous behavior. First Reading of the Constitutional Amendment. House Joint Resolution Constitutional Amendment Number 22, Stubblefield, resolved by the House of Representative of the 79th General Assembly of the State

of Illinois, Senate concurring, herein, that there shall be submitted to the Elections of this State that the General Election next occurring at least six months after the adoption of this Resolution, the proposition to amend Sub-Section A of Section 3 of Article 9, the Constituion read as follows: Article 9, Revenues, Section 3, Limitations on Income Taxation, A) A tax on or measured by income shall be a non-graduated tax. At any one time there may be no more than one such tax imposed by the State for State purposes on individuals on such tax unimposed on corporations. First Reading of the Constitutional Amendment. What else we got?"

? Speaker Bradley: "Further introductions."

Mr. Fred Selcke: "House Bill 1932, Simms, amends the Illinois Vehicle Code. First Reading of the Bill. House Bill 1933, Simms . . . Timothy Simms, amends the Vehicle Code. First Reading of the Bill. House Bill 1934, Mudd, et al, amends the Municipal Code. First Reading of the Bill."

Speaker Bradley: "Ah . . . Further resolutions."

Mr. Fred Selcke: "House Resolution 176, Daniels. House Resolution 181, Rayson. House Resolution 183, Lundy."

Speaker Bradley: "Committee on Assignment of Bills. For what purpose does the lady from Lake arise."

Geo-Karis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House . . . ah . . . I'm just wondering how soon we can start on Third Reading . . . in as much as we are overpopulated in the House today . . ."

Speaker Bradley: "That would take a Rule change, so we'll continue on Mrs. . . . Miss Geo-Karis?"

Geo-Karis: "Thank you, sir."

Mr. Jack O'Brien: "Representative Giorgi in the Chair."

Giorgi: "Agreed Resolutions."

Mr. Jack O'Brien: "House Resolution 178, Deuster. House Resolution . . . House . . . this isn't joint . . ."

APR 11 1975

9.

Speaker Giorgi: "That's not agreed . . ."

Mr. Jack O'Brien: "House Resolution 182, Yourell. House Joint Resolution Number . . . Number 37 . . . that's a Joint, that's not a House . . . House Joint Resolution 37, Waddell. It was 179. Should be House Joint 37."

Speaker Giorgi: "Just expediting some work now, so if we could just stand at ease for a couple of minutes. Representative Matijevich on the Agreed Resolutions."

Matijevich: "Mr. Speaker, and Ladies and Gentlemen of the House, House Reso . . . Resolution 182 is a Birthday Congratulatory Resolution for our colleague Romie Palmer. House Joint Resolution 37 is an extension date on the Data Information System Commission. Did I hear where House Resolution 178 is not agreed?"

Mr. Jack O'Brien: "No, its agreed."

Matijevich: "Ah . . . House Resolution 178 is a congratulatory Resolution to Mr. Albert Berwaigen, a school teacher at St. Matthew's Lutheran School. Ah . . . Do you want the Death Resolutions, also?"

Unknown: "No."

Matijevich: "Ah . . . Mr. Speaker, and Members of the House, I move the adoption of the Agreed Resolution."

Speaker Giorgi: "The question is on the adoption of the Agreed Resolutions. All in favor signify by saying "aye", those oppose "nay", the "ayes" have it. Now, if the House is ready, we'll go into the House Bills, Second Reading. Representative Hart on . . . out of the Record. Representative Porter, House Bill 121, Second Reading. Out of the Record? Take it out of the Record. Ah . . . Representative Greiman on the floor? House Bill 128, Second Reading."

Mr. Jack O'Brien: "House Bill 128, Greiman, a bill for an act to amend the Fair Practices Act. Second Reading of the bill. No committee amendments."

Speaker Giorgi: "Any amendments from the floor?"

Mr. Jack O'Brien: "Floor Amendment Number One, Greiman, amends House Bill 128 on page 1, line 12, by deleting or inserting in lieu, thereof, the following and so forth."

Speaker Giorgi: "Mr. Representative Greiman on Amendment Number One to House Bill 128."

Greiman: "Ah . . . Mr. Speaker, Ladies and Gentlemen of the House. Ah . . . Although this is a . . . ah . . . styled a floor amendment, it was an amendment that is made in substantial compliance with the committees . . . ah . . . dictate, and that is . . . ah . . . to amend the bill in three respects to . . . ah . . . exclude from the operation of restrictions on age . . . ah . . . labor union apprentice programs, management training programs and . . . ah . . . governmental units. Ah . . . The amendment was . . . ah . . . essentially requested by the committee; I have no objections to it and ask that it be adopted."

Speaker Giorgi: "Any further discussion. The question is on the adoption of Amendment Number One. All those in favor signify by saying "aye", oppose "nay", the amendment's adopted. House Bill 128 . . . are there any further amendments? House Bill 128, Third Reading."

Unknown: "Thank you."

Speaker Giorgi: "Representative Porter on House Bill, Second Reading, 134. I'd like to remind the Assembly that the House Calendar goes from page 3 on House Bills, Second Reading, to page 2 at the top of the page, House Bills, Second Reading; and now we're at House Bill 134. Representative Porter."

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

Mr. Jack O'Brien: "House Bill 134, Porter, a bill for an act to amend sections of the Business Corporation Act. Second Reading of the Bill. One Committee amendment amends House Bill 134 on page 1, by deleting line 1 and 2, and

APR 11 1975

11.

inserting in lieu, thereof, the following and so forth."

Speaker Giorgi: "Representative Porter on Amendment Number One."

Porter: "Mr. Speaker, and Ladies and Gentlemen of the House, Amendment Number One . . . ah . . . to House Bill 134 . . . ah . . . cleans up some of the language and meets some of the objections that persons who would have originally objected to the bill had. They all sat down together and worked them out. The purpose of the bill is to provide indemnification for corporate officers and directors; and I would move adoption of Amendment Number One."

Speaker Giorgi: "Any discussion? The question is the adoption of Amendment Number One to House Bill 134. All those in favor signify by saying "aye", those oppose "nay", the amendment is adopted. Any further amendments? House Bill 134, Third Reading. House Bill 149."

Mr. Jack O'Brien: "House Bill 149, Porter, a bill for an act to provide for the licensing of health . . . State health facilities. Second Reading of the Bill. One committee amendment amends House Bill 149 on page 1, line 1, by deleting "licensing " and inserting in lieu, thereof, and so forth."

Speaker Giorgi: "Representative Porter on Amendment Number One to House Bill 149."

Porter: "Ah . . . Mr. Speaker, Ladies and Gentlemen of the House, House Bill 149 . . . ah . . . was Bob Juckett's bill. In committee . . . ah . . . an amendment was offered to change the original bill from requiring compliance of all hospitals operated by the State agencies . . . ah with standards promulgated by the Department of Mental Health to compliance by those same hospitals with standards promulgated by the Joint Commission on Accreditation of Hospitals; and I would move adoption of Committee Amendment

Number One."

Speaker Giorgi: "Is there any discussion? The question is on the adoption of Amendment Number One to House Bill 149. All those in favor signify by saying "aye", those oppose "nay"; the "ayes" have it and the amendment is adopted. Any further amendments? House Bill 149, Third Reading. Representative Brinkmeier on the floor? Representative Palmer on the floor? Representative Griesheimer on the floor? Representative Neff, is he on the floor? Representative Hirschfeld? Representative Lundy? Representative Deavers? Would you like to call your House Bill 849 on Second Reading? House Bill, Second Reading, 849."

Mr. Jack O'Brien: "House Bill 849, Deavers, a bill for an act directing the Secretary of Transportation to convey certain State-owned "real" property in Menard County. Second Reading of the bill. No committee amendments."

Speaker Giorgi: "Are there further amendments? House Bill 849, Third Reading. The House will now go into House Bills, Third Reading. With leave of the House, I'd like to go to Senate Bills, Second Reading. Do I have leave? House . . . Senate Bills, Second Reading. Senate Bill . . . Representative Lucco on the floor?"

Mr. Jack O'Brien: "Senate Bill 47, Lucco, a bill for an act making additional appropriations to the Board of Trustees of Southern Illinois University. Second Reading of the bill. No committee amendments."

Speaker Giorgi: "Are there any amendments from the floor? Senate Bill 42nd . . . 47, Third Reading. Senate Bill 166, Representative Greiman, is he on the floor? Senate Bill 166, Carroll, an act for making additional appropriations . . ."

Mr. Jack O'Brien: "Here's Greiman, here's Greiman. Senate Bill 166, Greiman, a bill for an act making a supplemental appropriation of the Board of Governors to the State

colleges and universities. Second Reading of the bill.

No committee amendments."

Speaker Giorgi: "Are there any further amendments from the floor? Senate Bill 166, Third Reading. Senate Bill 176."

Mr. Jack O'Brien: "Senate Bill 176, Berman, a bill for an act to amend sections of the Public Community College Act. Second Reading of the bill. No committee amendments."

Speaker Giorgi: "Any . . . are there any amendments from the floor? Senate Bill 176, Third Reading. Senate . . . Senate Bills, First Reading. Senate Bill 59."

Mr. Jack O'Brien: "Senate Bill 59, Hart, a bill for an act making appropriations of Department of Conservation. First Reading of the bill."

Speaker Giorgi: "Senate Bills . . . of the House, we'll go to the Introduction of Bills."

Mr. Jack O'Brien: "House Bill 1935, Gene Hoffman, a bill for an act to amend sections of an act to revise the Law in relation to counties. First Reading of the bill. House Bill 1936, Deavers, a bill for an act to amend the Illinois Savings and Loan Act. First Reading of the bill. House Bill 1937, Deavers, a bill for an act to amend the Savings and Loan Act. First Reading of the bill. House Bill 1938, Deavers, a bill for an act to amend the Savings and Loan Act. First Reading of the bill. House Bill 1939, Deavers, a bill for an act to amend the Savings and Loan Act. First Reading of the bill. House Bill 1940, Deavers, a bill for an act to amend the Savings and Loan Act. First Reading of the bill. House Bill 1941, Deuster, a bill for an act to amend the Illinois Highway Code. First Reading of the bill."

Speaker Giorgi: "With leave of the House, we'll go back to House Bills, Second Reading, leave . . . Representative Brinkmeier, on House Bill 224 . . . second . . . House Bill 224, Second Reading."

Mr. Jack O'Brien: "House Bill 224, Brinkmeier, a bill for an act to amend the school code. Second Reading of the bill. No committee amendments."

Speaker Giorgi: "Any further amendments. House Bill 224, Third Reading. Representative Lundy on Second Reading, House Bill 584, take it out of the Record. With leave of the House, I'd like to go to Senate Bills, Third Reading, Senate Bills, Third Reading. Any suggestions? You . . . You'll also be vacated if you're arrested for playing gin rummy. Senate Bills, Third Reading; Senate Bill Number 60, Representative Yourell, Senate Bill 60."

Mr. Jack O'Brien: "Senate Bill 60, Yourell, a bill for an act making appropriations of the State Board of Elections. Third Reading of the bill."

Speaker Giorgi: "Representative Yourell on Senate Bill 60."

Yourell: "Thank you, Mr. Speaker, I . . . I'm not delighted with the . . ."

Speaker Giorgi: "Just a moment, Mr. . . . Representative Yourell. For what reason does Representative Schlickman arise?"

Schlickman: "Mr. Speaker, I don't find a copy of Senate Bill 60 in my Bill Book."

Speaker Giorgi: "What . . . does anyone join him in the deficiency? Delegation has been confirmed. . . . Senate Bill 60 out of the Record. With leave of the House, we'd like to go to the Consent Calendar, Third Reading, Third Day. Any objections? Count . . . Consent Calendar, Third Reading, Third Day, Clerk."

Mr. Jack O'Brien: "Senate Bill 123, . . ."

Unknown: "Roll Call."

Mr. Jack O'Brien: ". . . a bill for an act to amend the State Finance Act."

Speaker Giorgi: "For what reason does the Minority Leader arise, William Walsh."

Walsh: "Ah . . . Mr. Speaker, it appears that on the Calendar under Consent Calendar, Second Reading, First Day, is an

Appropriations Bill and under the Rules . . . ah . . ."

Speaker Giorgi: "Mr. Walsh, we are Third Reading, Third Day, solely."

Walsh: "Well, . . . ah . . . but do you . . . ah . . . I might point this out to you because this is being advanced and it will be delayed if its not taken off the Calendar right away." Its an error in the Calendar."

Speaker Giorgi: "Its an error in the Calendar. It'll be taken off the Consent Calendar, Mr. Walsh."

Walsh: "Thank you, Mr. Speaker."

Speaker Giorgi: "Getting back to the Order of Third Reading, Third Day, Consent Calendar."

Mr. Jack O'Brien: "Senate Bill 23, a bill for an act to amend an act in relation to State Finance. Third Reading of the bill. House Bill 4 . . . House Bill 147, a bill for an act to codify the powers and duties of the Department of Mental Health and Developmental Disabilities. Third Reading of the bill. House Bill 230, a bill for an act to amend the Illinois Governmental Ethics Act. Third Reading of the bill. House Bill 531, a bill for an act directing the Department of Conservation to convey land in Kane County. Third Reading of the bill. House Bill 636, a bill for an act to amend the Alcoholic Liquors Act. Third Reading of the bill."

Speaker Giorgi: "Any discussion on the Consent Calendar, Third Reading, Third Day? The question is shall the Consent Calendar marked Third Reading, Third Day pass? All those signify by voting "aye", and those oppose by voting "nay". Have all voted who wish? The Clerk will take the Record, and on these questions, there are 113 "ayes", no "nays", 7 voting "present", and these bills having received the Constitutional Majority are, hereby, declared passed. With leave of the House, we'll try to return to the House Bills, Third Reading. Any objections? House Bills, Third

APR 11 1975

16.

Reading. Representative Hanahan with House Bill 1. House Bill 77, Deuster, is he on the floor?

Unknown: "That's Second Reading."

Speaker Giorgi: "Representative Jones on the floor, Emil Jones? Representative Porter on the floor? Hold it, out of the Record. Representative Rayson. Representative Merlo, on House Bill 300, out of the Record. House Bill 341, Third Reading, out of the Record. House Bill 325."

Mr. Jack O'Brien: "House Bill 325, Skinner, a bill for an act to amend the Local Mass Transit District Act. Third Reading of the bill."

Speaker Giorgi: "Representative Skinner on House Bill 325."

Skinner: "Mr. Speaker, and Ladies and Gentlemen of the House, this is a bill that was requested by the Du-Kane Valley Council, which is a group of . . . of counties, well, Kane and . . . ah . . . Kane and Dupage County Municipalities in the area of the Accelerator Laboratory. Ah . . . this is a group that is attempting to get mass transit taken off the ground in my area or at least in part of my area, and they discovered that in order to serve on a Mass Transit Board, the Local Mass Transit Board, that you have to pay people. What they want to do, for instance, is the city of Elgin, I believe, wants to appoint their Director of the Elgin Bus Company, and they just don't think they ought to have to pay him \$25 a meeting in addition to his \$20,000 a year plus salary. Ah . . . That's, simply, what the bill will do. It say if you put . . . if you appoint an employee or a local official from a from your city on a Local Mass Transit Board that that guy will not have to be paid. I would ask for a favorable response to this bill that has absolutely nothing to do with the Regional Transit Authority."

Speaker Giorgi: "Any further discussion on House Bill 325?"

Then the question is, shall House Bill 325 pass? All in

favor signify by voting "aye", and oppose by voting "nay". Have all voted who wish? The Clerk will take the Record. On this question there are 108 "ayes", 5 "nays" and 6 voting "present". This bill having the Constitutional Majority is, hereby, declared passed. . . ."aye". Stubblefield "aye". Simms "aye". House Bill 341."

Mr. Fred Selcke: "House Bill 341, Dyer, an act to add Section 367D to the Illinois Insurance Code. Third Reading of the bill."

Speaker Giorgi: "The lady from DuPage, Mrs. Dyer."

Dyer: "Ah . . . Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, at this very moment, the Pages are circulating for you some material pertaining to this bill. House Bill 341 was introduced at the request of two rehabilitation institutes that you may be familiar with. One is the Marion Joy Rehabilitation Institute of DuPage County, the second is the Rehabilitation Institute in Chicago . . . ah . . . which I think we all know about because of . . . ah . . . Senator Russell Arrington and Senator John Graham, two colleagues who have had excellent service from this institute. This bill very simply corrects a technicality in the Insurance Code. Ah . . . It makes it possible . . . ah . . . for the health insurers to pay claims . . . ah . . . for care in . . . ah . . . institutions like rehabilitation institutes, whether or not they have surgical facilities. The present language requires surgical facilities within the building. Both of these institutes have reciprocal agreements with nearby hospitals. They do not need to spend hundreds of thousands of dollars for a surgical facilities. It is a technical correction; it has no opposition, whatever, I've checked it with all the various insurance companies, with the Insurance Law Study Commission. Ah . . . I would ask for a favorable vote."

Speaker Giorgi: "Is there any further discussion on House Bill

341? The question is, shall House Bill 341 pass? All in favor will signify by voting "aye", and all oppose by voting "nay". Have all voted who wish? The Clerk will take the Record. On this question there are 115 "ayes", no "nays", and no one voting "present"; and this bill having received the Constitutional Majority is, hereby, declared passed. Rather than clutter up the . . . ah . . . the Journal, why don't we ask for volunteers on House Bills, Third Reading, so we can get some . . . House Bills, Third Reading . . . ah . . . I . . . I don't want to cause a deluge, I'll take your names. I had a Parliamentarian this morning. Ah . . . The gentleman from DuPage, Ron Hoffman, for what does he arise?"

Hoffman: "Thank you, Mr. Speaker, in what order are we going to . . . ah . . . are we going to come up and add our names so you can call them in that order or . . ."

Speaker Giorgi: "It seems, in as much as . . . ah . . . some of the members aren't ready with their Third Readings, . . . ah . . . we ought to take them on a voluntary basis; but come up to the Clerk, the Well, here and give them to one of the Clerks so that we can at least give someone some priorities. House Bill 419."

Mr. Fred Selcke: "Ah . . . House Bill 419, a bill for an act in relation to Compensation to State employees. Third Reading of the bill."

Hoffman: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 419 amends the Personnel Code. Provides for payment to State employees of compensation for unused-sick leave for their personal business, sickness and vacations accumulated at the time of termination of their State service by retaining them in the service status on leave until their accrued leave is exhausted. In the event of termination by death, compensation by death, compensation for accrued leave is to be paid to

APR 11 1975

19.

employees of the State in a lump sum. This bill passed . . . ah . . . with a substantial vote from committee. It has been endorsed by the Pension Laws Study Commission, with the notation that the amendment conforms to the intent of the above quotation of the State Employees Retirement Act. The allowance of pension credits for accumulated and unused sick leave previously approved by the commission is presented in the effect in the number retirement system of a state; and I would solicit your support."

Speaker Giorgi: "Any further discussion? Representative Schlickman on House Bill 419."

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

Speaker Giorgi: "Yes, he will."

Schlickman: "First of all, there is indicated on the face of the bill that a fiscal note may be applicable and I'm wondering, A) if one has and whether it has or has not been filed, what is the fiscal effect of this bill?"

Hoffman: "To answer that question, no, we have not filed a fiscal note because the information that we attained indicates that it would be a negligible amount. I have here with your indulgence . . . ah . . . information obtained as a rough estimate 2,400 retirements are processed a year. A half of that or approximately 1,000 people do not have or do have unused-sick time. The individual average would be 25-sick days per person. If you would read the act, you'll find that even though this is a negligible amount, actually what we're doing in this act is utilizing that which they already have. The only thing we're giving is an option in that we're letting them . . . ah . . . put this at their end of their service time as accrued days where they would stay on the pay roll and use up the sick time at the end of their retirement. So on a cursory observation here it would appear that there would be no additional cost because if they are taking their sick time

. . . ah . . . on a monthly basis, they are being paid at that time. The only thing we're doing is allowing them the option to accrue it and take their sick time at the end of their service time."

Schlickman: "My second question and this question is probably founded upon an old-fashioned belief of mine having been an employee and being an employer that leave for personal matters, sickness and vacations were intended to enable an employee to be more productive and that these benefits, these leaves, were directly tied in with a continuation of . . . ah . . . employment of a provision of service. It seems to me and I'm not asking a rhetorical question and I'm not giving an opinion . . . ah . . . or an argument against the bill, but soliciting a response, it just seems to me that we're establishing a very bad precedence . . . ah . . . in converting these kind of benefits to vested right not conditioned upon a continuation of service."

Speaker Giorgi: "Any further discussion? Representative Kosinski on House Bill 419."

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

Speaker Giorgi: "He indicates he will."

Kosinski: "Mr. Sponsor, it's my understanding through this bill that, instead of forcing employees to use up their leave by absenteeism, we will give them credit for this leave, and, thereby, insure . . . ah . . . a better working situation where there . . . where they're in work at all times rather than intend to use up that leave period. Is that correct?"

Hoffman: "That's correct, Representative, and it kind of falls in line with the . . . what Representative Schlickman has already said."

Kosinski: "Then Mr. Speaker if I may address the bill, it would appear in the interest of . . . ah . . . employment

and . . . ah . . . continuity of work that this bill would be extremely effective in keeping people on the job and I am, thoroughly, in accord with it."

Speaker Giorgi: "Any further discussion? Ron Hoffman to close."

Hoffman: "Yes, to, briefly, sum up here, one of the biggest thought processes is . . . is in . . . is in direct conformity to what Representative Schlickman was alluding to. Having been an employer for many years, we find that our basic problem is keeping people on the job. Now, we have to remember that right now the prerogative for sick days is already in the Statute, the provisions are there and we want to make sure that these people are encouraged to remain on the job and this is . . . ah . . . not adding any benefits to their employment. What we're doing is giving them an option to make sure that they are encouraged to stay on the job and this is what we're concerned with in private industry and state employment, and I would solicit an "aye" vote."

Speaker Giorgi: "The question is, shall House Bill 419 pass? All those in favor will signify by voting "aye", and those oppose by voting "nay". For what purpose does Representative Schlickman arise?"

Schlickman: "Solely, for the purpose of explaining my vote. Let's just take one kind of leave, sick leave. Sick leave is, simply, intended to provide continuation of compensation to an individual who cannot work. I see no reason in the world for allowing a person, who doesn't get sick upon termination of employment, to be able to compensate it for time . . . ah . . . that wasn't taken off . . . ah . . . for . . . ah . . . to be reimbursed for expenses that weren't incurred. Again, I repeat, I think its a bad practice and for that reason I'm voting "no"."

Speaker Giorgi: "Are there any further explanation of votes?"

have all voted who wish? The Clerk will take the Record. On this question there are 113 "ayes", 13 "nays" and 3 voting "present"; and House Bill 419 is, hereby, receiving the Constitutional Majority is, hereby, declared passed. Are you ready? House Bill, Third Reading, 477."

Mr. Fred Selcke: "House Bill 477, a bill for an act to amend the School Code. Third Reading of the bill."

Speaker Giorgi: "The lady from DuPage, Representative Dyer."

Dyer: ". . . Mr. Speaker, . . . ah . . . once again, this is for House Bill 477 is a very simple bill and it has been approved by all the people who would be involved in its implementation. House Bill 477 very simply permits, its a permissive bill, it permits local school districts . . . to vote . . . that you, Mr. Speaker, local school districts who chose to do so to lease their school buses for use . . . ah . . . by reputable, not-for-profit organizations. Ah . . . The first example that comes to mind, of course, is Senior Citizens, and this bill was introduced at the request of the Senior Citizens Organization . . . ah . . . in DuPage County. The stipulation, of course, is that they may not be leased during any hours that they're needed for transporting the school children. They may charge a reasonable fee that covers depreciation, insurance, . . . ah . . . any of the expenses incurred in the leasing. Its on a contract basis, its permissive . . . ah . . . I think you have on your desks . . . ah . . . an editorial from The Chicago Daily News endorsing this concept, and saying its creative . . . ah . . . as you know, out in the surburban counties, we don't have good bus service, yet. We hope to get it. Here is equipment that is there, its been paid for, its idle during certain hours; I think this is a good economical bipartisan bill, and I welcome your support."

Speaker Giorgi: "Any further discussion on House Bill 477?"

Representative Mautino on House Bill 477."

Mautino: "Yield for a question, please, Mr. Speaker."

Speaker Giorgi: "Ah . . . Repeat that Mr. Mautino."

Mautino: "Will she yield for a question?"

Speaker Giorgi: "She indicates she will."

Mautino: "What is the situation in the school districts where the buses are leased and not owned by the school districts themselves?"

Dyer: "In . . . in that case, of course, its up to the company that owns the buses whether they chose to do this or not. There are . . . are many districts in my own county that lease their buses from the DuPage Motor Coach Company, they, the school district itself, then would have no part of this. Its up to the Motor Bus Company."

Mautino: "Thank you."

Speaker Giorgi: "Representative Brinkmeier on House Bill 477."

Brinkmeier: "Would the Sponsor yield to a question, please?"

Speaker Giorgi: "She indicates she will."

Brinkmeier: "Ah . . . Giddy, I am going to support your bill, I think its . . . I think you should be commended on it, but I just wanted a little point of clarification so that I understand a little bit better. Ah . . . Will this be permitted in areas where they would be in competition with the private carrier?"

Dyer: "Well, it . . . its . . . ah . . . Representative Brinkmeier, its permitted to any district who choses to enter into this, but I have discussed this with private carriers, and they have no objection to this."

Speaker Giorgi: "Any further discussion? The question is, shall House Bill 477 pass? All in favor will signify by voting "aye", and those opposed by voting "nay". The Clerk will take the Record. On . . . Have all voted who wish? The Clerk will take the Record. On this question there are 138 "ayes", no "nays" and 1 voting "present";

APR 11 1975

24.

and House Bill 477 relieving the Constitutional Majority is, hereby, declared passed."

Speaker Shea: "House Bill 487."

Mr. Jack O'Brien: "House Bill 487, Sharp, a bill for an act to amend the School Code. Third Reading of the bill."

Sharp: "Thank you, Mr. Speaker, and Members of the House . . ."

Speaker Shea: "The gentleman from Madison, Mr. Sharp."

Sharp: "Thank you . . ."

Mr. Jack O'Brien: "Representative Shea in the Chair."

Sharp: ". . . Thank you, Mr. Speaker, and Members of the House,

House Bill 487 is a piece of Legislation that was put in at the request of one of the districts in my . . . one of the counties in the 49th District, and its brought about due to the bankruptcy and unpayment of taxes by the Penn-Central Railroad for a number of years; and what this does, it permits the school district to amend its claim for equalization aid back to the inception of bankruptcy . . . ah . . . where the . . . where the amount of assessment is more than three per cent of their total assessed valuation and taxes have not been paid on the property for three or more years. Ah . . . Presently, . . . ah . . . property that is not producing revenue is still being included in a district total assessed valuations for purposes of computing state aid. Now, this raises the districts assessed valuation per pupil and the amount of state aid a district is eligible for . . . ah . . . is reduced. Ah . . . Also, a school district is denied the local property tax due to the bankruptcy and we feel that something must be done to correct this situation. Now, in committee we put on an amendment that calls for pay-back provisions if these back taxes were paid, and it affects seven school districts in the State. Ah . . . I think its an unfair situation; and I ask you for your favorable support."

Speaker Shea: "Is there any further discussion? The question is,

. . . the gentleman from DuPage, Mr. Hoffman."

Hoffman: "Would the Sponsor yield for a question?"

Speaker Shea: "He will."

Hoffman: "Did we take care of that problem that we discussed earlier by amendment?"

Sharp: "Yeah, the pay back?"

Hoffman: "Yeah."

Sharp: "Yeah, its in the bill."

Hoffman: "Fine, thank you."

Speaker Shea: "The question is, shall House Bill 487 pass?"

All those in favor will vote "aye", those opposed vote "nay". Have all voted who wish? Take the Record, Mr. Clerk. This bill having received the Constitutional Majority is, hereby, declared passed. House Bill 487, 131 "ayes", 1 "no", 4 voting "present". This bill having received the Constitutional Majority is, hereby, declared passed. House Bill 581."

Mr. Jack O'Brien: "House Bill 581, Geo-Karis, a bill for an act to amend the Illinois Act on the Aging. Third Reading of the bill."

Speaker Shea: "The lady from Lake, Miss Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . House Bill 581 requires the Director of the Department on Aging to establish at least one office in each county with a population of 150,000 people or more. To give you a very crass example, at the present time, a county like Lake County, the closest resident agent to the Senior Citizens there is in Kankekee County, which is almost 150 miles away. I, respectfully, ask for your consideration; it only effects about ten counties and the fiscal note is only about \$200,000 a year."

Speaker Shea: "Is there any further questions? The question is, shall House Bill 581 pass? All those in favor will vote "aye", those opposed will vote "nay". Have all those

voted who wish? Mr. Totten? Have all voted who wish? Take the Record. This bill recieved 101 "yes" votes, 15 "no" votes, 4 voting "present". 111? 111 "aye" votes, 15 "nay" votes, 4 voting "present", is, hereby, declared passed."

Mr. Jack O'Brien: "House Bill 496, Jaffe, a bill for an act to amend the School Code. Third Reading of the bill."

Speaker Shea: "The gentlemen from Cook, Mr. Jaffe."

Jaffe: "Ah . . . Mr. Speaker, and Members of the House, this is a permissive bill, which passed out of . . . out of committee 17 to nothing; and all it does is permit the school board to waive all or any part of such charges for summer school if it determines that the family of an individual is indigent or if the educational needs of the pupil require his attendance as such courses. I would solicit a favorable vote."

Speaker Shea: "Is there any further discussion? The gentleman from Cook, Mr. Schlickman."

Schlickman: "Would the Sponsor yield for one question."

Speaker Shea: "He indicated he will."

Schlickman: "Is there anywhere in the School Code a definition of the word "indigent"?"

Jaffe: "I . . . I really don't know, 'Gene, I would imagine that that would be up to the Board, I . . . I would say."

Schlickman: "Who will determine or by what criteria will indigency be determined?"

Jaffe: "Well, I think it would be up to the sch . . . the local school board. If there's not a defi . . . I don't know there may be a definition of "indigent" in the bill . . . in the School Code, itself, I'm not aware of one, but if there is not then the school board would. This was drafted, 'Gene, by the school boards . . . ah . . . basically, its a bill that they want, which it, merely, permits us and . . . ah . . . I guess they would have the right if there's

APR 11 1975

27.

no definition, itself. I guess the local school board would have the right to determine who was indigent."

Speaker Shea: "Is there any further discussion? The gentleman from Cook, Mr. Palmer."

Palmer: "If the Sponsor will yield for a question." At . . . ah . . . what about the definition of "educational needs". Would that not allow any per . . . student who would want to attend summer school, would that not allow him the right to attend?"

Jaffe: "Ah . . . No, the board must determine . . . the situation that we're attacking, Romie, is this, . . . ah . . . where they've said to a kid, well, you have to go to summer school because its necessary that you do so. Some of the boards have felt that where they're requiring the child to go to summer school for his educational needs, . . . ah . . . they should not actually charge that kid because they feel he should be able to get that education; so they . . . the board has the determination as to whether or not that individual goes to summer school. Its, merely, a permissive bill and if . . ."

Palmer: "I understand that, but what about the uniformity of guidelines or guidelines and the uniformity of it? Some districts might not set up any guidelines."

Jaffe: "Well, that's true, its a permissive bill."

Palmer: "Thank you."

Speaker Shea: "Is there any further discussion? The lady from Cook, Miss Willer."

Willer: "Would the Sponsor yield for a question? Ah . . . Representative Jaffe, do you know how . . . what percentage of pupils who attend summer school do so, simply, for the delight of further learning or how many go because they really . . . its needed?"

Jaffe: "I'm sorry, I didn't understand the question you asked."

Willer: "Well, you say where the instruction is deemed necessary

for the pupil. I have a feeling that most children go to summer school because its needed and would this not mean that most of the pupils then are . . . my own experience with children is they don't go to summer school unless they have to. Now, maybe I'm incorrect."

Jaffe: "Well, let me say that this . . . that in the last analysis, the board must must make a determination. Its up to the local school board."

Willer: "Well, what I'm trying to say is, wouldn't you not say that then about 80 per cent, I'm just guessing, about 80 or 90 per cent of the children who are in summer school will . . . will be going free for them and just warrant the cost of going by the school."

Jaffe: "No, first of all, its, merely, a permissvie bill, Anne, and what you do is the board may . . . may waive it in . . . in cases where they deem it in the best educational needs of the pupil. In other words, there has to be a determination by the board that this child is going to school, you know, and he needs it for his educational needs; and in those instances the board may waive it. Its completely up to the board to do so. If the board doesn't want to waive it, they don't have to waive it."

Willer: "O.K."

Speaker Shea: The gentleman from Macon, Mr. Borchers."

Borchers: "Mr. Speaker, I'd like to ask a question of the Sponsor, please."

Speaker Shea: "He indicates he'll yield."

Borchers: "Ah . . . Do you have any idea what the percentage of people on welfare is in the State of Illinois?"

Jaffe: "Webber, we're really not talking about welfare in this particular . . ."

Borchers: "Well, they're the children you're talking about, most of them being on welfare."

Jaffe: "Well, Webber, will you . . . will you just hold it one

second. I think if you read the bill, you know, you could save us a speech, because its entirely up to the Board of Education, the local board, to make this determination."

Borchers: "I understand that, but this is opening . . . opening up quite a door, because approximately 1/10 of the population . . . ah . . . in this state are on welfare and they all have . . . nearly have children. I think this is a very dangerous step which . . . we are taking financially for our . . . in rights to our school boards and the powers they have and perhaps losing."

Jaffe: "Webber, let me say that the school boards are the ones that want this particular bill and its optional with them. Its really a mandatory bill, so I think you're not reading the bill, Webber."

Speaker Shea: "Is there any further discussion? The gentleman from Cook, Mr. Jaffe, to close."

Jaffe: "Ah . . . Mr. Speaker, I just ask for a favorable Roll Call, as I indicated beforehand, this bill is being requested by the school board, and its a permissive bill and its up to each individual, local school board; and . . . ah . . . as I say, it passed by the committee 17 to nothing. I don't think there's anything controversial about it."

Speaker Shea: "The question is, shall House Bill 496 pass? All those in favor will vote "aye", those oppose will vote "no". Have all those voted who wish? . . . ers "aye". Take the Record, Mr. Clerk. On the question whether . . . the question is, shall House Bill 496 pass, there are 106 "aye" votes, 14 "nay" votes, 10 voting "present"; and this bi . . . this bill is, hereby, declared passed."

Mr. Jack O'Brien: "House Bill 503, Polk, a bill for an act to amend the Hospital District Law. Third Reading of the bill."

Speaker Shea: "The gentleman from Rock Island, Mr. Polk."

Polk: "Mr. Chairman, and Ladies and Gentlemen, House Bill 503 sets out a procedure of how a hospital district can get . . . ah . . . sell real estate that has . . . that they have acquired. In committee it passed out of committee 16 to 1. It was adopted . . . ah . . . we had one . . . two amendments . . . ah . . . adopted in committee. We had no problems with it; and I'd appreciate an "aye" vote."

Speaker Shea: "Is there any further discussion? The question is, shall House Bill 503 pass? All those in favor will vote "aye", those opposed vote "nay". Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 126 "aye" votes, 1 "nay" vote, 2 voting "present"; and House Bill 503 is, hereby, declared passed."

Mr. Jack O'Brien: "House Bill 542, Griesheimer."

Speaker Shea: "The gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, . . . ah . . . I'm afraid we're getting into a poor practice and one that was corrected in the . . . ah . . . in the last Session and that is where the Speaker states whatever bills he in his discretion feels he wants to call. Now, the Rules specifically say that we must call bills in the order of the business that we're in, and the Speaker does not have discretion in this area. So I would request that the Speaker abide by Rule 37A."

Speaker Shea: "Mr. Walsh, when Mr. Giorgi was in the Chair he was having trouble getting people to call his bills. He asked leave of the House if he could go out of order and I'm only telling you, Mr. Walsh, what he said. Now, I'll finish, he asked leave of the House to go out of order and ask members who wished their bills called on Third Reading to come up to the Clerk's office and mark the Calendar. That's the reason I'm going, in that order. Mr. Walsh."

Walsh: "Well, I do not recall Mr. Giorgi asking for leave of the House,

and if he did ask for leave of the House, then I withdraw whatever leave I, presumably, gave at the time."

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

Giorgi: "Mr. Speaker, . . . ah . . . because of the, you know, arduous past of trying to get members to call their bills, I, definitely, asked for leave of the House to go on a volunteer basis for bill-calling, and I asked the members of the House to go the Well to request their bills; and that's in the Journal and its upstairs and I think that . . . ah . . . your objection comes at a time . . . not timely, and I think that . . . ah . . . you're trying to cover up what the Speaker is trying to do. The Speaker is trying to move this House not like the House was moved in the last two Sessions. I think its an insult to be . . . ah . . . the intelligence of the Assembly to come up with that kind of acclaim at this point."

Speaker Shea: "542, Read the bill, please."

Mr. Jack O'Brien: "House Bill 542, Griesheimer, a bill for an act to promote the conservation of salmon and to amend certain acts. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, the Assistant Minority Leader, Mr. Walsh."

Walsh: "Well, Mr. Speaker, it . . . the Chair seems to be riding rough shot over the House. Now, are we or are we not going to abide by the Rules?"

Speaker Shea: "If you want to object, Mr. Walsh, after I get through with 542, we'll go back and do it the slow way. I don't see anybody else objecting."

Walsh: "Look, look, Mr. Speaker, the slow way seems to be the most just way. It . . . it in past Sessions and you know very well the reason for this Rule. The reason for the Rule is that a Speaker can arbitrarily omit or not call bills. Now, if you want to go . . ."

Speaker Shea: "Mr. Walsh, do you hear anybody objecting or

saying that they've been treated arbitrarily or capricious this morning? Turn Mr. Walsh on."

Walsh: "I got turned off, Mr. . . . yeah, O.K., you turn me on, Mr. Speaker, I don't hear it right now, but if we continue with the practice, I'll tell you that we're going to hear a lot of it later on."

Speaker Shea: "The gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Thank you, Mr. . . . ah . . . Speaker, I hope Mr. Walsh doesn't have any strong feelings against the salmon industry. They are "pinkos". House Bill 542 does for Northern Illinois exactly what the possum does for Southern Illinois. At least that's a start I hope. Ah . . . This creates a salmon stamp in the State of Illinois for those people that'll go fishing for salmon in Lake Michigan and all of you will be doing that, I would point out, . . . ah . . . if you accept our invitation to come to Waukegan; and this money will be placed in a special fund to be used for the propagation and development of salmon in all waters in the State of Illinois that would like salmon, namely, Lake Michigan. Ah . . . It is a \$2 fee. Ah . . . Its being endorsed by the Department of Conservation, by Salmon Unlimited, by the Illinois Charter Boater Association and by a wide variety of fishermen throughout the State of Illinois that are interested in propagating the salmon fish in our lakes and streams adjacent to Lake Michigan. I would very much urge your support of this bill as it is worked extremely well in the State of Michigan in their development effort of Lake Michigan. This is certainly a helpful hand to the areas adjacent to Lake Michigan, but I would urge you to keep in mind that it helps the recreational . . . ah . . . facilities in Illinois bringing people in from out of state, which will help our industry and our economic development and it will also prove to be a lot of fun for those

that want to go out and try to catch yourself a salmon or lake trout. All of which are contained in the definition of salmon. I would urge your support of this bill."

Speaker Shea: "The gentleman from Will, Mr. Leinenweber."

Leinenweber: "Will the Sponsor yield for a question? Representative Griesheimer, if we adopt your bill, will it be possible to drop a hook into Lake Michigan without fishing for salmon?"

Griesheimer: "Yes, it will be possible to drop a hook in Lake Michigan without fishing for salmon, because . . . ah . . . the . . . ah . . . there is a fish in Lake Michigan, namely, the Lake Perch that is caught on a hook, which is not defined as a salmon. However, there are quite a few hookers that work along the front of Lake Michigan, which would be . . ."

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

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

Speaker Shea: ". . . to explain the last remark."

Schlickman: "Mr. Speaker, I'm not anti-salmon and perhaps they should be promoted. I do object, however, to our setting up another special fund for a special interest. It seems to me that if its going to be the policy of this state to promote salmon, then we ought to do it by direct appropriation to the Department of Conservation. Too many times we see surpluses developing within these funds and not being expended where we see in other funds insufficient money to carry out public policy; and I, also, suggest to you that we . . . we charge these fees so often, the fees are out of line with the cost administration, either too much or too little, and, as a consequence, while I am all for salmon, I do think, from a fiscal standpoint, . . . we are just compounding what is already a bad situation."

Speaker Shea: "Any further discussion? The gentleman from Lake, Mr. Griesheimer, to close."

Griesheimer: "Thank you, Mr. Speaker, just in response to the . . . ah . . . prior statement, I would point out that all of the non-governmental agencies that are backing the passage of this bill . . . ah . . . really requested that a special fund be created so that this money is not diverted. This is really pay as-you-go type of thing, which is the best form of government. The \$2, which will be charged each year for a salmon stamp, will go directly back into the replenishment of salmon, lake trout and associated salmon that is in Lake Michigan. Also, the bill specifically calls for the development of a cold water hatchery in Illinois, and this will give a source of revenue, which we would not otherwise have. I think it will be very beneficial to Lake Michigan; and I would urge your support of the bill, thank you."

Speaker Shea: "The question is, shall House Bill 542 pass? All those in favor vote "aye", those opposed vote "nay", and the gentleman from Cook, Mr. Yourell. Gentleman from Knox, Mr. McGrew, to explain his vote."

McGrew: "Thank you very much, Mr. Speaker, I'd just like to take the time of the House, just very briefly, to issue an invitation to the Sponsor of this bill to come down to rural Illinois, where we will get in our car with our studded-snow tires, go out and do a little ice fishing, and sit back and enjoy a cigarette while we're doing so. That's fun, I'll vote "aye"."

Speaker Shea: "Have all voted who wish? Take the Record, Mr. Clerk. This question there are 112 "aye" votes, 6 "nay" votes, 12 voting "present". House Bill 542 having received the Constitutional Majority is, hereby, declared passed."

Mr. Jack O'Brien: "House Bill 543, Griesheimer, a bill for an act to amend the Fish Code. Third Reading of the . . ."

Speaker Shea: "Take it out of the Record. House Bill 410."

Mr. Walsh, we stopped at House Bill 404 yesterday. House Bill 410 is the next bill to be called and I'm calling 'em right in order. Mr. Walsh, the Assistant Minority Leader."

Walsh: "Well, I . . . I don't know how we remedy what we have done earlier today, but I would suggest that we should do is go to House Bill 561 and through the Calendar, because I think we can assume, if we're going to abide by the Rules at all in this Session, that everyone up to Mr. Griesheimer on House Bill 542 did not wish to be called; and, therefore, the Clerk ought to call House Bill 561, which follows 543, which Mr. Griesheimer did not wish to be called."

Speaker Shea: "Mr. Walsh, you raised an objection, I talked to the Minority Leader; I said that we would return to the order of where we called them yesterday. We stopped at House Bill 404; I will start at House Bill 410. Read the bill."

Mr. Jack O'Brien: "House Bill 410, a bill for an act in relation to the State Rustic Road System. Third Reading of the bill."

Speaker Shea: "Is Mr. Du . . . is Mr. Deuster on the floor? Take the bill out of the Record."

Mr. Jack O'Brien: "House Bill 422, Duff, a bill for an act to amend the Code of Criminal Procedures. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, Mr. Duff, is he on the floor. Take the bill out of the Record."

Mr. Jack O'Brien: "House Bill 435, Lundy, a bill for an act to amend the General Assembly Compensation Act. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 435 would permit . . . ah . . . members

APR 11 1975

36.

of the General Assembly to designate an administrative aide, who would be treated . . . ah . . . for all purposes as . . . ah . . . a state employee entitled to fringe benefits if that administrative assistant . . . ah . . . worked for the member at least 20 hours per week . . . ah . . . and that administrative assistant could be paid up . . . a . . . ah . . . total compensation salary and fringe benefits not exceeding \$12,000 per year. Ah . . . That probably means that the actual salary level would be . . . ah . . . maximum . . . would be about \$8,500 or \$9,000 because at that salary level the cost of fringe benefits is about \$3,000. Ah . . . I think the bill is needed. Many of the members who now employ aides in their Legislative offices are aware of the unfairness and hardships caused to those employees by the fact that they are not entitled to fringe benefits, and by the fact that they are not considered state employees; and, therefore, the . . . the . . . ah . . . state will not handle state and federal income tax withholding . . . ah . . . for those employees, which, naturally, at the end of the . . . the year when tax time rolls around places them under a tremendous hardship. Ah . . . I would, also, say that it . . . ah . . . puts the members under the gun in the sense that it isn't entirely clear who's responsible for withholding and . . . ah . . . there is some possibility that the individual members might be found to be responsible for it. Ah . . . I think its a good bill; I think it will allow every members of the General Assembly to be more effective in serving his constituents in his home area; and it is absolutely permissive. No member who does not chose to do so would be required to designate an aide Its . . . ah . . . a permissive bill. I think it would make all of us more effective, all of us who chose to utilize . . . ah . . . this privilege; and I would ask for your favorable vote."

Speaker Shea: "The gentleman from Knox, Mr. McMaster."

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

Speaker Shea: "He indicates he will."

McMaster: "Ah . . . Mr. Lundy, is this an allowance for a Legislative aide over and above the \$12,000 we are already provided in our Legislative expense account?"

Lundy: "It . . . it would raise the . . . ah . . . it would raise the contingent expense account by \$3,000; however, . . . ah . . . I would certainly be agreeable to having that deleted in the Senate. The reason that it was in there originally . . . ah . . . was to cover the cost of fringe benefits and under an amendment that was adopted on Second Reading, its not needed for that purpose anymore, because . . . because of the way the amendment is worded and, therefore, I would agree to leave the contingent expense allowance at . . . at \$12,000. Over and above that the money for the salary of the administrative assistant and the fringe benefits . . . ah . . . is not part of the contingent expense allowance, that's the aide's salary, it never goes through the members hands at all. It goes from the Comptroller to the employee . . . ah . . . and so its not . . . ah . . . part of the contingent expense allowance in the same sense as the money which we, presently, get for . . . ah . . . stamps and office supplies and so forth."

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

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, if that's all this bill did, I'll be more than happy to . . . ah . . . vote for it, but let's be honest with ourselves and with the public. What we're doing is creating an additional job of \$12,000 for each and every one of us to be the administrative assistant and also having \$15,000 for office and other expenses. Now, we're talking about a very high unemployment rate in the State

of Illinois. We're talking about having delays in unemployment compensation for people receiving their benefits, and, in turn, . . . ah . . . whether the first bills that come before us is providing additional 12 . . . 15,000 in reality to each and every one of us. I think this is a very bad procedure. I think the bill should be brought back to Second Reading, and, in turn, that amended out, and I would hope that this bill would not receive the support of this House, so we can show face to the constituents here that we serve and the people that send us down here. Its a rip off and it should be stated as such; and it should be defeated."

Speaker Shea: "The gentleman from Winnebago, Mr. Simms."

Simms: "Thank you, Mr. Speaker, . . . ah . . . I rise in complete agreement with the previous speaker. I think this bill is a total . . . ah . . . it a total imposition on the taxpayers of the State of Illinois. We have one of the highest . . ."

Speaker Shea: "Mr. Simms, excuse me for a minute. Mr. Lundy."

Lundy: "Yeah, thank you, Mr. Speaker, and I apologize to Representative Simms for interrupting him. A number of members have brought to my attention that . . . ah . . . the . . . ah . . . increase in the contingent expense allowance, which is I indicated, is not really necessary under the way the bill has been amended. It causes for a number of members and so I have agreed to take the bill out of the Record at this point; have an amendment drafted to delete that from the bill."

Speaker Shea: "Does the gentleman have leave to take the bill out of the Record? Leave granted, the bill is taken out of the Record. House Bill 439, Mr. Simms. Take that bill out of the Record. House Bill 447, Mr. Beatty, out of the Record. House Bill 449, Mr. Lundy."

Mr. Jack O'Brien: "House Bill 449, Lundy, a bill for an act

to amend the Illinois Library System Act. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . Mr. Speaker, I wonder if I might have leave to take this bill back to Second Reading for the purposes of tabling the amendment that was adopted and offering a substitute amendment?"

Speaker Shea: "Does the gentleman have leave. Leaving . . . leave having been granted, the bill is returned to the Order of Second Reading. The gentleman moves to reconsider the vote by which Amendment Number One was adopted. All those in favor vote "aye", those opposed vote "nay"; the "ayes" have it. The gentleman now moves to table Amendment Number One amendment, is leave granted. Amendment Number One is tabled."

Mr. Jack O'Brien: "Amendment Number Two, Lundy, amends House Bill 449 on page 1, line 19, by deleting the period and inserting in lieu, thereof, the following and so forth."

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

Speaker Shea: "Mr. Lundy, please, the gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, I maybe previous Mr. Lundy maybe going to answer what I was going to ask. May he proceed first, sir?"

Speaker Shea: "The gentleman from Cook, Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, Amendment Number Two is an amendment, which . . . ah . . . does three things. First, it incorporates everything that was in Amendment Number One; secondly, it makes some additional, clarifying changes in the bill . . . ah . . . to meet objections to it, which were made by the Illinois Library Association; and I think we do effectively clarify the points that they brought

to our attention; and third, the bill would phase in the system of increased equalization grants and per capita grants to Illinois . . . to libraries throughout Illinois over a four-year period. Ah . . . This phase-in procedure is being done at the request of the Secretary of State, who felt that it was, simply, too expensive to implement the program all at once as the Library Financing Sub-Committee, which is really the sponsor of this bill, had proposed to do. My understanding is that with this phase-in procedure, which would make the bill substantially less expensive in the first couple of years . . . ah . . . after its passed, it is acceptable to the Secretary of State. I would be happy to respond to any questions on the amendment."

Speaker Shea: "The question is, shall Amendment Number Two be adopted. All in favor vote "aye", all opposed vote "nay", Amendment Number Two is adopted. Are there any further amendments. Third Reading. House Bill 480, Mr. Skinner."

Mr. Jack O'Brien: "House Bill 480, Skinner, a bill for an act creating the Senior Citizens Retail Tax Deferral Act. Third Reading of the bill."

Speaker Shea: "The gentleman from Lake, . . . or . . . pardon me . . . the gentleman from McHenry, Mr. Skinner."

Skinner: "Thank you, Mr. Speaker, I'm close to the border, but not quite over. Ah . . . I would ask leave of the House to take this back to Second Reading for a addition of amend . . . of an amendment, which I promised the Revenue Committee to put on, but, which, unfortunately, was not prepared by the Reference Bureau in a timely fashion."

Speaker Shea: "The gentleman asks leave to return the bill to Second Reading. No objections, the bill is returned to the Order of Second Reading."

Skinner: "Ah . . . this amendment . . ."

Mr. Jack O'Brien: "Amendment Number Two, Skinner, amends House

Bill 480 on page 1, line 9, and so forth."

Skinner: "The first amendment that was put on, lowered the eligible income level from \$15,000 a year to \$10,000 a year. Unfortunately, it did not define the word income, household income. What we will do with this amendment is define the word "household income", exactly as it is defined in the Senior Citizens and Disabled Persons Personal . . . Disabled Persons Property Tax Relief Act, commonly called the "circuit breaker", because nobody can pronounce the other name. I move the adoption of that amendment."

Speaker Shea: "The question is, shall Amendment Number Two be adopted? All those in favor vote "aye", those . . . say "aye", those opposed say "nay". Amendment Number Two is adopted. Are there further amendments? Third Reading. House Bill 510, Miss Chapman, is she on the floor? Take it out of the Record. House Bill 532, Mr. McPartlin."

Mr. Jack O'Brien: "House Bill 532, McPartlin, a bill for an act to amend the Illinois Pension Code. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, Mr. McPartlin."

McPartlin: "Ah . . . Mr. Speaker, and Members of the House, House Bill 532 amends the Chicago Policemen's Annuity and Benefits Fund Article of the Illinois Pension Code. It provides that the annuities for the children of deceased policemen be based on the current salary for the First Class Patrolman, rather than the salary rate in effect at the time of the policeman's death. The Pension Laws Commission has recommended approval of House Bill 532, and I would appreciate your support."

Speaker Shea: "Are there any further discussion? The question is, shall House Bill 532 pass? All in favor vote "aye", and those opposed will vote "no". Have all voted who wish? Take the Record, Mr. Clerk. On this question

there are 110 "ayes", 2 "nays" and 3 voting "present". House Bill 532 having received the Constitutional Majority is, hereby, declared passed. House Bill 534, Mr. Hoffman."

Mr. Jack O'Brien: "House Bill 534, Gene Hoffman, a bill for an act to amend the School Code. Third Reading of the bill."

Speaker Shea: "The gentleman from DuPage, Mr. Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . House Bill 5 . . . House Bill 534 . . . ah . . . was identical to . . . ah . . . House Bill . . . or Senate Bill 178, which we passed out yesterday, which allows districts to use a . . . ah . . . use taxes that were approved by referendum . . . ah . . . prior to October 1st, 1973, for roll-back purposes; and I would appreciate your support."

Speaker Shea: "The gentleman from McClean, Mr. Bradley."

Bradley: "Thank you, Mr. Speaker, I wonder if the gentleman might yield to a question? Gene, if this is exactly the same bill that we passed . . . ah . . . yesterday, and I know it is, that was a Senate Bill on Third Reading, that if the Governor signs it it takes care of the problem, what do we need this bill for?"

Hoffman: "Ah . . . The only purpose for keeping this bill alive and sending it over is . . . is if in the process of . . . ah . . . reviewing the bill for his signature . . . ah . . . if there's a problem we could correct it with this over there. That's the only reason."

Bradley: "O.K., fine, thank you."

Speaker Shea: "The gentleman from Cook, Mr. Berman. Mr. Berman."

Berman: "Thank you, Mr. Speaker, Gene, I didn't hear the last . . . your answer to Representative Bradley's question. Why should we pass out two identical bills?"

Hoffman: "The only, as I said, the only reason for doing it

is if in the process of . . . ah . . . reviewing the bill we passed yesterday for his signature . . . ah . . . the Governor finds some problem with it, we could make, you know, we could make that change, I can't envisualize he would, but we'd make that change on this bill and send it right on down to him."

Berman: "Well, may I suggest if you want to keep a bill alive, why don't we ask for leave to put it on postpone consideration. I . . . I'm reluctant to pass a bill out of here and have move all the way through the Senate, perhaps, come back with . . . on concurrence on amendment or something. We've got so many things to keep track of . . . ah . . . why don't you put it on pospone consideration and just leave it sit there in case that evenuality arises."

Hoffman: "The onl . . . the on . . . I have no problem with that, the only problem that I have is that it just would be in terms of the time. If we had it over there, it would be in the same . . . in the same position."

Berman: "I . . . I don't see any useful purpose in . . . ah . . . in . . . he's only got sixty days to act on that bill that we passed out yesterday anyway. Postpone consideration can sit on here for another 30 or 45. Let's see what happens to it."

Hoffman: "Well, let's just take it out of the Record, then."

Speaker Shea: "Take it out of the Record. House Bill 536, take that out of the Record. House Bill 540."

Mr. Jack O'Brien: "House Bill 540, McPartlin, a bill for an act to amend the Illinois Pension Code. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, Mr. McPartlin."

McPartlin: "Ah . . . Mr. Speaker, and Members of the House, House Bill 540 amends the Illinois Municipal Retirement Fund Article of the Illinois Pension Code. Currently,

only active members of the General Assembly may apply for transfer of credit from the Illinois Municipal Fund to the General Assembly. House Bill 540 will enable those former members of the General Assembly, who served prior to the 75th General Assembly, to transfer Illinois Municipal Retirement Funds credit to the General Assembly.

I would appreciate your support on House Bill 540."

Speaker Shea: "Is there any further discussion? The question is, shall House Bill 540 pass? All in favor will vote "aye", those opposed will vote "nay". Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 93 "aye" votes, 2 "nays", 17 voting "present"; and House Bill 540 having received the Constitutional Majority is, hereby, declared passed. House Bill 542; we took care of of House Bill 543. Mr. Griesheimer."

Mr. Jack O'Brien: "House Bill 543, Griesheimer, a bill for an act to amend the Fish Code. Third Reading of the bill."

Speaker Shea: "The gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Thank you, Mr. Speaker, . . . ah . . . this bill is really a companion bill . . . ah . . . which probably should have been called, if it had been filed, proceeding the Salmon Stamp Bill. It also deals with fishing in the State of Illinois. A number of fisherman contacted me some time ago, and pointed out to me that Illinois has one of the lowest fishing licenses in the United States. We pay \$2 a year for our . . . our fishing license. This, certainly, isn't bad in and of itself, except for the fact that the money used . . . ah . . . from the fishing license is . . . ah . . . earmarked for the purpose of developing fishing and . . . and game in the State of Illinois. The Fish and Game Fund receives all of the money from the fishing license and the hunting license. Ah . . . One of the problems we have had is the

development of fishing in our State because of a lack of funds and a lack of appropriations to the Department of Conservation. Ah . . . Upon researching further, I found that if we increase the fishing license to \$4, we would still have a fishing license cost at lower than the medium amount of all states in the United States. Ah . . . I contacted various organizations to see if they would be amenable to increase the fishing license from \$2 to \$4 a year. Salmon Unlimited said that they'd be willing to accept this. Illinois Wildlife was in favor of it, Illinois Wildlife Association. Ah . . . The . . . ah . . . Department of Conservation was very much in favor of this, and based upon this, I introduced a bill. There was one amendment . . . ah . . . placed on this bill that you should be aware of, which provide . . . ah . . . that there is reciprocity between Illinois and other states. So if an out-of-stater comes into Illinois, he must pay the same amount for an Illinois License as he would in his own state. Ah . . . This same provision is being used . . . ah . . . in various other parts of the Country to assure that there is some similarity between the cost of fishing licenses and its, definitely, run to the benefit of Illinois, since we will still have one of the lowest, priced fishing licenses in the State. I'd further point out to you that our research, as best as we can tell, the last time the fishing license cost in the State . . . State of Illinois was increased was in the early 1920's, so that really we have waited a great long time for this increase, which is really needed by the Department of Conservation."

Speaker Shea: "Excuse me, Mr. Griesheimer, I'd like to remind our guests in the Gallery that there'll be no picture taking in the House. Go ahead, sir."

Griesheimer: "Thank you, Mr. Speaker. In any case, there are a great many reasons for this increase. Its not burdensome, . . . ah . . . the fishermen I have contacted, some 600 of them in Lake County, Illinois, are very much in favor of this. Its not heavy. We have not in any way tampered with the . . . ah . . . very low fishing privileges in the lincensing for Senior Citizens. It will remain at .50; we have not increased that. We have not taken away the free fri . . . fishing privileges of . . . ah . . . youngsters. All we're doing is increasing the cost of an annual fishing license in Illinois from 2 to \$4; and . . . ah . . . it, certainly, will prove to be a benefit to the entire conservation progress of our State, and I would urge the passage of this bill."

Speaker Shea: "Is there any further discussion? The gentlemen from Cook, Mr. Walsh. Did you have a question? Oh, Mr. Schlickman."

Schlickman: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Shea: "He . . . Mr. Griesheimer says he will answer a question."

Schlickman: "Representative, could you tell us what the balance in the Fishing Game Fund was at the end of Fiscal 1974?"

Griesheimer: "I . . . I can't give you that exact figure, . . . ah . . . I know, as best as I can recall, it was in excess of \$100,000; but I can't . . . ah . . ."

Schlickman: "My recollection is that the balance at the end of Fiscal '74 was \$500,000. Now, I may be mistaken, but that is my recollection; and I don't see how you can justify an increase in any fee, when at the end of a fiscal year you have a balance, a surplus, if you will, somewhere between your \$100,000 and the 500 that I recall."

Speaker Shea: "You got any further questions, Mr. Schlickman? The gentleman from Cook, Mr. Kosinski."

Kosinski: "Ah . . . Mr. Speaker, I should like to ask the Sponsor a question. May I ask the Sponsor a question, Mr. Speaker?"

Speaker Shea: "He indicates he'll yield."

Kosinski: "Ah . . . Mr. Griesheimer, if you remember my committee action, I indicated that, presently, the Department of Conservation is getting three of the \$5 paid into Firearm Owners Identification Fund for the use of fishing, which is . . . which it would then be in addition to this increase. I don't remember the resolution of that question. Can you enlighten me?"

Griesheimer: "Well, I really can't enlighten you on this subject. I, merely, acknowledged it . . . ah . . . when you indicated that you would like to have this money withdrawn from the Fishing Game Fund by appropriate action on your part; and I, certainly, wouldn't have opposed this. I . . . I think that your point is very well taken . . . ah . . . that you do not feel that money for gun registration or Owners Identi . . . ah . . . Identification should be placed into this fund, and . . . ah . . . I'd have to say that I agree with you at this point. Its not properly money earmarked for the right thing. Ah . . . The money in this fund should come from fishing licenses and not from . . . ah . . . Gun Owners Registration. That . . . that's about the only answer I can give you on it. If you'd like to suggest a bill on this, I'd be glad to support it."

Kosinski: "Then . . . then Mr. Griesheimer, were we to take the \$3 from my Firearms Owners Identification . . . ah . . . payments away from the Department of Conservation, which is presently being . . . being used for fishing and go along with this bill and increase it \$2. Are they better off or are they worse off?"

Griesheimer: "Ah . . . You are correct that if . . . ah . . . if you introduce such a bill and this money was withdrawn from the Fish and Game Fund, it would material affect . . . materially affect its balance; and if we did not increase the fishing license . . . ah . . . it could have a very dilatory effect on the Fish and Game Fund in its entirety. Ah . . . I am reminded by one of our colleagues that . . . ah . . . last year I did support a bill in committee . . . ah . . . to reduce the charge . . . ah . . . for the Gun Owners Registration to \$2, which would have wiped out that additional 3, which is now going into the Fish and Game Fund."

Kosinski: "Then, Mr. Griesheimer, on the presumption that you will assist me in removing that \$3 being, presently, paid in the Firearms Owners Identification, I will support your bill."

Griesheimer: "Thank you."

Speaker Shea: "Mr. Doorkeeper, again, we find ourselves with several people on the floor that I don't think are authorized. Will you make sure that those people not authorized to be on the floor of the House are off the floor. The gentleman from Stephenson, Mr. Rigney."

Rigney: "I'd like to ask the Sponsor a question, if I could."

Speaker Shea: "He indicates he'll yield."

Rigney: "Ah . . . Mr. Griesheimer, can you tell me, what is the out-of-state license fee for the State of Wisconsin?"

Griesheimer: "Its my understanding its \$12.50; that's what I paid last summer."

Rigney: "But isn't that for husband and wife, both?"

Griesheimer: "No, that's just . . . its . . . its just for one person. If they . . . they have a family, fishing license up there and you'll . . . if some of my colleagues would correct me, I believe its about \$18."

Rigney: "18?"

Griesheimer: "18.15. \$18.50., for husband and wife, joint, fishing license in Wisconsin."

Rigney: "Well, the thing that I would point out to you is you're getting rather close to . . . ah . . . what it would cost a husband and wife to fish in the State of Wisconsin, and when we realize the good fishing

that they have there in all areas, starting in the month of May with the striped bass and going on into the summer months with your northern pike fishing and all your salmon fishing all year 'round. I think many people are kind of like myself. They've quit fishing in the State of Illinois, they're doing their fishing in the State of Wisconsin . . . ah . . . and I think you're only compounding the problem here by raising this fee. The effect will be, now, we have just passed this about the \$2 increase . . . ah . . . for salmon fishing. Ah . . . Its . . . its getting to be rather expensive to fish in Illinois, and I don't think we have that much to offer."

Griesheimer: "Mr. Speaker, if I may reply to the comments or the question of the prior speaker, one of the problems the State of Illinois has faced for years, is the fact that our Department of Conservation has been operating on a shoestring to the point where a tradition has grown up in Illinois to do very little in the Department of Conservation. In particular, the area . . . in the areas of fish and wildlife. In the last two and a half years, I have had an opportunity to meet our Director of the Department of Conservation, Mr. Dean. He has brought, somewhat, of a new spirit to the Department of Conservation. He has created a new form of training our conservation officers, giving them some dignity and some status that they've never had before. In other words, the concept of the old warden walking the strip without any training is now gone in Illinois. We are modernizing. However, he has been hand-strung considerably in the development of a lot of the different areas of conservation because he just hasn't had the money for it, nor the developmental potential. Now, this is starting to happen. Illinois is on the verge of building one of the nation's finest cold-water hatcheries, and I would point out, this is going to be down in . . . built in down-state Illinois, probably in Central Illinois. Also, they're going to be building a warm-water hatchery. We were . . . we are really entering into the 20th Century, maybe even the 21st Century, of Conservation with this; but its going to cost money. Now, none of us like to increase our taxes, but a good many of the sportsmen, who want to participate in better facilities, are willing to pay for them. I would like to see

people such as yourself, Representative Rigney, stay in Illinois and do your fishing here. The fishing is tremendous, although, you've gone to Wisconsin and sampled their fish, as I have done, also; I would urge you to come over to Lake Michigan and try salmon fishing. This is the newest rage in fishing that you're going to find in this State, and its better than you're going to find any other place in the Midwest . . . ah . . . short of actually going to the Pacific Northwest. This is where that money is going to go. Its going to benefit you as the fisherman, you as the outdoorsman, and I think we can depend upon Mr. Dean and his department to bring us some really fine conservation developments in our State so that we can be proud of our facilities and will not have to go to Wisconsin or to Missouri Ozarks or the . . . or to Minnesota to enjoy the outdoors facilities, which they have developed."

Speaker Shea: "The gentleman from Kane, Mr. Waddell."

Waddell: ". . . of the Sponsor, Mr. Speaker. Ah . . . Have you polled the Isaac Walten League Chapters in the State of Illinois, and if so, what was their decision?"

Griesheimer: "Ah . . . In response to the question, I, unfortunately, did not poll them. I apologize, as a matter of fact, I just didn't even think about it. I didn't . . . I didn't ignore them, I just didn't think about them. I went to other sports clubs, as I indicated, Salmon Unlimited . . . ah . . . Illinois Wildlife Association, which is a rather large state-wide organization, . . . ah . . . and the various fishing organizations in Northern Illinois, I did go to; and they were very much in favor of this."

Waddell: "Thank you."

Speaker Shea: "The gentleman from Cook, Mr. Yourell."

Yourell: "Ah . . . Thank you, Mr. Speaker, ladies and gentlemen of the House, I rise in support of this Legislation; and I would invite my good friend Harlan Rigney, who is, evidently, a Wisconsin fisherman, to come to the Chicago Loop on any weekend; and I'd be delighted to take him out in my boat, and I'd guarantee that he'd catch his limit in salmon or trout. Now, the State of Illinois is one of the States that has been far amiss in providing funds for developing, either cold water or . . . ah . . .

fresh water . . . ah . . . warm water hatcheries for the rearing of salmon and trout in Illinois. Michigan, Wisconsin and Indiana have all done this at great expense to their taxpayers to the increase in license fees and other forms of revenue. Now, in 1978, the State of Illinois is going to appropriate over a \$1,000,000 to develop this warm and cold-water hatchery at "Little Grasse"; something that the fishermen and the people of the State of Illinois have needed for a long, long time. Now, I think that we've got to keep our people fishing in Lake Michigan and other parts of the State. This is only the middle of April and already I have caught out of Lake Michigan 108 . . . 178 trout and salmon; and I tell you ladies and gentlemen, its the greatest fishery in the World, today. Waukegan, Illinois, which is fast becoming the salmon-sport fishery of the Midwest has a great, sports fishing fleet available for charter all summer long up until November; and in November, you can go down to Michigan City or New Buffalo and catch lake trout expounding up to 16 pounds. This is the kind of thing that we're going to be providing for all of the fishermen in the State of Illinois to keep them fishing in Illinois, keep them fishing in Lake Michigan; and I hope you'll support this bill. The money is needed for the cold-water hatchery that's going to be developed and built in 1978, and for the stocking of salmonoids and trout in Lake Michigan. The State of Wisconsin, the State of Michigan, the State of Indiana are far ahead of Illinois in stocking the salmonoids in Charlton, Lake Michigan. We in Illinois have been far, far behind in other states, and, yet, we in Illinois have been reaping the benefits in the harvests of others states stocking. So its about time we participate in the program to the extent that the other states are participating; and I hope you'll support this very, very well . . . worthwhile bill."

Speaker Shea: "The gentleman from Union, the gentleman with the lake in his backyard."

Choate: "Well, Mr. Chair . . . Mr. Speaker, I might have a lake in my backyard, but it doesn't compare to Lake Michigan; and let me tell my good friend, who I hate to oppose on this, Representative Yourell, that I admire him for catching all those fish out of Lake Michigan, but I've

never dipped a hooker in Lake . . . a hook in Lake Michigan. I, truthfully, hope that Illinois will end up a sportman's paradise as far as fishing is concerned, as well as the other small game, like as in Southern Illinois; but I'm telling you today is a poor time to double the fishing permit costs of all of these people, especially in Southern Illinois, who, if you please, actually supplement their income as far as food on the table in the fishing months in Southern Illinois. We talked yesterday about \$60,000,000+ deficiency in Public Aid. If you want to go to Pulaski, Alexander, Massac and some of the other counties and see some of the retired and poor people supplementing their income through the medium of baiting a line and a hook, come down. I'm not an expert fisherman, but I do know and I . . . I do agree with the plight of some of the people that spend their last years . . . their last years, if you please, the only re . . . la . . . relaxation and recreation that they have sittin' on a creek bank, the mossy bank of a lake, contemplating all of the things that have happened in their lifetime, in this world and state, contemplating a bright future sitting on that creek and enjoying themselves. You're driving right out of business the very people that, truthfully, enjoy fishing. Representative Yourell can afford the license, I can afford the license, I dare say, that every member of this House can afford the doubling of the increase of this license; but, boy, when you talk about the masses that really enjoy it, they can't afford it today. I think that its the wrong time for an approach of this nature. There's no one that would ever question my sincerity in working with the Department of Conservation or any other conservation organization as far as perpetuating what we have in this State, and, yes, enlarging upon these facilities, and, yes, in attempting to improve them; but now is the wrong time. Its a bad bill."

Speaker Shea: "The gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Thank you, Mr. Speaker, its always difficult to reply to the melodious tones from the gentleman from Anna, but I feel that he has failed to look further in this . . . in today's Calendar and find that one of the representatives from the other side of the aisle, Representative Terzich, has introduced a bill, which will be coming up shortly on Third Reading to give Senior Citizens free, fishing privileges in the

State of Illinois. I'm sure we're all going to support this bill; and . . . and if we do support this bill, then we have to somehow supplement the Fish and Game Fund by increasing the amount from 2 to \$4. Now, when he talked about the people in Southern Illinois spending their additional \$2 to supplement their income, I would point out to you, they can't even go to Kentucky Fried Chicken for \$2 more; and certainly this is a . . . this is a very cheap meal on the table. They can catch all the catfish that their hooks will take, no matter how big their hookers are down there for . . . for that additional \$2. We have not changed or tampered with this particular . . . ah . . . fee since 1920 something, 1922, I believe it is; and I think that the Department, truly, needs this money. Mr. Dean said he needs this money, and it will be appropriately used for the development of conservation throughout the State of Illinois from Cave-In-Rock to beautiful Zion or Winthrop Harbor. So I . . . I think it is appropriate at this time to consider increasing this, and even those people that depend on the fish for a meal on the table, such as Mr. "Buss" Yourell . . . ah . . . would appreciate increasing the amount of the fishing license to \$4."

Speaker Shea: "The question is, shall House Bill 543 pass? All those in favor will vote "aye", those oppose vote "nay". The gentleman from Cook, Mr. Schlickman to explain his vote."

Schlickman: "Thank you, Mr. Speaker, in explaining my vote, I'm referring back to the debate on this bill. Reference was made at that time for the Gun Owners Identification Bill, and I remind the membership that last session there was a bill reducing from \$5 to \$2 the fee for a Gun Id . . . Owners Identification . . . ah . . . Card. It was demonstrated at that time the cost of administering that program is only \$1.89. We passed that bill here in the House, but it was defeated in the Senate by the Department of Conservation; and it seems to me, as long as the Department of Conservation is going to maintain its opposition to that bill, it has no right to further money income to the Game and Fish Fund, which as was indicated previously as a balance or at a balance last year of anywhere from 100 to \$500,000."

Speaker Shea: "The gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Thank you, Mr. Speaker, I was wondering if we could reverse the Roll Call here, somehow, I . . . ah . . . I'd like to say some more things about it. I can't really think to say too much more . . . ah . . . but if the fishing license stays at \$2, I'll be down in Anna doin' some fishin' this season, that's all I . . . that's all I have to say, thank you."

Speaker Shea: "Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 25 "aye" votes, 74 "nay" votes, 9 voting "present"; this bill having failed to receive the Constitutional Majority is, hereby, declared lost. The gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker, I wonder if you or some member of the Majority Party could clarify for our members what the situation is in the Legislative Reference Bureau. All morning long, I've had members come to me and tell me that they have been informed that their bills may not be ready, or that the Reference Bureau would try to get them ready, or that instead of preparing substantive bills, they would prepare for our members vehicles or shells, which could be handled by amendments later on. Mr. Speaker, I think that's a very unacceptable procedure; and I think that the members of this House, on both sides of the aisle, deserve to know if they're going to have their bills ready for Introduction so we can meet the April 12th deadline."

Speaker Shea: "Mr. Telcser, the Speaker of the House and the President of the Senate are, presently, discussing that with the Reference Bureau, and as quickly as they find out, we'll tell everybody."

Telcser: "Well, Mr. Speaker, then you will tell the members of the House in a reasonable time what the situation is with their bills. Is that the promise we have from you?"

Speaker Shea: "Yes, sir. House Bill 582, Mr. Yourell."

Mr. Jack O'Brien: "House Bill 582, a bill for an act to amend sections of an act concerning land titles. Third Reading of the bill."

Speaker Shea: "Mr. Yourell, if you'll wait a minute, please. Mr. Dunn, the gentleman from Perry."

Dunn: "Thank you, Mr. Speaker, I . . . I . . . I'm not in any . . . in any hurry about House Bill 561, but I've been standing here all morning with

bated waitin' on it and you . . ."

Speaker Shea: "I'll call it next, Mr. . . ."

Dunn: "Thank you, sir."

Speaker Shea: ". . . Mr. Dunn, my Calendar appeared to be marked that it had been called, and I will get right back to you, sir."

Dunn: "Thank you, sir, thank you."

Speaker Shea: "The gentleman from Cook, Mr. Yourell."

Yourell: "Ah . . . Thank you, Mr. Speaker, ladies and gentlemen of the House, . . . ah . . . House Bill 582 is a bill that's been suggested by a Committee of the Bar Association that has been implement . . . ah . . . implementing the rehabilitation of the . . . ah . . . County Recorder's Office in Cook. Ah . . . The purpose of the bill is to eliminate the Trust Department in the Torren's Office. Under existing Law, when property is to be put into trust, the agreement must be filed with the Torren's Office and later reviewed either by the court or upon the written opinion of two examiners. In addition, a copy of this trust agreement must be filed. At the present time, there are over 10,000 of these trust agreements . . . ah . . . which must be retained and held in the office. The purpose of the bill would be the eliminating of the Torren's Office holding these trust agreements, as many of them are standardized today and not necessary for the office to retain. At the present time, in the County Recorder's Office there are three individuals, who are involved in reviewing the trust agreements, and these people will then be relieved of these obligations and duties and able to perform other functions. Ah . . . Thus, there will be a savings to the County and the Registrar's Office and also eliminate the cost of storing these documents. As I said before, it is a bill that's . . . ah . . . been approved by the Committee of the Bar Association, also, the County Recorder's Association. I'd be glad to answer any questions, and hope for a favorable vote. Thank you."

Speaker Shea: "Is there any further discussion? The question is, shall House Bill 582 pass? All those in favor . . . the . . . if you'll wait, please, . . . the gentleman from Cook, Mr. Rayson."

Rayson: "I just wanted to ask the gentleman, . . . ah . . . Representative Yourell, is this . . . how do you handle assignments of beneficial

interests . . . ah . . . either as . . . as security for a note or assignment to a third party? How is that effected at all by this?"

Yourell: "When the property is being transitive in the trust to some other person, the examiner then will review the trust agreement to . . . ah . . . determine whether it is in compliance with the agreement. Naturally, if it does not, the transfer will not be approved."

Rayson: "Yeah, but how do you know? You don't . . ."

Speaker Shea: "Is there any further discussion? The gentleman from Cook, Mr. Yourell, to close or do you just want to vote?"

Yourell: "I ask for a favorable Roll Call."

Speaker Shea: "The question is, shall House Bill 582 pass? All in favor vote "aye", and those oppose vote "nay". Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 119 "aye" votes, no "no" votes, 5 voting "present". House Bill 582 having received the Constitutional Majority is, hereby, declared passed. House Bill 561, Mr. Dunn."

Mr. Jack O'Brien: "House Bill 561, a bill for an act to amend an act to revise the Law in relation to counties. Third Reading of the bill."

Speaker Shea: "The gentleman from Perry, Mr. Dunn, and, again, my apologies, sir, my Calendar was marked wrong."

Dunn: "Thank you . . . thank you, Mr. Speaker, and I'm glad to finally get to 561. This is another bill that I have all the time, a merely bill. There is a . . . is a may bill that amends the County's Law to provide that comprehensive group insurance can be bought by the county for county employees. Presently, under present Law, municipalities can do this, townships can do it and I think most counties are now, but according to the Reference Bureau and some legal authority that its not spelled out in the Law; and they wanted me to introduce a bill to do that. I have two amendments on it; one is a Home Rule Amendment, and one is a Severability Clause and . . . ah . . . I'll be glad to answer any questions about it. It came out of Counties and Townships 15 to nothing."

Speaker Shea: ". . . is, shall House Bill 561 pass? All those in favor will vote "aye", those oppose vote "nay". Shea "aye". Have all voted who wish? Take the Record, Mr. Clerk. Lauer "aye". On this question there are 130 "aye" votes, no "no" votes, no "present" votes.

House Bill 561 having received the Constitutional Majority is, hereby, declared passed. House Bill 593, the gentleman from Perry, Mr. Dunn; on the last Roll Call will you add Mr. Ebbesen as an "aye" vote, please, and add Mr. Carroll as an "aye" vote."

Mr. Jack O'Brien: "House Bill 593, a bill for an act to amend sections of an act in relation to fire protection districts. Third Reading of the bill."

Speaker Shea: "The gentleman from Perry, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, again, this is another bill to clean up some language. I . . . In looking at the appointment of members of fire protection districts and such, we found, and the Reference Bureau found, where in the case of a vacancy, it said . . . it still said and the Statute said the Circuit Court would make the appointment. Well, this is contrary to the new Constitution, and it should say, and my amendment to that act says, that "the original appointing authority shall make the appointment of any vacancies". I'd like to ask for favorable consideration of this bill."

Speaker Shea: "Is there any further discussion? The gentleman from Cook, Mr. Schlickman."

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

Speaker Shea: "He indicates he will."

Schlickman: "I'm sorry, I've just read the synopsis, but are there any fire protection districts in the State of Illinois where the trustees are elected, rather than appointed?"

Dunn: "Ah . . . I think this also covers elect . . . but this is just . . . ah . . . in the Statute. I don't know if any of them are elected . . . where they're appointed, this is to replace other appointed trustees. There can be an election. If there is, why there's . . . there's arrangements to call for a special election; I'm pretty sure, 'Gene.'"

Schlickman: "I notice, also, in the synopsis, that there's reference to appointment by the Circuit Court."

Dunn: "Ah . . . If you read the synopsis, it shall be appointed by the authority, which appoints their prede . . . predecessor, they're not by the Circuit Court. As the Law, this is . . . we're striking the words "Circuit Court" and putting in there "by the authority which

appointed are . . ."

Schlickman: "I didn't know that the Circuit Court was any longer appointing fire protection trustees."

Dunn: ". . . ah . . . ah . . . Yes, Representative Schlickman, what this is, I was reading this Law to a group of people one night trying to get them to change from appointed to elected so I would dodge a job that was posted on me by the new Constitution; and I notice that the bill said "Circuit Court". I went in and talked to George Nichols, suggested that he clean it up in a ominous . . . omnibus at the end of the Session, but somehow or other, he drew the bill and brought it to my desk; so I'm the Sponsor of it."

Schlickman: "What you're doing is striking "Circuit Court" . . ."

Dunn: "Right, that's right . . ."

Schlickman: ". . . which is consistent with the Constitution and thank you."

Dunn: "That's right."

Speaker Shea: "Is there any further discussion? The gentleman from Fayette, Mr. Brummet."

Brummet: "Ah . . . Question of the Sponsor. Ah . . . Ralph, I don't know about the time lag here, but would it . . . would it be possible that the predecessor had by any chance been appointed by the Circuit Court?"

Dunn: "No, it says . . . it says by the . . . ah . . . I don't know, I can't tell you; why do you ask?"

Brummet: "Well, I just wondered if we'd run into any complications there, if the time lag . . . it hasn't been too long since the House of . . . ah . . . or the representatives have been appointing them."

Dunn: "Under present Law, all . . . if they're within the county, they're appointed by the County Board or the County Board Chairman or in Home Rule Counties by the Chief Executive Officer with the consent; and in Moultrie County, as you well know, members of the General Assembly, now, have to do it. We have this worded so that if we change it from the members of the General Assembly to County Boards or to some other body, it will comply with that Law, is what it . . . what its intended to do . . ."

Brummet: "You see what I mean on it?"

Dunn: "I know if . . . you mean that if somebody was appointed originally

by the Circuit Court?"

Schlickman: "Right."

Dunn: "I'm sure that this isn't what it says, it just says by the authority that's supposed to appoint them."

Schlickman: "O.K."

Speaker Shea: "The gentleman from McClain, Mr. Bradley."

Bradley: "The gent . . . I wonder if the gentleman might yield for a question, Mr. Speaker."

Speaker Shea: "He indicates he will."

Bradley: "I'm wondering . . . ah . . . what about the . . . ah . . . would this . . . how would this effect a situation where the fire district overlapped two counties where the appointing officer had been the President of the County Board of one county. Now, . . . ah . . . is this bill going to allow or what are you going to do in that situation?"

Dunn: "What . . . what this does, Representative Bradley, is just strike out the words "Circuit Court", and put in it "by the proper appointment authority", which would be either the County Board Chairman or if it is across the lines, it would be a member of the General Assembly, in case of a vacancy. Does that . . . ah . . . explain to you."

Bradley: "Well, does the bill, the synopsis says that the appointing authority . . . the appointing authority . . ."

Speaker Shea: "Perhaps, Mr. Dunn, would you want to take this out of the Record and discuss it with him?"

Dunn: "I . . . I certainly will."

Speaker Shea: "Take the bill out of the Record, please. House Bill 597, Mr. Giglio."

Mr. Jack O'Brien: "House Bill 597, Giglio, a bill for an act repealing a section of an act relating to alcoholic liquors. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, Mr. Giglio."

Giglio: "Speak . . . Mr. Speaker, and ladies and gentlemen of the House, . . . ah . . . the bill actually takes out the paragraph 132 of the Dram Shop Act, which states that 'anyone who earns more than 5 per cent of their earnings that's attached to the liquor industry--it could be a truck driver, bartender, restaurant owner that has a liquor license--

. . . ah . . . contribute to a political campaign of an individual, directly or indirectly, or a political party'. I think . . . ah . . . at this day and age with our Campaign Disclosure Act, now that its passed, that the people that . . . ah . . . this thing discriminates . . . ah . . . against is . . . ah . . . totally unfair; and I ask that the . . . ah . . . members of the House take a good look at it and . . . ah . . . give a favorable support to eliminate this paragraph in the . . . ah . . . Dram Shop Act."

Speaker Shea: "Is there any further discussion? The question is, shall House Bill 597 pass? All those in favor will vote "aye", those oppose vote "nay". The gentleman from Cook, Mr. Walsh, has a question."

Walsh: "Ah . . . no, I'll just explain my vote, I guess, Mr. Speaker."

Speaker Shea: "The gentleman from Cook, the Assistant Minority Leader, Mr. Walsh, to explain his vote."

Walsh: "Well, Mr. Speaker, ladies and gentlemen of the House, I regret to say that this . . . ah . . . came up more quickly than I . . . ah . . . had figured it would. But my reason for voting "no" is that I think there is some justification in not permitting campaign contributions to some elected officials by liquor licensees; and those officials would be those people who be virtue of their office are also liquor commissioners, such as mayors, village presidents, . . . ah . . . some county board chairmen and presidents are the liquor commissioners in their area; and . . . ah . . . I suggest to you that if those people were eliminated, I can't think of any reason why campaign contribution why . . . by liquor licensees to other . . . ah . . . candidates might not be proper; but for people who are having direct control over who the licensees shall be, and whether or not they will remain licensed; I think it is inappropriate . . . ah . . . for them to be eligible to receive contributions from liquor licensees; and so for that reason, . . . ah . . . I'm voting "no"."

Speaker Shea: "The gentleman from Cook, Mr. Giglio, to explain his vote."

Unknown: "No, it wasn't amended."

Giglio: "Ah . . . Just in response to . . . ah . . . the former Majority Leader . . . ah . . . I understand what he's getting at, however, the only thing I can say to that, that if a mayor of a town is on the

APR 11 1975

61.

liquor board or the liquor commissioner, I would say that if he wanted to run the thing the way it should be run, that he should divorce himself from the commission or set up a commission to people other than himself. So . . . ah . . . I see that I think that we're going over the hill and I'll stop, Mr. Speaker."

Speaker Shea: "Are there any further discussion? Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 94 "aye" votes, 16 "nay" votes, 9 voting . . . 9 voting "present". House Bill 597 having received the Constitutional Majority is, hereby, declared passed. House . . . House Bill . . . House Bill 593, Mr. Dunn. Seems he's worked his problems out. Gentleman from Perry, Mr. Dunn. This bill having been read a third time, proceed, Mr. Dunn."

Dunn: "Ah . . . I . . . I'd like to ask for a favorable consideration. I talked to Representative Bradley and Representative Schlickman and anyone else that might be interested in it; its clean up language is what it is, and that was the magic word that I hadn't used. I'd like to ask for a favorable consideration."

Speaker Shea: "The question is, shall House Bill 593 pass? All those in favor vote "aye", those oppose vote "nay". Have all voted who wish? Take the Record, Mr. Clerk. Daniels "aye". On this . . . on this question there are 123 "aye" votes, no "nay" votes, no "present" votes. House Bill 593 having received the Constitutional Majority is, hereby, declared passed. House Bill 626, Mr. Maragos."

Mr. Jack O'Brien: "House Bill 626, a bill for an act to amend an act concerning land titles. Third Reading of the bill."

Speaker Shea: "Mr. Yourell, 626. Mr. Yourell, if you will wait a minute, we have a little mechanical problem. Could we please go back to House Bill 593, we seem to have had a mechanical problem with the Roll Call, it did not function correctly. So, Mr. Clerk, if you will return the "vote" board to 593, please. The House will be at ease for a few minutes, while the Clerk gets the mechanical devices fixed, please. With leave of the House, we'll return to the Order of Second Reading. Mr. Lundy in the Chamber? Would . . . On . . . On the Order of Third Reading, we had a bad Roll Call on House Bill 593, Mr. Dunn's bill, so we will take that one

1511

out of the Record for now. Then we'll return to that, Mr. Dunn, when we have our machine fixed. House Bills, Second Reading; House Bill 435, Mr. Lundy."

Mr. Jack O'Brien: "House Bill . . ."

Unknown: "Third Reading, Mr. Speaker."

Speaker Shea: "It is on Third Reading? My mistake. The gentleman asks . . . House Bills, Third Reading. House Bill 435. That bill having been read a third time, Mr. Lundy. Mr. Lundy asks leave of the House to return House Bill 435 to the Order of Second Reading. Hearing no objections, leave is granted; and the bill will be returned to the Order of Second Reading. Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, ladies and gentlemen of the House, . . . ah . . . Amendment Number 4; which I . . . ah . . . will move the adoption of in a moment, will return the portion of the bill that raised the contingent expense allowance from its current 12,000 to 15,000 back to the original . . . ah . . . back to the present level of 12,000. If Amendment Number 4 is adopted, then the bill will make no change in the contingent expense allowance at all. It will leave it at the present \$12,000 level. That was causing a problem for some members, and I'm happy to amend the bill so that it makes no increase in the contingent expense allowance, leaves it at the current 12,000 a year."

Speaker Shea: "Mr. Clerk, will you read Amendment Number 4, please."

Mr. Jack O'Brien: "Amendment Number 4, Lundy, amends House Bill 435 as amended on page 1 by deleting lines 19 and 20 and so forth."

Speaker Shea: "The gentleman has offered Amendment Number 4, is there any question? The gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, ladies and gentlemen of the House, Amendment Number 4, as the Sponsor indicated, is . . . brings it back to \$12,000, but its really an additional \$12,000. So you'd have a contingency expense of 12,000, and with this amendment you'd be able to hire an additonal person or personnel for 12,000; giving you a total of \$24,000. Now, I told the Sponsor of the bill, I'm having an amendment drafted; and I would hope that he would hold the bill on Second Reading. I hope this amendment is defeated, and in turn, we can bring it, for all

concerned, with as far as, yes, we have a contingent expense; we have people that we're, presently, paying. We'd like to have as a state employee so that one, we are protected, they are protected as far as withholdings that are required; and two, that they are entitled to the benefits of hospitalization and insurance. But at this time, I would hope that Amendment Number 4 is defeated. I would hope the . . . the Sponsor would hold the bill on Second Reading. We bring the bill back in its original shape as it was originally discussed. Thank . . ."

Speaker Shea: "Mr. Lundy, is it your desire to hold the bill or to proceed, now?"

Lundy: "Well, Mr. Speaker, I'm in . . . I'm in a very difficult position. I brought the bill back from Third Reading to Second Reading for the purpose of meeting the objections of some members that the increase in . . . ah . . . the contingent expense allowance was not justified, in light of the fact that the . . . the employee, who would be designated by the member of the Legislature, was going to be paid directly by the State; and . . . ah . . . I . . . I agreed to re . . . to take off the \$3,000 increase in the contingent expense allowance because . . . ah . . . the employee to be designated would not be paid out of the contingent expense allowance under the amendment that was adopted, offered by Representative Berman and adopted on Second Reading. I said in light of that fact, we don't need any increase in the contingent expense allowance. Now, Representative Lechowicz has now proposed . . . has now indicated that he wants to propose an amendment to take the bill back to the form it was originally, which is an increase in the contingent expense allowance to 15 and paying the employee out of that 15. Ah . . . I just wish, Mr. Speaker, that the issue had been raised when Representative Berman's amendment was adopted on Second Reading, that was the proper time to debate this issue. If it had been debated then, perhaps his amendment would not have been adopted; but now I'm in the . . . I am in the position of having to . . . to hold the bill on Second Reading in order to have an amendment adopted that would take the bill back to the form I originally introduced the bill in, and . . . and I really, since Representative Berman's amendment was adopted on Second Reading, . . . ah . . . I don't even know how to proceed. I, certainly, want to accommodate the

gentleman . . . ah . . . and give him a chance to offer his amendment. Perhaps we could do this, could we consider Amendment Number 4? If that is adopted or defeated, then I will hold the bill on Second Reading at that point. However, I would ask the members that since Amendment Number 4 will make the bill less controversial, will return the contingent expense allowance back to its present 12,000 a year and remove that issue of contention from the bill; I would ask that it be adopted."

Speaker Shea: "The gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, I'd like to ask the Sponsor of this amendment a question."

Speaker Shea: "He indicates he'll yield."

Friedrich: "Maybe it would help some of us if you would just run through this and say what the bill would do with this amendment on it. How much . . . are you talking about, now, \$24,000, instead of 12? That this . . . it will be available to each member if this passes?"

Lundy: "All right, Representative Friedrich, I would be happy to do that. I will describe the bill as amended by Amendment 4, but I want to make clear that the issue we're voting on is Amendment 4. It isn't the bill as amended by Amendment 4. That the bill as amended by Amendment 4 would leave the contingent expense allowance at 12,000 year, as it, currently, is. In addition, by virtue of Representative Berman's amendment adopted on Second Reading, each member of the General Assembly would be authorized at his full discretion, he's not required to do this, but he would be authorized to designate a person as an administrative aide; and if that administrative aide works for that member a minimum of 20 hours a week, that person would be authorized to be paid as a state employee with fringe benefits, federal and state income withholding handled by the Comptroller. The member not responsible for it, and the total compensation that that administrative aide could be paid, salary and fringe would be 12,000 a year, which would mean that the effective salary level would be somewhere between 8,500 and 3,000 because the cost of fringe benefits for an empa . . . for an employee, who is paid at that . . . at the level of about 8,500, is close to 3,000 or 3,500. So . . . ah . . . the total of salary and fringes would be 12, but that

is money that would never come into the members hands and could be not . . . and could not be used by the member for any purpose. It would . . . it would only be available to pay the salary of this employee, and if a member chose not to designate such an employee, the money would not be available to the member for any other purpose. But I don't think its accurate to say that it raises the contingent expense allowance to 24,000, because it would make no . . . make no change in the contingent expense allowance. That's the bill as amended, by Amendment 4, but let me make clear that all that Amendment 4 does is to lower . . ."

Speaker Shea: "Mr. . . . Mr. Lundy, will you bring your remarks to a close?"

Lundy: "Yes, I will, Mr. Speaker, I was attempting to accommodate Representative Friedrich and make clear what the bill would do as amended, but, again, the issue on Amendment 4 is, simply, what a contingent expense allowance will be at the level of 15,000, as it is in the present bill, or at the level of 12,000 as proposed by Amendment 4; and since . . . and I hope Amendment 4 will be adopted because it will remove from the bill the cont . . . any controversy about increasing the contingent expense allowance. Thank you."

Friedrich: "But the . . . ah . . . net result could be in the finality that we would be raising the expense of the State \$12,000 per member. Could be."

Speaker Shea: "Mr. Lundy, you want to respond to this, you say?" Can you do it at the time you . . ."

Lundy: "Yes, I'll explain my vote, thank you."

Speaker Shea: "The gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Ah . . . Yes, Mr. Speaker, and ladies and gentlemen of the House, I would encourage Representative Lundy and . . . on this particular subject to . . . ah . . . comply with the request of Representative Lechowicz and hold this just where it is and perhaps get together. I . . . I really feel as though the issue here is with our contingency expense account, since the manner in which the appropriation . . . the money is appropriated the Comptroller's office has never been able to make these . . . ah . . . deductions as far as withholding and social

security and . . . ah . . . state taxes and so forth; and to me this is the issue; and . . . ah . . . I think what Representative Lechowicz has indicated to him to hold this, work out a proper amendment; and let's not be talking about increased dollars, but improving upon the procedure, whereby, these legislative aides back in our home district can be . . . ah . . . the money can be handled in a proper way, going directly to that aide and, again, as he has indicated that the . . . ah . . . the Legislator, himself, is not involved. I would encourage Representative Lundy to hold this on Second as requested."

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

Schlickman: "Mr. Speaker, I support the Sponsor of this amendment. When this bill came up earlier today, at the Order of Third Reading, he indicated that it was not his intention to increase the Home District Allowance from 12 to \$15,000; and that if the bill passed, and went to the Senate, he would cause an amendment to be adopted over there bringing the 15,000 back to 12,000. Some of us suggested to him, we would be more comfortable in voting for the bill if that change was made here in the House. So he accommodated us. Seems to me, Mr. Speaker and members of the House, by the issues that are now raised, the consideration of Amendment Number 1 is being brought up; and that's an issue that was previously . . . ah . . . disposed of by this House, and I don't recall that there was any controversy . . . ah . . . at that time. I would suggest, Mr. Speaker and members of the House, that the Sponsor in asking for leave to bring this bill back to the Order of Third Reading was acting in good faith and I support him in the adoption of this amendment, so that it can be returned to the Order of Third Reading and the issues that are now being raised can then be considered."

Speaker Shea: "Any further discussion? Mr. Lundy to close. I'm sorry, Mr. Bradley for the purpose of a question."

Bradley: "I . . . I would . . . I wanted to address myself to the amendment and to the . . . ah . . . or to the amendment. It's been the . . . ah . . . the . . . ah . . . House has . . . general . . . we've generally gone along and allowed a member to put the . . . his legislation in the shape that he wants it to be in when it gets to the passage stage, and I think that . . . ah . . . the gentleman is trying to do that with this

piece . . . with this amendment. Now, I'm not . . . ah . . . in favor of the bill, and maybe others are not also. But its been the prerogative of the sponsor of the legislation to get it in the kind of shape that he wants it to be in when it gets to Third Reading, and I think that . . . ah . . . the House has generally gone along with that procedure; and I would urge the members to support . . . ah . . . Mr. Lundy with Amendment Number 4 so that the bill will be in the shape that he wants it to be in when we do get to Third Reading. Thank you."

Speaker Shea: "Is there any further discussion? The question is, shall Amendment Number 4 be adopted? All those in favor will say "aye", . . . The question is, shall Amendment Number 4 be adopted. Those in favor will vote "aye", those oppose vote "nay". The gentleman from Cook, Mr. Lundy, to explain his vote."

Lundy: "Yes, thank you, Mr. Speaker, ladies and gentlemen of the House, just to clear up some apparent confusion. I . . . I do not intend to move the bill to Third Reading if this amendment is adopted. I am accommodating the gentleman from Chicago, Representative Lechowicz. He wishes to offer an Amendment Number 5, which is not yet ready; and I will hold the bill on Second so that he may do that. Although, it is my view that what he wishes to do should have been debated when we adopted . . . adopted Representative Berman's amendment, but, nevertheless, I will keep the bill on Second Reading when this amendment is adopted so that Representative Lechowicz may offer his further amendment . . . ah . . . whenever it is ready."

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

Lechowicz: "Just very briefly, Mr. Speaker, ladies and gentlemen of the House, I appreciate the Sponsor's good faith. I've called and the amendment is in the process of being prepared. Basically, what the amendment would do would be bring it back to the dollar amount that we presently have of \$12,000 in total for employees, office expenses, etc., but still curving the provisions as far as providing that if any person you designate would be included as state employee; and it would exclude the additional \$12,000 that this bill would provide for at the present time. Thank you."

Speaker Shea: "Is there any further discussion? The gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Ah . . . Thank you, Mr. Speaker, and ladies and gentlemen of the House. I'm please to see that Representative Lundy is co-operating over there, and . . . ah . . . I am voting "no" on this particular amendment because I'm going to support the one that's going to be presented by Representative Lechowicz. I don't think that we should be talking about increased expenses, but handling properly, which I think his amendment will address itself to, in the manner in which its supposed to be; and I will support that amendment."

Speaker Shea: "The gentleman from Cook, Mr. D'Arco, to explain his vote."

D'Arco: "Mr. Speaker, I am voting "no" on this amendment because I don't feel at this time, the way the economy is today, we can afford to give ourselves additional staff at the expense of the State. I think we have to use as much fiscal austerity as possible in order to save the State money, and for that reason I vote "no". Thank you."

Speaker Shea: "Any further discussion? Has everybody . . . all voted who wish? Take the Record. Lauer votes "aye". Mr. Mann?"

Mann: "Mr. Speaker, . . . ah . . . this is a very important bill, and I think, with all due respect to the arguments advanced by the gentleman from Cook, the "gentlemen", that we're confusing apples and oranges here. No one is going to believe that we are seriously affecting the economy of the State of Illinois by adopting this resolution proposed by Representative Lundy. On the other hand, I think our constituents will believe that we can do a better job for them in our respective districts by having a competent, adequately paid assistant to do the job of . . . ministering to the needs of 170,000, who reside in our Legislative Districts; and that's what this bill is all about. Now, there are a lot of . . . ah . . . comments about jobs at a time when we are in a recession, when, Mr. Speaker, I see no connection . . . ah . . . with this bill with the . . . with the state of employment in . . . in the State of Illinois. I could go down this . . . ah . . . Digest of ours and accumulate for you bills totaling in the millions of dollars, calling for . . . ah . . . "pork-barrel" bills in our respective districts. I don't want to "rap" them. The sponsors of the bills knows what is best for their respective districts. But let's not delude ourselves, and let's not be

afraid of our constituents. This is very much like the argument we here when we have pay raises. Ah . . . Many of the members vote against pay raises, but are delighted to receive them. I submit to you that that's a hypocritical position. Congressmen get \$250,000 a year for the maintenance of their offices. I don't think we ought to be modest about the importance of our offices. I don't think we ought to be modest about the job that we have to do for our . . . ah . . . clients."

Speaker Shea: "Mr. . . . Mr. Mann, point of order, Mr. Lundy."

Lundy: "Yeah."

Speaker Shea: "Turn Mr. Lundy on, please."

Lundy: "Thank you, Mr. Speaker, and ladies and gentlemen of the House. I . . . I have a point of order. I . . . I am most reluctant to interrupt my friend and my supporter on this bill, Representative Mann, but the issue on this amendment is not whether we have an administrative aide or not. All that this amendment does is to reduce the . . . the . . . ah . . . \$3,000 increase to eliminate the \$3,000 increase in the contingent expense allowance . . ."

Speaker Shea: "All right, then will Mr. Mann will . . ."

Lundy: ". . . and I think that the . . . ought to be limited to the effect of this amendment."

Speaker Shea: "I'm going . . ."

Lundy: "This amendment will decrease the cost of the bill, so for those who want us to have less money vote for this amendment."

Speaker Shea: "Mr. Mann . . ."

Mann: "Mr. . . . Mr. Speaker . . ."

Speaker Shea: ". . . would you bring your remarks to a close, please?"

Mann: "Yes, sir. Mr. Speaker, I'm glad the gentleman corrected me. Ah . . . I want to support him because . . . ah . . . I think he ought to be able to put the bill in the form that he wants it in. Ah . . . I would hope that my comments . . . ah . . . would have some relevance to the bill when it reaches the Order of . . . of Third Reading; and, therefore, Mr. Speaker, I . . . I vote "aye"; and I'm sorry, Mr. Lundy, that . . . ah . . . that I was not speaking to the bill . . . to the amendment."

Speaker Shea: "Will all those in favor, evidently, we dumped the Roll Call.

Jack, is that what happened? No, we've got the Roll Call. Have all

voted who wished? Now, if somebody wants to change their vote, we'll do it. I've got the Roll Call. Mr. Palmer."

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

Speaker Shea: "How is the gentleman recorded?"

Mr. Jack O'Brien: "Palmer? Gentleman is recorded as voting "present"."

Palmer: "Vote me "aye", please."

Speaker Shea: "How is Mr. Borchers recorded?"

Mr. Jack O'Brien: "The gentleman is recored as re . . . voting "no"."

Speaker Shea: "Mr. Borchers goes from "no" to "aye". Mr. Hill votes "no".

Mr. Bradley votes "aye". Mr. Tipsword votes "aye". Mr. Leverenz votes "no". Mr. Fennessey votes "aye". Mr. Calvo votes "aye". Question is, shall this amendment be adopted? All in favor vote "aye", all oppose vote "nay". The gentleman from Cook, Mr. Peters, to explain his vote."

Peters: "Not an explanation of votes, . . . ah . . . Mr. Chair . . . Speaker, but if I might direct a question for you. If I understand this amendment correctly now, if I vote for this amendment, I am voting to decrease the allowance from 15 to 12,000, is that correct?"

Speaker Shea: "The gentleman from Cook, Mr. Lundy; and then the gentleman from

Cook, Mr. Lechowicz--so we know exactly where we're going--Mr. Lundy."

Lundy: "Yes, the only issue Amendment 4 raises, the only issue, is whether the contingent expense allowance will be 15,000 or 12,000. It has nothing to do with the question of an administrative assistant."

Speaker Shea: "Mr. Lechowicz to explain . . ."

Lundy: "For a . . . that's right. For a "yes" vote if you want it . . . vote "yes" if you want to decrease the contingent expense allowance from 15 to 12. The . . . the issue of the administrative assistant is not raised at all by this amendment; it will be raised on Third Reading, when we consider the bill."

Speaker Shea: "The gentleman from Cook, Mr. Lechowicz, to explain what he thinks happened."

Lechowicz: "Well, Mr. Speaker, what the Sponsor of the amendment's stating is true, but, as you all know, our present contingent expense is \$12,000; and if you look at the bill as it was originally introduced, on line 19, its calling for an increase to \$15,000. Now, there's also new language in the bill from lines 21 through 32 stating that you're picking up an administrative assistant at \$12,000, an additional \$12,000.

Now, my point here is that I . . . I'm sorry, I wasn't on the floor when that amendment was offered. They had just came on after it was offered; I also asked for a Roll Call at that time; and I know what the Sponsor's intent is, but its the in . . . I think that the intent of the Legislation should be quite clear to the public that we serve that we have \$12,000 in contingency expenses now. That's where we're going to leave it at, and if we're gonna' pick up any additional employees, we'll take it out of the existing dollar amount that we have on hand. To answer your question, Pete', you're still voting for an additional \$12,000 in the bill; I'm against it. I'm voting "no".

Speaker Shea: "Have all voted who wished? Take the Record, Mr. Clerk.

On this question there are 78 "aye" votes, 43 "nay" votes, 4 voting "present"; and Amendment Number 4 is adopted. Are there any further amendments? Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, ladies and gentlemen of the House, I would ask the Speaker to leave the bill on Second Reading, as I indicated I would do, so that Representative Lechowicz may raise the issue he wishes to raise; that is whether we should have an administrative assistant at all . . . ah . . . by his Amendment Number 5, which is not yet ready. Please, leave the bill on Second Reading."

Speaker Shea: "House Bill 435 will stay on the Order of Second Reading, but, please, Mr. Clerk, on the Calendar indicate that its been read a third time. House Bills, Third reading. House Bill 593, Mr. Dunn. Ladies and gentlemen, we've . . . I think everybody's heard the explanation of this, we voted on it, it did have the requisite number of votes to pass, but the machine broke down. So Mr. Dunn if you want to, briefly, explain the bill if you think its necessary."

Dunn: "Ah . . . I'd appreciate a favorable Roll Call, I . . ."

Speaker Shea: "The question is, shall House Bill 593 pass? All in favor vote "aye", all oppose vote "nay". Daniels "aye". Have all voted who wished? Take the Record, Mr. Clerk. On this question there are 137 "aye" votes, no "nay" votes, 1 voting "present". House Bill 593 having received the Constitutional Majority is, hereby, declared passed. On the Orders of . . . on the Order of House Bills, Third

Reading, appears House Bill 626, Mr. Yourell."

Mr. Jack O'Brien: "House Bill 626, a bill for an act to amend an act concerning land titles. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, Mr. Yourell."

Yourell: "Thank you, Mr. Speaker, ladies and gentlemen of the House, House Bill 626 is another bill in the continuing effort to . . . ah . . . update and rehabilitate the County Recorder's Office in Cook. Ah . . . It does two things; it provides that the Chief Examiner of Titles, who by Statute must be a . . . an Attorney in standing of 10 years, may represent the Registrar in court, and also requires that the permanent index number be included in the title record of the real estate. This is an order that we can . . . ah . . . put the . . . ah . . . recorder's office on a . . . ah . . . on a . . . ah . . . more viable basis, such as data processing and so forth; and this bill also is a recommendation by the . . . ah . . . Committee on the . . . ah . . . Bar Association and the . . . ah . . . Association of County Recorder. What the bill does as far as the Chief Examiner of Titles is concerned, it allows the county . . . the registrar of town . . . ah . . . the Chief Examiner to represent the Registrar in court, and . . . ah . . . presently, when the Registrar is sued or a suit is filed involving registered land, the usual procedure is for the Registrar to be made a party and . . . and must file an answer in court. The Registrar's office prepares the answer and takes it over to the State's Attorney's office, who then executes it, and then the Torren's office takes the answer and files it in court. This is very time-consuming as those of you who know, who have anything to do with the Recorder's office, and . . . and under this bill, the Registrar through his Chief Title Examiner's office, and . . . and . . . and under this bill, the Registrar through his Chief Title Examiner may file the answer directly in court. Recently, . . . ah . . . to give you a little history, the State's Attorney's office endeavored to handle these . . . these direct, and after a few months over 300 files were returned to the Registrar to take over and process these files as . . . as in the past. At one time, the Torren's office was provid . . . preparing and filing answers and other pleadings appearing in court, and no one questioned it. The State's Attorney of

Cook County has no objections of the discretionary power granted to the Chief Examiner to appear in behalf of the Registrar in court. I'll be delighted to answer any questions; I ask for a favorable Roll Call."

Speaker Shea: "Is there any further discussion? The question is, shall House Bill 626 pass? All in favor will vote "aye", those oppose vote "nay". Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 131 "aye" votes, no "nay" votes, no "present" votes. House Bill 626 having received the Constitutional Majority is, hereby, declared passed. Mr. Waddell "aye". House Bill 655, Mr. Beatty."

Mr. Jack O'Brien: "House Bill 655, a bill for an act to amend sections of the State Employees Group Insurance Act. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, Mr. Beatty. Take it out of the Record. On the Order of House Bills, Third Reading, appears House Bill 656. The gentleman from Fayette, Mr. Brummet."

Mr. Jack O'Brien: "House Bill 656, a bill for an act to amend sections of the Unemployment Compensation Act. Third Reading of the bill."

Speaker Shea: "The gentleman from Fayette, Mr. Brummet."

Brummet: "Mr. Speaker, ladies and gentlemen of the House, what this bill does is to amend the . . . ah . . . Workman's Compensation Act; and I think probably I can convey to you what happens by something that happened down in our area this past year. We had a dress factory that was in the throes of bankruptcy. The employees were asked to work an extra week without pay, which they gladly did. They were to be paid the following week and when payday came, they did not get their pay that week. This strung on for a month. Finally, they decided that they didn't have any jobs because they weren't getting paid. They applied for Unemployment Compensation and they were turned down because in checking with their employers, they did have a job. Well, no one appreciates a job without pay. Ah . . . Under the present setup with the Unemployment Insurance, this is figured as . . . ah . . . worker's dispute, and really what this bill does now, it . . . ah . . . will allow them to draw unemployment insurance if the same thing happens again after 10 days. In other words, in going, the . . . ah . . . amendment that Mr. Tuerk added the other day . . . ah . . . gives them 10 days after their payday, and then

APR 11 1975

74.

they are entitled to Unemployment Insurance; and it is not considered as a workers dispute. I would appreciate your favorable vote on this bill."

Speaker Shea: "Is there any further discussion? The question is, shall House Bill 656 pass? All in favor vote "aye", those opposed vote "nay". Have all voted who wish? Ebbesen "aye". Take the Record, Mr. Clerk. On this question there are 135 "aye" votes, no "nay" votes, no "present" votes. House Bill 656 having received the Constitutional Majority is hereby declared passed. On the Order of House Bills, Third Reading, appears House Bill 655, Mr. Beatty."

Mr. Jack O'Brien: "House Bill 655, a bill for an act to amend the State Group Insurance Act. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, Mr. Beatty."

Beatty: "Mr. Speaker, members of the House, this bill in . . . the purpose of this bill is to undo an injustice to State employees, who retired before 19 . . ."

Speaker Shea: "Mr. Beatty, if you'll hold on for a minute. The Assistant Majority Leader, Mr. Walsh."

Walsh: "Ah . . . Mr. Speaker, . . . ah . . . now, you have in calling this bill gone back from the direction that you should go. Now, the Rule, specifically, says that you are . . ."

Speaker Shea: "Mr. Beatty asked me to take it out of the Record for a minute."

Walsh: "Well, that . . . that should mean, Mr. Speaker, that Mr. Beatty has his bill called next week, because you must go through the Calendar; and then if you have time after you've come to the last bill, which on today's Calendar is House Bill 990, then you start all over again. I think you are taking upon yourself far more discretion than the Rules permit you."

Speaker Shea: "Well, Mr. Walsh, we're trying to move a Calendar; and if you want to try to hold up the operation of the House, Mr. Beatty, we'll take your bill out of the Record. Call House Bill 699. The gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker, about an hour ago, I rose and I asked you what is going to happen to our members' bills that are in the Reference Bureau? I think a reasonable time has now passed for the members of this House to know whether or not they can go home and feel confident that their

bills will be ready and properly introduced, Mr. Speaker, your party has a huge majority in this House and you have the responsibilities to treat our members fair and to treat your members fair. I might add that since I spoke an hour ago I have had a number of Democratic members come to me and tell me that they're having the same problem. Now, Mr. Speaker, could you please tell us what the results of your meeting was?"

Speaker Shea: "Mr. Telcser, I wasn't there I can tell you this right now, the ladies from Enrolling and Engrossing in both sides of the aisles, both sides of the chamber, are working on the bills. I have been informed, at least from every thing I've heard thus far this morning, that the member's bills will be ready tomorrow for introduction. The Clerk will be here and when we recess today we will recess until 12 o'clock noon tomorrow. We will then recess after reading those bills in until 6 o'clock and then we will recess until 11:30. Now, Mr. Telcser, you know and I know, you were with me yesterday down there, that we will do everything possible to move the member's bills out of the Reference Bureau. The gentleman, the gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker, are the members going to receive their bills or are they going to receive vehicles which they are going to have to amend later then I might add if they receive only vehicles the digest will be wrong, the synopsis will be wrong and I can assure you their amendments will never be ready on time to meet the deadlines that are in our rules."

Speaker Shea: "Mr. Telcser, I am informed by the Reference Bureau they are going to receive bills. House Bill 699. The gentleman from Cook, Mr. Beatty."

Beatty: "Mr. Speaker, on the same subject matter as Mr. Telcser has raised as a Democratic house member I . . . I don't want assurances that the Reference Bureau is going to work tomorrow and I am sorry to say this but Mr. Madigan and myself had given the Reference Bureau some bills we had promised people that we would introduce these bills we want . . . we want . . . we want an assurance that these bills are going to be introduced we don't want

APR 11 1975

76.

promises that they are gonna' work down there. We want an ironclad guaranty that if any member's rights are defied that he will be able to get his bills introduced next week. We don't want anything else.

Speaker Shea: "Mr. Beatty, the Reference Bureau tells me that requests that were in by April 1 will be ready by tomorrow, as I've said, I have talked to the Minority Staff or the Minority Spokesman, Mr. Washburn, he tells me he is gonna' be here tomorrow and accommodate the members on his side of the aisle in putting in their bills. I have assured the . . . ah . . . that we will have people from the Majority Staff to accommodate our side of the aisle. The representative from Union, Mr. Choate."

Choate: "Mr. Speaker, ladies and gentlemen of the House, it appears to me that this problem could be resolved relatively simple. I know that many members from both sides of the aisle have come over and discussed it with various other members including myself and it appears to me that no one questions the sincerity, the integrity, or the ability of the Reference Bureau. No one questions the sincerity of the Leadership on either side of the aisle, but everyone appears to be to have a . . . a little bit of hesitancy about whether their bill will be introduced by the deadline tomorrow. I would suggest, Mr. Speaker, that the deadline tomorrow really doesn't mean anything if you suspend that deadline, simply, because the deadline on the getting the bill to the Reference Bureau for preparation is really the important deadline that you should be considering. As far as tomorrow being the cutoff date on Introduction, it seems to me like that its a little thing that we really shouldn't be concerned with, but it does not appear . . . it does appear to me that it would not be out of reason to extend the Introduction deadline for the bills that are already in the Reference Bureau in accordance with the cutoff line that was set there. Now, this is the way it appears to me and it said . . . it appears to me that we're making a lot to do about nothing, that we can suspend the Introduction deadline from tomorrow 'til next week, which actually . . . ah . . . isn't bringing anymore Introductions of bills than you're going to have if you try to get 'em all introduced by tomorrow; and it will guarantee the membership that there won't be a slipup someplace out of their bills coming out of the Reference

Bureau and being placed in the Clerk's office."

Speaker Shea: "Well, Mr. Choate, I'll just tell you what I told Mr. Telcser yesterday when we discussed it. The last number that went in the Reference Bureau was 484 on April the 1st. I assured him that I would do everything I could, and I've been assured by the Speaker and by President Partee that we would do everything that we could and make it possible for everybody up to that number would get their bill in."

Choate: "I . . . I just tried to very clearly . . . ah . . . explain, Mr. Speaker, that I don't think anyone questions your word, the Minority Leader's word, the Speaker's word or anyone's word. I think that the big hang-up is, simply, this, that somewhere in the process of them not being here to see that their bill is properly introduced themselves that they're wondering about if they find it next week, then they're going to have to get a vote to suspend the Rules to bring about the introduction of a bill that you, truthfully, have promised them; and as far as I'm concerned, will be introduced. But that very question that confronts these members could be resolved rel . . . relatively simple, and that's just to move the Introduction date of tomorrow back, and I . . . like I said, I don't think that there'll be a bill that won't be introduced tomorrow, if you say so; but just to cure the fear that is in some of the minds of some of the membership, I don't see anything wrong with extending the date of Introduction."

Speaker Shea: "Well, Mr. Choate, there's one problem we have and that that's a Joint Rule, and it requires action by the Senate, and the Senate is not in Session."

Choate: "Well, then it . . . then it appears we're right back where we've been in times past, lettin' the Senate wag the tail of the House; and I . . . I . . . I don't . . . I just don't see anything wrong with what I suggested. Are they going to be in Session tomorrow?"

Speaker Shea: "No, they are not. The Assistant Minority Leader, Mr. Walsh."

Walsh: "Now, Mr. Speaker, . . . ah . . . but I think you're misleading us. The Senate didn't act on the Joint Rules that we sent over there."

Speaker Shea: "I was informed they did."

Walsh: "When did they?"

Speaker Shea: "I'll . . . ah . . . will get the message back there, Mr.

Walsh. I was informed by Mr. Rock that they had, and I'm under that

. . . ah . . . thought. If I'm wrong, I will apologize; and we will go from there. The gentleman from Cook, Mr. Katz."

Katz: "Ah . . . The . . . Yes, Mr. Speaker, . . . ah . . . and Mr. Walsh, the . . . the Senate acted on that part of the Joint Rules relating to deadlines. That much of the Joint Rules had been adopted on and are in effect in both Houses. They cannot be waived by one House, alone. The enactment of anything by us that purported to change something in the Joint Rules without action by the Senate would have no effect and would not change the Joint Rules. So that the Speaker is correct in what he is saying, and there is not anything that we can do to change that date. Now, those dates were announced quite some time ago. Members were aware, I trust, of those dates. The Reference Bureau is co-operating to the extent that they can, but the purpose of deadlines is for the purpose of transacting business and getting bill Introductions over with. They are in there, they effect the Senate, as well as the House, they effect us both, equally, and they serve our interests in the long run, well."

Speaker Shea: "The gentleman from Vermilion, Mr. Craig."

Craig: "Mr. Speaker and members of this House, I'm not criticizing really anybody's Leadership, but I've have a little bit of human, common decency and I happen to be a farmer, and I don't present to be no saint or anything like that, but I never planted a grain of corn, combined a grain of wheat in my life on Sunday; and we've set a deadline here and imagine here April the 12th. The deadline April the 1st, Okay, I'll buy that, and that is all right, but for us to sit around here for about three months or better and not practically do anything; and then say to that Reference Bureau and every secretary and every woman around here workin'; do you work day and night to bail me out of a problem that they had nothing to do with creating. I don't appreciate help being treated that a way, and as so far as that Senate . . . they go and go home, I say if that's all they've got to do, then just call them back here, they have done that before; and will extend this time for another week, because there'll be no more bills introduced; and it won't make one difference in their working in this General Assembly if you forget April the 12th, and put it up to April the 17th; and I think it'd be a good thing to do to let that Senate know to come back here if the House don't want to do

and make people do work like they're making them to do and expecting them to do; and I don't appreciate being put on a deadline, put people on a deadline that had nothing to do with the problem. We created the problem, not the Legislative Reference Bureau."

Speaker Shea: "The gentleman from McClean, Mr. Bradley."

McClean: "Thank you, Mr. Speaker, and ladies and gentlemen of the House, we all know that we adopted a Joint Resolution that put a cutoff date on the Introduction of House Bills. I've spoken with the people in the Reference Bureau, and I have talked with some of the secretaries that are busy writing these bills for the members. I've not had one person come to me and complain about being overworked. They're here to do the job just the same as we're here to do the job. We knew . . . every member in this House knows that they have the prerogative of going to that Reference Bureau after the election as of December 1st to request the bill to be drafted. Every member has had that opportunity to have that done. I don't see . . . and every member knows that its an impossibility to extend the deadline from April 12th with the Senate not in Session, because its a Joint Rule, that Joint Rule was adopted because we don't want to be here, again, like we were last year as of July 10th, and that was the purpose of adopting that Joint Rule; and so some of the people from the Reference Bureau come to me and say we're having trouble, we're not gonna get the bills out, then I will become concerned. We're going to be here tomorrow as you stated, Mr. Speaker. We're going to introuduce members' bills. The Reference Bureau has indicated that those bills will be prepared and will be ready for introduction, so I think we're spending a lot of time here on . . . ah . . . nothing at all. Thank you."

Speaker Shea: "The gentleman from Cook, Mr. Duff. Take Mr. Duff out of the Record. The gentleman from Cook, or the gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Well, Mr. Speaker, and ladies and gentlemen of the House, before making a comment I was going to make, I would like to correct the gentleman from McLean County that just made his comment. Certainly, the freshmen did not . . . were not able to come down here the day after the election and start introducing bills, because if they are no different than I was when I was a freshman, they didn't know the procedure for introducing bills. They hadn't been to the Freshman Conference, they

APR 11 1975

80.

hadn't had an opportunity to examine how it was done, and most of them, as I've noticed down here, have waited to learn the ropes before they start introducing bills, which I think is admirable, instead of walking down here and introducing a lot of bills "willy nilly" like it's happened sometimes in the past. I might, also, say to the gentleman from McLean that those of us, like myself, that have served on a higher education subcommittee had to get the reporting date and the reports in before we can introduce the bills. It would have been very ill-advised of us to introduce bills without knowing what the subcommittee report was going to say. The same thing is true of some of our commissions that have reported down here, and I would like to ask Representative Katz a question. I realize the reason for the deadlines and I have no objection to that; but I'm wondering whether or not perhaps the Senate adjourned because all of their bills have come up from the Legislative Reference Bureau, and they're not worrying about the same problem that the House members are worrying about; and if that's true, I would say, once again, that the House of Lords is receiving treatment that is not fair to the members of this side of the aisle, which happens to be the working side of the rotunda, and I would like an answer to that question before I raise another point."

Speaker Shea: "Well, Mr. Hirschfeld, I don't know exactly what your question is, but I've been assured by President Partee and Speaker Redmond that they would do everything that they could with the Democratic side to waive any rule to get any bill up through bill 4884 that was the last one in the Reference Bureau in and introduced. The gentleman from Cook, Mr. Madison."

Madison: "Thank you very much, Mr. Speaker, I'm a . . . I'm a little amazed at the debate that's going on right now, Mr. Speaker. As a freshman, when this issue was raised in the House Joint Resolution, I vigorously opposed the April 12th deadline. However, this House in its wisdom chose to pass that resolution with very few dissenting votes. I happen to be one of those dissenting votes, and I think that the House is now . . . ah . . . adopted that resolution, and this debate is quite, in my estimation, out of order. We've . . . ah . . . adopted the resolution, let's live with it."

Speaker Shea: "Mr. Hirschfeld. I'm sorry if I cut you off and you weren't

finished."

Hirschfeld: "Thank you, Mr. Speaker, I . . . I think the basic problem is not of mistrust at all, as Representative Choate pointed out, but I have some extremely important bills that are coming out of the subcommittee, and I have to say to you in all sincerity that if I leave and go home and come back here next Wednesday and find that through an oversight the bill has not been introduced, I am wondering where that's going to leave us; and that is what I think is . . ."

Speaker Shea: "Well, Mr. . . . Mr. Hirschfeld, I can do nothing more than take the word of the Speaker of this House and the President of the Senate, when they assured me that every bill through 4884 would be introduced. Now, that is all I can do, that's all any of us can do today. The gentleman from Cook, Mr. Totten."

Totten: "Thank you, Mr. Speaker and members of the General Assembly. Mr. Speaker, I appreciate your co-operation on this. But it has been my understanding from talking to some of the bill drafters down there that, 'yes, they can introduce your bill'. In particular, I have 7 bills sitting there, which they cannot introduce in the manner that I want them to be introduced, and they will introduce them as a shell; and as Representative Telcser spoke of earlier, a shell means that probably the analysis of the bill will be wrong, the digest will be wrong. It will require the Sponsor to significantly amend everything after the enacting clause, and some of us have already experienced on this floor what happens when we do that. The Reference Bureau indicates to me that in most of these matters, it may take them a week to put that bill in the proper order to introduce it in the light that the Sponsor indicate. I think it's a travesty on the process to say that these bills will be introduced when they will be introduced in the matter of a shell and that I think we should have more assurances from the Chair that these bills will be introduced in the matter that the Sponsor wants them while it rather than they will be introduced."

Speaker Shea: "Well, Mr. Totten, I happened to be there with Mr. Telcser when you were raising sands yesterday about this problem. The bill drafter indicated to Mr. Telcser and I, at that time, that he would have the bill in the shape that you wanted it, perhaps you might want to change it. At that time, I assured Mr. Telcser, and Mr. Telcser assured you

that we would do everything we could to accommodate your situation. Now, if I might suggest, I have given you the assurance of the Speaker of the House and the President of the Senate. I would like to get on with House Bills, Third Reading. The gentleman from Cook, Mr. Meyer."

Meyer: "Thank you, Mr. Speaker, along the lines of making a lot of the members feel more at ease a . . . a possible suggestion, and maybe the Chair might give some thought to it, if tomorrow night never came, never arrived, and the clock was stopped and that there could be an orderly introduction of . . . of . . . of the proposed bill up to, what is it, 491 or 4"

Speaker Shea: "4884 was the last request on April the 1st. I assure you, Mr. Meyer, the Speaker and the President will do everything they can. The gentleman from Marion, Mr. Friedrich, you wish to discuss this question?"

Friedrich: "I just was going to suggest that based on your statement that we . . . ah . . . prepare and pass an amendment to the Joint Rules that . . . ah . . . any . . . that the bills . . . ah . . ."

Speaker Shea: "Well, Mr. Friedrich, you know, it might be that we get 'em all in. If they don't, believe me, that will be introduced. House Bills, Third Reading. The gentleman from Union, Mr. Choate."

Choate: "I just wanted to make one observation in closing, Mr. Speaker, that in accordance with the statement of the Leadership that, evidently, and I won't mention names in the Reference Bureau, but, evidently, the members, who are charged with the responsibility, some of them, of preparing the bills in the Reference Bureau, don't tell the same story to the Leadership that they tell to the individual members; because I do know its a fact that it has been said to members, including myself, that its possible that we won't even get your bill--period--by the deadline; and the only thing that concerns me, if I heard Representative Katz correctly, I may . . . might have and I may not have, Harold, is that the Senate did concur in this one portion of the Rules. Well, it appears odd to me that this is the one portion . . ."

Speaker Shea: "That is the only portion that went over, Mr. Choate."

Choate: ". . . completely meaningless as far as the other cutoff and deadlines are concerned that would be adhered over there by the Senate."

Speaker Shea: "No, they . . . they concurred in the whole Rule, but the Rule

has . . ."

Choate: "I thought you said it was the . . . this one portion, Harold?"

Katz: "Concurred in the House Joint Resolution that we sent over. Now, the House Joint Resolution was limited to the particular Rules regarding deadline scheduling, but not limited, simply, to the Introduction of bills, but to the whole deadline scheduling that entire article from the Joint Rules was sent over because it had to be acted on immediately, since April 1st was upon us and April 12th was upon us, and they were sent over prior to that date. As far as the rest of the Joint Rules, we have not acted on them this Session, but the remainder of the Joint Rules in total are now before the Senate and, presumably, they will acting on the entire package, but there is already in effect Joint Rules covering the particular subjects that we are now talking about."

Speaker Shea: "Turn Mr. . . . Choate on."

Choate: "As I . . . as I said, Mr. Speaker, this is the one portion that I . . . ah . . . seriously, I think is so terribly meaningless, its pitiful as far as placing this terrific burden on the shoulders of the Legislative Reference Bureau. I want to say, also, that out of the many years that I've been here, and I just had another member that's been here some 17 or 20 years, mention to me, that is nothin novel and new as far as membership, contrary to what one of my colleagues said a moment ago, waiting until practically the deadline as far as the instigation of the preparation of Legislation is concerned. As adequately stated by Representative Hirschfeld, the ones that really could not help themselves were the freshman members. Freshman members that could not have it prepared in accordance with the Constitution until they were sworn into office; but the 11th deadline that we're talking about as far as the Introduction is concerned, I don't know whether it would help to show the Senate that the House really wanted to suspend it for a few days or whether it wouldn't. I'm not that knowledgeable, it would have to take a legal opinion as far as I'm concerned that if the House did extend the Introduction deadline for a few days what the ramification would be. But it would appear to me that, as I stated earlier, Mr. Speaker, in all fairness to the Bureau, in all fairness to the membership, in all fairness to the Legislative process that the 11th deadline is meaningless, and it wouldn't hurt to extend it."

APR 11 1975

84.

Speaker Shea: "I can only give you, again, the assurance of the Speaker and the President that they will make sure that every bill up to 4884 get in. House Bills, Third Reading. House Bill 699."

Mr. Jack O'Brien: "House Bill 699 . . ."

Speaker Shea: "Excuse me, the Minority Leader, Mr. Washburn."

Washburn: "Well, thank you, . . . ah . . . Mr. Speaker, and ladies and gentlemen of the House. Of course, we're all concerned with the Introduction of the bills, by . . . ah . . . tomorrow, midnight, but I think most of us are even more concerned with the condition which we'll find those bills when we come back after they've been introduced. I had a situation just last week, the manila envelope was brought up from the Reference Bureau and it had my name written across it, and I opened it up and here it had something to do with school nurses, a subject that I knew nothing about; and after . . . after 2 . . . well, its been a long time anyway . . . after about 2 years . . . after about 2 days of searching, I found that I . . . I think it was Representative Brinkmeier's bill; and I just wonder how many errors in spelling and . . . ah . . . punctuation in subject matter there might be in these bills now that they're scattered all over the Capitol complex being . . . ah . . . typed and how many bills will bear the wrong Sponsor's name after they're introduced. I'm more concerned with that than the actual introduction of the bills."

Speaker Shea: "Well, Mr. Washburn, I know how much you've co-operated with the Leader . . . or with the Speaker, and I assure you we will, somehow, get everything straightened out. House Bills, Third Reading. House Bill 699, Mr. Beaupre."

Mr. Jack O'Brien: "House Bill 699, a bill for an act to amend the Motor Fuel Tax Law. Third Reading of the bill."

Beaupre: "Mr. Speaker, and ladies and gentlemen of the House, this issue should bring about much less debate than the last one, I think. Ah . . . It, merely, . . . ah . . . codifies in the Statute what is the current practice of the Department of Revenue in regard to, by rule, rendering sales for resale, non taxable, and placing the . . . the specific language . . . ah . . . in the Statute; and I would ask for your favorable support."

Speaker Shea: "Is there any further debate? The question is, shall House Bill 699 pass? All in favor will vote "aye", all those oppose vote "nay".

All voted who wish. Take the record, Mr. Clerk. On this question, there are 116 "aye" votes, no "nay" votes, 7 members voting "present." House Bill 699 having received the Constitutional Majority is hereby declared passed. House Bill 710, Mr. Capparelli."

Mr. Jack O'Brien: "House Bill 710, a bill for an Act to Amend the Use Tax Act, Third Reading of the bill."

Capparelli: "Mr. Speaker, House Bill 710 amends the Use Tax Act making a non subsist change changing the word occurring to reoccurring. The amendment adds to the clarity to the Use tax, no revenue significance attached to this modification. I would ask for the permanent roll call."

Speaker Shea: "Are there any discussion? The question is shall House Bill 710 pass? All those in favor will vote "aye", those opposed vote "nay." All voted who wish? Take the record, Mr. Clerk. On this question, there are 121 "aye" votes, 1 "nay" votes, 3 members voting "present." House Bill 710 having received the Constitutional Majority is hereby declared passed. House Bill 722, Mr. Kosinski."

Mr. Jack O'Brien: "House Bill 722, a bill for an Act to provide the ordinary expenses for the Illinois Historical Library. Third Reading of the bill."

Speaker Shea: "The gentlemen from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House. This is an Act to provide for the ordinary expenses of the Illinois Historical Society for the fiscal period beginning July 1, 1975 and I ask for your vote."

Speaker Shea: "Any discussion? The question is shall House Bill 722 pass? All in favor will vote "aye" those opposed vote "nay." All voted who wish. Take the record. On this question, there are 136 "aye" votes, no "nay" votes, no "present" votes. House Bill 722 having received a Constitutional Majority is hereby declared passed. House Bill 749, Mr. Dunn, the gentleman from Perry."

Mr. Jack O'Brien: "House Bill 749, a bill for an Act of Amend the St. Louis-Metropolitan Airport Authority Act. Third Reading of the bill."

Speaker Shea: "The gentlemen from Perry, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Members of the House. House Bill 749 amends the St. Louis-Metropolitan Area Airport Authority Act and requires at least one member be appointed from Monroe County where the airport is gonna' be located, if and when we ever get it, and at least one member from St. Clair County. There are five members on the Board under present Law. They can be from anywhere in the State of Illinois; and, presently,

there are no members from Monroe County. This would not effect any sitting members. It would be at the next appointment. I ask for a favorable vote."

Speaker Shea: "Is there any discussion? The question is, shall House Bill 749 pass? All those in favor will vote "aye", those oppose vote "nay". Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 131 "aye" votes, no "nay" votes, 3 members voting "present". House Bill 749 having received the Constitutional Majority is, hereby, declared passed. House Bill 990. The gentleman from Kankakee, Mr. Beaupre."

Mr. Jack O'Brien: "House Bill 990, a bill for an act amending certain sections of the Revenue Act. Third Reading of the bill."

Beaupre: "Mr. Speaker, and ladies and gentlemen of the House, this is a most significant piece of Legislation and most critical to all the taxpayers of the State of Illinois at this time. This bill amends the Revenue Act Sections in regard to assessment of real property. It is a bill sponsored by the Revenue Committee of this House, and each and every member. The bill comes to this floor in the position of Third Reading, having been heard by Joint House Senate Revenue Committee. It contains in it a most basic proposal to lower the definition of fair cash value in the Revenue Act from the current level of 50 percent to the level of 33 1/3 percent, and it does so over a . . . with a . . . with an adjustment phase, utilizing an adjustment phase over a three-year period. The basic dilemma that we are facing and that the taxpayers of this State are facing is the possibility of huge, property-tax increases as the result of judicial action, which may very well mandate that assessment level and the multiplier applying to assessment levels in the State create huge, property-tax increases throughout the State of Illinois. It is a rather technical bill. It does, however, address itself to the problem of equalization throughout the State. The current situation is that assessment levels range after the multipliers are applied, all the way from a low of 18 percent to a high of 44.5 percent in Winnebago County. Its a dilemma that we must address ourselves to if we are to achieve equalization, and it has the support of the Revenue Committee, of both the House and the Senate; and I would ask your favorable support."

Speaker Shea: "Is there any discussion? I have a feeling this one will provoke some discussion. The gentleman from Marion, Mr. Friedrich."

Friedrich: "Would the Sponsor yield to a question?"

Speaker Shea: "He indicates he will."

Friedrich: "Ah . . . How would this effect the . . . ah . . . situation . . . ah . . . that's pending in the Courts in Lake County with respect to the suit?"

Beaupre: "Well, the case that you're referring to, as I understand, that the . . . ah . . . the final decision in the Lake County case was to mandate . . . ah . . . that the Department of Local Governmental Affairs issue multipliers in each and every county . . . ah . . . causing the taxes to be increased . . . ah . . . and equalized at the level of 42 percent. Ah . . . If that decision is upheld by the Supreme Court, and it was argued three weeks ago before the Supreme Court, should that decision be upheld, it would certainly involve huge, tax increases throughout the State; and, basically, that's what this bill addresses itself to, the problem of that sort of judicial mandate . . . ah . . . bringing about these tax increases in nearly every county in the State."

Friedrich: "In other words, it would stop that decision if it . . . ah . . . is made at 42 percent . . ."

Beaupre: "Well, of course, we can't through Legislative action stop any court decision, but it would remedy the problem that that court decision is addressing itself to."

Friedrich: "All right, thank you."

Speaker Shea: "The gentleman from Stephenson, Mr. Brinkmeier."

Brinkmeier: "Mr. . . . Mr. Speaker, would the Sponsor yield?"

Speaker Shea: "He indicates he will."

Brinkmeier: "Now, Jack, I'm concerned . . . ah . . . maybe I missed it in your explanation, but what about such local units of government su . . . let's say a park district for "a" example, what assurances do we have that they're gonna' receive adequate funds to continue in operation?"

Speaker Shea: "Could we turn Mr. Beaupre on, please?"

Beaupre: "The subcommittee . . ."

Speaker Shea: "Mr. Beaupre, if you'll wait a minute, please; Mr. Farley on a point of inquiry."

Farley: "Only . . . ah . . . Mr. Speaker that I would ask for some order, this is a very significant bill. I think every member . . . ah . . . is interested in this bill. It . . . ah . . . deals with the whole assessment pro-

cedure throughout the State of Illinois, and I would ask that you call the House to order."

Speaker Shea: "Ladies and gentlemen, this will probably be one of the most important bills we do hear this Session, so I will ask you to be in your seat; and Mr. Beaupre . . ."

Beaupre: "To address myself to the question . . . by Representative Brinkmeier, I probably should indicate to you a little bit of the Legislative history of this bill. This bill is consistent with the views expressed by the Joint House Senate Revenue Committee on Property Tax Reform to lower the definition of fair market value, as in the Revenue Act. That report indicated that we should lower it to 44 percent and recommended that this General Assembly during this Session do so because, primarily, because as we looked at the actual fact and we looked at the assessment procedure, that multipliers were being given to counties, which in no way brought them up to the 50-percent level. In fact, the medium was approximately 40 percent, and that was the reason for the Reform Committee's suggestion that we lower the assessment level to 40 percent. Since the Lake County case mandated a 42-percent level be established by the Department of Local Governmental Affairs, a number of bills were introduced by myself, by Representative Skinner, by a number of Senators, who have served on that committee, . . . ah . . . to bring about that 40-percent level. In the meantime, about, approximately, three weeks ago, the current figures for 1973 were made available to us by the Department of Local Governmental Affairs, and it indicated that the mean level of assessment after the multipliers were applied, that is to say, after equalization in the State of Illinois was 31.22. Therefore, it seemed to the committee that it behooved us to seek . . . to . . . to . . . to reduce the impact . . . ah . . . in regard to change by seeking a level of assessment and placing . . . putting a bill in . . . ah . . . and changing the level of assessment closest to the mean . . . as close to the mean as possible and be consistent with proper, tax administration. Therefore, the 33 1/3 level was chosen. Now, more specifically to answer your question, realizing that a lowering of the assessment level would have an impact on taxing districts in regard to the amount of money that their taxes could generate; and in order to reduce that impact, the committee and its drafters attempted to place in this bill and have included in the bill a provision

to phase it in over a three-year period, so that in those counties, where the assessment level is over the 33 1/3 percent, the bill provides that a multiplier be issued by the Department of Local Governmental Affairs or whoever is responsible on the State level to issue the multiplier that a multiplier be granted, which will allow those local, taxing district to generate the amount of money that they now generate, so that there will be no decrease in the actual dollars that any taxing district receives as a result of the passage of this bill. In addition, there's a provision in the bill, which will allow any new parcel in that taxing district to be added. The general theory being that this adjustment can be made assuming that a . . . a modest rate of inflation continues as we've experienced in the last 30 or 40 years."

Brinkmeier: "Thank you."

Speaker Bradley: "Gentleman from Cook, Mr. Berman."

Berman: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Bradley: "He indicates that he would."

Berman: "Jack, what does this bill do to assessed valuations as equalized in Cook County?"

Mr. Jack O'Brien: "Representative Bradley in the Chair."

Beaupre: "Representative Berman, assessor Tully and his staff appeared before our Joint Committee, and, . . . ah . . . of course, we were very concerned about the affect on Cook County since we are talking about . . . ah . . . a huge portion of the population in the State; and they have studied the bill thoroughly. It is their belief . . . ah . . . and they so testified before the committee that it will . . . that this bill will place Cook County . . . will . . . will equalize the assessment in Cook County at approximately where they are now and will have very little or no effect on . . . ah . . . the four quadrants in Cook County."

Berman: "Now, let me go further along that same line. Ah . . . There's only, I believe, two counties in the State that classify. Ah . . . If we are going to vote on this bill on the basis that its . . . that its not going to effect Cook County, would you have any objection . . ."

Speaker Bradley: "Pardon me, Mr. Berman. Could we have a little order, some of the members are having trouble hearing."

Berman: "Well, let me . . . ah . . . let me first take it step by step. Ah . . . St. Clair and Cook are the only two counties that classify, am I

correct?"

Beaupre: "I believe that's correct."

Berman: "Would you have any objection based upon the representation that this bill won't do anything to the assessments in Cook County, would you have any objection to an amendment that would take out from under the impact of this bill counties that classify?"

Beaupre: "Well, I would have no objection to Cook County be taken . . . being taken out of the bill. Ah . . . We . . . ah . . . discussed that in the subcommittee and in the committee that was involved in the drafting. I think, . . . ah . . . however, that it would behoove you, who represent Cook County, to remain in the bill; and the reason why I suggest that, is because, let's assume, for instance, that the Lake County case, which is now pending before the Supreme Court, is upheld. Ah . . . It might very well mandate . . . ah . . . that Cook County's assessment level be increased significantly over and above what the rest of us are going . . . at what over and above the assessment level that the rest of us in the State have, and I would suggest to you that its really a benefit to Cook County that you be included and be a part of . . . of this bill for that very reason. Because if there is, indeed, judicial action, which results . . . ah . . . in a mandate to the Department of Local Governmental Affairs, to increase the assessment levels throughout the State, and you're not included in the bill, you're assessment level will go up from 33.8 to, assuming that the case in Cook County is upheld, to 42 percent. It would involve an increase in taxes in Cook County of approximately 25 percent."

Berman: "Well, then let me ask you further, what is the legal status of that Lake County case? Where does it sit now?"

Beaupre: "It . . . It is . . . It was heard in the Supreme Court two weeks ago on Monday."

Berman: "Have they given any indication as to when a decision would be handed down?"

Beaupre: "My guess is that they are hoping and praying that we will . . . ah . . . address ourselves to the problem so that they won't have to issue a decision, which is, the Law clearly states and expressly states that the assessment level must be 50 percent in every county in the State. Ah . . . The current level of assessment throughout the State, according to 19 . . . ah . . . 73 sales-ratio figures, is 31.22. Ah . . . The Cook County

assessment level is 33.83. Ah . . . If that case is upheld, I would suggest to you that your property taxes in Cook County might very well increase by somewhere between 25 and 33 1/3 percent."

Berman: "Well, let me make a suggestion, very respectfully, because I know some of the work that's been done by the S.J.R.Sen. Committee on this; I, also, know the concern that has come to our attention from almost every school district in . . . ah . . . Cook County and throughout the State. They're not sure what the . . . what this bill is gonna' do to them. Ah . . . Would there be any great objection to keeping this bill . . . ah . . . on our Calendar for a few weeks and see what the Supreme Court does. I'd rather, . . . ah . . . from a Legislator's point of view, respond to a dilemma created by the Supreme Court than to pass a bill in anticipation of a decision that nobody knows what's going to be the decision."

Beaupre: "Representative Berman, I would like to suggest to the members of the House and to yourself, who are concerned about this matter, that the Law is expressed. I think that the Supreme Court, and I'm not trying to anticipate what they're going to decide, but whatever they decide, the problem that this bill addresses itself to still exists. If the Supreme Court would have refused to hear the case, the problem that this bill addresses itself would still exist. This matter has been studied and studied and studied by the Joint House Revenue Committee over the last two years. It is, indeed, included in this report as a recommendation of that committee. I would submit to you that that bill would have been introduced along with the other bills, which are now on Cal' Skinner's desk, to be introduced today. ah . . . ah . . . even if the case in Lake County had not arisen. As a result, the only difference really that this bill . . . ah . . . the only difference is that this bill contains from what was recommended by the Joint Committee is that we have lowered the assessment level from 40 percent, which was recommended, to 33 1/3 percent; and the reason for that is that we have new up-to-date statistics indicating that that is closer to the mean level of assessment in the State. This, indeed, is part of the recommendation of that committee and is consistent with it. It, also, contains provisions to make sure that those taxing districts are not hurt in terms of current tax revenue, and allows them to have the benefit of any additional parcels, which are added subsequent to the passage of this bill."

Berman: "Well, I'm . . ."

Speaker Bradley: "Mr. Berman do you want to address yourself to the bill, its ah . . . been the policy to chair it. If you have a question or two, but to continue with the dialogue."

Berman: "All right, I'll address the bill; and . . . ah . . . I think that the importance of the bill and . . . and in its impact does justify perhaps, Mr. Speaker, a . . . a little slackening of the policy perhaps on the Chair, because I'm sure everybody's gonna' or should have questions on this bill. But addressing myself to the bill, one of the problems that has come to my attention, is that in the deliberations of the S.J.R.Sen. Committee, many school people voice the apprehension that the impact of a lowering of the statutory standard from 50 percent to 40 percent or to 33 1/3 was not adequately addressed to the problems that school districts would have if this bill was passed. I, personally, am not clear in my own mind as to what will happen to school districts if House Bill 990 passes. Ah . . . Its a very complicated matter and I, for one, in view of perhaps a . . . impending decision by the Supreme Court, in order for me to go back and explain to school people, as well as taxpayers, in general, what this bill is doing and what I'm doing when I vote on it. I would just . . . I would feel much more at ease if we could keep this bill on the Calendar without moving today. It has two more weeks on the Calendar . . . ah . . . I'm going to vote "present" today, if its gonna' be called for a Third Reading, 'cause I don't know what its gonna' do to these . . . ah . . . to the taxpayers in Cook County, I don't know what its gonna' do to the school districts throughout the state, and I think a better procedure would be, perhaps, is a memorandum distributed to every member on the floor of this House answering some of the questions that are raised today and just kept the bill on Third Reading, and not ask to be called for a final vote . . . ah . . . today. I think that would be a better instructional and Legislative process to approach this very, very important piece of Legislation."

Speaker Bradley: "The gentleman from Cook, Mr. Palmer."

Palmer: "If the Sponsor would yield for a question or two?"

Speaker Bradley: "He indicates that he will."

Palmer: "Under the Constitution, Jack, Cook County, of course, could and did classify its property for real estate, taxation, assessment purposes. Presently, as I understand, the level of assessment for residential is 22 percent, and that runs up to 40 percent for industrial. Would not the effect

of this bill increase the basic assessment of our residents . . . residences in Cook County from 22 percent up to 33 1/3?"

Beaupre: "My opinion is, and based upon the deliberations that we have in the subcommittee and before the Joint House Senate Committee, that it would not change the assessment levels in Cook County."

Palmer: "Well, . . ."

Beaupre: "I can't point to that precise language in the bill, as you can see, its rather thick, but . . . ah . . . Cook County still will have the right and I'm sure will continue to classify under the powers granted them in the Constitution and under their Home Rule powers."

Palmer: "Well, then I don't understand the point of the bill, unless that the point is to arrive at totally a . . . an assessed valuation of . . . of . . . defined by fair market value of 33 1/3 percent of the total valuation, assessed valuation or fair market value of the property in the county. I just don't understand it."

Beaupre: "Well, if I may suggest an explanation? The Department of Local Governmental Affairs, currently, under the Law is charged with issuing multipliers to equalize assessments in the 101 counties, plus four quadrants of Cook. That multiplier is to be issued on the basis of the average level of assessment in those 101 counties and the four quadrants of Cook so that in . . . more specifically in regard to your inquiry, the 33 1/3 percent was applied to the average level of assessment and not to those classifications."

Palmer: "And as long as you came out with 33 1/3 percent?"

Beaupre: "That's correct."

Palmer: "Well, then it would have then the effect of raising, more than likely, the 22 percent level on the residential fair valuation factor that they use and lowering it on the industrial and commercial."

Beaupre: "No, no, because you have an average level of assessment in Cook County right now of 33.83, according to the latest sales ration study figures."

Palmer: "All right, I won't . . ."

Beaupre: "So you . . . we would not change any of the levels of assessment . . . ah . . . within the various classifications."

Palmer: "Well, I won't . . . I won't go any further into that, except that I'm not certain about it. Ah . . . What will this do, in so far as the application of the multiplier?"

Beaupre: "In regard to Cook County?"

Palmer: "Any place, Department of Local Governmental Affairs."

Beaupre: "Well, well, the Depart . . . Under current Law, the Department of Local Governmental Affairs would be required to issue a multiplier just as they are now, they're required to issue a multiplier to bring the average level of assessment up to 50 percent. They would be required to issue a multiplier to bring the average level of assessment to 33 1/3 percent. In the case of Cook County, they are at 33.8 percent, which means there's practically no movement at all."

Palmer: "I finally . . . ah . . . what about the farmlands and the farmers . . . ah . . . not exemption but the benefit affidavit that's filed, what happens there?"

Beaupre: "I'm sorry, I didn't hear your question?"

Palmer: "Will this bill have any effect that will delete any of the present provisions relative to the farmers . . . ah . . . affidavit that he files that the land is used for farming purposes, etc.?"

Beaupre: "No."

Palmer: "It does not do anything there as far as farmlands are concerned, wouldn't make any difference there either, is that correct?"

Beaupre: "No."

Palmer: "Then I thank you."

Speaker Bradley: "The gentleman from Cook, Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, ladies and gentlemen of the House, I . . . I agree with my colleague from the 11th District that the . . . ah . . . significance of this bill is such that I would hope the Chair would permit perhaps somewhat more latitude in the dialogue with the Sponsor than in the case of other bills. It is enormously important and . . . ah . . . for those of us that are concerned about the revenues available to our local taxing bodies there are some very difficult questions that need to be answered, and I ask if the gentleman would yield for some questions on the bill. Thank you."

Speaker Bradley: "Did you say you wanted to ask some questions? All right, the Chair has suggested, you know, its been a policy in the past for a question or two, Mr. Lundy, and we're not going to go into a long dialogue. If you have a number of questions, I would suggest that you go back to the Sponsor . . . ah . . . we'll allow a question or two and then address the

bill, but . . . ah . . . let's try to keep it under control."

Lundy: "Ah . . . Thank you, Mr. Speaker, the gentleman has indicated he would yield. Ah . . . Representative Beaupre, . . . ah . . . can you indicate to me where in the present Law . . . ah . . . Cook County is required to assess at 50 percent of fair market value, because I must tell you as I read the bill on page 4, lines 25 through 32, Cook County is not presently mandated to assess at 50 percent of fair market value. There is an express exception in the present Law for counties of 200,000 or more, which classify real estate."

Beaupre: "I think I can directly answer your question . . . ah . . . by pointing to a provision . . ."

Lundy: "I . . . I would direct your attention to page 4, lines 25 through 31, 32, which contain, I think the deleted language in the present Law, and as I read that language in the present Law, Cook County is not mandated to assess at 50 percent of . . ."

Beaupre: "What line are you referring to?"

Lundy: "Lines 25 through 32."

Beaupre: "The only thing I can say to you, Joe', it that it I . . . it was my impression that they were, that it may very well be contained in another section of the act. Ah . . . I . . . I can't answer your question directly at this time. Ah . . . but . . . research."

Lundy: "I appreciate the position the gentleman is in and . . . ah . . . I didn't mean to unfairly surprise him on the floor with the question, but I was not aware the bill would be . . . would be coming up today. Ah . . . May I say, Mr. Speaker, in addressing myself to the bill that I would certainly agree with Representative Berman's remarks of a few minutes ago, that in light of the really overwhelming importance of this bill in terms of local governmental revenues, that the sponsor would be well advised and I understand his intention but I . . . he would be well advised to take the bill out of the record at this point and allow those of us who have unanswered questions on it and that the sponsor has conceded that he cannot give me an answer to my question . . . that I just ask him allow us to get answers from the members of the SJR 10 Subcommittee so that we can satisfy ourselves that this bill will not be changing the status of the present Law with regard to Cook County where half of the people reside and where a very large number of local taxing districts are dependent on the revenues from the local property tax. ah . . . So my advice and my hope would be that the sponsor would take

bill out of the record . ah . but if he feels that he must go forward I would go further than my colleague from the eleventh district, I will be forced to vote against the bill if it is not . ah . delayed so that the unanswered questions can be responded to."

Beaupre: "Mr. Speaker, if I may respond to that, I suspect that if we had a question that every sponsor asking for a . . . citation of a particular statutory provision of any bill that is being considered that we might never get through . . . ah our business here. I am really not hesitant to allow the members of this House to study the provisions of this bill. What I'm suggesting to you is that it has indeed been studied, and studied and everyone had an opportunity to appear both in the subcommittee which got involved in the drafting of this bill, in the Revenue Committee of the House, in the Joint House and Senate Revenue Committee. I can tell you that there were people . . . ah . that the Clark Commission has studied it for two years and has conducted hearing through out the State of Illinois. In most of these meetings, people from the school districts were represented, The Illinois School Board Trustees Association, The School Problems Commission. All I'm suggesting to you is that we have indeed looked very carefully into this and all the people who are affected by it have studied it very carefully. I would admit to you that there is one county in this State where the equalization brought about under this bill . ah will . will result in an adverse affect on the taxing districts and that county is very much aware of it. We may have to address ourselves to their problems in other legislation . . . ah . . . but frankly that's Winnebago County. The rest of the school districts in this State, I think, have taken a good hard look at what's going to happen under this bill."

Speaker Bradley: "The gentleman from DuPage, Mr. Hudson."

Hudson: "Thank you, Mr. Speaker. Would the sponsor yield to one question?"

Speaker Bradley: "He indicates that he will."

Hudson: "Jack, I . . . come from a county and represent and township within a county, the county of DuPage wherein recently the homeowner, particularly the owner of older homes, these will be homes built maybe back in early nineteen hundreds, possibly earlier than that found themselves confronted with a increase in their assessed valuations and this was not a quadrennial. This was . . . ah more or less special . . . ah ah readjustment of the assessed valuations and some of those people found themselves faced with an increase ranging from 30% going on up to 40% up to 100% and I'm telling you there

has not been anything that has occurred in that area for a long time that has created, caused more distress and from which the people want relief more than this what they consider to be arbitrary hikes in these assessed valuations. Now, my question is, can people in my district, in my township, in the County of DuPage expect some relief or let me put it another way, . . . ah . . . if you will, you . . . you check . . . check DuPage County, see what it would do to us; but, in your opinion, these people that are almost, literally, being forced, the older people particularly, to move out of their homes, out of DuPage County, go somewhere else. Can they look upon this bill that you are presenting with some hope that it'll give them relief? That's my question to you."

Beaure: "This bill . . . if this bill does not pass, the tax rates in DuPage County could go up as much as 50 percent next year and that's not taking into consideration the increase brought about by inflation. That is to say, the increase in the assessment level. Based on 1973 figures, the assessment level in DuPage County is 33.02 percent."

Hudson: "What was that?"

Beaure: "This bill would bring the mandatory assessment level to 33 1/3 percent. Would involve a very slight tax increase of less than a half of a percent in the assessment level. If the bill fails to pass, you may very well be faced with a tax increase assuming that the taxing districts continue with their current rate of almost 50 percent of DuPage County. That's why we are concerned about moving this bill."

Hudson: "This would . . . this bill would peg it then at that 33 1/3 percent?"

Beaure: "That's correct. Would peg it at the percentage that you are now assessing at, in effect."

Hudson: "Thank you."

Speaker Shea: "The gentleman from Fayette, Mr. Brummet."

Brummet: "Mr. Speaker, just one question."

Speaker Shea: "Mr. Brummet, if you will just hold on for one second. Might I ask our guests in the Gallery, will they, please, take seats? Mr. Brummet."

Brummet: "Just a question of the Sponsor. Jack, if my county is assessed at 27 percent, does this mean we would automatically get better than a 20 percent increase in taxes on real estate?"

Beaure: "Over a three-year period."

Brummet: "Over a three-year period?"

Beaupre: "Yes, . . . ah . . . without the passage of this bill . . ."

Brummet: "I understand that."

Beaupre: ". . . if may move to something like 70 percent over the next year."

Brummet: "O.K., I'm going to support it."

Speaker Shea: "Is there any further discussion? The lady from Champaign, Miss Satterthwaite."

Satterthwaite: "Thank you, Mr. Speaker, would the Sponsor yield for a question?"

Speaker Shea: "He will."

Satterthwaite: "In the case of a county that is now assessing above the 33 1/3 percent rate, what do you anticipate would be the impact on the local taxing bodies that are dependent on passage of referendums in order to increase their tax base?"

Beaupre: "Helen . . ."

Speaker Shea: "Proceed, Mr. Beaupre."

Beaupre: "That's, basically, the question which I . . . I think . . . ah . . . was presented before that in those counties where the assessment level is over 33 1/3 percent, we have included a formula in the bill, which will provide that the Department of Local Governmental Affairs or whoever is the State agency responsible for issuing the multiplier, and I . . . I put that caveat in there because there is . . . the Reform Committee is introducing a bill to put it under a State Property Tax Commission; but whoever is responsible for issuing the multiplier to equalize assessments in the State is charged in this bill to see that a multiplier is issued, which will generate no less than the current tax dollars that are now being levied in those various counties; and what I'm suggesting to you is that there is a built-in guarantee in this bill that your school district will not receive any less money or taxing bodies will not receive any less money than they are now receiving at the current time."

Satterthwaite: "But these . . ."

Beaupre: "In addition, . . ."

Satterthwaite: "Excuse me."

Beaupre: "There's . . . there's one other proviso that it . . . that deals with that question. In addition, in order to deal with the problems of inflationary costs of the increased cost of operating those taxing bodies, any new parcels, which are assessed, or any increases by virtue of im-

provements will . . . will go to an increased taxation. That is to say that those will not be counted in regard to the current . . . ah . . . multiplier, . . . ah . . . therefore, the taxing body will get the benefit of any new parcels that's added."

Speaker Shea: "Turn Miss Satterthwaite on will you, please. You're on, Miss Satterthwaite."

Satterthwaite: "Aside from those . . . ah . . . added taxes that come on the Rule, however, the basic rate at which they are . . . are gathering their tax now would, essentially, be frozen over the three-year period at least . . ."

Beaupre: "That's correct."

Satterthwaite: ". . . and so they would not have the advantage of any increase from inflation on those pieces of property, and, might, therefore, have to go out and pass a referendum to increase their tax rate."

Beaupre: "Well, that's correct, Helen, and that's one of the very tough questions that . . . that . . . ah . . . this Legislation has . . . is facing and has faced, and those of us who've studied the matter has faced, . . . ah . . . because we're going to have to face some tough question. We have in a quality in the assessment of taxes in this State contrary to the Law what Representative Skinner has been saying for several years, as is, indeed, true, that there is no such a thing as equalization. We must bring that about if we're going to achieve a equitable distribution of State aid funds for our community colleges and for our local school districts. We probably will be mandated to do so by the courts, there are cases all over the country, which are . . . cause us to face up to this problem, and what I'm suggesting to you that in . . . what you're . . . what your proposition is, indeed, true, that it is in a way a tax free for those districts that over the 33 1/3 percent level; but the alternative to facing up to that tax freeze for local school districts is a huge property tax increase throughout the State of Illinois. In some counties, such as Jackson and Polk county, in Southern Illinois, it might very well amount to almost a 500 percent increase."

Speaker Shea: "The gentleman from McHenry, Mr. Skinner."

Skinner: "Thank you, Mr. Speaker, this bill is a very complicated bill. Ah . . . It is a bill that pleases one once they understand it. Its sort of like the bills that were . . . that I brought in last year to equalize

at 40 percent '72 prices, and after I finished, Representative Beaupre got up and said, 'Well, Cal's right, but we ought to wait 'til next year 'til we study it more', . . . ah . . . its been studied more. There are an awful lot of questions still left. Let me try, . . . briefly, try to go at the way I've tried to explain to individual members who have come around to me. If you want to know how it effects your counties, you pull out this book. This is the Illinois Property Tax System: Problem and Promise, which is certainly a euphemism. I see a report of the S.J.R. 10 Committee, and in the back there are two appendices . . . appendices . . . Appendix B and Appendix C. Appendix C shows what would happen if the assessments in each county in Illinois were raised to 33 percent or, let's say, equalized to 33 percent, equalized to 40 percent and equalized to 50 percent of 1973 prices. Now, if your county is, presently, under 33 percent of fair market value, let's just take in account . . . let's take an example of a county, the lowest county, Johnson County. Johnson County is assessed at 18 percent right now. We're gonna' raise them to 33 percent; but in order to protect the taxpayers and those counties that are under assessed, and I will attempt not to be totally sarcastic here, now, they, definitely, have been subsidized in the past, but what we're trying to do is to limit the increase in any given year in . . . in the hopes that the taxpayers will be able to hold the taxed districts to a responsible . . . ah . . . increase in the amount of money that they bring in through taxation. All right, we've got 33 percentage points, minus 18 percentage points, and that gives us 15 percentage points. Now, we're going to equalize the, we're going to phase it in over three years, so we di . . . divide 15 by 3, and that means Johnson County in 1976, excuse me, in 1975, they're gonna' be at whatever level they are now, let's say 18 percent. It'll be probably lower than that, but whatever . . . whatever the Supreme Court decides. The next year, I believe its 1976, they're going to be 5 percentage points higher, instead of 18 percent, they're going to be assessed at 23 percent. The year following that they'll be at 28 percent, and the year following that they will be at 33 percent. Now, the whole time, the base is going upwards, if you have inflation, of course; and no one is going to be able to promise the people in Johnson County that their taxes aren't going . . . that their assessments aren't going to increase measurably and probably their taxes will go up, unless there's a real taxpayers watchdog

in Johnson County. Now, Johnson County is a county that's gonna' have the worst impact from the bottom up. We're trying to get it at 33 percent. Now, I don't whether its come out why we're trying to get the 33 percent, perhaps that might be a good idea to emphasize that before we go to what happens to . . . to the counties above . . . assessed above that level. We're trying to get a 33 percent because there are six or seven State Financial Assistant's Programs doling out well over one billion dollars a year that are giving money to the wrong tax districts. The one that mis-allocates the most money in dollars is a State-aid Education Formula, regardless if whether you consider the Strayer-Haig Formula, which was the old formula, or the Resource Equalizer Formula, which is the new formula. It is mis-allocating money. I already had a computer run done last year with last year's figures, it was mis-allocating about \$35,000,000. Senator Hynes tells me a computer run he had made said that we were mis-allocating \$55,000,000. Well, we just passed a Senior Citizens Tax Release Bill that's only going to cost \$33,000,000, and, yet, we are, in effect, throwing away 35 to \$55,000,000 a year on property taxes, which are on State aid, that is, two areas that shouldn't get it. These two areas that are not taxing themselves according to the minimum. All right, in addition, you have a Capital Grant Index, which distributes all the money for the school buildings that the Capital Development Board is subsidizing. You, also, have a . . . an Equalization Formula in the Junior College Aid Formula, which is mis-allocating an incredible, well, incredibly enough over 10 percent of the entire-line item is being mis-allocated, and its going to the wrong Junior Colleges; and you'll remember last year a couple of infamous defeats . . . ah . . . that . . . ah . . . I took on this floor, in amendments, . . . ah . . . to a bill Representative Stone sponsored for the last two years. Last year I suggested that we do, exactly, what this bill will do, and it was defeated. So I, you know, if this is defeated today, I'm not going to be very surprised. Ah . . . Among other aid formulas are the aid to tuberculosis districts. Ah . . . there's another formula that gives aid to . . . ah . . . general assistance in townships, giving it to the wrong districts, the wrong amounts to the wrong districts. In addition, at the county level, it mis-allocates . . . ah . . . among townships on the County Road and . . . the County, I think its the County Road and Bridge Fund or may . . . I think its the County

APR 11 1975

102.

Bridge Fund, as a matter of fact, I think they call it now. So there are sorts of formulas floating around and the . . . ah . . . Representative Lundy now has a bill in the Calendar that will allocate . . . ah . . . put a special Equalization Formula in for library districts. Ah . . . Its almost every . . . every unit of local government, so there's absolutely tens of millions of dollars that we have available for allocation to deserving units that's not going to the right place. All right, now, what happens if your . . . if your county happens to be assessed above average?"

Speaker Shea: "Will the gentleman bring his remarks to a close?"

Skinner: "Only if you don't want me to explain the bill."

Speaker Shea: "You get ten minutes like all other members."

Skinner: ". . . assumed . . . I had assumed I might even get the ten minutes in the order that I punched on my light. If you're assessed above average, the aggregate equalized assessed valuation will be maintained against which the old "could-have-been" rate, that is, the maximum rate they could have gotten will be allowed. That'll be multiplied by the aggregate assessed valuation. Now, that means that the people in Rockford are going to be discriminated in the future and they have been in the past, but since they don't complain, I guess it doesn't matter. At the present time, they're paying 4.7 million dollars too much in local property taxes because the State of Illinois, the educators of the State of Illinois, incidently, don't care. They would have that 4.7 million dollars replaced with about 4.3 to 4.4 million dollars of state aid. Ah . . . Generally, we are . . . we are expecting that the rate of inflation will not decrease too much, and that this aggregate level will then remain constant, the tax bills will tend to go down; and over the next three years we hope, well, we hope they will get the 33 percent on their own. If they don't, they'll get there automatically. We are, at the present time, playing a game of Chicken, a three . . . a three-card game of Chicken between the Executive Branch, the Legislative Branch and the Judicial Branch. At the present time, the Executive Branch has proved itself totally irresponsible in this . . . in this area. I understand the governor has told people that he is . . . he wouldn't waive the enforcement of the Studded-tire Bill because it was a Law and he had no discretion, and, yet, he's willing to throw away tens of millions of dollars on various state aid programs without even blinking. We have the Supreme Court that has gone home for a month

recess without making a decision."

Speaker Shea: "Mr. Skinner, will you bring your remarks to a close, please."

Skinner: ". . . If the assessments do not get certified, tax bills in every county in the State, except for Lake and Cook County, are going to be late. Then the educators will be down here saying, 'well, we'll wait another year'. Ah . . . I guess my conclusion, Mr. Speaker, and I thank you for your patience, is that this is a compromise. No one is going to be satisfied with it, least of all the Cook County Tax Districts. They'll find out they're going to have to raise their rates to get the same amount of money, . . . ah . . . but I don't we're getting anything better, so I hope that people will pass the bill."

Speaker Shea: "The gentleman from Winnebago, Mr. Simms."

Simms: "Ah . . . Mr. Speaker, if the gentleman, the Sponsor, would yield for one question?"

Speaker Shea: "He indicates he will."

Simms: "Representative Beaupre, Winnebago, the county, which Representative Giorgi, Stubblefield and myself, particularly Rockford, we represent, will be the one county that will be adversely reflect . . . affected by its taxing districts. Ah . . . You indicated that there may be some consideration for that particular county because of the special situation. I wonder if you might indicate what considerations . . . ah . . . you had in mind."

Beaupre: "Well, I . . . I think what . . . the question of what consideration might be proposed to this General Assembly probably ought to . . . ah . . . be dealt with by you, who represent Winnebago County. Ah . . . What I'm suggesting is that we do, indeed, believe that while this is the best formula that we could come up with after studying for, as I've indicated before, over two years that Winnebago County will, indeed, be adversely affected, that the formula will not work for Winnebago County, and that the rate of inflation is not sufficient . . . ah . . . to move them within the three-year period up to the . . . ah . . . down to the assessment level that . . . ah . . . we expect . . . ah . . . that's required by this bill; and all I'm suggesting is that those of us, who at least believe we understand the problem, would, undoubtedly, support Legislation, provide additional monies to Winnebago County in order to deal with their problem."

Simms: "Thank you very much, Representative."

Speaker Shea: "The gentleman from Cook, Mr. Farley."

Farley: "Well, Mr. Speaker, I . . . ah . . . move the previous question."

Speaker Shea: "The gentleman has moved the previously question. All those in favor say "aye", those oppose say "nay"; in the opinion of the Chair, the gentleman has the requisite two-thirds vote, and, now, back to Mr. Beaupre to close."

Beaupre: "Mr. Speaker, and ladies and gentlemen of the House, I do believe that the . . . ah . . . interrogatories . . . ah . . . opposed by the members of this House have, indeed, revealed . . . ah . . . the true issues in this bill. It is, indeed, one of the most important issues that we will be facing in this General Assembly. I would submit to you that this . . . the problem that this bill addresses itself to has been studied by all the experts in the field. In addition, there has been a great deal of input by the . . . the members of both the House and the Senate into a solution to this problem of inequity throughout the State. Its one that we must address ourselves to now or we are going to be faced with huge property tax increas. It does bring about some adverse effects on individual counties and some adverse effects on individual taxing districts. Everyone realizes that, but the alternatives are worse; and its something that we must address ourselves to. I can't envision, for instance, anyone in downstate, who understand the nature of the problem, voting against this bill. In addition, the . . . the formula has been worked out so that it has practically no impact whatsoever on Cook County; and I would ask for your favorable support."

Speaker Shea: "The question is, shall House Bill 990 pass? All those in favor vote "aye", those oppose vote "nay". The gentleman from Will, Mr. Leinenweber, to explain his vote."

Leinenweber: "Thank you, Mr. Speaker, I really don't know how to vote on this bill because it is quite complicated, as everybody has said. However, if you read the bill, it appears that if you come from a county of 200,000 population or more, then if your county board desires to do so, it may establish its assessment-level percentage at any level it desires, irregardless of the 33 1/3 percent specified in the act. So if you're concerned about how the . . . this bill will effect your county and you're over 200,000, then all your county has to do is raise or lower its percentage by classifying its real estate and establishing its own percentage

rate. So I'm going to vote "present" 'cause I really don't think it does a great deal."

Speaker Shea: "Record the gentleman "present". The gentleman from DuPage, Mr. Hoffman, to explain his vote."

Hoffman: "Mr. Speaker, ladies and gentlemen of the House, I rise in . . . ah . . . support of this Legislation. Although I have some misgivings in terms of . . . ah . . . certain aspects of the amendment . . . ah . . . relative to the problem that Representative Griesheimer just mentioned in terms of counties which . . . ah . . . which can classify. I'm concerned . . . ah . . . about the local, taxing bodies, particularly the school districts, and how this will impact them. But let me . . . let me remind you that many of us were here when we moved from a 100 percent to 50 percent. In effect, what we're doing is we're moving to 33 1/3 and with the exception of Winnebago County, which is over they . . . that particular level for the three years that are involved here, . . . ah . . . it isn't going to have an adverse . . . ah . . . an adverse effect. However, unless this is enforced, as the last levels were not enforced, we're not going to be any better off in terms of doing what we all want to do with this type of Legislation and that is provide equalization. Ah . . . I'm voting for this bill hopeful that some progress will be made along the way so we can . . . ah . . . get the equalization and make our State Aid Formula, particularly for schools, work . . . ah . . . because it only half works now."

Speaker Shea: "The . . . the gentleman from Cook, Mr. Lundy, to explain his vote."

Lundy: "Thank you, Mr. Speaker, I rise on a point of parliamentary inquiry, and ask the Chair . . . ah . . . whether since this bill would impose requirements on certain home-rule units, which are not now imposed upon them by the existing Law, it doesn't require 107 votes to pass."

Speaker Shea: "Would you specify which requirements?"

Lundy: "Yes, Mr. Speaker, on page 8 of the bill . . . ah . . . lines 18 through 27 . . . ah . . . there are requirements imposed on the Clerk and the Board of Review of certain counties; and as I read the bill, those include home-rule counties . . ."

Speaker Shea: "Give me the bill, will you, Mr. Clerk."

Lundy: ". . . and . . . ah . . . whereas, the definition of full, fair-cash

value previously excluded . . . ah . . . Cook County. It no longer does, and, therefore, the requirements later in the act do apply to Cook County. Ah . . . It seems to me that . . . ah . . . it would require under our Constitution 107 votes to pass the Legislation."

Speaker Shea: "The . . . page and line number, again, please, sir."

Lundy: "On . . . on page 8, lines 18 through 27, and . . . and Mr. Speaker, those then have to be read in conjunction with the Definition Section, which is on page 4 . . . ah . . . the old language is . . . ah . . . lines 25 through 32, and the new language, which does not . . ."

Speaker Shea: ". . . seem to me the language on page 8, where it sets percentages as may be provided by a county ordinance would allow the county to adopt it and the assessor is not a home-rule unit, but part of the taxing problems. So its the opinion of the Chair this votes needs . . . this bill needs 89 votes to pass. Is there any further discussion? Take the Record, Mr. Clerk. The gentleman from Lawrence, Mr. Cunningham, wish to explain your vote."

Cunningham: "Mr. Speaker, and ladies and gentlemen of the House, since mine is one of the very few negative votes, it behooves me to explain why I'm voting "no". Those of you who are voting "yes", many of you will have the unpleasant responsibility when you go home or next year at least to explain why the tax is raised in your particular area on the valuation. I wish you well on that assignment. Its not difficult . . . Its not difficult to know which ones of you will be caught with that dilemma. Everyone in the far south of the state will be caught very clearly. You look at the equalization ratio as shown by the Department of Local Governmental Affairs' Sheet, and it shows, and if you're . . . if you're below the 33 figure, why you're exposed. Your exposure is clear to the last of your taxpayers. The effect of this bill is, one, to bail the administration out for its failure to apply the Law that's already on the board, which is eminently fair because its called equalization ratio; and the second effect, is to remove from the Supreme Court the responsibility of . . . of . . . at least lays the basis for their decision in the pending suit before it. I'm not going to say that the bill isn't right, but I'm going to say that many of you, who are voting green, are voting against your own . . . your own taxpayers best interests in the pursuit of an unattainable ideal, and that's for all and fair

equalization throughout the state. I'm voting for the self-interest of the people in the 54th District, and I invite you to do likewise; and I would call that particularly to the attention to the other representatives in the 54th District so that you'll not have to explain your actions alone."

Speaker Shea: "On this question there are 109 "aye" votes, 5 "nay" votes, 21 voting "present". House Bill 990 having received the Constitutional Majority is, hereby, declared passed. House Bill 251. Mr. Walsh, so you know what I'm doing as we are starting to go through Third Readings, again. Mr. Hanahan has requested that House Bill 1 not be called. Mr. Deuster is not on the floor. Mr. Jones is not on the floor. Mr. Porter has requested that House Bill 144 not be called. The first one that I've got a request to call is House Bill 251."

Mr. Jack O'Brien: "House Bill 251, a bill for an act to amend the Criminal Code. Third Reading of the bill."

Speaker Shea: "The gentleman from Cook, Mr. Rayson."

Rayson: "Mr. Speaker and members of the House, this is a bill that adds . . . ah . . . no discrimination as to sex and those matters pertaining to public accommodations. The Public Accommodation Act of Illinois has been on the books since about 1874, and we did amend it to include . . . ah . . . the no discrimination as to physically handicapped. Now, we move it as to sex. It seems to me that this is the implementation of the Equal Rights Amendment of the State of Illinois. We did put on an amendment to allay the concerns of those that might say it effects bathroom facilities . . . ah . . . because rest rooms are a public accomodation . . . ah . . . by definition of the Law. Ah . . . That's all this bill does, it makes it . . . ah . . . nondiscriminatory for those in public accommodations that discriminate as to sex; and I would ask for a favorable vote."

Speaker Shea: "Is there any further discussion? The gentleman from Will, Mr. Leinenweber."

Leinenweber: "Thank you, Mr. Speaker, of all the bills that will probably be filed this Session and be brought on the floor of this House, this one probably has a greater possibility for mischief making than any other bill. In fact, it should boggle the mind. This bill is one that those of you, and I am one of them, who do support the Equal Rights

Amendment, can and should oppose. This does not implement the State Equal Rights Provision because this bill intrudes, not on governmental discrimination, but on private discrimination. This bill, very simply, infringes on the right of privacy and the right of voluntary association among individuals. The bill at . . . attempts to ignore the fact that of the cultural sensibilities and the cultural traditions of our Country. House Bill 251 prohibits discrimination based on sex in facilities and services of public accommodations and public amusements. If House Bill 251 becomes Law, all apartment hotels, all hotels and probably all dormitories and all rooming houses in this state, whether privately or publicly owned, that have men only or women only policies will be in violation of this Law. Ah . . . I suggest that you consider this and if you have a Y.M.C.A. that has a hotel, for example, in your district or where you live, you may wish to consider the fact that that is a place of public accommodation and that is a place that will no longer be permitted to discriminate on who it takes as residents, whether they be male or female. All restaurants and all clubs in this state that have membership open, generally, to the public not based upon some requirement as say membership in rotary or membership in a particular . . . ah . . . national . . . ah . . . national origin, all restaurants which have perhaps a long-standing traditions of being open to only to one sex are places of public accommodation and will become under this act and . . . and if they have men only or women only policies preceeding that they will be illegal. I have done a little research on the matter, and there is quite a bit of case Law interpreting the existing Public Accommodations Act, which goes back to 1860; and apartment hotels are places of public accommodation; private clubs, such as a Playboy Club, is a place of public accommodation. So I suggest to you that this bill in its mischief-making propensities will boggle the mind; and I would suggest that rather than being a simple bill, which we should . . . we who, like myself, believe in equal rights and equal oportunties for all that we should oppose."

Speaker Shea: "Is there any further discussion? If not, the gentleman from Cook, Mr. Rayson, to close."

Rayson: "Well, thank you, Mr. Speaker and members of the House, we're, simply, trying to . . . ah . . . effect the Equal Rights Amendment, insofar, as

the public accommodations are concerned. Now, the Statute, . . . ah . . . the Criminal Law Statute, Article 13, sets forth the definition of public accommodations. Now, the gentleman, and . . . and I know he means well, but I think he's quite thoroughly misdirected. Its not going be mischief making, its just going to . . . ah . . . prescribe that there can be no discrimination in these areas of public accommodations, which are quite well clarified. Now, its true if the Y . . . ah . . . WCA open their doors to the public and is no longer the YWCA, its true it could be construed as a public accommodation, but as long as it holds . . . of the YWCA, its the YWCA or the YMCA. So there are cases where there are . . . it could be apartment hotels that could be construed as public accommodations, that's true, but that's through court interpretation as to their indicia of being a public-accommodations hotel. So the mischief is not there, and I think its deserving that we recognize that there should be non . . . no discrimination in public accommodations as really implied by our Equal Rights Amendment to our Constitution, so, therefore, I ask for a favorable vote."

Speaker Shea: "The question is, shall House Bill 251 pass? All those in favor vote "aye", all those oppose vote "nay"."

Rayson: "Ah . . . Vote . . . ah . . . John, vote Bob."

Speaker Shea: ". . . voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. Mr. Cunningham wishes to be recorded as "aye". Oh, "no"? All right, Mr. Cunningham "no". Have all voted . . . on this question there are 29 "aye" votes, 53 "nay" votes, 14 people voting "present". This bill having failed to receive the Constitutional Majority is, hereby, declared lost. On the Order of Third Reading appears House Bill 410. Mr. Deuster, is he in the Chamber? On the Order of House Bills, Third Reading, appears House Bill 422, Mr. Duff. Is Mr. Duff, do you want that bill called? Take that out of the Record. On the Order of Third Reading is House Bill 439, Mr. Simms, do you want that . . . take that out of the Record. On House Bills, Third Reading, House Bill 447, Mr. Beatty. Do you want to hear that? Take that out of the Record. On the Order of House Bills, Third Reading, is House Bill 510. Miss Chapman, do you want that called? Take that out of the Record. On the Order of House Bills, Third Reading, is House Bill 655, Mr. Beatty. Do you want that called? Take that out of the Record. House . . . Senate

Bills, Third Reading. The gentleman from Cook, Mr. Fleck."

Fleck: "Mr. Speaker, as the fiscal sponsor of House Bill 479, I would move to table that bill."

Speaker Shea: "The gentleman asks leave to table House Bill 479. Are there objections? Hearing no objections, House Bill 479 will be tabled. On the Order of Senate Bills, Third Reading; Mr. Hoffman, do you have some bill you want to table or . . ."

Hoffman: "Yes."

Speaker Shea: "Wonderful! What number is it?"

Hoffman: "Ah . . . House Bill 550, I'd like leave to table House Bill 550."

Speaker Shea: "The gentleman asks leave to table House Bill 550. Mr. . . . Mr. Hoffman, was it 550?"

Hoffman: "Yes, sir."

Speaker Shea: "Hearing no objections, House Bill 550 will be tabled. Mr. Sangmeister, do you have a bill you want to table?"

Sangmeister: "Ah . . . This is for Representative Getty, who cannot be here today. We introduced another bill and he would like to have, and I have his permission to table House Bill 1919."

Speaker Shea: "The gentleman asks leave to table House Bill 1919. Hearing no objections, House Bill 1919 will be tabled and Mr. Clerk, please, make sure that doesn't go to the printer. The gentleman from Rock Island, Mr. Polk."

Polk: "Chairman, may I have permission to table House Bill 589, please?"

Speaker Shea: "The gentleman asks leave to table House Bill 589, any objections? Hearing no objections, House Bill 589 is tabled. On the Order of Senate Bills, Third Reading, appears Senate Bill 60. The gentleman from Cook, Mr. Yourell."

Mr. Jack O'Brien: "Senate Bill 60, a bill for an act making appropriations to the State Board of Elections. Third Reading of the bill."

Yourell: "Thank you, Mr. Speaker, ladies and gentlemen of the House, it's my understanding, now, that the objection raised earlier today relative to . . . ah . . . Senate Bill 60 as not having been distributed has now been distributed, and I would like to proceed with the bill. Ah . . . What the bill does, it amends the current Annual Appropriation Act for the State Board of Elections to make adjustments among certain line items without changing the total amount appropriated, does not add any . . ."

APR 11 1975

111.

ah . . . any revenue to the budget of the . . . ah . . . State Board of Elections, but, rather, because of the fact that they are a new agency and had no prior experience that it was necessary for them to . . . ah . . . more less adopt a budget or present a budget that was . . . ah . . . certainly not a realistic one and they're asking, now, to transfer certain items from line items to other line items; and . . . ah . . . if there's any questions, I'd be happy to try and answer them for you."

Speaker Shea: "Is there any discussion? The gentleman moves to . . . for the passage of Senate Bill 60. All those in favor will vote "aye", those oppose vote "nay". Have all voted who wish? Cunningham, did you want to vote, again? Mr. Cunningham would like to be recorded "aye", but I . . . I see you did it by telep . . . somethin'. Have all voted who wish? Take the Record. Daniels "aye". On this question there are 132 "aye" votes, 2 "nay" votes, 2 voting "present". House . . . Senate Bill 60 having received the Constitutional Majority is, hereby, declared passed. The gentleman from Winnebago, Mr. Simms."

Simms: "Mr. Speaker, I'd like leave of the House to table a bill, House Bill 101, which I am the chief sponsor of."

Speaker Shea: "The gentleman asks leave to table House Bill 101 of which he's the chief sponsor. Hearing no objections, House Bill 101 will be tabled. On the Order of Consideration Postponed . . . ah . . . Consideration Postponed, Mr. Clerk; and for the purposes of tabling a bill, Miss Chapman, the lady from Cook."

Chapman: "The Commission on the Status of Women has introduced, as some of you may have noticed, 81 bills. They've been carefully prepared over a . . . almost two-years time. Ah . . . They are good bills, however, there's been some merriment this week about one of them. House Bill 1199 and . . . ah . . . even though we have explained that the synopsis is in error, . . . ah . . . it . . . it seems that there has been sufficient confusion generated about this bill. We don't want to discredit our 81 good bills because of one good bill, which people misunderstand. So I ask leave, Mr. Speaker, to table House Bill 1199."

Speaker Shea: "The lady asks for leave to table House Bill 1199. Hearing no objections, House Bill 1199 is tabled. State Consideration Postponed. Mr. Kempiners, do you wish to table several bills?"

Kempiners: "Ah . . . Mr. Speaker, I have a parliamentary inquiry regarding

APR 11 1975

112.

the last bill. If I understand correctly it was Senate Bill 60. Yet, the board showed House Bill 60 on the passage, and I don't know what effect that would have on the Roll Call."

Speaker Shea: "He tells me that on the passage it had Senate Bill, and he's changed it back to House Bill. On the Order of Consideration Postponed there appears House Bill 117. The lady from Champaign, Miss Satterthwaite."

Satterthwaite: "Mr. Speaker and members of the House, I call to your attention, again, House Bill 117, which is a very simple bill to bring the Election Code of the State of Illinois into conformity with the practice that has been our custom since 1972. It would allow the deletion of all of those sections of the Election Code pertaining to the special Presidential voting and make the limitation for residency within the State of Illinois for voting purposes 30 days in conformity with our precinct requirement. Yesterday, on your desks there was distributed to you a sheet that indicated the substance of court decisions that have allowed for that kind of decision. In the case of "Dunn and Bloomstein" in 1972 the U.S. Supreme Court ruled that 30 . . . 30 days appeared to be a sufficient time for the processing that was necessary for establishing the validity of voter qualification. While that decision pertained to Tennessee, it has been interpreted by all of the officials connected with our election procedure that this is something that must be practiced in Illinois in order to conform with that U.S. Constitutional decision; and I ask for your support on that bill."

Speaker Shea: "Is there any discussion? Hearing no discussion on . . .

Mr. Hirschfeld, do you want to have some specificity about this?"

Hirschfeld: "Yes, Mr. Speaker, I'd like to be a little more specific about the court decision that was referred to by the sponsor. First of all, I'd like to say to the House of Representatives that I asked the sponsor for the courtesy to try and put an amendment on that bill to define permanent residence and that was denied, which is, of course, the sponsor's right. But the bill is now in the same shape it was before when it only got about 54 votes; and I hope that it will get no more votes than that today. Now, I have the entire decision of the Supreme Court of the United States in "Dunn versus Bloomstein" before me; and I think the members of this House ought to realize what that decision was all about. It involved

APR 11 1975

113.

the State of Tennessee, which had a one-year requirement for the state of . . . to be able to vote in the state and 90 days in the county; and while the language in the handout is excellent as far as it goes, it is only the dicta of the courts. The actual holding of the court decision in that case was as follows: 'If the state itself has determined that a three-month period is enough time in which to confirm bonafide residents in the state and county, obviously, a one-year period cannot also be justified as necessary to achieve the same purpose'. Now, I would not object to a 90-day requirement, but 30 days is absolutely absurd and there have been two more Supreme Court decisions since that date, "Burns versus Forreston" in 1973 and "Marstin versus Lewis" in 1973, where the Supreme Court has already upheld a 50-day voter, residency requirement. I am extremely concerned about this bill passing because you have to ask yourself these questions. Is 30 days sufficient time for the election authorities to complete their administrative duties? Is 30 days a sufficient safeguard, not just in Cook County, which we're always too apt to malign, but throughout the State of Illinois, is 30 days a sufficient safeguard against election irregularities? Are persons who have resident . . . who resided in a precinct only 30 days sufficiently informed to participate intelligently in local elections; and I'll be quite honest with the ladies and gentlemen of this House, I do live in a university community, and what are the implications of this bill on the registration of students? Very simple. A student can come to Champaign and register in August to vote and he can vote in Champaign, he can go back to Chicago, or Decatur or Danville and vote in a local election there in November; and he can come back with a second semester of school from the University of Illinois and move from one residence hall to another, and move into Urbana and vote in an Urbana election there; and he's voted in three different city elections in six months. Now, I don't hardly think that's fair. House Bill 117 does not bring the Election Code into conformity with current practice. Many, many counties throughout the State of Illinois, as the Supreme Court decision pointed out throughout this nation, do not permit residency requirements of 30 days or 60 days. The Supreme court has been quite specific in stating that that is a state decision to be made by the individual states, and the Tennessee case has absolutely no bearing on the bill before us. The only reason we've

had 30 days in Champaign was what I pointed out before is the poor county clerk was unable to pay for any kind of legal advice and he was harassed by hundreds of thousands of students until he finally caved in. Also, to point in here in the . . . ah . . . article that was handed out yesterday that says, '. . . as applied to Illinois, six-months residency within the state specifically impinges on the right to interstate travel', is, merely, a presumption and a conclusion on the part of the sponsor of this bill. The bill is a disaster. It will bring on both fraud, it will bring on vote irregularities. It got 54 votes last time, and I hope that we'll give no more votes; and this time I ask for a negative vote on House Bill 117."

Speaker Shea: "Are there any further discussion? The lady from Champaign, Miss Satterthwaite to close."

Satterthwaite: "I would like to make some clarifications. Ah . . . With the court decision, also, in front of me, I find that "Dunn and Bloomstein" really refers to an infringement on the right to travel; and it is because they have determined that that is an infringement that will not be allowed that they indicate that if the local restriction is 30 days, then you have no right for a broader restriction at the state level; and I refer any of you, who are interested, in looking at the Statutes as they now stand, which say that there will be residency for 30 days in the precinct. This is not something that is at the discretion of each county to determine. It is written into the Illinois Statutes that 30-day residency in the precinct is what we require. With that 30-day residency in the precinct, there is no justification according to "Dunn and Bloomstein" for a longer residency requirement in the state. I do not have before me decisions that say 50 days are permissible, but I feel very sure that where they are permissible it is only in the case where that has been determined the permissible length of time at the local level, as well as at the larger body. This in no way deals with student registration. It is perfectly permissible to put permanent-residency requirements into our code and Mr. Hirschfeld has a bill that will do that and will be up for consideration later. This bill deals only with the duration of residency and not with the definition of residency; and I would ask for your support of this bill."

Speaker Shea: "The question is, shall House Bill 117 pass? All those

in favor vote "aye", vote "aye", those opp . . . oppose vote "nay".
Have all voted who wish? Take the Record. Walsh would just like to
get up there that's . . . On this question there are . . . the lady
from St. Clair, Miss Younge."

Younge: ". . . explanation about this bill, please, I don't think that
there is clear understanding."

Speaker Shea: "You're entitled to explain your vote if you'd like."

Younge: "Can . . . ah . . . Representative Satterthwaite explain her vote?"

Speaker Shea: "On this question there are 61 "ayes", 53 "nays", 7 voting
"present". This bill having failed to receive the Constitutional Major-
ity is, hereby, declared lost. Catania "aye". On the Order of Consider-
tion Postponed is House Bill 158, Mr. Schisler."

Schisler: "Mr. Speaker, ladies and gentlemen of the House, . . . ah . . .
we have discussed this House Bill 158, which would allow . . . ah . . .
road districts . . . ah . . . township road districts to accumulate money
. . . ah . . . Representative Skinner wants to amend it, but because of
the lateness of the hour, we have agreed that it would be amended in the
Senate. I ask for a favorable Roll Call."

Speaker Shea: "Is there any further discussion? On . . . the question is,
shall House Bill 1 . . . the gentleman from Cook, Mr. Walsh, do you
want to be recognized? Turn Mr. Walsh on."

Walsh: "Well, Mr. Speaker, and ladies and gentlemen of the House, I think
the bill as it is, currently, is very bad. I don't know how that it
. . . how it can be amended so that it would be acceptable, but it
should be attempted if its going to be voted on favorably by the people
here. It seems to me that there is not a shortness of time that we can
consider an amendment now or consider it next week. If there is some
problem about it being on the Calendar for 30 days, why we can suspend
the rules. There's sufficient time in this Session to do that. The
bill, if the gentlemen, if the sponsor insists on requiring that it be
voted on now, . . . ah . . . I think that the membership . . . ship should
be reminded of just how bad a bill it is and . . . ah . . . that is, it
would provide that these districts, the only taxing districts to my
knowledge in the state, that are . . . would be under this bill entitled
to accumulate tax monies. Now, I submit to you that that's a very poor
concept if they need capital improvement, or if they need to buy capital

goods then they ought to issue bonds and let the people in on it and not fool people by taxing them and accumulating monies so that they can do this at some future date. So I suggest to you that this is a truly bad bill as it is currently written, and I would hope that the gentleman would amend it before offering it to us again."

Speaker Shea: "The gentleman from Franklin, Mr. Hart."

Hart: "Thank you very much. Ah . . . The Amendment Number 2 ha . . . has been . . . ah . . . circulated. Ah . . . I filed and put on Amendment Number 1 and . . . ah . . . it provided for a referendum. Representative Skinner has suggested Amendment Number 2, which is a little bit more specific and, in fact, is . . . ah . . . a better drafting of the referendum procedure; and I would be amenable and I see . . . I think its a better procedure if we would take the bill back to Second Reading, table my amendment and put on Representative Skinner's amendment and go from there."

Speaker Shea: "The gentleman from McLean, Representative Bradley."

Bradley: "Thank you, Mr. Speaker, and while the suggestion by . . . ah . . . Representative Hart is an excellent suggestion, however, if we move this bill back to Second Reading today, it expires and we can't move it to Third Reading for consideration and I . . . we talked with Representative Skinner. He has agreed that there's no problem; he will put that amendment on over in the Senate, and I . . . I know we hate to have a bill going out of the House not in the proper form. We'd like to see it leaving the House, but because of the . . . the date of the 12th of April and the with between the sponsor of the bill and . . . ah . . . Representative Skinner . . . ah . . . not objecting to the bill going over to the Senate and amending it there; and this is the last day that we can consider it. Ah . . . We ought to . . . ah . . . at this time, I think we have to vote the bill up or down and I so move that we do that, Mr. Speaker."

Speaker Shea: "The gentleman from Will, Mr. VanDuyne."

VanDuyne: "Thank you, Mr. Speaker, . . . ah . . . I would like to speak to this and in favor of it. I think its a very good concept and if I can just . . . ah . . . go along with that for just a minute. You all know . . . understand how the local assessors try to keep their assessments down, and you also the limitations on the levy of the taxing bodies

there in your home town . . . ah . . . townships. Ah . . . This is the very situation that forces local governments to circumvent the referendum rights to the people and the will of the people and form these public building commissions that Representative . . . ah . . . Mudd . . . ah . . . was talking about the other day. Ah . . . We constantly decry the facts of . . . we are under the thumb of these regional planning commissions. We constantly decry the strings in the regimentation that follows the begging from the state for the grants and the federal government for the grants for financing funds, and you all know that they do have these strings. Now, here is a chance for us to help our local governments help themselves by allowing them to accumulate these funds and Representative Skinner wanted to attach an amendment for a specific amount of this and Representative Schisler has agreed to this. So I just submit to you that . . . ah . . . the local control really is the best. I think that these local people who have to . . . ah . . . allocate these funds. . . . ah . . . are there under the thumb of their constituents; and so . . . ah . . . I would like to see . . . ah . . . something of this . . . ah . . . nature done and get out from under the . . . ah . . . begging of these . . . ah . . . grants and also under the thumb of these planning commissions. So I would hope that you would . . . ah . . . give your townships and your local governments a break and vote for this."

Speaker Shea: "Mr. Schisler, I understand that amendment in on the desks."

Schisler: "Yes, it is."

Speaker Shea: "And you're agreeable to it?"

Schisler: "Yes, I am."

Speaker Shea: "The gentleman asks leave of the House to return this bill to the Order of Second Reading for the purposes of an amendment. . . Second Reading."

Mr. Jack O'Brien: "Do you want to table Amendment 1?"

Speaker Shea: "The gentleman from Benton, Mr. Hart, having voted on the preva . . . prevailing side of Amendment Number 1 moves that the vote by which Amendment Number 1 is adopted be . . . be reconsidered. All those in favor vote "aye", all those oppose vote "nay"; the motion is reconsidered. Now, the gentleman from Benton, Mr. Hart, moves to table Amendment Number 1. All those in favor vote "aye", those oppose say "nay".

The amendment's tabled. Now, to Mr. Skinner for the purposes of Amendment Number 2."

Mr. Jack O'Brien: "Amendment Number 2, Skinner, amends House Bill 158, on page 4, by deleting lines 7 and 8 and so forth."

Skinner: "The purpose of this bill, I think, is a meritorious one, but, unfortunately, in the original version of the amendment there weren't enough safeguards for the taxpayers. This . . . and for that reason, I asked Maurice Scott of the Illinois Taxpayers Federation to draw up a . . . an amendment that would protect the taxpayers, and in my opinion, he has done so and this is that amendment. I move its adoption."

Speaker Shea: "The gentleman moves for the . . . or is there any discussion? The gentleman moves for the adoption of Amendment Number 2. All those in favor say "aye", those oppose say "nay". The com . . . or Amendment Number 2 is adopted. Are there further amendments? Third Reading. This bill having been read a third time, Mr. Schisler. The gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker, a point of order. The permanent Speaker established a practice in this Session to which you, yourself, have subscribed. That practice being that a bill that was at the Order of Third Reading and then returned to Second for amendment shall stay on the Calendar for one day so that the membership would have the opportunity of reading the amendment and considering its effect as far as the bill is concerned; and you're deviating from that rule, which the permanent Speaker established for this Session and which you have subscribed to by your practice and I suggest that this out of order."

Speaker Shea: "Well, Mr. Schlickman, you know, I like the way you and Mr. Walsh put a person between a rock and a hard place. You say don't let it out . . . don't let it out unless its amended and then when we accommodate you and amend it, then you come back and say by tradition you have . . . ah . . . now, the problem I have, Mr. Schlickman, is that this bill expires on the Calendar today. So I would only ask you that we will leave it for a few minutes and if you'd be kind enough to read it now and knowing what a great lawyer you are, you can either . . . even help Mr. Walsh, if necessary, but I'm sure that within a very short time, you can understand the purport of the amendment and then we can get on with the business. Mr. Schlickman."

Schlickman: "Well, Mr. Speaker, I, simply, call to your attention that the bill was not called from the Order . . . Order of Consideration Postponed to Second Reading for me or for the other gentleman from Cook that you referred to."

Speaker Shea: "Well, I understand that, but I'm trying to accomodate you and live within the rules of the House. So we'll leave that on the Order of Consideration Postponed and we'll be back to that in a few minutes. On the Order of Consideration Postponed is House Bill 275, Mr. Jaffe. Mr. Lauer."

Lauer: "Parliamentary inquiry, Mr. Speaker."

Speaker Shea: "Proceed."

Lauer: "I . . . I've noticed that . . . ah . . . we are considering these bills, specifically 158, that expires today and it carries House Bill Number 158 and expires . . . ah . . . on the Calendar today; but I notice that House Bill 1 . . . ah . . . does not expire until the 23rd of April. Ah . . . Is there hanky-panky in the numbering of bills or . . . ah . . . putting them on the Calendar, or why this discrepancy?"

Speaker Shea: "The bills are put on the Calendar and they receive the date 30 days after they are reported out of committee, so I would assume from that that House Bill 158 was reported out of committee about March 13 and that House Bill 1, which is Mr. Hanahan's bill, was probably reported out of committee some time around March the 24th. The gentleman from Cook, Mr. Jaffe."

Jaffe: "Ah . . . Mr. Speaker, House Bill 275 last time up got about 85 votes, and that time, Representative Fleck raised an objection and we agreed to take it back to Second Hearing, which we did. We put on the . . . on this particular bill. I might say that for the first time Sen . . . Representaive Fleck and I agree, and he now does support House Bill 275; and that's just what it does is eliminate the affirmative defense against the charge of indecent liberties with a child of the fact that the child is a prostitute; and it seems that the . . . the body would like to get a Roll Call on it. I think it'll fly fairly quickly now that we have the amendment on it, Mr. Speaker."

Speaker Shea: "Is there any further discussion? The question is, shall House Bill 275 pass as amended? All those in favor will vote "aye", those oppose will vote "nay". Choate. Have all those voted who wish?"

Ebbesen "aye". Mr. Fleck, did you have a . . . Have all voted who wished? Take the Record. On this question there are 112 "aye" votes, 2 "nay" votes, 14 "present". This . . . House Bill 275 having received the Constitutional Majority is, hereby, declared passed. On the Order of Consideration Postponed is House Bill 158, Mr. Schisler."

Schisler: "Mr. Speaker, and ladies and gentlemen of the House, I ask for a favorable Roll Call."

Speaker Shea: "The gentleman from Cook, Mr. Collins."

Collins: "Mr. Speaker, the only explanation we had on the amendment was that Mr. Skinner is satisfied, and, evidently, Mr. Scott is satisfied, but none of the rest of us know what it is. Could we have some explanation?"

Speaker Shea: "Mr. Schisler, would you like to explain your vote in the amended form?"

Schisler: "Ah . . . Mr. Speaker, I think that . . . ah . . . Representative Skinner would be the logical one to explain that amendment."

Speaker Shea: "He's gone home."

Unknown: "Oh, there he is."

Speaker Shea: "Mr. Schisler wishes to yield to Mr. Skinner."

Skinner: "What the amendment does is say that the referendum has to state an amount of money, which is going to be accumulated in the number of years over which the accumulation shall be set. So what we're doing is putting a double limitation in while still saying that while you're on the way to getting the amount of money to build the bridge or buy the . . . the asphalt paver that those . . . that that accumulation will not be a valid . . . ah . . . tax objection."

Speaker Shea: "The ge . . . the gentleman from Stevenson, Mr. Rigney."

Rigney: "Well, Mr. Speaker, I'd like to ask the sponsor one question if I could?"

Speaker Shea: "He indicates he'll yield."

Rigney: "Mr. Schisler, it is true, isn't it, that this does not raise any statutory limits as far as any township levy is concerned? Is that correct?"

Schisler: "The distinguished gentleman is correct."

Rigney: "Well, Mr. Speaker, if I could very briefly speak to the bill, I can't, for the life of me, understand why anyone would have any

objections to these . . . to this particular bill. Now, to my good friend from Cook County, who was tearing into this bill a few moments ago, I realize that . . . ah . . . pennies are easier to come by in a district such as his but I think you should consider what its like to be serving in a rural, downstate township, where its absolutely necessary to accumulate funds to have enough monies to be able to do a decent road project. I don't care whether we pass this bill or not, the practical effect is that we've got to accumulate monies to do any kind of a road project. So let's not kid ourselves, this is a necessary piece of Legislation to legalize what is already the practice in most of our downstate townships."

Speaker Shea: "The gentleman from . . . Is there further discussion? The gentleman from Fulton, Mr. Schisler, to close."

Schisler: "Mr. Speaker, ladies and gentlemen of the House, for the tenth time, I ask for a favorable Roll Call."

Speaker Shea: "The question is, shall House Bill 158 pass? All those in favor will vote "aye", those oppose vote "nay". Mr. Choate. Have all voted who wished? Marovitz "aye". On this question . . . Take the Record, Mr. Clerk. On this question there are 127 "aye" votes, no "nay" votes, 1 voting "present"; and this bill, House Bill 158, is declared, and Mr. Walsh? Lauer "aye"."

Walsh: "Mr. Speaker, on a point of order. I call your attention to Rule 35, which says after the Second Reading of a bill, the Speaker shall order the bill and amendments transcribed, typed and advanced to the Order of Third Reading. Now, I suggest to you that this bill has not been transcribed and typed, and, therefore, under the rules, we should not be considering it."

Speaker Shea: "Your motion came late. House Bill 158 is declared passed. House Bill 197, Mr. Hart."

Mr. Jack O'Brien: "House Bill 197, Hart . . ."

Speaker Shea: "Take that out of the Record. The gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker, I don't know whether this is the kind of conduct that we in the Minority Party can expect from the Chair from this time on. The permanent Speaker, is seems to me, has made every effort to be fair and I can find no complaint with him; but this treatment is

absolutely unwarranted. Before you had declared that bill passed, I had raised a point of order and you hadn't recognized me for that purpose. Now, you refused, you refused to give me a ruling from the Chair on that point. Now, I submit I was right and I submit that bill should not have passed. Now, in addition, Mr. Speaker, if you're just going to sit there like a sphinx . . ."

Speaker Shea: "I learned that from you, Bill."

Walsh: ". . . and I can think of other things. I would like the Journal, for whatever its worth, to note objection to the passing of that bill."

Speaker Shea: "The Journal will so indicate. House Bill 254, Mr. . . . ah . . . Mr. Washburn, the Minority Leader."

Washburn: "Thank you, Mr. Speaker, and ladies and gentlemen, now, that you're no longer a sphinx . . . ah . . . Mr. Speaker, I would like to take the privilege of introducing 115 students from the Wild Rose School of St. Charles, District 38, represented by Representative Grotberg, Ewing, Fennessey, to our left. Stand up."

Speaker Shea: "Stand up, please. The gentleman from Cook, Mr. Duff."

Duff: "Well, Mr. Speaker, I'd like the Record to show that I join the . . . ah . . . Assistant Minority Leader in his dissent from the Chair's ruling and . . ."

Speaker Shea: "I've already said that you . . . Mr. Walsh was joined by Mr. Duff and Mr. Washburn. Will you turn on his microphone."

Duff: "Mr. Speaker, . . . ah . . . having voted on the prevailing side on that vote, I would like to move to reconsider."

Speaker Shea: "Gentleman from Benton, Mr. Hart."

Hart: "I believe the gentlemen's out of order, we've gone to another point of interest and its too late for that kind of conduct."

Speaker Shea: "The Minority Leader, Mr. Washburn."

Washburn: "Mr. Speaker, and ladies and gentlemen of the House, I suggest you proceed with the next bill."

Speaker Shea: "House Bill 254, is Mr. Rayson in the Chamber? House Bill 275, Mr. Jaffe we got. Oh, House Bills, Second Reading. Gentleman from Cook, Mr. Fary, for an announcement."

Fary: "Ah . . . Mr. Speaker, as Chairman of the Labor and . . . ah . . . Committee, I ask . . . ah . . . for a suspension of the proper rules so that House Bills Numbers 622 and 623 can be heard in my committee on the

16th of April. The 45-day clause will be up on the 19th, three days after, and I've just been advised by the sponsor that . . ."

Speaker Shea: "Which bill is that, Mr. Fary?"

Fary: "622 and 623, it has to be heard on the 16th of April . . ."

Speaker Shea: "I . . . I don't have the list in front of me, but let us check that because those bills were extended and I don't know if they were on the list that were extended or not."

Unknown: "He wants them posted for a hearing."

Fary: "Ah . . . Posted for a hearing, Mr. . . ."

Speaker Shea: "Oh, you have not posted them?"

Fary: "Ah . . . No, sir, no."

Speaker Shea: "The gentleman moves to suspend the Rules of the House for the purposes of posting House Bills 622 and . . ."

Fary: "And 623."

Speaker Shea: ". . . and 623 . . ."

Fary: "To be heard on the 16th of April."

Speaker Shea: "On a point of inquiry, Mr. Schlickman."

Schlickman: "May we first be advised as to the subject matter of the bills?"

Fary: "They are both Labor Bills. The first one requires payment at . . . at the prevailing rate of state employees, who are now subject to the Personnel Code, are in a position or capacity for which under the Department of Personnel Rules and Regulations a prevailing rate of pay is required; and I mentioned that Representative Hanahan showed Giorgi, Hill and Barnes that he sponsored it; and 623 deals with the . . . ah . . . State Police Act, requires overtime pay at one and a half times regular pay for state policeman, or troopers, corporals or sergeants. Now . . . now, these bills . . . there, apparently, there's been some kind of a mix-up with the adviser stepping up of this no . . . posting of notices with our secretaries because there are some other bills that come in the same way at the last minute. We're not apprised of them and they're not, consequently, they're not posted."

Speaker Shea: "Mr. Fary, might I suggest this, that if you'll get together with Mr. Bradley and I believe there's a couple of other people in the same position, I know that Mr. Hoffman wants some bills extended or ready to post, that we can do this in one motion when we get some agreement with the Minority side of the aisle. So, John, if you'll

just hold that for a minute. Mr. Bradley. . . . Bills, Second Reading; 114, Mr. Hart. Do you want to call that? House Bill 224, Mr. Brinkmeier. . . . Williams for . . . Mr. Williams from Cook." Williams: "Mr. Speaker, I request leave of the House to table . . . ah . . . House Bill 266."

Speaker Shea: "Hearing no objections, House Bill 266 is tabled. On the Order of Hou . . . House Bills, Second Reading, appears House Bill 315. Mr. Palmer, do you want that called? Take that out of the Record. House Bill 323, Mr. Griesheimer, do you want that called? Griesheimer, do you want your Senior Citizens Day Bill called?"

Griesheimer: "Oh, no."

Speaker Shea: "Take that out of the Record. House Bill 402, Mr. Neff. House Bill 402, Mr. Neff, do you want that called? Take that out of the Record. On the Order of House Bills, Second Reading, appears House Bill 458, Mr. Hirschfeld. Read the bill, Mr. Clerk."

Mr. Jack O'Brien: "House Bill 458, Hirschfeld, a bill for an act to amend the Public Community College Act. Second Reading of the bill, no committee amendments."

Speaker Shea: "Are there any amendments from the floor? Third Reading. House Bill 488, Mr. Giorgi. Take that out of the Record. Mr. Lundy, you don't want to call 584 today, do you, on Second Reading? House Bill 849, Mr. Deavers. I think he said he's waiting to put an amendment on that one. Mr. Washburn . . . just about through so if the House would stand at ease for a few minutes, please. Gentleman from Grundy, Mr. Washburn, the Minority Leader."

Washburn: "Thank you, Mr. Speaker, and ladies and gentlemen of the House. Assuming that the . . . ah . . . Speaker's good intentions will be carried out and all bills are typed and prepared in full by the Reference Bureau by tomorrow . . . ah . . . midnight, I would like to have the attention of the Republican members if I might. Those Republicans who have bills in the Reference Bureau that . . . ah . . . will be delivered tomorrow for Introduction will be delivered to my office in Room 300, here in the Capital building, the Minority Leader's office. Ah . . . Our staff will be on hand to attempt to sort them out and place the proper names on . . . proper sponsor's names on the bill and have them submitted. So throughout the day and night . . . ah . . .

you're back home and you might have some question on a particular bill that was in the Reference Bureau, why if you would call my office, . . . ah . . . the staff will be there and I'll be there most of the day at least, and . . . ah . . . we hope that we can have them introduced in proper form with the proper names on them. Thank you, Mr. Speaker."

Speaker Shea: "Thank you, Mr. Washburn. For the purposes of an announcement, the gentleman from Perry, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker. Fellow members of the House, I'd call your attention once more for an opportunity that's not afforded to the members of this General Assembly very often and that's the Blue Book that you got yesterday morning, I believe, it was on your desks inviting you and your spouses to spend a weekend on the 19th and 20th in beautiful Phoenix, southern Illinois, and I mean way down in southern Illinois."

Speaker Shea: "If you would listen to this . . ."

Dunn: "Thank you . . ."

Speaker Shea: ". . . ladies and gentlemen . . . ah . . . Mr. Dunn's announcement talks about a trip to, I think some of the new members would be interested in taking."

Dunn: "We . . . ah . . . we thank you, Mr. Speaker; I hope that the new members and the old members will both be interested in taking the trip. All expenses paid for you and your spouse to southern Illinois. You will spend the night in Marion, Illinois as the guest of Wayman Presley, who is Chairman of the Southern Illinois Convention and Recreation Council, and he, personally, is picking up the tab for this trip. If you look inside of the Blue Book on the first page there's a letter of invitation, and just don't miss it. If you can come, we'd be glad to have you. I don't want you to say in a couple of weeks, 'I wished I'd have known'. So I . . . I call your attention to it and urge your consideration. Go home and tell your wife or your husband about and see if you can't arrange to come. Thank you."

Speaker Shea: "The gentleman from McLean, Mr. Bradley."

Bradley: "Mr. Speaker, and ladies and gentlemen of the House, I would like to suspend the appropriate rules so that House Bill 622 and House Bill 623 that Mr. Fary just referred to can be heard and . . . and posted and

be heard in committee on the 16th of April because the 45-day rule . . . they would expire . . . ah . . . before they could . . . ah . . . be heard next week; and I . . . I move to . . . ah . . . suspend the rule."

Speaker Shea: "Have you cleared this with the Minority side of the aisle?"

Bradley: "I, certainly, have."

Speaker Shea: "The gentleman's mo . . . the gentleman from Will, Mr.

VanDuyne. Oh . . . the gentleman's motion is to suspend the proper rule for the immediate posting . . . or for the suspension of the rule with regards to posting so that House Bill 622 and 623 can be heard in Labor and Commerce on Wednesday of next week. All those in favor of the gentleman's motion vote "aye", those oppose vote "nay". This requires 107 votes. Have all voted who wished? Take the Record, Mr. Clerk. On this motion there are 123 "aye" votes, no "nay" votes, no "present" votes; and the mo . . . the gentleman's motion carries. The gentleman from McLean, Mr. Bradley."

Bradley: "Thank you, Mr. Speaker. Now, Mr. Speaker, I would like to add House Bill 459 and 551 to the exempt list that we passed yesterday . . . ah . . . so that they will be exempt from the 45-day ruling; and I, now, move that we sus . . . that we . . . ah . . . add those to the exempt list and I have cleared this with the Minority Leader."

Speaker Shea: "And this goes until April the 19th?"

Bradley: "Until April the 19th, yes, these two bills have been posted for a hearing . . . ah . . . next week; and we will . . . they will be able to be heard if we pass this motion."

Speaker Shea: "Is there any discussion? The gentleman from Madison, Mr. Calvo."

Calvo: "Mr. Speaker, . . . ah . . . point of inquiry. I'm not sure whether House Bill 229 was included on that exempt list or not, so to protect myself, if we could add that now to this motion, it would take care of it in any event."

Speaker Shea: "Which is House Bill 229?"

Calvo: "Its a bill I sponsored and is posted for hearing, it was posted in time, but it would expire on the 45-day list otherwise."

Speaker Shea: "Have you talked to the Minority about that?"

Calvo: "Seeing the list, it wasn't on it, I guess."

APR 11 1975

127.

Speaker Shea: "Then, Mr. Bradley, what are those three bills on? House Bill 229 and the two bills that Mr. Hoffman . . ."

Bradley: "Ah . . . House Bill 459 and House Bill 551."

Speaker Shea: "The gentleman's motion is to include those three bills on the list of bills that the 45-day rule will be extended to until April the 19th. Requires 107 votes. All those in favor will vote "aye", those oppo . . . oppose will vote "nay". House Bill 229, Mr. Calvo's bill, House Bills . . ."

Bradley: "4 . . . 459 and 551, Mr. Hoffman, Gene Hoffman."

Spekaer Shea: ". . . Mr Gene Hoffman's bills. All those in favor wi. . . Mr. Schlickman, you have a question?"

Schlickman: "Yes, just to inquire as to whether or not that last bill is one that was agreed to by both sides of the aisle."

Speaker Shea: "I'm informed by . . ."

Washburn: "Yes, they . . ."

Speaker Shea: ". . . by Mr. Washburn that it has been."

Washburn: "Yeah."

Speaker Shea: "Those in favor of the gentleman's motion will vote "aye", those opposed will vote "nay". It takes 107 votes."

Bradley: "Mr. Speaker . . ."

Speaker Shea: "Have all voted who wished? Take the Record, Mr. Clerk. On this question there are 112 "ayes", no "nays" and no "present". The mo . . . the gentleman's motion carries. Now, Mr. Bradley, for the purposes of an announcement."

Bradley: "Well, thank you, Mr. Speaker; and Mr. Speaker, and ladies and gentlemen of the House, we have with us, today, and its my privilege to introduce to you, a group from the Nash School, 48030 . . . 4837 West Erie Street in Chicago. They're here with their Assistant Principal, Mr. Morehead, and their Upper-unit Chairman, Mr. Hagerty. They're from the district represented by Senator Rock, Representative DiPrima, Representative Downs and Representative McPartlin. I wish we would recognize them. They're in the rear of the Chamber; I wish they would stand."

Speaker Shea: "For the purposes of an announcement, the Democratic bills for those members that will not be in Springfield tomorrow, the Democratic bills will be delivered to the office of the Speaker and the

Democratic ..uh office, the office of the speaker, the Majority Leader will try to accommodate .. uh all the Democratic members and I suggest that if you've got any specific instructions with regard to your bill that you be kind enough to get a hold of Representative Bradley before you leave Springfield today. The gentlemen from Cook, Mr. Collins."

Collins: "Mr. Speaker, Ladies and Gentlemen of the House. I'd just like to add my protest to the many that have already been voiced as to the manner in which this introduction of bills is being handled. I think we are being panicked into a situation that is unnecessary. I don't think we have to rely on leadership tomorrow to do all of this work and I don't see why we have to rush all the stenographers and the Reference Bureau etc into this last minute crush. Now Representative Washburn has already pointed out these dangers here of having the wrong bill put into the wrong name etc. I think we could easily solve the problem if leadership would simply sit down and agree that when we come back next week that both Houses would suspend the join rule. It seems to me a simple matter though that everyone could introduce our own bills in the manner that we wish. We could get the cosponsor that we wish put on there which is impossible under the sys...system that you have devised. And I really think we are ...we are unnecessarily being panicked into a situation that doesn't have to exist at all. I even know that Representative Choate this morning and suggested something very similar and it seems that leadership acting in good faith together could very simply agree to suspend that rule next week and we could do it ... we could ... introduce our own bills with the people's name on it we want to put on, introduce it at a time want andah and merely by extending ...ah a procedural deadline which I am sure that succeed ... exceed to suspending. And Mr. Speaker, I would employ you once again as others have to abandon ..ah..this plan which I..I really think is reckless and proceed in...in a orderly manner when we come back next week."

Speaker Shea: "Washburn, do you have any announcements to make before we adjourn."

Washburn: I don't have, thank you Mr. Speaker, no I don't have any announcements. I announced a few moments ago that ..ah...ah if the the speaker's good intentions were carried out by the Reference Bureau, the bills be in Room 300 tomorrow and if any Republican members had any questions, they could call there. I will restate what I said earlier and what Representative Collins just stated that ...ah ..I'm not so fearful them being introduced but I'm wondering what condition they will be in when they are introduced and whose names they will bear. I ...ah It's a risky procedure follow but ...ah ... but if that's the way it gonna do ...gonna be we will do our best and work from Room 300 tomorrow."

Speaker Shea: "Now might I make an announcement that the chamber will be used tomorrow by some members of the Y.M.C.A. so I might ask the members to lock their desks, please. Now Mr. Bradley for the adjournment."

Bradley: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House. I now move that we stand adjourned until tomorrow Saturday, the 12th of April at 12 o'clock for a perfunctory and for the introduction ... purpose of the introduction of bills. And after the introduction of bills, we will adjourn until Wednesday the 16th at 12 o'clock."

Speaker Shea: "All right, now if you will hold off taking a vote on that for a minute, we have a couple of announcements. Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Ladies and gentlemen of the House. The Democratic members of the Appropriations I will not meet Wednesday at 9 o'clock--will meet after adjournment. And I believe, they we were coming in at 12 o'clock, Jerry, Wednesday. Is that true?"

Speaker Shea: "That would ...what we will ...return to Springfield on Wednesday, April 16th at 12 o'clock, noon"

Ledhowicz: "All right, so the Democratic members of Appropriations I, we will not meet Wednesday at 9 o'clock. Thank you."

Speaker Shea: "Now I understand that there are some agreed resolutions. Is that right, Mr. Georgi?"

Mr. Jack O'Brien: "House Resolution 179, House Resolution 184, House

Resolution 185 and House Resolution 187."

Speaker Shea: The gentlemen from Winnebago, Mr. Georgi, for the agreed resolutions."

Georgi: "Mr. Speaker, Ladies and Gentlemen of the House. I don't know what happened to the birthday resolution that we adopted from Grotberg but 184, 185 honor our members Langlin Patrick, John Fary and Bruce Farley, and ...ah ...so..ah those are our three birthday resolutions. I move for adoption. And the other resolution is ...ah honoring from Kozubowski, honoring the 50 years of marriage of Miss Anna Eier and Mr. Gustav Marosits. I move the adoption of those Agreed Resolutions."

Speaker Shea: "The gentlemen from Cook, Mr. Kozubowski."

Kozubowski: "Mr. Speaker, Ladies and Gentlemen of the House. I would like to ask that the clerk, please, read House Resolution 184 in honor of one of our members, John Fary."

Speaker Shea: "Would you read the resolution, Mr. Clerk."

Mr. Jack O'Brien: "Resolution 184, Whereas the Honorable John G. Fary, Representative from the 23rd legislative district is serving his eleventh term in this House is now serving as the Chairman of the Committee on Labor and Commerce and whereas notwithstanding his long service in the Illinois General Assembly, John Fary, has apparently not had enough and whereas John Fary is still vigorous, energetic and anxious to pass the National Bingo Bill and as spread his many gifts on as broader basis as the State of Illinois and has been nominated by his party for a seat in the United States Congress. Whereas, this is both admirable and remarkable, hardly surprises his colleagues in this House and whereas today John Fary celebrates the attainment of the age of 64. And whereas, this will be the last opportunity which his colleagues in this House will have to join Representative Fary on his birthday; and whereas the members of this House admire the perpetual youth of our friend, John Fary, who is willing to give up seniority and all our pleasant company on the floor of this House in order to once again be a freshman legislator; therefore, be it resolved that the House of Representatives of the 79th General Assembly of the State of Illinois that we join our good friend, Representative John Fary in celebrating this Special Birthday as John moves from his

career in this House to a new career in the National House and wish John the very best of health and success in future years and be it further resolved that this House cause to sing Happy Birthday to the Bingo Man, our friend John Fary and that a suitable copy of this preamble and resolution be presented to him as a token of our esteem and affection and our sincerest wishes for a Happy Birthday."

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

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

For the last two terms now, I have had the honor and pleasure of being the running mate of John Fary. We all know what a nice and gentle and great man he is and I can attest to you that while he may be 64 years old today, John is really 64 years young. Because those of us who have the opportunity to work and campaign with Representative Fary know how energetic he is. And John on your birthday, I can't think of a greater gift, a greater honor then to wish you well on your new endeavors in the U.S. House of Representatives."

Speaker Shea: "The gentlemen from Cook, Mr. Fary."

Fary: "Thank you very much, Walter, for your kind remembrance of me; however, to the other members of the House I have to say this 'You are not going to get rid of me so easily because a couple of years ago a resolution presented and fully adopted by all the members present that a great bingo team of Fary, Murphy, Zanzick and Howard Moore are to meet here in this House, on the floor of this House in the year of 2,000. And I sincerely hope that each and everyone of you are here present at that time for the purpose of analyzing the impact Bingo had on the State economy. So I will be looking forward to seeing you at that time. Thank you very much. In the year 2000."

Speaker Shea: "The gentleman from Winnebago moves for the adoption for the agreed resolution. All those in favor say "aye", those apposed say "nay" and the resolutions are adopted. Now the gentleman from ...Death Resolutions...The gentleman from Winnebago on Death Resolutions.

Mr. Jack O'Brien: " House Resolution 177. Respect the memory of Maurice T. Macy, House Resolution 180 respects the memory of Mrs. Alonzo Gergins.

Giorgi: "Both of the Death Resolutions are from Representative J. D. Jones and Emil Jones and move that we adopt the agreed resolutions.

Speaker Shea: "The gentleman motion is for the adoption of the Death

Resolutions all in favor say "aye" and the Death Resolutions are adopted. Now back to the gentleman from McLean, Mr. Bradley for the adjournment resolution. When the House adjourns today, it will adjourn until 12 o'clock noon tomorrow for a perfunctory session and when the House adjourns tomorrow it will adjourn until 12 o'clock noon April 16th. Now, Mr. Bradley."

Bradley: " I reciprocally renew adjournment motion, Mr. Speaker, but if I could before I ...we pass on that I have the pleasure of walking down into the Reference Bureau and the camaraderie displayed down there is so overwhelming and I am sure that they are making every effort to get the bills out and they will be up here tomorrow, I have no question in my mind about that. They are simply to be commended, we're debating the problem up here and they're down there doing the work and they're to be commended. Now I renew the motion, Mr. Speaker, that the House stand adjourned until tomorrow at noon and after for a perfunct and then ..til noon on Wednesday April 16th for a full session."

Speaker Shea: "The gentleman's motion, all those in favor say "aye", those aposed say "nay" and the "ayes" have it. The House now stands adjourned until 12 o'clock noon tomorrow."

APR 11 1975

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

FORTY-FIRST LEGISLATIVE DAY

APRIL 11, 1975



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES