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HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

SIXTH SPECIAL SESSION

SEPTEMBER 23, 1976

ONE HUNDRED EIGHTY-FIFTH LEGISLATIVE DAY

INDEX



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

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DoorKeeper: "All persons not entitled to the House Floor, please retire to the gallery."

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

Rev. Krueger: "In the name of the Father, the Son, and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. Amen. Abraham Lincoln once said, "Die when I may, I want it said of me by those who knew me best that I always plucked a thistle and planted a flower where I thought a flower would grow." Let us pray. If I can do some good today, if I can serve along life's way, if I can something helpful say, Lord, show me how. If I can right a human wrong, if I can help to make one strong, if I can cure with smile or song, Lord, show me how. If I can aid one in distress, if I can make a burden less, if I can spread more happiness, Lord, show me how. Amen."

Speaker Redmond: "Roll Call for attendance. Message from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House of Representatives in passage of a Bill of the following title, to wit. House Bill 5, together with an Amendment. Passed by the Senate as amended, September 22, 1976 at the Sixth Special Session. Kenneth Wright, Secretary."

Speaker Redmond: "We do, Mr. Burster. House will be in order. House will be in order. Representative Shea."

Shea: "You want to call the Bill on Nonconcurrency or Concurrence?"

Speaker Redmond: "The order of Concurrence, Mr. Clerk. Supplemental Calendar #1. I have one."

Shea: "Guy, Guy..."

Speaker Redmond: "Representative Hart says the Democrats have them. Representative Duff."

Duff: "Well, Mr. Speaker, we're all interested in getting the business of the House forwarded but I think it's ludicrous to pretend under the visible circumstances that we should proceed at this time and I would suggest, Mr. Speaker, for the credibility of this



Body, that we perhaps could stand at ease or something to allow all those people who are right outside the door to get in here."

Shea: "Well, Mr. Speaker, I talked to the Minority Leader. I'm going to move to nonconcur in House Bill 5 so that we can get on to a Conference Committee. And I do now move, Mr. Speaker to nonconcur in Senate Amendment #2 to House Bill 5."

Speaker Redmond: "Representative Washburn."

Washburn: "Yes, thanks, Mr. Speaker and Ladies and Gentlemen of the House. I also want to request time here, sometime in the not too distant future, for a Republican conference in Room 118. I don't know... I don't know... maybe we could stand in recess for a few minutes and wait till those have a chance to get over here from their offices across the street. I assume that's where they are or down in the cafeteria eating lunch. If we had a few more Members here, I think that it would be better for all concerned and I hope it wouldn't take too long to get a few more here. And then we could... Representative Shea could introduce his motion if he wanted to and we could go into conference, party conference at least."

Shea: "Well, if the Minority Leader wants to wait a few minutes, I certainly have no objection. I thought that perhaps you could announce your conference for 1:30 and then we'd be offset, Mr. Minority Leader, because I'm sure that this side of the aisle would also like to have a conference at 1:30."

Washburn: "I'm sure you would at the earliest possible moment when the other Members finish their lunch which I assume they're doing. We'll stand at ease for a few minutes or something? Okay?"

Speaker Redmond: "We have a quorum and it's been the observation of the Chair that the Members get here quicker when something is happening, so you've heard the Gentleman's motion to nonconcur in the Senate Amendment #2 to House Bill 5. Those in favor, favor vote 'aye', opposed vote 'no'. Motion carries. We'll now stand in recess, at ease till 1:30. Your manners are very bad, Mr. Walsh. There's a consultation between the two leaders. In the middle. We're standing at ease waiting for a message from the Senate. I



understand that they've refused to recede from the Senate Amendment #2 and request that a Conference Committee and I believe that they're waiting to have one more Member of the Conference Committee in the Senate appointed, so the message hasn't come back here yet. House will come to order. Message from the Senate, Mr. Clerk."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives, that the Senate has refused to recede from their Amendment #2 to a Bill of the following title. House Bill #5. I'm further directed to inform the House of Representatives the Senate has requested a First Conference Committee to consist of five Members of each House. The Senate Members appointed are Senators Netsch, Partee, Bruce, Harris, and Schaffer. Action taken by the Senate, September 23, 1976 at the Sixth Special Session. Kenneth Wright, Secretary."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, I've asked the Minority Leader for the names of his appointments to the Conference Committee and as soon as we have those, we can proceed. So, might I ask that the House stand at ease while we wait for the Minority Leader to give us the names of his two people."

Speaker Redmond: "House will be at ease until we receive the nominees of the Minority Leader."

House at ease.

Speaker Redmond: "The House will be in order. Mr. Clerk. Message. House will be in order. The Senate has appointed the Members of the Conference Committee. The House Members of the Conference Committee will be Representative Washburn, Telcser, Shea, Stubblefield and Redmond. Representative Shea."

Shea: "Mr. Speaker, the First Conference Committee on House Bill 5 of the Second... or the Sixth Special Session will meet in the Speaker's Office at 2:30."

Speaker Redmond: "Representative Washburn."

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



And I would ask leave that the House stand in recess until some hour for the purposes of a Republican Conference, for the purposes of a Republican Conference, Room 118, two o'clock."

Speaker Redmond: "Republican Conference, Room 118, two o'clock. Representative Shea."

Shea: "Mr. Speaker, there'll be a Democratic Conference in Room 114 immediately. And now, Mr. Speaker, I move that the House stand in recess until the hour of three."

Speaker Redmond: "You've heard the Gentleman's motion. All in favor indicate by saying 'aye', opposed 'no'. The House is in recess. Three o'clock. Republican Conference. Democratic Conference. Conference Committee will meet in the Speaker's Office at 2:30."

House in recess.

Giorgi: "Would the House please stand at ease till at least four o'clock because the Conference Committee is now meeting? Four o'clock, four o'clock."

House at ease.

Unknown: "Does anybody have any underwear that they can loan out for the night?"

Giorgi: "Conference Committee is still meeting in the Speaker's Office, so the Speaker would like to keep the House at ease till five o'clock."

House at ease.

Speaker Redmond: "Senator Woodie Hayes from DuPage County is in the chamber. Senator Woodie Hayes, would you... Agreed Resolutions."

Clerk Selcke: "House Resolution 30, Shea et al. House Resolution 31, Lechowicz et al. House Resolution 32, Lechowicz."

Speaker Redmond: "Representative Madigan on the Agreed Resolutions. Representative Madigan."

Madigan: "Mr. Speaker, House Resolution 30 commends the Brookfield National Little League Division. And House Resolution 31 congratulates Mrs. Lorraine Hagedorn. And House Resolution 32 honors the Polish Americans who have come to this country and in particular



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the Polish American Congress. And I move for the adoption of the Agreed Resolutions."

Speaker Redmond: "Any discussion? The Gentleman's moved the adoption of the Agreed Resolutions. Those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Further Agreed Resolutions."

Clerk Selcke: "House Resolution 33, Madigan et al."

Speaker Redmond: "Mr. Selcke told me he delivered it to you.

Mr. Madigan. Representative Madigan."

Madigan: "Mr. Speaker, this Resolution congratulates Mr. Louis O'Connell of Chicago upon the completion of 60 years as a Member of the Illinois Bar. I move the adoption of this Resolution."

Speaker Redmond: "Any discussion? The question's on the Gentleman's motion for the adoption of further Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Resolution's adopted. Conference Committee has prepared a report and it's been filed and we're in the process of printing it, but I've been advised it won't be ready for about 10 minutes, so we'll be at ease for about 10, 15 minutes."

House at ease.

Speaker Redmond: "Agreed Resolutions. Agreed... Agreed Resolutions. Anybody got a quarter? No power, we'll have to come back Monday. Agreed Resolutions."

Clerk Selcke: "House Resolution 34, Arnell. House Resolution 35, Beaupre et al."

Speaker Redmond: "Representative Bradley."

Bradley: "Thank you, Mr. Speaker. And Mr. Speaker and Ladies and Gentlemen of the House, House Resolution 34 congratulates Mr. Roy Gowdy upon his years of service to the South Chicago Heights as a village trustee. House Resolution 35 congratulates Mr. Francis J. Householder of Kankakee upon just recently completing his first full term as president of the Illinois State Bar Association and I move the adoption of the two Agreed Resolutions."

Speaker Redmond: "You've heard the Gentleman's motion. All in favor indicate by saying 'aye', opposed 'no'. Representative Washburn."



Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. When we were in Session a while ago, I failed to report for the record that Representative Miller and Representative Schuneman are absent due to illness."

Speaker Redmond: "Any objection to the record so showing? Hearing none, the record will so indicate. Representative Bradley."

Bradley: "Yes, I want to renew that motion. We didn't adopt the motion on the Agreed Resolutions."

Speaker Redmond: "The Gentlemen has moved adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. Resolutions are adopted. Supplemental Calendar #2. Supplemental Calendar #2 appears a Conference Committee Report with respect to House Bill #5. Representative Stubblefield."

Stubblefield: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think all of... I think all of my colleagues is familiar with the Bill in its original form. It's been debated a number of times on the House Floor. I'll confine my remarks to the Conference Committee Report and the changes that that has made in the original Bill. The Conference Committee Report would modify House Bill 5 as it left the House by inserting two thresholds. First, effective November 1, there would be a twenty-five thousand threshold which means that only businesses which pay an average of twenty-five thousand dollars in withholding tax to the state would be covered by the Act. This would produce twenty million dollars in revenue and together with the thirty million dollars which was approved in another Bill would be a sufficient amount to cover the appropriations that is needed to implement House Bill 1 and House Bill 2. It would provide a further threshold effective July 1, 1977 of ten thousand dollars which would provide somewhere between twenty-five, thirty million dollars. Our best estimates in the Committee was about twenty-eight million dollars and that would be funds available for fiscal year 1978. I believe that these... I believe that these changes has met the sub... to a substantial degree, the objections that was voiced by the opposition in this House. I think we should bear in mind that we have some serious financial problems for our



schools. It will enable us to enact legislation that would meet those needs so that we can get out of Springfield and back to our districts and be about the people's business. I would urge a favorable vote on the Conference Committee Report. If there's debate or questions, I'll be glad to answer them."

Speaker Redmond: "Representative Washburn."

Washburn: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. You'll note that the Conference Committee Report does not bear my signature, but I do want to say that the Conference Committee held a good, lengthy Committee hearing. An open hearing which every Member had a opportunity to express his views. You will recall that when this package was first presented to us back in June, I said I came away with the Governor... from the Governor's Office at that time with a gut feeling that this entire package was the wrong approach to whatever problems it sought to solve. And certainly in the meantime, in the last four months, we've sort of batted around both pro and con on this House Floor, good arguments for and, in my judgement, better arguements against it. Without going into a lot of detail, Mr. Speaker and Ladies and Gentlemen, really what it does, perhaps what concerns me most is that it's going to use thirteen months income to pay twelve months bills. And somewhere along the line, Mr. Speaker and Ladies and Gentlemen of the House, this General Assembly is going to have to pay twelve months bills in eleven months or increase or face an increase in taxes. And that's my fear, Ladies and Gentlemen, with the windfall that this Bill and the others generate at this time that the already complicated and serious fiscal situation that the state finds itself in will become even more complex and more serious, necessitating a tax... I'm confident, necessitating a tax increase sometime in the not too distant future. I plan to vote 'no' on the Conference Committee Report and certainly, I hope that many of my colleagues plan to do the same thing and ask them to do it. Thank you very much."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I rise that



the House might adopt Conference Committee Report #1 to House Bill 5. House Bills 1 and 2 of this Special Session provide fifty million dollars in additional school aid to the schools of this state and further provide that no school district within the State of Illinois will receive less money in this fiscal year from the state than it did last year. House Bill 3, which was the acceleration or speed up in the collection of state income tax, provides on a one-shot basis an additional thirty million dollars in revenue. That means that we must find a source for another twenty million dollars if we are to fund House Bills 1 and 2. House Bill 5, in the form it is in this Report, will give us the additional twenty-one or twenty million dollars effective immediately. The twenty-five thousand dollar threshold in that Bill affects four hundred and seventy-six taxpayers within the state. It affects those companies such as Montgomery Wards, Sears Roebucks, the extremely big taxpayers. When the threshold changes from twenty-five thousand to ten thousand on July 1st of 1977, that will effect twelve hundred and fifty-one additional taxpayers and give the state an additional thirty million dollars in fresh revenue in fiscal '78 which will allow that in this funding package that we will fund this over two years and give us the chance for the additional growth within the state economy. I think that this is a good package. It's a compromise. It just passed the Senate thirty-seven to nothing or thirty-seven to have some votes against it. I don't know how many, but all I know it is up to us in the House now to provide the money for the Bills that we passed out of the House, House Bills 1 and 2 and I would ask my colleagues to join and to give us the necessary 107 votes to have this Bill become effective immediately."

Speaker Redmond: "Representative Totten."

Totten: "Thank you, Mr. Speaker. I think Mr. Washburn and Mr. Shea have stated the case very well and I move the previous question."

Speaker Redmond: "The question is shall the main question be put. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Stubblefield, to close."

Stubblefield: "Mr. Speaker, I think the issues have been well discussed."



The questions have been answered. We all know our positions and I would just ask for a favorable vote."

Speaker Redmond: "The question is shall the House adopt the First Conference Committee Report on House Bill 5 of the Sixth Special Session? All in favor vote 'aye', opposed vote 'no'. Representative Hoffman, Gene Hoffman."

G. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in explanation of my vote on this Conference Committee Report. As many of you know, I am not a supporter of House Bill 1. I believe it does a number of things that ought not be done and doesn't do some things that should be done. Therefore, with that in mind and also the fact that I don't see how in the long run collecting from companies four times a month rather than one time a month and us having to deal with it on this end four times a month rather than one time a month, in the long run it is really going to be to not only the benefit of the state but particularly to the benefit of our economy and for that reason, I must vote 'no' on this Conference Committee Report."

Speaker Redmond: "Representative Collins."

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In explanation of my vote, I can say that the only argument I heard advanced in favor of this so-called compromise is that we're going to soak the rich. Well, I think that this is another phony issue that's been raised on the other side of this question too often. We find ourselves here with a nonissue in the face of a phony crisis. The schools are operating, the school children of the State of Illinois are not suffering. If anybody is clamoring for this so-called compromise, the only one I've heard is the Governor who is a lame duck. However, he appears to be running in 1978. The only one we're bailing out is he and perhaps some teachers in the City of Chicago who indulged in illegal strikes a year ago and perhaps we're finally paying the bill for the money that was given, capitulated a situation in which the Mayor of Chicago capitulated to this illegal strike and this Union, giving away money that we just don't have and then we were told to provide it. So, here we are maybe a year



later finally caving in and giving this money to the so-called crisis. Ladies and Gentlemen of the House, all we're doing is putting the State of Illinois in hock, hock up to our ears and I wonder how many of you who are voting green will stand up next year and vote for the increase in income tax. I'm voting 'no'. I'm voting responsibly and I won't be voting for any increase in income tax. I hope you'll join me next year, but, frankly I don't see how any of you can."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I am not going to vote for any income tax increase if I should be coming back to the House next year. However, the Bill that was passed out of the House last week was a hardship on the businesses that make only a hundred thousand dollars a month because July they'll be paying four times a month for sales tax revenues. However, this particular Bill at least raises it to ten thousand dollars a month and I think it'll be more equitable for the smaller businesses. The businesses that make five hundred thousand dollars can afford to pay it in November, the program to do much more auditing and accounting than the smaller businesses and therefore, to help the schools and to help the smaller business, I am going to vote 'yes' on this Bill."

Speaker Redmond: "Representative Choate."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise today to point a finger of lack of responsibility at many Members of this General Assembly as well as many Members of state government, period. For many years, we in the Legislature have seen fit to lead the educational people of this state, to lead them to believe that we are going to be responsible and bring about a better way of education in this state through the media of subsidizing from the state's standpoint, to provide a more quality education for the youth of this state. Only to have them prepare their budget, only to have them prepare their budgets and a later date find that either one branch of this General Assembly or the Executive Branch has brought about an end to the proposal that we had led them to believe we were going to



enact... let them prepare their budgets totally out of line as far as revenue is concerned, lead them to believe that we were going to face up to the responsibility of carrying out the mandates of the Constitution. We can also point a finger at ourselves and at state government and we can say, small wonder. Small wonder that the general citizenry, the taxpayers of this state says to us, why are you in Session week after week doing nothing if you please, doing nothing except spending the taxpayers dollar by being in Session. As far as I am concerned, this is the day we either do it or get off of the pot. There's no need to keep coming back to Springfield and keeping the people of this state on tenderhooks that, yes, maybe we will do something. This is a fair and equitable way of solving the dilemma that faces the educational, professional people of this state. This solves the dilemma facing much of the youth of this state and regardless of what my friend from the County of Cook said a moment ago, it's not to bail a single, solitary one group out. It's to bail the total educational profession out. It's to show responsibility toward carrying out the mandates of the State of Illinois. It's finally to show responsibility of this Legislative Branch of government. I'm a little bit tired of coming to Springfield one or two days a week and going home with accomplishments of absolutely nil. This is not a panacea. This is not a totally, absolutely, the most beautiful program that anyone could think up, but I dare say that 99% of us in this House don't really know exactly the total output of money that this will bring about to relieve this situation. I don't and if you'll be honest, you don't; but I'll say this to you. If it relieves it at all, it's a step in the right direction and I'll say something else to you. There's a big election coming about about five weeks from now and somebody's going to feel the sting and ire of the general citizens and the taxpayers of this state. It's not going to be Mike Howlett, the Democratic candidate for Governor because he has long ago said that he favors a program of this nature in behalf of the youth of this state. It's not going to be me because although I might find certain portions of it distasteful, I'm going to support it and keep my pledge to



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the educators of this state. And it's not going to be those of us who are going to put on a green light, but it's going to be those of you who are acting willy-nilly and wishy-washy and don't know really what you do want to do in this election year and keep coming back week after week, hoping that somebody will bring about a solution instead of you facing up to your responsibility.

Mr. Speaker, Ladies and Gentlemen of the House, I vote 'aye'."

Speaker Redmond: "Representative Duff."

Duff: "Well, Mr. Speaker and Ladies and Gentlemen of the House, there's been an awful lot said and done in the last three weeks to convince anybody in Illinois that's watching this situation that this is a charade that we're going through. Everybody knows that the Leadership of the Majority in both Houses didn't want this Special Session. Everybody knows that many of us have been told by Members of the Majority Party from the City of Chicago that they would vote for this thing and hope we killed it. People know that the Governor of Illinois has called this Session so that he can make some hay just before election time and force a tax increase on the General Assembly. Ladies and Gentlemen, I point out to you, this is not a partisan issue. There are many votes from both sides of aisle on that board and there will be more. I think it's going to pass and I'll tell you why it's going to pass, not for partisanship; but because many of you who are now protesting what's going to happen to your districts when the formula came up, went out of your way to make sure that the dual school districts of this state were injured in the formula. I think this program stinks, but what you have done to my district in the formula and the shortsightedness of both parties on a regional basis who have corrupted the whole system of education in terms of distribution, will have to be... now recognize the fact that if you had been fair a year ago, you would have given a formula that would not force us now to do what we have to do while holding our noses. I vote 'aye'."

Speaker Redmond: "Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. I note from listening to debate here that it seems like the Carter colloquialisms are working their



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way onto the Floor of this House and I would hope we'd be able to maintain a rather higher dignity to this chamber than what we've been hearing in the national political scheme. It's true that during the last three to four years, we have been leading the educators now down the garden path. It appears to me now that what we are doing today is that we're leading everyone of the citizens down the garden path in this state because we're telling them that we're providing them funds when we know darn well we're not providing them any funds. The Minority Leader stated it as it was. We're collecting thirteen months of tax in twelve months and this is going to create a crisis next year. And call it what you will, we are affecting the small businessman. Two hundred thousand dollars gross business a month might sound to be a lot of money, but when you start checking in your own communities, you're going to find out how many businesses this actually does affect and you can be assured that we've now opened the door to a bad practice that will go on for years. I think we are bailing out one element of our society and that element is the Chicago school systems who did not see fit to abide by the laws which we had already passed concerning average minimum daily attendance to get their money. I think it's disgraceful to pass a Bill like this. I think it's unfortunate for the people and I want each and every one of those 111 people to stand up next year whether they're at home or down here in and say 'yes', I support an income tax increase because that's exactly what you're doing."

Speaker Redmond: "Representative Cunningham."

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I was going to surprise you by depriving you of an opportunity to hear me when it looked like for a chance, there was a hope and a prayer that this thing wasn't going to pass, but when it became obvious there was enough of you, there were enough of you hiding in the woods to jump into the tank, I must tell you what's on my heart. First in this particular Bill, I regard it as the piece-meal surrender of the taxpayers upon the altar of political expediency. For the first few days or weeks we were



here, we had discussion about the little kids, but there's been a marvelous metamorphosis in the thinking and rhetoric that's been spewn forth here. We hear no more about the little kids. What we politicians are saying now is, this is our last, best hope to avoid a tax increase. It would be fatal to our place at the public feed trough. But I ask you to wonder just for a few moments if that's really true. Selective plugging of the taxpayers is never moral, the 16th Amendment notwithstanding. Those of you who take a phony refuge behind the threshold need to contemplate reality for a moment. It's unrealistic to think that the threshold will hold. Next year, maybe even next month, it'll be lowered down. I'd say to you that Jimmy and his cigar store downstairs will come under this when we met again and amend it. Timing is everything when we attempt to satiate the..."

Speaker Redmond: "Bring your remarks to a close..."

Cunningham: "Give the same clock as Mr. Choate."

Speaker Redmond: "Explanation of votes is limited to one minute."

Cunningham: "The same clock that you used for Mr. Choate and it'll be fine. Timing is everything when we try to satiate the unsatiable. In this particular case, we're playing our ace too soon. If we're going to avoid a tax increase, we must later on in the game to play it. Now isn't quite the moment. Vote 'no' so you'll feel better tomorrow."

Speaker Redmond: "Representative Campbell. Time limit is one minute."

Campbell: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to explain my 'no' vote. It seems to me that thirty days before election is a wonderful time to promise everybody everything on earth, but I'll tell you thing, I'm concerned about education and have been concerned about education for many years. I'm concerned about the business, I'm concerned about labor, I'm concerned about all of the groups; but in talking to people throughout my district, I'm more concerned about the taxpayer and it's time that we started holding the line on some of these things. And when you have a green vote up there and it takes a hell of a lot more courage to vote 'no' and tell them that you can't provide it than it does to put on a green light and promise them



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something that you're going to have to come back here and provide for in a few years."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there's 123 'aye' and 35 'no'. And the House... take the record, yes. I said that. On this question there's 123 'aye' and 35 'no'. And the House does adopt the First Conference Committee Report on House Bill 5 of the Sixth Special Session by an extraordinary majority of three-fifths. We're waiting for the Senate action on a couple of other Bills, House Bills that we sent over there. In the meantime, Agreed Resolutions. Agreed Resolutions."

Clerk Selcke: "House Resolution 36, Palmer et al. House Resolution 38, Younge et al. House Resolution 40, Taylor et al."

Speaker Redmond: "Mr. Clerk, will you read this Resolution?"

Clerk Selcke: "House Resolution 40, Corneal... Jimmy Taylor et al. Whereas, our beloved friend and esteemed colleague, the Corneal A. Davis, has recently been the recipient of two signal and well-deserved honors: and Whereas, on May 9, 1976 the degree of Doctor of Laws was conferred upon Mr. Davis by his alma mater, Tougaloo College, in recognition of his outstanding career of public service and his significant contribution to the welfare of humankind; and Whereas, more recently, on August 20, 1976, he received the Scroll of Honor from Omega Psi Phi Fraternity for his services to the Supreme Council, which he has faithfully served as Council Chaplain; and Whereas, all Members of this Body take pride in these honors that have been bestowed upon our distinguished colleague; therefore, be it Resolved, by the House of Representatives, the 79th General Assembly, the State of Illinois, that we commend and congratulate our friend and colleague, the Honorable Corneal A. Davis, upon his being honored with the degree of Doctor of Laws by Tougaloo College and the Scroll of Honor by Omega Psi Phi Fraternity; and be it further Resolved, that a suitable copy of this Resolution be presented to Mr. Davis."

Speaker Redmond: "Representative Bradley." Bradley. We're on the order of Agreed Resolutions. Representative Bradley."

Bradley: "Thank you, Mr. Speaker. Resolution 36 congratulates



Senator Frank Ozinga for his 20 years of service as a Member of the Illinois State Senate. House Resolution 38, the Honorable William Coleman, Secretary of Transportation, a honorary... places upon him the title of Honorary Citizen of the State of Illinois and I move for the adoption of the Agreed Resolutions."

Speaker Redmond: "Any discussion? The question's on the Gentleman's motion of the adoption of the Agreed Resolution. Those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Did you move the adoption of Resolution 40?"

Bradley: "I moved the adoption of all of the Agreed Resolutions, 36, 37, 38, 39, and 40. I think two of them are Death Resolutions and I move especially, Mr. Speaker, the adoption of House Resolution #40 that honors one of our present Members, sir."

Speaker Redmond: "Death Resolutions."

Clerk Selcke: "House Resolution 37, Kucharski. In respect to the memory of Harry M. Anderson. House Resolution 39, Madigan et al. In respect to the memory of Ronald J. Dawson."

Speaker Redmond: "Representative Bradley moved the adoption of the Death Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. Messages from the Senate."

Clerk Selcke: "A Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has adopted the following First Conference Committee Report on House Bill #5. Adopted by the Senate September 23, 1976 by a three-fifths vote at the Sixth Special Session. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the passage of a Bill of the following title, House Bill #3. Passed the Senate September 23, 1976 by a three-fifths vote, the Sixth Special Session. Kenneth Wright, Secretary. A Message from the Senate by Wright, Secretary. Mr. Speaker, I'm directed to inform the House that the Senate has concurred with the House in the passage of a Bill of the following title, House Bill #4 together with the following Amendment. The adoption of which I'm instructed to ask concurrence of the House, to wit. Passed the Senate as amended September 23, 1976 by a three-fifths vote at



the Sixth Special Session. Kenneth Wright, Secretary. No further Messages."

Speaker Redmond: "Further Messages?"

Clerk Selcke: "A Message from the Senate by Mr. Wright, Secretary.

Mr. Speaker, I'm directed to inform the House that the Senate has concurred with the House in the passage of a Bill of the following title, House Bill #1 together with the following Amendment and the adoption of which I'm instructed to ask concurrence of the House. Passed the Senate as amended September 23, 1976 by a three-fifths vote at the Sixth Special Session. Kenneth Wright, Secretary. No further Messages."

Speaker Redmond: "We now have Supplemental Calendar #3. House Bill 1 and 4 appear thereon, but we have to wait until the Amendments are printed which should be very shortly. Are they on the desk? I've been advised that they're printed and on the desk. On the order of Concurrence. House Bill 1, first. House Bill 1. Representative Jaffe, House Bill 1. Representative Jaffe. Ed, Jaffe. He's getting angry."

Jaffe: "Mr. Speaker, Members of the House, I move to concur in Senate Amendment #1 to House Bill 1. All that Senate Amendment 1 does is that it eliminates the Amendment that permitted the penalty to be divided over three years. The rest of the Bill remains intact. We've had a lot of discussion over it and I would move for a 'yes' vote."

Speaker Redmond: "Any discussion? The question's on the Gentleman's motion that the House concur... Representative Walsh."

Walsh: "Speaker, I have no particular feel for the Senate Amendment except to say that the Senate President ruled the House Amendment to this Bill not germane because it did not fall within the purview of the call. On many occasions, Mr. Speaker, you have not dealt with Senate Amendments where questions were raised for the same reason as to germaneness. Now, I submit that we ought to have equal treatment, but to continue, Mr. Speaker, let me say a word about this Bill and about our reasons for being here and the sham that we're involved in. Some years ago, Mr. Speaker, people on that side of the aisle, many of them and if I threw



a stone over there..."

Speaker Redmond: "Representative McClain, for what purpose do you rise?"

McClain: "Thank you, Mr. Speaker. Would you... just a point of inquiry. I don't think he's directing himself to the Amendment and he's not on point."

Speaker Redmond: "I think you are correct. Mr. Walsh, will you please direct yourself to the Amendment."

Walsh: "I'm addressing myself to the Amendment, Mr. Speaker. Some years ago, people on that side of the aisle voted increasingly and constantly for aid to schools. We, every single time we convened, we had aid for the C.T.A. in many, many dollars and they spent money like it was going out of style, but, Mr. Speaker, when the income tax Bill came along, those very same people and unfortunately, Mr. Speaker, many of them are still sitting. Those same people did not vote for the income tax, Mr. Speaker. Now, that says something it seems to me for their character. Now, Mr. Speaker, what we are addressing ourselves to really in this Special Session is an increase in that income tax. That's coming. Now, there's going to be a lot of pious statements to the effect that, well, we will vote for increases for corporations but they know very well that constitutionally, they may not do that. They vote for increases in proportion and individuals must be hit by that income tax increase. We are spending in this fiscal year, Mr. Speaker, ninety-five million dollars more than we would spend if we were not here at Governor Walker's Special Session. I wonder if those people over there are going to support, and perhaps sponsor, these increases in the income tax that are absolutely being brought about by our actions today in voting for House Bill 1 and for these acceleration Bills. Mr. Speaker, I think you've turned me off. Would you turn me up?"

Speaker Redmond: "I had nothing to do with that. Mr. Davidson, Mr. Walsh, is afraid that people can't hear him. Will you be sure he has adequate volume?"

Walsh: "I raise that question, Mr. Speaker, because you didn't seem to be paying attention."



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Speaker Redmond: "I've heard it before."

Walsh: "I thought for that reason you couldn't hear me."

Speaker Redmond: "I heard it before."

Walsh: "No, you haven't heard this, Mr. Speaker. I'm about to call you and your party Members phonies, Mr. Speaker, because that's precisely what you are. That is precisely what you are, Mr. Speaker."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, I think the Gentleman knows full well why he's kept us down here and tried to do it again today. If he'd let the Members in his party vote their conscience, we would've been out of here two weeks ago."

Speaker Redmond: "Representative Walsh, please bring your remarks to a close, they're germane to the Amendment."

Walsh: "Now, Mr. Speaker, we've heard from the biggest phony of them all. To hit on one more point, Mr. Speaker, and I have heard this afternoon veteran Legislators, people who have been here for years and years and years and this is what brings to my mind why we in the Legislature, do receive considerable criticism from the press because they have said this afternoon that they abdicate, they abdicate their duties as Representatives and several of them have done it over in the Senate, too. They have done this, they have said on this Floor, Mr. Speaker, that because the Governor called us down here, we then, must do what the Governor wanted. We must spend this money. We must obligate the people of this state to pay a tax increase in the years coming. I submit to you, Mr. Speaker, that this is wrong, that we have done the wrong thing and that we ought to repent on this vote and not give it the necessary votes to pass."

Speaker Redmond: "Representative Capparelli. Capparelli. Capparelli. Terzich. Now, try it."

Terzich: "All right, I'd like to move the previous question."

Speaker Redmond: "The Gentleman's moved the previous question. The question is shall the main question be put. Those in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Jaffe, to close."

Jaffe: "Mr. Speaker, as I indicated beforehand, all that Amendment #1



does is it permits the penalty, it takes out the provision of the penalty to be divided over three years. It's a simple Amendment. I think everybody knows what it's all about and I would urge an 'aye' vote."

Speaker Redmond: "The question is shall the House concur in Senate Amendment #1 to House Bill 1. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Representative Skinner."

Skinner: "Mr. Speaker, I wonder if it would be appropriate to ask what is going to happen to the two words that are on page 20, line 1 that are not taken out of the Bill by this Amendment, by this defective Amendment, I might suggest? Would this be an appropriate time to ask that?"

Speaker Redmond: "I don't think so. Representative Leinenweber."

Leinenweber: "Well, Mr. Speaker, I'd like to explain the vote. I think the Amendment makes a bad Bill better, but this unfortunately is the last chance any of us have to defeat what probably has to be the most monumentally stupid act of this Legislature has done in a long time. We've taken, we have a resource equalizer formula that we cannot fund, so what we do because we can't fund it, we increase the cost of that resource equalizer formula by over a hundred million dollars. And what have we done? We've appropriated fifty million, so instead of catching up, we're falling farther behind. This absolutely guarantees the necessity of an income tax increase next year and I can't see how anyone, particularly those in the collar counties could ever vote for this. I urge a 'no' vote."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there's 119 'aye' and 33 'nay'. And the House does concur in Senate Amendment #1 to House Bill 1. House Bill 4... by an extraordinary three-fifths majority. House Bill 4. Just one on according to the Calendar. Representative Byers, House Bill 4."

Byers: "Thank you, Mr. Speaker. House Bill 4, there's one Senate Amendment. It makes the Act take effect October 1, 1976 and I would urge support of this Amendment."

Speaker Redmond: "Any discussion? The question's on the Gentleman's



motion that the House concur in Senate Amendment #1 to House Bill 4. Those in favor vote 'aye', opposed vote 'no'. Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, I don't have a copy. Can he tell us what it says? Well, there is a difference."

Speaker Redmond: "Will you explain it again, Representative Byers?"

Geo-Karis: "May I ask a question of the Sponsor?"

Speaker Redmond: "Proceed."

Geo-Karis: "Is this the Bill that provides for a penalty for late payments?"

Byers: "This is the Bill that provides the 5% penalty for late payments and it's the enforcement part of the withholding tax and sales tax that takes effect October 1 as it was in the original Bill."

Geo-Karis: "Mr. Speaker, I speak against this Amendment and I don't think we need it. We passed enough tax Bills to satisfy the schools and I'm voting 'no'."

Speaker Redmond: "The question's on the Gentleman's motion that the House concur in Senate Amendment #1 to House Bill 4. Those in favor vote 'aye', opposed vote 'no'. Open up the voting. Have all voted who wished? Have all voted who wished? Representative Friedland."

Friedland: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I notice several Members are voting on this that are not here. I urge you to dump this Roll Call and take another one."

Speaker Redmond: "Have all voted who wished? Representative Skinner."

Skinner: "Yes, Mr. Speaker, although I'm voting on the negative side here, I wonder if it's too late to catch a ride with one of the proponents on the surfboard of the tidal wave of the income tax that's going to be rolling toward Chicago after we finish today?"

Speaker Redmond: "Have all voted who wished? Representative Byers."

Byers: "Well, Mr. Speaker, this is the last Bill and the last Act of this... these five Bills and we do need three more votes to make this effective and it's the... this is the Bill that provides for the penalties and makes it effective immediately and if we don't pass this, nobody has to pay their taxes."



Speaker Redmond: "Have all voted who wished? Clerk will take the record. On this question there's 107 'aye' and 46 'no' and the House does concur in Senate Amendment #1 to House Bill 4. Representative Shea, do you seek recognition? Representative Shea."

Shea: "Mr. Speaker, I'm wondering if the Adjournment Resolution is up there and ready to go."

Speaker Redmond: "Mr. Clerk, Resolutions."

Clerk Selcke: "House Resolution, House Joint Resolution #2, Sixth Special Session. Resolved by the House of Representatives of the 79th General Assembly, the State of Illinois, the Senate concurring herein that when the two Houses adjourn on Thursday, September 23, 1976, the Sixth Special Session stand adjourned Sine Die."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, I move that the House do now adopt the Sine Die Adjournment Resolution for the Sixth Special Session."

Speaker Redmond: "You've heard the Gentleman's motion for the adoption of the Adjournment Resolution. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. House is adjourned. Representative Shea."

Shea: "Mr. Speaker, I move that the House do now adjourn Sine Die for the Sixth Special Session."

Speaker Redmond: "You've heard the Gentleman's motion. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The House stands adjourned."

