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Speaker Blair: "The House will be in order, the invocation will be by Dr. Johnson."

Dr. Johnson: "Shall we pray. In those trying moments of life O Lord when we feel very much alone because everyone seems to be occupied with something or someone else, remind us of Your faithfulness and Your promise to leave or to forsake those who cling to Your mercy. Place before us the words of Your Prophet Isaiah who comforted Your people of old with the promise that they were engraved upon Your hands. Let us not forget O Lord that in every time of trial or discouragement or discussion especially when the odds seem to be against us, we who seek to do Your will are always in Your good hands. We ask You now to look in compassion upon Representative Alsop, bless those who minister to his physical needs and as a heavenly physician cause him and us to lift our eyes to Your throne of grace from which comes all health. We ask this O Lord in the name of him who said, ask and it shall be given You. Amen."

Speaker Blair: "Roll Call for attendance."

Clerk Selcke: "Message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I am directed to inform the House of Representative that the Senate has concurred with the House of adoption of the following Joint Resolutions to wit: House Joint Resolution #35, concurred in by the Senate June 25, 1974. Edward E. Fernandes, Secretary. Committee Reports. Mr. Wall from the Committee on Registration and Regulation to which Senate Bill 1500 was referred, reported the same back with Amendments thereto, with the recommendation that the Amendments be adopted, that the Bill, as amended do pass."

Speaker Blair: "For what purpose does the Gentleman from Macon, Mr. Borchers, seek recognition."

Borchers: "Leave of the House to Table House Resolution 959."

of which I am the Sponsor."

Speaker Blair: "All right, is there leave... for that? Representative Waddell, for what purpose do you rise?"

Waddell: "On a personal privilege, Mr. Speaker."

Speaker Blair: "State your point, Sir."

Waddell: "I believe that the floor of this House and the Leadership on both sides of the aisle gets into its annual war of roses by pulling accolade and compliments to each other as we always do at the end of every Session. I think that those of us who appreciate the job that the Appropriations Committee did, owe them a certainly a vote of thanks and round of applause for a terrific job."

Speaker Blair: "All right, for what purpose does Mr. Kosinski, arise?"

Kosinski: "Point of personal privilege."

Speaker Blair: "Yes, what's your point."

Kosinski: "In as much as... in a collective way my name was mentioned by the last speaker as part of the Appropriations Committee. I suggest accolade could be best expressed by Legislation which would give us about 12 of our savings in that Committee in the future. Thank you."

Speaker Blair: "All right, House Bill, Second Reading priority call. For what purpose does Representative Griesheimer, seek recognition?"

Griesheimer: "Mr. Speaker, I rise to a point of personal privilege, if I may. I guess it's customary in the House to say this is the first time I've ever done it. But, I would like to rise at this time and bring a matter to your attention and also the leadership of our party, I hope Mr. Walsh is listening to this as well as the distinguished leader on the Democratic side of the aisle.... I presume they might be in their offices. I see Mr. Shea, is here. An occurrence took place on

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the floor of the House yesterday which I think might have been taken as a practical joke if it didn't have some serious implications which effects all of our integrity of Legislators and I would like to share this with you at this time because I have just recently sent a letter to the Governor's office concerning this. Yesterday afternoon in the mist of a verification of a vote the doorkeeper delivered four letters on the floor of the House from the Governor's office, to four of us Legislators two Republicans and two Democrats. My letter was directed to me by the Governor personally on his official stationary and requested me to come to his office immediately concerning the Lake Front erosion problems which affects my county very deeply. I had a great deal of difficulty since it was passed last year, having the funds released so that we can do something about this very serious on going problem. Needless to say, I'm freshman in this House and when I get a letter from the Governor on his official stationary, signed by him, I went to his office. When I got to his office I found out that the Governor was not in Springfield, not only was he not in Springfield but nobody in his office knew anything about this. I checked further with the Doorkeeper and found out that these four letters were handed out because of someone giving them to the Doorkeeper on the floor of this House. I was also surprised to find out... it involves Representative Tipsword, a man who I respect and Mr. Calvo, who helped me pass my first Bill on this House and Representative Skinner. Now, the real problem here is not the fact that someone playing a little joke... the problem is the fact they actually forged the Governor's signature and did so on the official stationary. Now, we have a problem here that involves the integrity of all of us because each one of us could have our official

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it in the hands of the people and I say to you if you follow this process...

stationary taken by this depraved individual and we could have letters sent out to our constituents or other people with our forged signature and I think this is a serious problem, this is not a practical joke, it was funny at the time when I rounded the corner down there and ran into a seven foot tall security guard that pick me up like a pencil... but not with standing that I think this is something the leadership of this House should look into, I have asked the Governor to follow through on this... the letter that was unopened to Representative Calvo's is presently in the hands of the Illinois Bureau of investigation for fingerprints and I want to find out who was responsible for this on the floor. There is no indication that it's a Legislator at the present time and I'm thankful of that because I hope all of our integrity is a little bit above this. So, I would certainly hope that the Speaker and the Leadership of both sides would look into this. Dan Walker, is our Governor whether he be a Republican or a Democrat, he is still our Governor and when you start forging his signature on his official stationary, we've got a dirty lousy problem to contend with and I certainly hope that no one else is involved in a similar situation during the rest of this Session or any time in the future."

Speaker Blair: "For what purpose does Mr. Shea, seek recognition?"

Shea: "Mr. Speaker, I just assured the Gentleman that we'll follow up on this side, I think that was the Bill that I was verifying. Mr. Skinner, came to me at the time and said, he had a request to go to the Governor's office. I immediately verified him... you did at one point in the proceeding yesterday. Well, I thought you said the Governor's office but I did... I think this one of the most deplorable things that I have ever

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Speaker Blair: "For what purpose does Mr. Matijevich, seek recognition?"

Matijevich: "Do we have any volunteers to forge his signature on full funding."

Speaker Blair: "All right, House Bills, Second Reading."

Clerk Selcke: "House Bill 2633, Skinner. This Bill has been read a second time...."

Speaker Blair: "Mr. Skinner, do want that..."

Clerk Selcke: "Amendment #1, was adopted and that's where we're at now."

Speaker Blair: "Well, this Bill has been read a second time, do you want to consider that Bill on Third Reading, Mr. Skinner? Third Reading and go ahead, do you want to do it now? You want to do it now? You don't have too... you don't want to... Okay, House Bill, Third Reading."

Clerk Selcke: "House Bill..."

Speaker Blair: "Priority call."

Clerk Selcke: "House Bill, Third Reading. House Bill 2654, Arnell."

Speaker Blair: "Mr. LaFleur, what purpose do you rise?"

LaFleur: "We do not have a Calendar back here, we don't know what the proceeding are nor can we follow the proceedings."

Speaker Blair: "All right."

LaFleur: "Many of us do not have a Calendar, Mr. Clerk."

Speaker Blair: "We'll see if we can get the Calendars back..."

Clerk Selcke: "Is Mr. Arnell, here?"

Speaker Blair: "Mr. Arnell... well, take that out of the records we'll get to it later."

Clerk Selcke: "House Bill 2221, Choate."

Speaker Blair: "2221...."

Clerk Selcke: "House Bill 2221, a Bill for an Act to amend

the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Blair: "Mr. Choate."

Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the House. This attempt is no more than any other attempt that I have made to correct, that I consider an inequity as far as the State Income Tax is concerned. It attempts to remove the three to five ratio as far as the individual tax payer versus the corporate bodies of this State and put it on what I think is the correct ratio of a two to one. This would in effect bring about a tremendous savings to the individual income tax payer of the State of Illinois and place the burden where I think it rightfully belongs and that's on the shoulders of the corporate bodies in the State to the extent that it would effect... in effect bring about a 50% tax savings to the individual tax payer of the State. I would hope, Mr. Speaker, not to take up too much time of the House because we have debated this issue on previous occasions... we debated it on one other occasion in this Session of General Assembly we received 106 votes. I would hope this morning that we could get 107 votes and I would move for the passage of this piece of Legislation."

Speaker Blair: "Mr. William Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House. The Gentleman explains this very well... remove the ratio for the income tax and we attempt to do it Legislation when the Gentleman knows very well that this is a Constitutional requirement, the eight to five individual corporation ratio is a Constitutional provision and in order for it to be removed it must be removed by a Constitutional Amendment. Until I... will not express myself as to how I would feel doing that and doing it the proper way. In order to have a Constitutional Amendment approved... it must pass by

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Joint Resolution, by a 3/5 th's majority of the two Houses of the Legislator and then be submitted to the people. But, I submit to you that it is too late now to submit a matter such as this to the people at the up coming election and so the first time the people could consider it would be in November of 1976, which is about two and a half years from now. So, we'd be better advised considering this matter a year from now and perhaps putting it on the ballot for November of 1976, but we're simply spinning our wheels now and maybe engaging in a little demagoguery now and I don't befits us in these closing hours of the Session and I urgently suggest that you vote 'no' on this matter."

Speaker Blair: "Mr. Matijevec."

Matijevec: "Mr. Speaker and Ladies and Gentlemen of the House. Would the Gentleman yeild to a question?"

Speaker Blair: "He indicates that he will."

Matijevec: "Representative Choate, in light of the Majority Leader remarks, am I right or wrong when I assume that we could still pass this law however, the law wouldn't be in effect until the people vote on the Constitutional Amendment. Is that true or not?"

Choate: "Representative Matijevec, you're absolutely correct but what it would truefully do... is indicate to the people of the State of Illinois that we're aware of this inequity that exists in the State income tax law to the extent that yes, we're going to quit promising we're going to do our job, now it's up to you the people of the State by referendum to show that you want tax relief at this level. And, as I said, it would... the individual tax payer it would effect in effect probably cut their income tax in half but you're absolutely correct, this body can show responsibility by passing this law and then having it read... ratify by a referendum and changing the Constitution."

Matijevich: "Mr. Speaker, I would like to speak briefly on this. Mr. Speaker and Ladies and Gentlemen of the House, we've heard a lot about tax relief in this Session but this Bill an appropriate change of our Constitution later by the people of the State of Illinois could be the greatest tax relief as far as the individual taxpayers are concerned that I know of, now I recognize what the Majority Leader said, that this cannot be effective if we don't have a vote by the people through a Constitutional Amendment but I think this could be the first step. We could pass Legislation which won't be in effect as law until an Amendment to our Constitution as voted by the people and we know we have to take Legislative action on that first. But, there is no reason why we can't adopt this as our policy of the Legislators here, I think it is very important that we have a Roll Call on this particular Bill to show the people how the Legislators in this House feel about action that could be tax relief. So, I would urge a high vote of 'yes' on this particular issue on House Bill 2221."

Speaker Blair: "Mr. Cunningham."

Cunningham: "Mr. Speaker, will the Sponsor yield to a couple of questions?"

Choate: "No...."

Cunningham: "Being the Minority Leader, are there any precedents for this action that you seek in the twenty-five years that you have been here. Has the House ever passed a Bill that waited a change of the Constitution?"

Choate: "Well, Representative Cunningham, in the twenty-five years that you're speaking of, I have been here... I don't know but in this particular instance I don't care. It's not without the realm of possibility that we do and have done on many occasion, address ourselves to the changing of laws... to the changing possibility of

changing the Constitution without any precedent being set. If there was always a precedent set, I would say to you that in nine chances out of ten, there would possibly be no need for action that we might take."

Cunningham: "If it ever had been done your staff would have found it, don't you believe...don't you have that confidence in them."

Choate: "I didn't understand the question."

Cunningham: "If this ever had been done before your staff would have found it, would they not? You have that amount of confidence in them..."

Choate: "I wouldn't say that my staff would have found it because to be quiet frank with you, I never asked them to look to see... what has been precedent set."

Cunningham: "What's the status of the Bill to... for a Constitutional Amendment referendum?"

Choate: "Pardon."

Cunningham: "What is the status of the Resolution for a Constitutional Amendment referendum, to make your action legal and Constitutional."

Choate: "The status of the possibility of passing a Resolution by this House to make the referendum possible is the fact that hopefully I will be back here and I will introduce it at the very... before the closing of this Session so that we might be able to address ourselves to it in future Session because as you're well aware the original one died for the lack of one vote."

Cunningham: "Now, is there any possible advantage to passing this Bill today except for the public relations aspect in regards to November 5, specifically.... couldn't it be passed in the next Session to the same effective as so now?"

Choate: "I don't think that you can misconstrue the attempt here by saying it is a public relations attempt because if you want to put it on the basis of public relation, the public relations has already been gained if there

needed to be any, because we have debated this subject matter prior to today. What I'm saying to you is that it shows good faith... good faith by this Body with the people of this State, the individual taxpayer... income tax payer that is, to the extent that we say yes, we are going to act responsible, we're going to give you the opportunity to adopt this if you so desire."

Cunningham: "Have you made any observation that this is a possible harm that affect upon corporations in this State and driving them from the boundaries with a consequent loss to employment."

Choate: "Have I made this study?"

Cunningham: "Yes."

Choate: "You bet your bottom dollar that I have made this study and I didn't want to get into this type of debate if the House desires too, I will be happy to. But it is only rehashing what was said on the floor of this a few weeks ago and I do have the staff, I have the statistics... I have the statistics from New York, I have the statistics from Pennsylvania, I have the statistics from California and all of these other industrialized states, Michigan and I'm saying to you, that each and every individual corporate body in those States pays a higher ratio and pays more state income tax than they do in the State of Illinois and may the one of any of all of these state have they found that the industries do not want to rotate there because there are some people erroneously indicate, we have a better tax climate in the State of Illinois now, if that's what they base their discussion on, the industrial body, we would be overflowing with industries moving into the State of Illinois and you and I know that we're not overflowing in southern Illinois. We're not overflowing in central Illinois, I don't think it will have one iota of bearing on that discussion."

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Cunningham: "Final comment, Representative Choate. I would be oblige if you would concern with my questions were not set up by pre-arrangement, you answers are so pap and adequate and next year when you and I both come back, while I'll give serious thought to voting for your Bill..."

Choate: "All right..."

Cunningham: "... the Majority Leader..."

Choate: "The reason my answers are bad and inequate is..."

Cunningham: "No, I said they were pat..."

Choate: "... where in my pocket."

Cunningham: "I said that they were pap and pre-prepared.

I didn't want the people to think I was serving pasty for you."

Choate: "Did you hear what I told you..."

Cunningham: "... When we both come back why... we'll give serious thought to your Bill but as of now it is premature."

Choate: "Did you hear what I said, Mr. Cunningham?"

Cunningham: "No, I was busy talking."

Choate: "The reason that you consider them bad and inadequate is probably because I don't want to put you in my pocket."

Cunningham: "I didn't say that they were bad, I said they were pap and rehearsed and I thought they articulate unusually so."

Choate: "Thank you, Sir."

Speaker Blair: "Mr. Schraeder."

Schraeder: "Mr. Speaker and Members of the House. During this Session most of us were concerned about revenue and appropriation matters, and only in the Session did we discussed something that was labeled emergency matters and everybody seemed to know what an emergency matter was, I though I knew what an emergency matter was... so then when this Bill was assigned to revenue.

"I wondered how the word emergency was spelled and whatever the definition was. We have a Bill before us now.... supposedly an emergency and yet nothing can be done if we pass it. It seems to me that this is a Bill that we ought to label... we label Bills in this House as "Labor Bills, Industry Bills, Rip-off" but I've got a new one, I think this is a fooler Bill. I think the title of this Bill is proper, I think it is an attempt on the part of my leader and I realize his intent is good because the fact that it is good Legislation proposed at the proper time and I think that might be January, but I don't think it is now and I hold it and ask everybody else too."

Speaker Blair: "Mr. Ralph Dunn."

Dunn: "Thank you, Mr. Speaker and Members of the General Assembly. Would he yield for a question, the Sponsor of the Bill. Clyde you could easily do this without a Constitutional Amendment: if you would raise the individual to about three and one eighth, you would maintain the five to eight ratio... did that occur to you?"

Choate: "Ralph, I'm sorry I just didn't..."

Dunn: "I was thinking about the fact that we have a five-to-eight ratio in the Constitution, we must maintain that is that now right without changing the Constitution... have to have a five to eight ratio and we now have two and a half and four."

Choate: "The five to eight ratio, yes, is in the Constitution."

Dunn: "So, if you want to raise.... the Constitution Convention designed this, so if you want to raise corporations to five you would have to... without changing the Constitution you could raise individuals to three and one eighth, I believe and maintain the ratio."

Choate: "Ralph, you are absolutely right to a degree. But, what is wrong with the way that this was written into

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the Constitution to start with is the fact... is the fact that you can do anything you want to... with the individual, you can play with it. You could increase anytime you want to, but the same article in the Constitution does not provide you with the ability to do that to the corporate body. In other words, you and I realize and I'm not faulting you because you are only one member of that Constitutional Convention and I don't know how you voted for it, I didn't look for it, I didn't see what input you had at all but you and I also realize that if we want to... what I consider calling it equal in this instance, leave the individual at the rate they are and increase the corporate bodies to double that rate which I feel is a fair and equitable proposition. We can't do it under the present wording of the Constitution as you well realize. That's took up in the position and yes, we can't raise the individuals and raise the corporate bodies also... but if I understand it correctly the ratio would still be an eight to five ratio, we're not collecting the thing that I'm attempting to collect, Ralph.... I think it will take a Constitutional Amendment to be honest with you, but I really want to do... but what I'm saying to you... what I'm saying to you is this shows good faith with the people with the State of Illinois who are aware that they are paying more than I consider their fair share of the income tax... show them that we are being responsible and saying to them, we're attempting to address ourselves to this problem."

Dunn: "Mr. Speaker, I would just like to say that I think that the Constitutional Convention is very wise in tying the two together and I know that it will take a Constitutional Amendment to accomplish what the distinguished Minority Leader would like to do and I don't think that is necessary at this time. I don't want to

be a part of raising taxes on individuals nor do I want to be a part of raising taxes on corporations which I feel, individuals pay corporation tax and I am certainly going to vote against this Bill."

Speaker Blair: "Mr. Tuerk."

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

Speaker Blair: "All right, no body else wants to talk, so we're there anyway. Mr. Choate, to close."

Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, in this closing could we have just a wee bit more order... if possible."

Speaker Blair: "Mr. Choate, perhaps you can be of some assistances to me with respect of getting order in the Chamber... I've observed... I've observed the last couple of days and I've had messages come up from the Members that perhaps the reason for some of the noise, is because of the unusual number of people that are non members that happen to be on the floor. I've observed it would appear to me to be any number of Legislative Aids, Administrative Assistance.... the floor is just terribly... terribly crowded and if you would join with me in directing the Doorkeeper and then the Members that their Legislative Aids, their Administrative Assistances.... and these kind people. These people are not authorized to be on the floor during these last few days it's hectic enough anyway... and I think we're going to have to clamp down and just pin point people and get them off the floor."

Choate: "Well, Mr. Speaker.... I certainly agree with the statement that you've just made and I would hope that the Membership on both sides of the aisle would join with you in these last few and the closing days of this Session in attempting to keep unauthorized people off of the floor of this House. If we're going to have an

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orderly operation of this House, I would agree with you and I think that it is a must. I would ask the Members of this side, I would ask the Members on that side to concur with you in this endeavor... ask the Segeant of Arms to concur with you in this endeavor and keep at bare bones minimum unauthorized people from the floor of this House. And now, in closing on House Bill 2221, Mr. Speaker and Members of this House. Let me point out to you and let me point out to the Members of this Body that there's been Members on this side of the rotunda in the House of Representatives and certainly there's been many Members of the other side of the rotunda, in the State Senate, that have said that they feel that we can not adequately feasibly and responsibility has tax relief in this Session of the General Assembly. I want to say to you and I want to say to these Members that if we want to keep the campaign pledges, the campaign rhetoric and the campaign promises that each and everyone of us have been guilty of making as we travel throughout the highways and byways of our district, whatever the sector of the State of Illinois might be and saying to these people before the election and yes, we're going to bring you tax relief and then failing to act when we go into Session. Here is an opportunity.... here is an opportunity for you to keep that pledge to the people of this State and I personally feel... that it is the opportunity that is the most equible position to take to indicate to the people of this great State that yes, we want to bring tax relief to you. This is where they can feel it... this is where they take it out of their pocketbooks and place it in the State Income Tax Treasury. This is saying to them that we're going to cut your State Income Tax Bill in half and without fear of disturbing industry element of this State

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well as the distinguished leader on the Democratic side of the aisle.... I presume they might be in their offices I see Mr. Shea, is here. An occurrence took place on

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Let me recite a few figures to you, if you think this is going to disturb industry in the State of Illinois let me recite figures to you from other industrialized State comparable to the State of Illinois. In the State of New York, the individual income tax collections are three billion dollars, the corporate bodies pay eight hundred seventy-five million dollars, in Illinois the individual pays nine hundred million dollars, the corporate body only pays two hundred million dollars. These figures go right on down the line, the State of Pennsylvania, the State of Michigan, the State of Ohio, the State of Florida, the State of Massachusetts, the State of New Jersey, all of these figures are comparable they have given their individual taxpayers relief... they have not robbed industry. The industry has not left those States and come to the State of Illinois and the proof of the pudding is in eating and yet at the same time we're saddling our individual taxpayer with a higher rate, with a higher pay into the State Treasury than any of these other industrial pay compared to what the corporate bodies pay. Now, let me say, if it is the often misguided of this General Assembly to say to the people of this State, that their budgetary process will not allow us to have tax relief at this time... here is the opportunity... here is the opportunity to say to those people at the same time. Yes, we're cognizant of the fact that you're being over taxed, yes, we're cognizant to the fact that you are not provided tax relief. Yes, we're cognizant to the fact that we haven't kept our faith, our promises and our pledges to you individuals. We can pass this Bill, let the Senate do with it wants to do, but let this House be responsible... we can pass this Bill, we can come back... we can come back with a Constitutional Amendment, putting the referendum on the ballot and put

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problem is the fact they actually forged the Governor's
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people will overwhelmingly arise in your defense and
in your help and they will pass that Amendment and they
give them... help us, give themselves adequate tax
relief. I encourage a favorable vote, Mr. Speaker."
Speaker Blair: "All right, the question is, shall House Bill
2221 pass. All those in favor will vote 'aye' and
the opposed 'no'. The Gentleman from Cook, Mr. Maragos."
Maragos: "Mr. Speaker, I wanted to speak on debate but I'll
explain my vote. It should be explained to everybody
in the House that this Bill has two segments to it, one
the Constitutional segment and the other, it has to do
with giving additional exception at this stage of the
game of fifteen hundred dollars for individuals rather
than one thousand dollars. Let us point out that the
Sponsor of this Bill, Representative Choate, has been
constant in this approach since 1969, when the income
tax was first established. Because he had a Bill at
that time in the Revenue Committee that he wanted to
do the same thing in the same proportion as he wants
to do by Constitutional Amendment now. But you can
still have relief you don't have to wait until 1976,
for Constitutional referendum, you can still give the
relief by giving them a fifteen hundred dollar reduction
on their Illinois Income Tax, rather than one
thousand dollars. It is direct... it is enforceable
and it is viable and visable to the taxpayer. I know
many people thing that it is only for proganda purposes
or for public relations... Mr. Choate, has done much
more public relation than other issues back in his home
district and he doesn't need this. But, I think the
House of Representatives at this stage of the game can
tell the people of Illinois that Legislator intent,
they wanted to get this tax relief where it can be counted

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can be seen and it can be a direct benefit to them when affects them every year when they have to pay their Illinois income tax. I ask your support that we have at least 89 votes, so at least we could take one portion of this Bill which can be put into effect immediately and even though the Constitutional Amendment may take time, in a few years it will be fully implemented. I ask your 'aye' vote on this wonderful measure. Thank you."

Speaker Blair: "Mr. Ralph Dunn."

Dunn: "Thank you, Mr. Speaker. I would like to speak in opposition to this and explain my vote... my 'no' vote to say that this is the first time in this Session that I've seen any effort made and I don't know since 1970, to raise the income tax in the State of Illinois. I know when you Members of the General Assembly put years ago you told the people that it was necessary to have an income tax and now, I'm surprised that the only green votes there... for people who are voting to raise the income tax on the people of the State of Illinois. I don't think it matters whether you say income tax on corporation... this is a Bill that would absolutely raise the income tax in the State of Illinois and I think that this is a vote that everyone ought to be interested in and I'm pleased to vote red."

Speaker Blair: "Mr. Walters."

Walters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's quiet a bit of discussion about this Bill and one, the Speaker is on the other side of the aisle... that we should show the people of the State of Illinois that we care. It seem to me that we should be concerned about showing the corporations throughout this country that the people of Illinois are caring about the tax burden. Now, I would not question the Minority Leaders figures on State Income Tax

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as compared to other states in the country but I would like to tell him and other Members of this House, that I recently attended a seminar with the Kroger Company and they told us that the local and State taxes... this is what they're concerned about the total tax picture, the total dollar that they have to pay in each State and of the seven States there, Ohio, Indiana, Tennessee, Virginia and Missouri and Illinois, Illinois total was the highest. I think we should not try to fool the people because we are fooling them in the long run and I would like to add, I try not to promise people when I'm campaigning to deliver some thing that I know that I can't deliver and I vote 'no'. Thank you, Mr. Speaker."

Speaker Blair: "Mrs. Macdonald."

Macdonald: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have the highest regards for the Sponsor of this Bill, but as a freshman Legislator, two years ago I took an oath to up hold the Constitution of the United States and the Constitution of Illinois. And, whether I agree or disagree with this Bill, I think it is enappropiate at this time and I think it is strictly unconstitutional. I feel that it properly belongs as a discussion with the people, we spent nine long months at the Constitutional Convention and put this issue up to the people four years ago and they voted on it. I do not object that we put the issue before them again and then approve or disapprove but, I do think at this late time when we have so much other business that I think it is enappropiate for us to be tossing Bills which are surely to be called unconstitutional. Therefore, I vote 'no'."

Speaker Blair: "Mr. Hudson."

Hudson: "Well, Mr. Speaker and Ladies and Gentlemen of the

House. Not only do I believe there are serious Con-

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stitutional questions with this proposal but I think the proposal itself... is a delusion and trap and a snar, it is trying to make the people of the State of Illinois believe they are getting something in the way of tax relief by raising the tax on corporation. I will submit to you that if this is done in these inflationary times that those raise in taxes on corporations will come back and be saddled.... result in higher prices of goods and services will come back and be saddled on the back of these very taxpayers that we are propoerting to relieve. This is a delusion.... this is a delusion and it is a snar and one that we should avoid. We just cannot go this route and keep good faith with our people and I will say one thing further, that if we increase and take a step towards the increasing of taxes on our corporations..... at this time it is but one initial step toward increasing the taxes upon the individual. This will come later but this will be the first step and I would urge my colleagues to vote 'no' on this delusion, trap and snar."

Speaker Blair: "Mr. Neff."

Neff: "Thank you, Mr. Speaker. In explaining my vote I'm very disappointed to see so many green lights up there. I just didn't think that we would try to fool the public and really to stop and face... this is all we're doing. Representative Choate, here is putting the cart before the horse as we might say.... anyone knows that we must pass a Constitutional Amendment before this can happen and I think all we're doing here when we vote a green light is just trying to kid the public and I don't believe they're going to be kided this way. Thank you."

Speaker Blair: "Mr. Borchers"

Borchers: "Mr. Speaker, thank you. Representative Waddell, made the point that I was intending to make. I just

want to say one thing and add one thought to that. It's a continuation of the process of inflation. We are like a snowball rolling down a hill, everytime we go down that hill, turn one more roll of the ball, the ball gets larger and one day because of this type of action and all the things that we've been doing this particular Session of the Legislature, that snowball is going to hit the bottom of the hill and it's going to break to pieces and a catastrophe that you all are going to remember a long time."

Speaker Blair: "Mr. Cunningham."

Cunningham: "Mr. Speaker, in addition to our clear oath responsibility to vote against all Bills that are admittedly unconstitutional, I think that every Legislator has a solemn responsibility to himself and his constituents to resist every demagoguery appeal to class warfare regardless how political expedient it may be and I would hope that we would get more or less green lights so we wouldn't have to have a verification."

Speaker Blair: "Mr. Springer, do you want to talk? Is that it, everybody voted who wished? The Clerk will take the record. Mr. William Walsh."

Walsh: "Well, Mr. Speaker, I am like the Sponsor of this Bill, think the political radification get a bad writting on this Bill, he seems to think they go with voting 'yes', I think they go with voting 'no' and I would therefore like a verification of this Roll Call."

Speaker Blair: "Dave Jones, 'no'. All right, do you want to poll the absentees first? They want to poll the absentees. Mr. William Walsh."

Walsh: "Mr. Speaker, if I may before that happens it is my pleasure to..."

Speaker Blair: "You're on now."

Walsh: "It is my pleasure, Mr. Speaker, to introduce from north of the boarder in the Speaker's gallery from

GENERAL ASSEMBLY

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Waukashaw in the great State of Wisconsin, cadet troop
369 of the Girl Scouts, they're being lead by Represent-
ative Murphy, former constituent, Betty Marment."

Clerk Selcke: "Alsop, Carter..."

Speaker Blair: "Mr. Choate."

Choate: "I had forgot, Mr. Speaker, while the attendance
Roll Call was being taken to ask that the Journal please
indicate that Representative Alsop, is absent due to
illness and I might advise the Members of the House
that his doctor made a statement a few moments ago
was that he was.... more than fair condition and is
hopefully improving."

Speaker Blair: "Very good."

Clerk Selcke: "Alsop..."

Speaker Blair: "The Journal will so indicate."

Clerk Selcke: "Carter, Catania, Deavers, Dee, R. L. Dunne,
Fleck, Gibbs, Giglio, Griesheimer..."

Speaker Blair: "Mr. Griesheimer."

Griesheimer: "How am I recorded as voting on this?"

Speaker Blair: "How is the Gentleman recorded?"

Clerk Selcke: "You are recorded as being absent."

Griesheimer: "Please vote me no."

Speaker Blair: "Record the Gentleman as no."

Clerk Selcke: "Jenison, Kucharski, Leinenweber, Sangmeister,
Richard Walsh, Yourell, Mr. Speaker."

Speaker Blair: "All right, Mr. Yourell, votes 'aye'. Okay.
Mr. Yourell, votes 'aye'. All right, the... proceed
now to verify the affirmative. At this time we are
at 95 'ayes', 62 'nays', 5 'present'."

Clerk Selcke: "Barnes, Barry, Deatty, Boyle, Bardley, Brandt,
Brinkmeier, Brunnet, Caldwell, Calvo, Capparelli,
Capuzi, Chapman, Choate, Craig, D'Arco, Davis, DiPrima,
Douglas, Ewell, Farley, Fary, Fennessey, Flinn,
Garnica, Geo-Karis, Getty, Giorgi, Greiman, Hanahan,
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the public relations has already been gained if there

GENERAL ASSEMBLY

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Jacobs, Jaffe, Emil Jones, Kats, Keller, Kelly, Kennedy,
Kosinski, Kozubowski, Krause, Laurino, Lechovcz,
Lenke, Leon, Londrigan, Lundy, Madigan, Mann, Maragos,
Martin, Matijevich, McAuliffe, McAvoy, McClain,
McCornick, McGah, McGrew, McLendon, McPartlin, Merlo,
Mugalian, Nardulli, North, Patrick, Peters, Pierce,
Randolph, Rayson, Redmond, Schisler, Schneider, Sevcik,
Sharp, Shea, Shurtz, Ike Sims, Soderstrom, Stedelin,
Stone, Taylor, Terzich, Thompson, Tipsword, Von Boeckman,
Wall, Washington, Williams, J.J. Wolf, Yourell."

Speaker Blair: "All right, Chapman.... I see being verified.
How is the Lady recorded?"

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

Speaker Blair: "All right, I don't see her in her seat, take
her off the record."

Walsh: "Barry."

Speaker Blair: "How is the Gentleman recorded?"

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

Speaker Blair: "I don't see him, take him off the record."

Walsh: "Beatty."

Speaker Blair: "He's here."

Walsh: "Boyle."

Speaker Blair: "How's the Gentleman recorded?"

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

Speaker Blair: "Take him off the record."

Walsh: "Brinkmeier."

Speaker Blair: "How's the Gentleman... there's Brinkmeier."

Walsh: "Mr. Speaker, did you get Brinkmeier?"

Speaker Blair: "He's here."

Walsh: "He's here. Brandt."

Speaker Blair: "How is the Gentleman recorded? Here he is."

Walsh: "Farley." 0

Speaker Blair: "He's here."

Walsh: "Fennessey."

Speaker Blair: "He's here."

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Walsh: "Flinn."

Speaker Blair: "He's here."

Walsh: "Jim Holloway."

Speaker Blair: "He's back there."

Walsh: "Jacobs."

Speaker Blair: "He's there."

Walsh: "Katz."

Speaker Blair: "He's here."

Walsh: "Katz, here?"

Speaker Blair: "Yes."

Walsh: "Kennedy."

Speaker Blair: "Kennedy, Here."

Walsh: "Krause."

Speaker Blair: "How is the Gentleman recorded?"

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

Speaker Blair: "Take him off the record."

Walsh: "Leon."

Speaker Blair: "How is the Gentleman recorded?"

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

Speaker Blair: "Here he is."

Walsh: "McAvoy."

Speaker Blair: "Wait a minute...."

Walsh: "Here he is, Mr. Speaker."

Speaker Blair: "Where's Leon, okay. McAvoy, is here."

Walsh: "He delivers the body. McAvoy."

Clerk Selcke: "Right here."

Speaker Blair: "McAvoy, is here."

Walsh: "Choate. Leon."

Clerk Selcke: "Yeah, take him off."

Speaker Blair: "No, he's right there."

Clerk Selcke: "We did not take him off."

Walsh: "McLendon."

Speaker Blair: "He's here."

Walsh: "Mugalian."

Speaker Blair: "Mugalian, he's here."

will have

matters and everybody seemed to know what an emergency matter was, I thought I knew what an emergency matter was... so then when this Bill was assigned to revenue.

GENERAL ASSEMBLY

Speaker Blair: "Now, put Barry, back on."
 Walsh: "North."
 Speaker Blair: "He's here."
 Walsh: "Randolph."
 Speaker Blair: "How is the Gentleman recorded?"
 Clerk Selcke: "The Gentleman is recorded as voting 'aye'."
 Speaker Blair: "Take him off the record."
 Walsh: "Taylor."
 Speaker Blair: "How's the Gentleman... he's back there."
 Walsh: "Keller."
 Speaker Blair: "Keller, where is Keller. How is he recorded?"
 Clerk Selcke: "The Gentleman is recorded as voting 'aye'."
 Speaker Blair: "Take him off."
 Walsh: "McPartlin."
 Speaker Blair: "McPartlin, there."
 Walsh: "Laurino."
 Speaker Blair: "How's the Gentleman recorded?"
 Clerk Selcke: "The Gentleman is recorded as voting 'aye'."
 Speaker Blair: "Take him off the record."
 Walsh: "Madigan."
 Speaker Blair: "Where's Madigan? There he is. Here comes Laurino, put Laurino back on."
 Walsh: "Patrick."
 Speaker Blair: "Patrick, is here."
 Walsh: "Garnisa."
 Speaker Blair: "How is the Gentleman recorded?"
 Clerk Selcke: "The Gentleman is recorded as voting 'aye'."
 Speaker Blair: "Take him off the record."
 Walsh: "Greiman."
 Speaker Blair: "He's here. Wait a minute, Mr. North, goes from 'aye' to 'no'. North 'aye' to 'no'."
 Walsh: "Von Boeckman."
 Speaker Blair: "How is the Gentleman recorded?"
 Clerk Selcke: "The Gentleman is recorded as voting 'aye'."
 Speaker Blair: "Take him off the record."

'aye'.

'aye'.

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the Constitution you could raise individuals to three and one eighth, I believe and maintain the ratio."
Choate: "Ralph, you are absolutely right to a degree. But, what is wrong with the way that this was written into

GENERAL ASSEMBLY

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Walsh: "Schisler."

Speaker Blair: "How is the Gentleman recorded?"

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

Speaker Blair: "Okay, wait a minute... under the way we operate the House... it doesn't take as much time and really the Members are supposed to be in their seat. I have to look all over this Chamber to try to find a Member on verification, it just slows down the whole process of the House. Now, I'm willing to accommodate that... but if you all want to speed up the process, if you're in your seats I can verify a lot quicker. Mr. Choate."

Walsh: "Mr. Speaker, no further questions."

Choate: "Mr. Speaker..."

Speaker Blair: "Chapman... put Chapman back on. Mr. Choate."

Choate: "I would again agree with the Speaker, that if we're going to have verifications... that it is much easier to verify the Roll Call if the Members are in or by their seats. The reason for this is simply because the Speaker has a seating diagram on the podium to where he can immediately look at the Members seat and know whether that Member is there are whether he isn't. So, I would just totally agree with the Speaker in requesting that the Members stay in or by their seats to the extent that the verification will be easier to carry forth and bring about a more quicker operation of the House. I believe, Mr. Speaker, that two Members have returned."

Speaker Blair: "All right, Mr. Garniss, is back and Mr. Von Boeckman, is back. Put them on the Roll Call... yes, we've got her back. All right, does that finish the verification now? Give me the call, Mr. Clerk. Mr. Jenison."

Jenison: "How am I recorded?"

GENERAL ASSEMBLY

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a Constitutional Amendment to accomplish what the distinguished Minority Leader would like to do and I don't think that is necessary at this time. I don't want to

GENERAL ASSEMBLY

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Speaker Blair: "How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as being absent."

Jenison: "Please record me as 'no'."

Speaker Blair: "Record the Gentleman as 'no'. On this question there are 90 'ayes', 64 'nays', 5 'present' and this Bill having received the Constitutional Majority is hereby declared passed."

Clerk Selcke: "Where's the Bill."

Speaker Blair: "Mr. Mann."

Mann: "Mr. Speaker...."

Speaker Blair: "Okay, you're on now."

Mann: "Mr. Speaker, I rise on a point of personal privilege, which I think involves every Member of this great House of Representatives. It involves the dignity of this Chamber, it involves the dignity of our Speaker. The Senate in a unilateral action without consultation with our Speaker, has apparently determined to adjourn Thursday night, June 27. Now, Mr. Speaker and Members of the House, what will happen to the House Bills that House Members have worked on for five months that languish and die on the Senate Calendar. Mr. Speaker, what will happen to the Conference Committees on Bills of great importance, to all of us and more important to our constituents. And, Mr. Speaker, what will happen to the operation of State government, Mr. Speaker, there are Bills now floating between the Chambers which must be passed by June 30th, in order to finance the orderly operations of State government. And, Mr. Speaker, the Senate hopes to shift the responsibility for this unilateral action by sending over to us all the Senate appropriations Bills and putting them in our laps, therefore, avoiding responsibility for their irresponsible action, and Mr. Speaker and Members of the House, this is going to create a tremendous vacuum... a power vacuum if you will in State government. What's going to happen

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If we adjourn and we don't return until after the election. Who's going to fill that power vacuum. I'm sure that the Gentleman on the second floor will be ready to do so, and I think that the alterment irony, Mr. Speaker, of this irresponsible action on the other side of the rotunda, is that it will involve us... they are seeking to involve us as co-conspirators and irresponsible action because it is their atrategy that if the Senate adjourns... we as the lower House if you will, the second House... we will have to adjourn too and thereby become implicated in their action. Now, I think that it is no secret, Mr. Speaker, and Members of this House... that the Speaker of this House in the past two days has indicated by his action and the force of the Leadership of his office and the impact of what he's doing, that he is not going to permit the Senate to ride rough-shod over this House. He is not going to permit the Senate to treat us like second class citizens... to demean the dignity of every Member of this House. I think this is a travesty. I think that we ought to support the Speaker, I think we ought to indicate our confidence in what he is doing, I think we ought to send a message loud and clear back to the Members of the House of Lords that we are a Chamber of coordinate importance by the Constitution of the State of Illinois that no one is going to grease over us... that Bills in order to become law must pass both Houses. That we have dignity, we have constituents, we have our rights, we have responsibility for the orderly functioning of State Government. And, Mr. Speaker, I think that I speak for a lot of Members in this Body on both sides of the aisle. When we salute you for standing up for us and our constituents and we indicate that we're going to stand up for you. Thank you, Mr. Speaker."

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Spokane tax treasury. This is saying to them that we're
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without fear of disturbing industry element of this State

GENERAL ASSEMBLY

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Speaker Blair: "The Gentleman from Cook, Mr. William Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House. Rob Mann, I think expresses very elegantly the feeling of the Leadership on both sides of the aisle in the House. We do intend to address ourselves to not just House Bills that are here but, also Senate Bills. We intend to act responsibly, to consider these and to go on with the orderly process of State government and we would certainly hope that the Senate would reconsider any kind of a feud that they might have going with this Body because that's certainly accomplishes nothing... nothing but more confusion and the possibility of keeping us here longer rather than a shorter period of time. But, we as Mr. Mann, indicated do intend to carry on the peoples business, we do intend to get the work and give it proper consideration and we hope that we can be out of here within a reasonable short time but the first priority is to get the work done and not to get out of here."

Speaker Blair: "Mr. Choate."

Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I can... think that I can totally agree with the words that the Majority Leader just had to say, I think I heard them all. I can 90% agree with the words that Representative Mann, had to say, the other 10% I can't agree with because my information tells me that the Governor has not encouraged the Senate to take this arbitrary action that I would say to the Members of this House, that if they will look at a statistical sheet, that the Speaker had prepared as far as Legislative action is concerned in this Senate and this Session, that they will find that this House of Representatives has addressed itself to four more individual pieces of Legislation than has the body on the other side of the rotunda. They will find that this House has addressed

... this House be responsible... we can pass this Bill, we
can come back... we can come back with a Constitutional
Amendment, putting the referendum on the ballot and put

GENERAL ASSEMBLY

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itself too, far more pieces of Legislation, in Committee and a great portion of it being Senate Legislation on the floor of this House, but the great danger in the actions that the Senate say, it's just about is ready to take is the fact that in this Session we scream about two or three things, we scream about energy, we scream about ethics, we scream about tax relief and you and I know that through the Legislative process that has been suggested here on the floor of this House, that much of these controversial issues are resolved through the medium of the Conference Committee. Their action is irresponsible if they're going to go home and deny this Legislative process as far as the Conference Committee is concerned. Now, let's look at one other very important piece of Legislation that Senate says, that they taken responsible action on. When did this Body receive the largest budgetary item, the largest appropriation that there is in this Session of the General Assembly. We received it late last night or for all practical purposes early this morning... and I'm talking about the Department of Transportation that affects every individual of this State... do they want us to receive that this morning and hastily take action and concur in anything and everything that they want, between now and tomorrow. If you want irresponsible Legislative action... that's what we'll do... simply because they tell us to.... I'm not going to be a part of it."

Speaker Blair: "All right... Mr. Hill."

Hill: "Mr. Speaker and Members of the House. I'd like to make a comment on that situation too. If you will look on concurrences you'll find out that they're many Bills over here that have Amendments on them, the House Bills, these Amendments were put on these Bills over in the Senate and it was designed this way and I assure you

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House of Representatives at this stage of the game can
tell the people of Illinois that Legislator intent,
they wanted to get this tax relief where it can be counted

GENERAL ASSEMBLY

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If we are not able to set up these Conference Committees and get these Amendments resolved... much of State government will stop functioning after the Senate adjourns and goes home. I think the irresponsibility of the situation that exist in the Senate of the State of Illinois certainly are letting the taxpayers of the State of Illinois down, it seems to me that they should have more responsibility than they are doing for the people of the State of Illinois. It also seem to me that the workers of the State of Illinois should get a much better break than the Senate allowing over in the Senate, if they adjourn tomorrow evening. Never in the sixteen years that I have been down here has the irresponsibility of the Senate been so high and it seems to me that someone... somewhere, whether it's the news media or the Speaker of the House, should send those people a message saying that, we're willing to stay here and do the work of the State of Illinois and the taxpayers of the State of Illinois."

Speaker Blair: "Mr. Calvo."

Calvo: "Well, Mr. Speaker, if there are others who wish to speak on this issue, I would yield to them. I have a motion that I would like to make."

Speaker Blair: "Okay, we're not go out of order of business for motions at this time."

Calvo: "Mr. Speaker, this is not a... this is merely a motion relative to a Bill that passed last night that I would like to be added on the Roll Call... you know, unanimous consent of the House. It won't change the result of the Bill or anything that revolks."

Speaker Blair: "Yeah... well hold that Mr. Calvo, we'll recognize you..."

Calvo: "Recognize me when you will, Sir."

Speaker Blair: "Mr. Hill."

Hill: "Mr. Speaker, I'm sorry but you didn't let me finish."

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I would just like to ask the media that's present here to look at the back sheet of Bills, to see who has acted on this Legislation. It isn't the Speaker's fault, it isn't the House of Representatives fault, certainly it isn't the Leadership of either party's fault... and the Speaker has his back sheet and I'd appreciate very much not only the media... asking to look at this back sheet but all of the Members of the House of Representatives and anyone else that can hear me. Thank you."

Speaker Elfr: "Mr. Maragos."

Maragos: "I had a similar motion as Mr. Calvo's and I will wait then... because we were taken off, I thought we had the verification..."

Speaker Blair: "All right, listen.... I will see that all of you who have motions with respect to wanting to get on a Roll Call will be recognized but rather than... and we'll do it today... let me see if we can't get these Bills moving. Would you call House Bills, Third on the priority wherever we were... or Mr. Hunsicker, did you have something?"

Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House. I have listen to all of the remarks that were made about the irresponsibility of the Senate and what kind of a mess that we're in as far as the Legislation is concerned. And, I would just like to say this, there are House Bills floating back and forth between the two Chambers all right, but they should have been floating back and forth a month and a month and a half ago and not at this stage of the game. We hadn't peddled around the first couple of months and a half we were down here, a day or two a week and stayed down here and taken care of what we had to take care of, we wouldn't be in the predicament we're in today. I've been down here six terms and its

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been like this every time I was down here. The first three months we do nothing and the last three months we work anywhere from nine o'clock till midnight... the last two weeks of Session and it is all un-called for and if this House of this General Assembly would like to get their work done on time... get busy when we get down here so that we don't have this trouble each time. And, I think that we made our own bed and I say we ought to sleep in it."

Speaker Blair: "House Bills, Third Reading priority call."

Clark O'Brien: "House Bill 2874, the Sponsor wishes that Bill held. House Bill 2272, J.M. Houlihan. A Bill for an Act to exempt nonprescription medicines, drugs, medical appliances and medical supplies for human consumption from certain taxes. Third Reading of the Bill."

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

Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House. I think that most of the Members are familiar with this Bill, it was thoroughly debated on Second Reading. As you recall though a number of Amendments were suggested and a number adopted... while I do not feel that this Bill is a perfect Bill, I've not seen a perfect Bill go out of the Legislature yet and I would ask all of your support for House Bill 2272. Because House Bill 2272, as amended, provides tax relief on drugs and on food a most important kind of tax relief because it's a tax relief that makes an important step towards tax reform. It's not merely a gimmick... not merely tax relief as the Legislators see it as some have suggested about the utility tax relief, it's tax relief as the people have requested it time and time again. The tax on drugs is one of the most regressive taxes, one of the most burdens among those who live on a fixed income. I welcome the House of Representative

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Telcser, our fine pharmacy friend over on the other side of the aisle. When he suggested that we take out a portion of this Bill, I don't believe that Amendment gut the Bill and I'm not going to arbitrarily say that I have the only judgement as to how the Bill should be or what form it should be, so I welcome the judgement of the House on that particular Amendment although I must say, in response or reaction to some of the comments about the late date of Bills being passed out of the House. This Bill has been time and time again delayed... put off and put off in a possible position where we can blame the Senate for killing this Bill. I urge you to give an overwhelming vote to this Bill and send a message to the Senate that we do want them to stay in Session and consider this important Legislation for the people of Illinois. This is a Bill which deserves all your support and I ask all of you to join with me in giving House Bill 2272, a Constitutional Majority and make it a Bill that we can all be proud of, as we send over to the Senate... I hope in a very quick fashion."

Speaker Blair: "Mr. Skinner."

Skinner: "Mr. Speaker, I agree with the Democratic Sponsor of this Republican Bill."

Speaker Blair: "Mr. Epton."

Epton: "Well, Mr. Speaker and Ladies and Gentlemen, I am sure that when the Sponsor has his closing argument on this Bill, he'll make an adjeck apology to me. We referred to the fact that he had seen no perfect Bills going out of the House. Obviously, Representative Houlihan, you're in error because I did pass one Bill."

Speaker Blair: "Mr. Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House. When we told our taxpayers in our district that we will in all seriousness come down here to this

General Assembly in this year to give them some tax relief... we'll I'm curious whether we made an idle promise. If we intended to do just that, I think this Bill by good Amendments from the other side of the House, by a collusion effort. This serious Bill has the possibility of getting our taxpayers the relief we promised them, if you were serious about tax relief I recommend that you very seriously vote 'yes' on moving this Bill."

Speaker Blair: "Mr. Houlihan, to close."

Houlihan: "Mr. Speaker, certainly in response to Representative Epson, who is really the Polonius of our political considerations here. Bernie, I said no perfect Bill, I didn't say any perfect Legislator and I certainly find you in that category. Let me ask again for favorable consideration by the House on this important Bill. Put aside all the various sad experiences that you've had as this Bill has been delayed time and time again and let's join together and send a Bill route to the Senate that will provide sound tax relief for the people of Illinois on that which is the most regressive tax here in Illinois. That tax on medicine, drugs, medical supplies, think of those people who live on fixed incomes that will get tax benefits from this particular legislation and I urge you, give me a green vote on this important piece of legislation."

Speaker Blair: "The question is, shall House Bill 2272, pass. All in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. Friedland, 'aye'. On the question there are 15.... Mr. Tipword."

Tipword: "Thank you, Mr. Speaker. I just wanted to say to the Sponsor of this Bill an explanation of my vote that, I congratulate him on passing this Bill by this large majority and I hope that you do send a message to

the Senate and I hope that you don't get the treatment that the rest of us got in Senate Revenue today. Where all of our Bills either went into Subcommittee or were continue and held in the Revenue Committee of the Senate today. I hope they can get the message but I fear for the life of your Bill."

Speaker Blair: "All right, on this question there are 153 'ayes', 3 'nays', 1 'present' and this Bill having received the Constitutional Majority is hereby declared passed."

Clerk O'Brien: "House Bill 2829, McCourt. A Bill for an Act making appropriations to the Board of Vocational Education. Third Reading of the Bill."

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

McCourt: "Mr. Speaker and Ladies and Gentlemen of the House. Rather than take the House's time with too much explanation on this Bill, this is a companion Bill to 2828, which passed the House yesterday to make an appropriation of Board of Vocational Education and Rehabilitation and we solicit your favorable support."

Speaker Blair: "All right, the discussion... the question is, shall House Bill 2829, pass. All those in favor will vote 'ayes', the opposed vote 'no'. Have all voted who wished? The Clerk will take the record. On this question there are 142 'ayes', no 'nays', 1 'present' and this Bill having received a Constitutional Majority is hereby declared passed. McCourt, 'aye'."

Clerk O'Brien: "House Bill 2102, Jaffe. A Bill for an Act to amend Sections of the Public Community College Act. Third Reading of the Bill."

Speaker Blair: "Mr. Jaffe."

Jaffe: "Mr. Speaker and Ladies and Gentlemen of the House. This Bill has the bipartisan Sponsorship of all of the Representatives, Democrat and Republican of the 4th, 15th and 16th districts. This does exactly what the

Digest says that it does, it provides for the reimbursement by the State of 25% of the rent paid by Community College district for real estate leased from an owner who..... 'tape defect'... taxes on that property. This really pertains to only one Community College district and it involves about sixty-two thousand dollars and I would ask for your support."

Speaker Blair: "Discussion? The question is, shall House Bill 2102, pass. All those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? The Clerk will take the record. 136 'ayes', no 'nays', 10 'present' and this Bill having received a Constitutional Majority is hereby declared passed. Okay, now... I believe we'll go back and pick up Skinner's 2633, which while it's still on House Bill, Second was advanced by me earlier to Third, it has been read a second time prior to today."

Clerk O'Brien: "House Bill 2633, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Blair: "Mr. Skinner."

Skinner: "Yes, Mr. Speaker and Members of the House. This is the Department of Local Government Affairs Equalization Bill which was... is exactly the same now as the... as been amended to be the same as the Governor's Bill. What it does is extend the equalization for overlapping tax districts statewide and was the thrust of my original Bill. But, in addition it has been amended to relieve the Department of Local Government Affairs from equalizing assessments on a county by county basis statewide except for State Aid purposes. If there is any questions I would be happy to attempt to answer them."

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

Berman: "Yes, could you explain it a little more in detail. I don't understand the explanation."

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Skinner: "Well...."

Borman: "It relegates the Department of Local Government Affairs from equalizing in a county, is that what you said?"

Skinner: "On a county to county... county by county basis, I'm sure everyone's aware what the problem, the basic problem is and that is, because of various political pressures... Governor Ogvie in his last year of office and perhaps before, I haven't looked at those statistics, has gotten... and then Governor Walker, there after, have the State away from an equalized system. That is the counties are not assessed at the same level of assessed valuation. In fact they range from 25% I think in Putnam County to 51% in Winnebago County. Now the approach that I suggested which was... did not receive favor on this House floor, was that we go to the medium assessment which was about 40%, well the alternative suggestion for solving the problem was advanced by the Department and is sponsored in another Bill by Representative Holloway, which was not advanced to Third Reading, at his choice, I presume. And, it just relegates the Department of the authority and the duty to equalize assessment."

Borman: "What are they going to have left to do? In regard to a multiplier."

Skinner: "They will not be raising local assessment anymore, you see, right now the State law says, that assessments shall be 50% of fair market value but only in one county in the State is it at that level. Now, what I fear as a Representative of a county that is assessed at approximately 36% this year, is that someone... either some taxpayer, I can't imagine a taxpayer doing it, but perhaps some tax district who is at the maximum of the rate limitation will bring a suit and force the assessments in either my county or in your county, or virtually

any county in the State, the Winnebago County to 50%. Now, if that happens we as Representatives of our people are going to have to go home and explain why and quiet frankly, I don't want that task and that is why I'm attempting to relieve the Department of the ability to apply multipliers on a county by county basis."

Berman: "The requirements for 50%... assessment, is found where?"

Skinner: "In the definition section of the revenue article."

Berman: "All right, that's not a contribution mandate that's statutory mandate."

Skinner: "That is a statutory mandate."

Berman: "Now... but your Bill is not changing that mandate, it's just taking away from some State Agencies the ability to reach or comply with that mandate."

Skinner: "What it is saying is, the assessments may be... you know, will be mandated it may be a 50% but, the State can't push them up there, only the local officials can do so."

Berman: "Well, you know, we got into this subject a little bit with Representative Lundy, Bill and the result of some of the action of LGA, I'm not sure in my own mind that this has been formally a parcel... solution if that's the word, to a very complex problem and I'm really not convinced that this is the way that we ought to go regarding the potential injustice that could arise out of the action of the Department of Local Government Affairs."

Skinner: "Well, thus far we've only found... only two ideals have been advanced. One is, that you have already averaged the assessment level and that ideal, this House has rejected. Now, the second idea was advanced by the Walker Administration and that was that you relieve the Department of the duty to equalize assessments because, well, I presume because they just think

it can't be done. That the political forces in the State arena are such that... they will never be equalized, and that.... this is their suggestion, this is the other alternative from... well, you know, I just don't think a delay will solve the situation any better than this will."

Speaker Blair: "Gene Hoffman."

Hoffman: "Mr. Speaker, will the Gentleman yield to a question?"

Let me give you a hypothetical case, if they are going to be involved in assessing for State Aid purposes, they set the assess at 50%, the local assessor assesses the local property at 20%... we distribute State Aid on the 50% assessment level, they pay on the 20% assessment level, what happens to the 30% in between?"

Skinner: "Well, the local government of course, or not giving that money at the present time and in the future they would not get that money also. I think that there would be rather large pressure from the local tax district in a county that was assessing at 20%, to raise it to a higher level. What we're saying is, that the local tax... the local assessing officials will have within their hands... really not 50% but half of the process, they're no longer going to be able to use a State Department of Local Government Affairs as a crutch... for low local assessments, if they want low local assessments it's fine, they can have it but they are not going to be rewarded for it as they under the present system."

Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House. This.... sometimes a half of a solution is worse than no solution to our problem at all. We do have a serious problem in this area and certainly the lack of equitable assessment distorts the distribution of State Aid and this is a serious problem which still exists. Had the present administration not closing the multiplier, a

process or a deed which they had no authority in law to do, had they not done this we would not find ourselves in the serious situation that we find ourselves in today certain school district particularly in the County of Cook would not find themselves in the situation in which they find themselves today, and although in theory, I think the Gentleman's approach and the approach of the Department of Local Government has some good. In practice I think it will cause more problems than it will solve because I do not believe that those taxing bodies which will be hurt the most by this program, have the political, the political call it if you will, to do what needs to be done to be treated equably and fairly in a State in which we still rely upon township assessors. And therefore, although in theory I concur, I find that I will not be able for one, to support this particular program at this time."

Speaker Blair: "Mr. Lundy."

Lundy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor of the Bill yield for a few questions?"

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

Lundy: "Cal, what is the effective date on this Bill?"

Skinner: "The effective date, would be next years tax cycle... '74 taxes collectable in '75."

Lundy: "Am I right that the theory behind the Bill is that once the equalization factor no longer applies to individual property tax Bill, the assessors will be under pressure either from taxing districts or other wise, to raise their assessments as a percentage of fair market value to the point where the loss revenue will be recovered by the taxing district?"

Skinner: "More or less."

Lundy: "Let me ask you this, in a county such as Cook County, which is not reassessed in its entirety in any one year.

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How can that increase in assessments as a percentage
 of market value occur in time to avoid a disastrous
 loss of revenue, will the taxing districts that are
 taxing at their maximum rate in that county."

Skinner: "I think the answer is fairly easy but I must admit
 that, I'm more familiar with the effect that a Board
 of Review would have in a, you know the povers that
 they have in a downstate county, a downstate county, a
 Board of Review may multiply the assessments times any
 factor they want, that is, they have... actually they
 have more authority than the Department of Local
 Government Affairs does equal to... to equalize assess-
 ments now, I must admit I'm... I'm not sure and perhaps
 Representative Shea, could fill us in on this, whether
 the Board of Appeals has that same authority but,
 certainly the Cook County Board has the authority to
 modify the current assessment ordinance to raise the
 assessments for instance... you know, right now the
 homes and land are assessed at 222, you multiply...
 excuse me, what... could you ask... Art, could you
 turn Representative Shea's microphone on, so he can
 correct my figures..."

Speaker Blair: "Sure, the Gentleman from Cook, Representative
 Shea."

Skinner: "What figure are they at now?"

Shea: "The County Board could change... let me get another
 microphone.... The County Board could change what
 the assessor can assess at, but in Cook County we have
 a very specific problem under 524 and 525, of the
 Revenue Act, because under 524, the assessor can re-
 assess a quadrant at a time. So, that under your
 Legislation as I read it, they could... starting the
 '74, assessment is already done. Starting in '75, they
 could get into the start of the program that you wanted
 but the multiplier would bypass the Board and we would

loss approximately 60% of our tax base."

Skinner: "The question that Representative Lundy asked earlier, is when it is effective. The Bill as it reads now and as the Governor's Bill read, said that it was effective with the '74 taxes. It's irrelevant to me whether it's effective in '74 or '75, or actually '76. What is relevant is, that some process toward equalization begin at some level, now I have an Amendment that is drafted that I would be happy to put on to make it effective in '75, which would give us next spring to tiddy up the process in Cook County if that is needed."

Lundy: "All right, Cal, I have a couple of other questions one is, you refer to the fact that you have amended the Bill now to be the same as the Governor's Bill. Does that indicate that the Bill that you're offering now... has the support of DLGA and of the Governor?"

Skinner: "Well, if it doesn't the Director of the Department of Local Government Affairs has totally misled the Joint Revenue Sub-committee on property taxes."

Lundy: "Well, I would like you to answer it more directly if you can."

Skinner: "Well, I haven't...."

Lundy: "The Department told you what its position on this Bill... right now it could be, that as a matter of general principal they favor abolishing the equalization tax as it applies to individual tax Bills but that they are not ready to do it now, for example."

Skinner: "Well, all I know is, the Director testified before our Joint Sub-committee on property tax reform and that he said, this is what his Department was proposing and that Dale Young, their lawyer approached me about being a co-sponsor of it and for some reason when it was introduced, I was not a co-sponsor and Representative Holloway and Representative Choate and several other Democrats were co-sponsors. Now, I presume that means

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that the Walker's administration is behind it. If it doesn't they... you know, I would not know how else to interpret it."

Lundy: "All right I have one other question and that is this, Senate Joint Resolution 10, set up a Joint Sub-committee of the House and Senate Revenue Committees to study the whole subject of real estate property taxes and how they could be more fairly administered and push the equalizer... the equalization factor as a big part of that study, now as I understand it from Senator Clark, who is the Chairman of that Sub-committee, they really haven't completed their deliberations yet and it seems to me that he's told me that feels that the equalizer is only a one part of a much larger and more complex problem than it would be in the State to try to solve the entire problem of the inequity of real estate property taxes by taxing this one small segment of the problem, what's your response to that?"

Skinner: "Of course I guess my response has to be, that ever since Senator Swanson, held hearings on property tax assessments and their inequities in 1970, no one has agreed on a solution. What I believe what are Joint Sub-committee has more or less concluded, is that there is a problem and there is a very large problem and there are approximately two solutions. Now, this House has said that they did not like one solution and I'm merely offering up today, the Governor's solution so that you may have equal opportunity to either be... for his proposal to either be passed or defeated."

Lundy: "Mr. Speaker, may I address myself to the Bill briefly?"

Speaker Blair: "Proceed, Sir."

Lundy: "Thank you. Ladies and Gentlemen of the House, I certainly commend the Sponsor of the Bill for taking on what is really an enormous and very complex problem which baffled many of us and... of course infuriates

many of our constituents. I regretfully feel that I have to say that I think this Bill, right now is premature... that before the Joint Sub-committee established by this House and by the Senate, has completed its study... before it has given us a blueprint for a total revamping of property tax administration in the State of Illinois, we really ought not to try to attack this problem on a piece meal basis. In addition, as my earlier questions to the Sponsor of the Bill indicated, if the Bill is enacted in its present form with an immediate effected date, it may very well work an enormous hardship on taxing districts in Cook County, which is the only county in the State which is not reassessed in its entirety every year and it might well take another three or four years before... some of the taxing districts in Cook County would catch up to where they are now in terms of the valuation of the property in their area, that I think if we're going to take this approach, at the very least we have to phase it in as far as Cook County is concerned, to protect the taxing districts in Cook County. As I say, I commend the Gentleman for his efforts but I think at this time the Bill is premature and I urge a 'no' vote."

Speaker Telcser: "The Gentleman from Sangamon, Representative Gibbs."

Gibbs: "Would he yield to a question?"

Speaker Telcser: "He indicates that he will."

Gibbs: "Representative Skinner, how many Amendments are on this Bill?"

Skinner: "Just one."

Gibbs: "I don't seem to have the Amendment on my desk so, let me ask you this, in Montgomery County, which is in my district... the overall average of the real estate in the county is assessed at 382, I believe of the fair market value. It's my interpretation of this Bill

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that this would result in an increase up too.... bringing it up with the other counties, is my interpretation correct?"

Skinner: "Well, if we don't pass this Bill, the Department of Local Government Affairs is mandated to bring the assessment in Montgomery to 50%."

Gibbs: "But the...."

Skinner: "If they..."

Gibbs: "If this Bill passes it will have an affect on Montgomery County and will result in a tax increase... is that right?"

Skinner: "As a matter of fact, I would give just the reverse interpretation of this Bill. Everyone sitting in this room except for the Representatives from Winnebago County, are eminently threaten with having their local assessments rised from whatever level they are now, not to the 40% level which was in the last Bill, but to 50%."

Gibbs: "I realize all that, but my question is... just like we're always talking about tax relief, we hear from the Governor's office, we hear about it and it is eminent but we never see it. But, what I'm saying is right now Montgomery County is taxed at 38%, if this Bill passes will it result in an increase in the taxes?"

Skinner: "Not unless the local officials want it too."

Gibbs: "But, it could with this Legislation, is that right?"

Skinner: "It has less chance with this Legislation than if this Legislation does not pass. You know, right now all we have to do is have one mandamus suite against the Director of the Department of Local Government Affairs, to bring assessments to 50%, statewide...."

Gibbs: "But without that though the taxes will stay at 38%, won't they? Without that the taxes will stay at 38%, at an average."

Skinner: "Without what?"

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Speaker Telser: "The Gentleman from DuPage, Representative Hoffman."

Gibbs: "Without the mandamus action that you're talking about. In other words if we continued under the present program."

Skinner: "Well, I must admit that I have not been one that has...been able to perceive too many of the promises that the Governor has carried out. He did promise to, you know, and everyone would pay their fair share of real estate taxes and so far he hasn't delivered on it. Now, he may... for any number of reasons decide to finally enforce the law and what I'm attempting to do, is to really hold up harmless in the General Assembly."

Gibbs: "I see."

Skinner: "And, have the local officials to make the decision anyway they want to make it."

Speaker Telcser: "Representative Stone, for what purpose do you rise, Sir?"

Stone: "A point of order."

Speaker Telcser: "State your point, Sir."

Stone: "We've had several discussions here about discussions between two Members of the House... and certainly this has been going on since the last half hour, its been all discussion now if someone has something to say on a Bill, I wish he would say it and let's get on with..."

Speaker Telcser: "I think your point is well taken, Sir. Unfortunately this Session, we've got ourselves in the habit of asking a multitude of questions during the time period when we are suppose to be speaking for or against the Bill. I think we could save a lot of floor time if the Members would try and ask the Sponsor the questions on the floor prior to the Bill being called. However, let's continue, Representative Gibbs."

Gibbs: "Well, Mr. Speaker, I've been talking for about two minutes and... are you saying that I'm out of order here to ask a question of the Sponsor."

Speaker Telcser: "No, I'm not. I'm simply asking that we

Tuerki: "Mr. Speaker and Members of the House. Amendment #5, to Senate Bill 1486 does two things. It allows the

all try and save a little time if we can. Proceed, you've got ten minutes left."

Gibbs: "What I'm trying to find out is the answer to my question and my interpretation of this is it will increase the taxes, if nothing else is done and that's why I'm against this Bill. But, as far as Representative Stone, is concerned, for the interruption I think I have the right to ask questions the same as he does. Thank you."

Speaker Telser: "The Gentleman from Kankakee, Representative Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House. I know that while this dialogue on the floor has been going on between... various and sundry Members and the Sponsor, that many people are really paying attention to this Bill. And, I think that this is probably one of the most important Bills that we are going to consider as far as the impact it has on the taxing bodies and on your constituents back home. I think we ought to get straighten out a little bit... some of the proceedings that has taken place in this Joint House, Senate Committee that we've been discussing and this dialogue. Let me suggest to you, that the Sponsor of this Bill, who has been leading a crusade for equalization throughout this entire Session and rightfully so, is making various alternate proposals to bring about equalization in the State of Illinois. This is a very meritorious cause, especially when you start spreading out school aid formulas to various taxing bodies which are tax funds that belong to all the people in the State of Illinois. I congratulate him on this effort and I support him in it. I do however, want you to know that this is but one of the proposals that was placed before the House, Senate Joint Committee, it was one that that Committee was not

this Amendment, amends chapter 122..."

Speaker Telser: "Well it amends the same chapter, Mr.

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willing to accept and I think you ought to know that when it was proposed by the Department of Local Government Affairs, as something that we ought to study that the Sponsor of this Bill got up and made a speech about how this was going to... how the Walker Administration was proposing that we increase taxes throughout the State of Illinois and that story was carried on the AP Wire Service and appeared in many local newspapers including mine. Now, frankly the journalist who wrote that story somewhat misinterpreted the proposal. He did cover the other side of the coin that what we were talking about was equalization, this is however, one of those alternatives that would have an immediate impact on your district, on the taxing bodies in your district and on the taxpayers. Because if this Bill passes, I can tell you that one of two things are going to happen, one the state aid to your local school districts and junior colleges will be depleted by some twenty or thirty percent next year. If you're assessed at the average level that most counties are in this State or two, the taxes in your area are going to go up by at least 40% as a result increase assessment. I suggest to you that neither the school district nor the tax assessors are going to have time to adjust to this and one of those two things are going to happen. It is a meritorious proposal for study, it's the kind of thing however, should be included in a package if it is proposed and it ought to come out of here as a Bill from that Joint House, Senate Committee and not a stop that measure by this House."

Speaker Telcser: "The Gentleman from Kane, Representative Crothberg."

Crothberg: "Thank you, Mr. Speaker. I move the previous question."

Speaker Telcser: "The Gentleman moves the previous question."

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the situation which he brings to our attention... I was under the impression that we were going to in concert

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All in favor signify by saying 'aye', opposed 'no'. The previous question has been moved and Representative Skinner, to close the debate."

Skinner: "Yes, Mr. Speaker, I think that... I really don't think I ought to be held responsible for what may have been misinterpretations by wire service reporter. It was the first meeting that he had attended and perhaps he didn't fully understand all of the aspects of this Bill. I would like to state categorically that this Bill will not automatically raise any local assessments, it is strictly up to the local assessing officials what they want to do. If this Bill is not passed, I can guarantee you that the law requires that all assessments in the State of Illinois except those in Winnebago County will have to be raised. Now, what I'm attempting to do, since I have seen study Committees being working... working on this subject since at least 1969, and I've gone back and read a report that was written in '63, that is the just base of the same type of thing that I've been presenting to you this year and say, it's time... well I can't quite say what I think it's time to do... but anyway, it's time for us to stand up and make an affirmative action in favor of equalization. Now, you can vote for this Bill with complete impunity because you know any House Bill that passes today is not going to get considered by the Senate. But, what you will saying, is that gee-wiz... we think it's time that something did happen on this subject... and for that reason, for the reason that we indeed should make the state aid formulas work... that we ought to have enough faith in Local Governmental Affairs to let them use their own judgement of what level of assessments they should be at, rather than having the threat of the Department of Local Government Affairs annually raising your assessment by an average of 25%.

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find classroom space, they are using a teachers lounge for a classroom. The teachers faculty lounge...

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I would ask your support of this Bill."

Speaker Telcser: "The question is, shall House Bill 2633, pass. All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Franklin, Representative Hart, to explain his vote."

Hart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is really a time bomb... and if you want to catch it from anyone at home, vote for this Bill and fall back when the effect takes place. I bet it will be about election time... this Bill is thoughtout with difficulties for anybody who goes home and tries to explain what they did and I feel... the only security I feel about this Bill is, that it's at this place on the Calendar at this time in the Session but, I would feel very secure that this Bill was soundly defeated."

Speaker Telcser: "The Gentleman from Ogic, Representative Brinkmeier."

Brinkmeier: "Yes, Mr. Speaker and Members of the House. I did have one very simple question and I would hope that Representative Skinner, in his explanation of vote would answer it for me..."

Speaker Telcser: "I'm sure he can."

Brinkmeier: "The district that I represent Cal, has six counties and each one of them have had the multiply as one, for several years now and I think I know what this Bill would do for those counties but, hopefully in your explanation of vote, I would hope that you would answer my question and until then, I will wait. Thank you."

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

Skinner: "First of all I would like to say, I'm very happen to see that my 402 proposal is two times as popular as the Governor's proposal. In answer to Representative

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buildings destroyed or damaged by flood, tornado, fire,

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Brinkmeier, I would point out that nothing would happen to your counties if they had a multiplier of one... the assessment levels remain precisely the same as they are now."

Speaker Telcser: "Have all voted who wished? Take the record.

On the question there are 24 'ayes', 72 'nays', any answering 'present'. Maragos, 'no'. This Bill having failed to receive.... Representat Mc... having failed to receive... Friedland, 'aye'... having failed to receive the Constitutional Majority is hereby declared lost. The Gentlemen from Johnson, Representative McCormick."

McCormick: "Mr. Speaker, now that this Session is coming to end as far as Bills by Representative Skinner, is concerned... I just wonder, in all of his college days and his high school days if he's ever learned to subtract, divide or add. All I've heard during this whole Session has been multiply."

Speaker Telcser: "Okay... Senate Bills, Second Reading. Representative Hirschfeld, are you ready to go? You all set? Senate Bills, Second Reading... Senate Bill 1502... Oh, I'm sorry... John, I'm looking at the bottom of the page, there's some Bills before you. Senate Bills, Second Reading, Senate Bill 1285."

Clerk O'Brien: "Senate Bill 1285, a Bill for an Act making appropriations to the Judicial Inquiry Board, no Committee Amendments."

Speaker Telcser: "Amendments from the floor? Third Reading. Senate Bill 1318."

Clerk O'Brien: "Senate Bill 1318, a Bill for an Act to provide for the ordinary and contingent expense of the General Assembly. Second Reading of the Bill, no Committee Amendments."

Speaker Telcser: "Are there any Amendments from the floor? Third Reading. 1319... oh, there are Amendments... 1318,

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Amendments."

Speaker Telcser: "Amendments from the floor... 1318,

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on Second."
Clerk O'Brien: "Amendment #1, Blair. Amends Senate Bill 1318, in the House on page 1, line 12, by deleting seven hundred and sixty thousand and so forth."

Speaker Telcser: "The Sponsor is not on the floor... Representative Choate, are on this Amendment? You're not are you... Let's take 1318 and 19, out of the record. Senate Bill 1322."

Clerk O'Brien: "Senate Bill 1322, Kosinski. A Bill for an Act making appropriations for the Supreme Court. Second Reading of the Bill, two Committee Amendments. Amendment #1, amends Senate Bill 1322...."

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

Greiman: "Mr. Speaker, Committee Amendment #1, has been approved by both sides of the aisle... It just makes some technical changes and shift some lines around."

Speaker Telcser: "Are there any discussion? The Gentleman offers to move the adoption of the Amendment to Senate Bill 1322. The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Would the Clerk just read the first line on Amendment #1."

Clerk O'Brien: "On page 1, line 23, by deleting six million nine hundred and fifty-six thousand and inserting in lieu thereof, six million, five hundred thousand."

Lechowicz: "That's what I thought. Thank you.... yes, Mr. Speaker, this is an Agreed Committee Amendment #1, but it is a reduction of four hundred and ninety thousand and eight hundred and seventy-three dollars."

Speaker Telcser: "The Gentleman has moved the adoption of Amendment #1, to Senate Bill 1322. All in favor say 'aye', opposed 'no'. It is adopted. Further Amendments."

Clerk O'Brien: "Committee Amendment #2, amends Senate Bill 1322, on page 9..."

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Clerk Selcker: "Amendment #3, Choate. Amends Senate Bill

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

Greiman: "Committee Amendment #2, Mr. Cunningham... I think would want to address us on that... we would oppose that."

Speaker Telcser: "The Gentleman from Lawrence, Representative Cunningham, on Amendment #2."

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House. For a long time its been an unexplainable policy here in Illinois, to pay a fourth of the judges salary from the road fund. There isn't one among us who doesn't recognize the desperate need in his district for more roads and fewer judges... and what we propose to do here is to let the judges salary come entirely from the General fund and thereby, we'll make available the additional 25%, that is being skimmed off for the judges salary from the road fund for the building of roads. I urge you, if you believe in good roads for your district and your constituents need them... to vote for this Amendment. It can only have a good affect and it will make more roads... better roads possible for you district and hurt no one. With their new salaries the judges won't need to go by automobile they can fly..."

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

Greiman: "Well, Mr. Speaker... the concept, I think are portions to some degree the extent of the money spent by the judicial funding on handling traffic matters. Now, the statistics are that from twenty to thirty percent of the judges are assigned to traffic cases, that from fifty to sixty percent of the case loads are traffic cases and that the support, facilities in the various counties which... part of which are included in this appropriation Bill and part not, are also serving traffic volitions, so that it is really an

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in more than one county are included in the county

equable and fair relationship between the monies taken from the road fund and monies applied to judicial salaries."

Speaker Tolson: "The Gentleman from Cook, Representative Lechovics."

Lechovics: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition to Amendment #2, to Senate Bill 1322. What it really is, it's a raid on General Revenue by approximately thirty-three million dollars, and I thought that it was the policy of this General Assembly... as it has been in the past to maintain a proper balance. A balance between General Revenue and also the road funds. This here... we're funning into something rather unusual, where the MFT which was always sanctum sanctorum is really getting into a class all of its own. We're trying to take everything out of General Revenue and Ladies and Gentlemen, the fund just cannot absorb it. As Representative Greiman, pointed out... the road fund has been paying for the proportion share of the cost of the judges because of their related duties that the general public has been exposed to... in relation to traffic matters and in turn I think that it is a justified cause from MFT funds. This Amendment was adopted in Committee on a close vote and I would ask that the Membership of this House would reject Amendment #2, to Senate Bill 1322. Please vote 'no'."

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

Cunningham: "So there will be no mistake in the records, this is a Committee Amendment, it is not my Amendment it is the work product of a staff that very carefully considered the matter and they found and I agree with them a 100%, I don't know how anyone can find differently. That there is no logical relationship between the

duel district counties that they are now receiving. they would continue to receive what the new formula

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Judges salary and the road funds that are so desperately needed for the manufacture and completion of roads. Road funds are earmarked funds and they should be used entirely for the purpose for which that title indicates, for building of the roads. Let's return to a reasonable situation... let's make more funds available for roads vote for your constituents, vote for this Amendment. 'aye'."

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

Choate: "It seems like an appropriate time to... Mr. Speaker introduce two former distinguished Members of this Legislature who happen to be down and renewing old acquaintances and telling me quite frankly that, things haven't changed since they left. Former Member of the House, Representative Tiny Rose, from up around the Rock Island area... right, Rock Island area and former Member of the House from the Alton area, Representative Danny O'Neil.... and if you'll all be aware, I've got a couple of controversial Amendments coming up after while and if you'll look at the size of these two young bucks, I don't think anybody wants to give me trouble."

Speaker Telcser: "The Gentleman has offered to move the adoption of Amendment #2, to Senate Bill 1322. All in favor signify by voting 'aye', opposed by voting 'no'. Representative LaFleur, for what purpose do you rise, Sir?"

LaFleur: "I wish to ask a question..."

Speaker Telcser: "All right, go ahead I didn't see you, I'm sorry."

LaFleur: "Maybe Mr. Cunningham will answer this question. Roscoe, when the fines are levied and they are paid over to the State are they paid into the General Fund or are they paid into the road fund?"

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Choate: "A little less than sixteen million."

Houlihan: "A little less than sixteen million?"

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Cunningham: "Well, the answer is quiet obvious and I thank you for pointing that out to me, Representative LaFleur, and that is that all the traffic fines are paid into the general fund, was that the question?"

LaFleur: "That was the question, yea."

Cunningham: "So it would support the proposition we all should be voting 'aye' on it, so we can have roads. The Judges are already getting their money, they're putting the fund into the general fund from whence we seek to pay their salaries. Those of you who are voting red in such alarming numbers, should recognize just in a moment here that what we're trying to do is to make money available to build roads in your districts. If you continue the policy of diverting funds from the road fund for every other cause and expense of government, the time would come, very soon, they'll be no money at all in the road fund for the conception of roads that are needed. I urge you to switch to green... this Amendment could pass."

Speaker Telcer: "Have all voted who wished? Take the record. On this question there are 31 'ayes', 86 'nays' and 2, answering 'present' and the Gentleman's motion to adopt Amendment #2, to Senate Bill 1322, fails. Further Amendments?"

Clerk Selcke: "Amendment #3, Greiman. Amends Senate Bill 1322....."

Speaker Telcer: "The Gentleman from Cook, Representative Greiman."

Greiman: "Amendment #3, is essentially the payment of the bills and the liability that we obligate ourselves for when we passed House Bill 2541, which is a judicial... the judges increase in salary and the various items are increased by some six million dollars which is the cost of increasing the judicial salary on that Bill. I would recommend... it has been approved by both sides

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House. It's seldom that I agree with Representative Houlihan, but I certainly do in this instance. The

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which baffled many of us and... of course infuriates

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Speaker Telcser: "Is there any discussion? The Gentleman
has offered to move the adoption of Amendment 43, to
House Bill 1322. All in favor say 'aye', opposed 'no'.
The Amendment is adopted. Further Amendments?"

Clerk Selcke: "Amendment #4, Garmisa. Amends Senate Bill
1322, on page 1, and so forth."

Speaker Telcser: "The Gentleman from Cook, Representative
Garmisa, is the Gentleman on the floor? The Gentleman
from Cook, Representative Greiman."

Greiman: "Mr. Garmisa, is not here, I'll handle it. This is
for an additional appropriation of forty thousand
dollars four interpreters of the Spanish language, which
are to be included in the budget... that too has been
cleared with both sides of the aisle and has been
approved with the administrators office and I ask for
its adoption."

Speaker Telcser: "The Gentleman from Franklin, Representative
Hart."

Hart: "As I recall in the statute it says that the counties
are to pay the interpreters, how is this going to work
when the substance of the law mandates that these inter-
preters be paid by the county in determining whether
the appropriation to the Supreme Court should pay these
interpreters. It would be contrary to law if they did...
pay them... how is this going to work, I don't under-
stand it."

Greiman: "Well, as I understand it... this will be adminis-
tered as are the other funds through the Supreme Court..."

Hart: "If... subaldy of Law of Illinois is, that interpreters
are to be paid by the county, I don't see any point
of appropriating money if you're just going to ask the
Governor to red ink this one because..."

Greiman: "I'm not..."

Hart: "You haven't got a Bill running through the General

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in my district... the overall average of the real estate in the county is assessed at 382, I believe of the fair market value. It's my interpretation of this Bill

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Assembly than changes the law, so that this appropriation could be spent."

Grelman: "Well, I'm not certain that that is the law, if you tell me is."

Hart: "Well, I am."

Grelman: "Then it is, but I think... they have asked for this and I assume that the Supreme Court can administer it."

Hart: "Well they could administer it but they can't administer it contrary to the law and I think we're just... I'm not... I think if you want to put it on, I guess it's all right, but it's just in my opinion an act of futility."

Speaker Telcser: "The Gentleman has offered to move the adoption of Amendment #4, to Senate Bill 1322. All in favor signify by saying 'aye', opposed 'no'. The Amendment is adopted. Any further Amendments? No more, Fred, Representative Hart, for what purpose do you rise, Sir?"

Hart: "I would like the Journal to say that I voted 'no' on that Amendment."

Speaker Telcser: "Okay, let the Journal show that Representative Hart, voted 'no' on Amendment #4, to Senate Bill 1322. Further Amendments? Third Reading. Senate Bill 1327."

Clerk Selcke: "Senate Bill 1317, a Bill for an Act to provide for the ordinary and contingent expense of the Illinois Investigating Commission. Second Reading of the Bill, no Committee Amendments."

Speaker Telcser: "Any Amendments from the floor? Third Reading." Senate Bill 1486."

Clerk Selcke: "Senate Bill 1486, Gene Hoffman. A Bill for an Act to amend the School Code, Second Reading of the Bill... we've got an Amendment on this Chalkie.... No Committee Amendments."

Speaker Telcser: "Amendments from the floor."

Clerk Selcke: "Amendment #1, Gene Hoffman. Amends Senate Bill 1486, on page 1, and so forth."

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Gibbs: "But without that though the taxes will stay at 382,
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Skinner: "Without what?"

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Speaker Telcser: "The Gentleman from DuPage, Representative
Hoffman."
Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House.
House Bill 1486, is the same as.... or Senate Bill 1486,
is the same as House Bill 2486. I would like to... there
has been five Amendments that have been proposed. I
would like to Table Amendments #1, 2 and 3."
Speaker Telcser: "The Gentleman moves to Table Amendments
#1, 2 and 3, to Senate Bill 1486. All in favor of the
Gentleman's motion, signify by saying 'aye', opposed
'no'. Amendments 1, 2, and 3, are Tabled. Further
Amendments? Further Amendments? Fred, Amendment #1,
2 and 3, are Tabled, are there further Amendments?"
Clerk Selcke: "Amendment #4, Gene Hoffman. Amends Senate
Bill 1486...."
Speaker Telcser: "The Gentleman from DuPage, Representative
Hoffman."
Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House.
Amendment #4, does basically three things, one, it puts
Senate Bill 1486, in the same position as House Bill
2486 was when it passed the House. It also provides
validating legislation to take care of a problem in
Stillman Valley and hopefully take care of that similar
types of problems in the future and it provides an
Amendment in the election process to clarify something
that we left out in Legislation that we passed... last
year which was sponsored by Jerry Bradley and I would
move for the adoption of Amendment #4."
Speaker Telcser: "Is there any discussion? The Gentleman
offers adoption of Amendment #4, to Senate Bill 1486.
All in favor say 'aye', opposed 'no'. The Amendment
is adopted. Are there further Amendments?"
Clerk Selcke: "Amendment #5, Tuerk. Amends Senate Bill 1486...
and so forth."
Speaker Telcser: "The Gentleman from Peoria, Representative Tuerk."

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minutes and... are you saying that I'm out of order here to ask a question of the Sponsor."

Speaker Telcser: "No, I'm not. I'm simply asking that we

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Tuerk: "Mr. Speaker and Members of the House. Amendment #5, to Senate Bill 1486 does two things. It allows the School Board, under Chapter 33-1, the opportunity at the option of the Board to hold the election for School Board Members at the same time at the election for city or county officials. This is part of the Amendment which would say, for example, my school district a sizable amount of money in allowing it to pass a Resolution to hold the election at the same time. And, therefore, need to have a special election, the second part of the Amendment... adds section 9-22 to chapter 33, which would bring it into conformance with a Bill that was passed in the last Session which would allow either by the Resolution of the school board or by petition of voters to allow it to elect its members by districts rather than at large and I would move for the adoption of the Amendment."

Speaker Telcser: "The Gentleman from DuPage, Representative Gene Hoffman."

Hoffman: "Mr. Speaker, in all due respect to the Sponsor, I would like to raise the question of the germaneness... this demands a separate section... section 33, deals with a topic which is not included in this Bill and I respectfully would request a ruling from you on this issue."

Speaker Telcser: "Okay, could I have the Bill, Mr. Clerk and the Amendments. You got the Bill and the Amendments... Representative Tuerk, while the Chair understands the great importance and nature of your Amendment, and the importance of your district, the Chair is compelled to rule that the Amendment is not germane to the Bill."

Tuerk: "It is not germane to the Bill?"

Speaker Telcser: "That is correct, Sir."

Tuerk: "Would you explain that to me, Sir... because I see that we're amending Chapter 122, in the Bill as well as

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this Amendment, amends chapter 122...

Speaker Telcser: "Well it amends the same chapter, Mr.

Tuerk, it deals with two entirely different subject matters. One being the transfer of children from school district to district while on the other hand, the other subject is school board election, I don't think that it is compatable with the subject of transferring students and based upon that judgment would rule the Amendment not germane. Further Amendments? Third Reading."

Clerk Selcke: "Senate Bill 1263, McPartlin."

Speaker Telcser: "Is Representative McPartlin on the floor? McPartlin, no he's not here go on to the next one, Fred, 1396."

Clerk Selcke: "Senate Bill 1396, a Bill for an Act to amend the Capitol Development Board Act. Second Reading of the Bill, no Committee Amendments."

Speaker Telcser: "Amendments from the floor?"

Clerk Selcke: "Amendment #1, Schisler. Amends Senate Bill 1396, on page 1, line line 1, and so forth."

Speaker Telcser: "The Gentleman from Fulton, Representative Schisler.... he's on his way back to his seat."

Schisler: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1, amends Senate Bill 1396 and very simply adds an emergency clause that the Capitol Development Board needs for this type of Legislation. I move the adoption of the Amendment."

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

Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House. Representative Schisler and I briefly just discussed the responsibility of putting this Amendment on, I was not aware that he was going to pursue it. At the present time Senate Bill 1396, deals with removing the limitation of time for the application for death service under the new Capitol School Bond Construction Act. I recognize

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the situation which he brings to our attention... I was under the impression that we were going to in concert attempt to work this out within the guide lines of the Capitol Development Board. Since this is a new Act in this particular piece of Legislation attempts to do one very simple thing and that is, to eliminate the October 1, 1973, deadline in death service... I would respectfully oppose this Amendment and request your 'no' votes and as I have indicated to Representative Schisler, I will certainly assist him in working with the Capitol Development Board to deal with the situation which he brings to my attention. Unfortunately, this is general Legislation, he has a particular problem with the building that has been wind damaged which they don't plan to use anymore than a year after the time that they could correct it, so I believe we should oppose this Amendment."

Speaker Telser: "The Gentleman from Ogle, Representative Brinkmeier."

Brinkmeier: "Yes, Mr. Speaker and Members of the House. I would like to speak in behalf and support of this Amendment. Very frankly, I very disturbed that what the Capitol Development Board has been doing. Particularly in determining their priorities and I call your attention to the fact that there are twenty-one school districts that have been receiving these grants from the Capitol Development Board, most of them are in the Metropolitan or what I would consider to be the most wealthy district. Now for example, in northern Illinois and neither of these two school happen to be in the district that I represent, but there is one wealthy school district, maybe the wealthiest in north central Illinois that did receive a grant, they rejected another school... a school that had seven educational classrooms, special Ed. class rooms they had to go to the neighboring city in order

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Speaker Blair: "All right, Who is the Sponsor of this Bill?"

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find classroom space, they are using a teachers lounge
for a classroom. The teachers faculty lounge today is
in a shower room... that school was rejected and I think
it's about time that they started looking to the schools
that really needed some help and certainly these schools
now that have had the unfortunate circumstances sur-
rounding the recent storm are very well deserving of
some funds and I would urge adoption of this Amendment."

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

Berman: "Thank you, Mr. Speaker. I stand in support of
Amendment #1.... Representative Schisler, spoke to me
about the need for this Amendment and he and I contacted
the Capitol Development Board, they felt that they may
have had the implied authority to take such disasters
as... flood, tornado, fire or other disasters into
consideration, but they indicated that they would like
to have by the explicit statutory authority to do so,
and I think that this is certainly within the purview
of the kind of things that we in the Legislator would
want them to take cognizance of in making awards to
school districts that need Capitol Development Funds.
I think that it is within the lines of our original
intent in the passage of the Capitol Development Board
Act and I solicit your affirmative vote on Amendment #1."

Speaker Telcser: "Is there further discussion? If now,
Representative Schisler, to close."

Schisler: "Mr. Speaker and Ladies and Gentlemen of the House.
I apologize to the distinguished Gentleman because I
did not have an opportunity to give him this Amendment
in advance. I discussed it with him a few days ago,
I just now walked away from handing it in and didn't
realize the Bill was coming up this fast. The Amendment
simply say, until such standards shall also give priority
to expediting the replacement or construction of school

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of this Bill?
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cause primarily most Members districts at home are

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buildings destroyed or damaged by flood, tornado, fire, or other disasters, produced solely by nature. Now, Mr. Speaker, this particular problem is not uncommon to my area, there have been floods, and there have been storms all over the State of Illinois... this spring. Therefore, I think that this school district that I'm discussing should be moved up in priority so that they can construct their school buildings and I would ask for a favorable Roll Call on this."

Speaker Telcser: "The Gentleman has asked to move the adoption of Amendment #1, to Senate Bill 1396. Do you want a Roll Call... Representative Hoffman. Representative Hoffman, for what purpose to you rise, Sir?"

Hoffman: "This is just to ask one question and that is, has the Amendment been distributed... I can't find it in my book."

Speaker Telcser: "Mr. Clerk, has the Amendment been distributed? Has this Amendment been distributed? No, it has not been distributed."

Hoffman: "Pardon."

Speaker Telcser: "It has not been distributed. Well, you want to take this out of the record for now... you want to move the Bill to Third and come back after it has been distributed, which ever of the two you wish to do is all right with... Oh, we're sending a copy back to you Representative...."

Hoffman: "I would like to move it to Third and distribute it and then pull it back, just so we get it on the Third Reading in the House... is that all right."

Speaker Telcser: "Take Amendment #1, out of the record for now. Further Amendments. No... Third Reading. Take it out of the record, advancing it to Third. Senate Bill 1397."

Clerk Selcker: "Senate Bill 1397, a Bill for an Act to amend the School Code. Second Reading of the Bill, no Committee

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Speaker Telcser: "Are there any Amendments from the floor?"

Third Reading. 1319... oh, there are Amendments... 1318,

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Amendments."

Speaker Telcser: "Amendments from the floor. None, Third Reading..."

Clerk Selcke: "Wait a minute... wait a minute."

Speaker Telcser: "Oh, there is one... back to Second Reading."

Clerk Selcke: "Amendment #1, Gene Hoffman. Amends Senate Bill 1397, on page..."

Speaker Telcser: "The Gentleman from DuPage, Representative Gene Hoffman."

Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1, changes the language in Senate Bill 1397 to conform to language included in House Bill 2753, which we passed out of this House. This Legislation is as well as, House Bill 2753, deals with the State Aid formula and the language in 2753, was... we felt cleaner than the language in Senate Bill 1397, and so we've changed it, technical in nature... means the same thing just uses different words and I would move the adoption of Amendment #1."

Speaker Telcser: "Any discussion? The Gentleman asks to move the adoption of Senate Bill 1397. All in favor say 'aye', opposed 'no'. The amendment is adopted. Are there further Amendments?"

Clerk Selcke: "Amendment #2, Beaupre. Amends Senate Bill 1397, on page 1, and so forth."

Speaker Telcser: "The Gentleman from Kankakee, Representative Beaupre."

Clerk Selcke: "Did we adopt #1?"

Speaker Telcser: "Yes, we did, #1 is adopted."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House. With leave of the House, I would like to Table that Amendment."

Speaker Telcser: "The Gentleman moves to Table Amendment #2, to Senat Bill 1397. All in favor say 'aye', opposed 'no'. The Amendment is Tabled. Further Amendments."

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... who represent relative high assessed areas and ...

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Clerk Selcker: "Amendment #3, Choate. Amends Senate Bill 1397..."

Speaker Telser: "The Gentleman from Union, Representative Choate. Representative Choate, in respect to Amendment #3."

Choate: "Mr. Speaker and Ladies and Gentlemen of the House. House Amendment to... #3, to Senate Bill 1397, changes the method of calculating state aid to school districts. Basically what the Amendment would do, would be to increase the tax rate used to calculate state aid for districts which lies in counties with a low... low average per capita income. Under the present... the amount of state aid for pupil which each school district receives, under the resource equalizer formula is directly related to the district tax rate. The higher district a district tax rate therefore, the more state aid it is eligible to receive. Districts with a low per capita income however, have more difficulty levying the required tax rate for maximum state aid than districts with a higher per capita income. Now, if the formula is going to reward districts which makes the greatest effort by levying higher tax rates, then this effort or tax rate must be adjusted to reflect the people, the ability to pay. The Amendment would increase the tax rate used to calculate state aid for districts with a low per capita income... thus the lower of the average of per capita income of a county in which a district lies, the higher the tax rate which is used to calculate the districts state aid. Some of the other things that this Amendment would do, I want to point out to each and every Member, it does not change the tax rates levied by school districts. It only changes the calculation of state aid, no district... let me repeat this, no district would have its state aid reduced by this Amendment. The districts which lie

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In more than one county are included in the county where most of the students attend the school, to determine its average income per capita. I have a map with me that shows exactly what could be expected if and when this Amendment is adopted. As I pointed out, no district would receive less... LaSalle County, incidentally as an example... would benefit to over two hundred thousand dollar. Mason County, a smaller county would benefit over forty-nine thousand dollars, Peoria County, would benefit over forty-three thousand dollars. Sangamon County would benefit over sixty-nine thousand dollars, Effingham would benefit over three hundred and fifty-five thousand dollars. All of these counties with less ability to pay would be in the position of improving... improving because of the amount of revenue that they... would be added to them. Mr. Speaker, I think that this Amendment is aimed in the right direction to more equalize the per capita as far as the income is concerned. I would hope that all of these people who clearly, concisely can see that their district would be aided, would support me in this endeavor and I would urge an 'aye' vote."

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

Tipsword: "Thank you, Mr. Speaker. Ladies and Gentlemen, I would like to add my small weak voice in support of this Amendment of Representative Choate. It's something sorely needed in the State of Illinois and in those downstate areas which presently are pretty much a unit district county. The formula that we passed here, a couple of years ago, give needed increases to the dual district areas of the State of Illinois and that was well and good except that we did it at the expense of the unit district areas. This Amendment by Representative Choate, would take absolutely nothing from the

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duel district counties that they are now receiving. they would continue to receive what the new formula has provided for them and that is well and good, but it goes along the road to restoring.. back to the unit district counties throughout the State which comprises most of downstate Illinois additional soarily needed money from the State of Illinois to help them. I am informed that in these areas, resides 40% of the school childred of the State of Illinois and these same arean at the present time, are receiving approximately 37% of the State funds that are available for school childred in the State of Illinois. This change that is proposed by Representative Choate, would merely bring those counties up to receiving with this additional monies added, 40% of the total monies that are available to the schools throughout the State of Illinois. Meaning that this increase would go to those areas that need it to bring them up on a par with all the other school area, generally on an average throughout the State of Illinois and provide their equal share for the total school population or from the total school population of this State. I urgenly request that this Amendment be supported, it is direly needed by the schools by which it will effect and it will not adversativety affect a single student or a single district in the State of Illinois."

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

Houlthan: "Well, Mr. Speaker, will the Sponsor yield for a question?"

Speaker Telcser: "He indicates that he will."

Houlthan: "Clyde, about how many new dollars would this change in the formula mean?"

Choate: "A little less than sixteen million."

Houlthan: "Pardon."

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Choate: "A little less than sixteen million."
Houlihan: "A little less than sixteen million?"
Choate: "Yeah."
Houlihan: "Is this... these are extra dollars put into
districts in addition to the full funding of the
formula as it now stands?"
Choate: "You're right."
Houlihan: "Well, Mr. Speaker and Ladies and Gentlemen of the
House. I'm not sure... I just looked at this Amend-
ment but I think it raises some serious questions. We
talked about the sanctity of the formula, we talked
about a formula we put through on a trail basis over
two years ago. Now, I think that there are some
inequities in that formula and I think that there are
some problems that it may end up in giving the
district that has the most money, some of those suburban
districts, more than their share and that is an legitimate
concern if this Amendment tries to address itself too.
But, I think one of the serious problems when we start
changing the formula, piece meal as we did in this
past history of Legislative formulas in Illinois. I
think that one of the problems we had, we had a formula
earlier that nobody could understand... because every-
body came in for their test project... nobody wants
to vote against education, nobody wants to vote against
the district to get a little more money what we're going
to have very shortly the formula that is all hackneyed
all gerrymandered around again and I think that this
formula should be given serious consideration and re-
evaluation. But let's not deal with it piece meal and
just bit by bit. I'm afraid I have some serious reservat-
ions about this particular Amendment."
Speaker Telcser: "The Gentleman from Cook, Representative
William Walsh."
Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the

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the judges increase in salary and the various items are increased by some six million dollars which is the cost of increasing the judicial salary on that Bill. I would recommend... it has been approved by both sides

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House. It's seldom that I agree with Representative Houlihan, but I certainly do in this instance. The formula that we have was worked out after many years of study by the School Problems Commission with much testimony we hear with, now in these few minutes and I haven't found very many people who even have a copy of this Amendment... much less know what it does, but I did manage to get a copy from the Clerk and this makes a tremendous change in the formula that we have labored over for so many years. So, I suggest to you that this is not the sort of thing that we should be addressing ourselves too, on Second Reading on a Senate Amendment, to a Senate Bill and I think that it ought to be defeated and defeated roundly and perhaps taken up by the School Problems Commission but, it certainly be considered at this time."

Speaker Telser: "Okay, the Gentleman from Cook, Representative Berman."

Berman: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House. I come from a district that this Amendment won't do anything for... it doesn't mean a nickel for Chicago, it doesn't mean a nickel to Evanston, it doesn't mean anything to Cook County. It doesn't hurt us in the least, but what it does do is give a recognition to a situation that a number of us has looked at and discussed before. Last year, Representative Clabaugh, carried a special Sub-committee on the financing of Education, one of the areas that that Sub-committee looked at, we did not put into any Legislative recommendation but one of the problems that we did discuss in depth was the problem of the ability to pay and its relationship to tax rates from state aid. This Amendment proposed by Representative Choate, does the same for downstate as the disadvantage factor does for Chicago and surrounding suburbs in Cook County. It

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give recognition to the needs of those school districts
that have a particular problem. The disadvantage factor
brings a lot of State dollars into the area where we
have very particular problems in educating children
from disadvantage... economically disadvantage families.
This proposal does a similar good deed, it gives rec-
ognition to the inability of school districts to levy
high tax rates because the people in those districts
have low levels of income. I think it addresses itself
to a need. I think it addresses itself to an area of
the State that the present formula has not given due
attention too and I urge an affirmative vote on Amend-
ment #3."

Speaker Tolson: "The Gentleman from Ogle, Representative
Brinkmeyer."

Brinkmeyer: "Mr. Speaker... Mr. Speaker and Members of the
House. A moment I luded the fact that the Capitol
Development Board seems to be giving preferential treat-
ment to the wealthier districts in the State. The re-
source equalizer initially it seems to be helping those
districts or at least in the suburban schools, more
than downstate. By utilizing the rated average daily
attendance, we know that the large schools in the State
are benefiting. Now, here's one case where we can help
the small schools districts in the State and I solicit
your support."

Speaker Blair: "Mr. Beaupre."

Beaupre: "I rise on a point of personal privilege. First,
of all... apparently the Amendment had not been dis-
tributed although I have one that I was able to secure
one from the Clerk. Secondly this is a very important
matter to all of us, I understand that there was some
print-outs put out to some Members but, they hadn't been
distributed to all of the Members in regard to this
Amendment. And, I would ask the Sponsor of the Amendment

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Speaker Pierce: "Amendments from the floor."
Clerk Selcke: "Amendment #1, Gene Hoffman. Amends Senate
Bill 1486, on page 1, and so forth."

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to take it out of the record for a minute so we can
take a look at it."

Speaker Blair: "All right, the Clerk advises that the Amend-
ment has been distributed. Mr. Pierce."

Pierce: "Mr. Speaker, on the Amendment. On the Amendment."

Speaker Blair: "Yeah."

Pierce: "Amendment #3, and the Sponsor of the Amendment #3,
is trying to help the poor and get some money for the
low income areas but I think this Amendment needs further
thought and here is the way I see it. The income is
used on county basis, not on a district basis, that's
where you get a high income area in a county which is
generally a low income, that high income district is
going to get the benefit of this Bill because it happens
to be located in a low income county and the reverse is
true. Lake County may be a high income county but,
within our county there are small districts of low
income people, I don't want to name their names but
there is Round Lake, and there is other areas where the
people have low income although the county as a whole
may have a high income. They will receive no benefit
at all from Amendment #3, because for some reason the
measure used in Amendment #3, is the income of the
entire county and not of a particular school district
involved. And, so I think it's good to play Robin Hood,
and to take the income tax from the well to do and
distribute it to not so fortunate, it should be done
on a more deliberate basis of helping those particular
districts with low income people, county... there are
high income counties like DuPage, Kane and Lake that
have pockets of low income people in low income school
districts and they will receive no benefit at all. I
go back to my taxpayers and they say we're paying the
State income tax, we have a high cost of living up
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money is going to go to some other county where they don't tax themselves where the... cost of living is much less and we're not going to get our state aid back. The answer is of course, that you're not going to be cut, sure we're not going to be cut but we're putting it into a formula here and the income factor of the people and yet our laws don't allow you to take income in a district and use it for the people in the district. We're tied to our real estate tax in the district. It doesn't do us any good to have a high income school district. It is all single family homes because there is no way of taxing those single family home to support the district. That's why we rely on the assess valuation to determine state aid and not on the income of the people in the district. But, even beyond that... to take an entire county and because that county has high income and say to the people in low income school district, whether it be Round Lake or North Chicago, wherever it may be, if you can't get any extra aid because you happen to be in a high income district... high income county, even though the people in your district have a low income... I think the formula of this Amendment needs further thought. It was not offered in Committee, it's good... it's Robin Hood, it's taking from the rich and giving to the poor which I know we all love to do, but at the same time it needs further work and further study and I'm going to oppose Amendment #3."

Speaker Blair: "Mr. Hoffman, Gene Hoffman."

Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House.

All of us who have worked in the area of state aid formula know that this is a very complicated area. The way in which the Amendment were distributed, I was handed one ahead of time and I appreciate that, it was still warm but I appreciate receiving it ahead of time

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Brinkmeier."

Brinkmeier: "I'm sorry Mr. Speaker, but I can't..."

Tuerk: "Would you explain that to me, Sir... because I see that we're amending Chapter 122, in the Bill as well as

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so I would love to look at it, deals with an approach which we considered in the Governor's Task Force on school finance as we looked at developing an approach to equalize resources. One of the things that we found out when we did that study was that some of the districts that are lowest in income are richest in assess valuation and therefore, in terms of the relationship between the two, we found in many cases that we would build district... we would double districts if we used assessed valuation and income both. The difficulty of dealing with districts across boundary lines on equalable basis with assess valuations as a problem, it's even a greater problem or more of a problem when we start talking about income and we have a number of overlapping districts. The formula as it has been established... has been in operation a little less than a year. We passed without a dissent vote of this House and out of the Senate, full funding for that formula. This particular program as I believe... the information that I have, adds another sixteen million dollars to that factor. This is no way, in my judgment or no time to change our approach in the formula. We gave consideration to this and on ballots we rejected it and I would ask you today, to reject Amendment #3, to Senate Bill 1397, as not being a timely... Thank you, very much."

Speaker Blair: "Representative Bradley."

Bradley: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I know we've delabor this for quite some time but I think it is one of the more important Amendments we've had before us, at least for the Members of the body that have downstate unit district schools. In reply to one Member talking about the wealthier counties, Representative Pierce, made the point... I would like to make a point in behalf of the downstaters. If you

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Speaker Blair: "Record the Gentleman 'ave'. All right.

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look at the print out, you'll see that practically all of the new money that is in the formula this year is going to the wealthiest counties... wealthiest in per capita, now there has to be some indication here possible that the assessment are not uniform, which I believe there are not... we all know that they're not. But it seems strange to me and I have no qualms at all about this, that they are getting the wealthy seem to be getting wealthier. At least in this print out that's before me. I think what the point is here, Ladies and Gentlemen of the House, is the fact that the unit districts downstate simply are not receiving any new money in comparison to what the six wealthy counties are getting in this new formula. Now, we were told last year when we voted on this formula, that all.... that all schools would be receiving a great deal more new money in state aid... that simply is not the truth. If you will look at the formula or you look at the print out, when we're losing students downstate the assess valuation behind these students goes up... we receive less state aid. This is an attempt to address itself to the problem that we have... every county every unit district, if they break even with full funding if they get as much next year as they got this year, they'll be doing good. I don't think that they will, this Amendment address itself to a new factor, I grant that, it might be late in the Session but, listen we don't begrudge the fact that you people up there are getting wealthier, DuPage got eight million more dollars... eight million more dollars this year... Lake, got something like six million more new dollars this year and the downstate counties simply are not getting the money and the unit district aren't and I think that this Amendment is timely, it can be worked out, it can be put in the formula, it should be adopted."

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Speaker Blair: "All right, Who is the Sponsor of this Bill?"

Oh, Mr. Choote, I'm sorry. Do you care to close now?"

Choate: "Yes, Mr. Speaker, I'm not the Sponsor of the Bill,

I'm the Sponsor of the Amendment."

Speaker Blair: "Oh, okay."

Choate: "I will be very brief in my closing statement, because

I think the Members that have talked on this Amendment completely and thoroughly understand it and let me say to one of my colleagues on this side, that there was not print outs made for all of the Members, there was just a couple that I had here when I offered the Amendment and they pick up and was looking at it. Secondly, I think the issue is clear... I think the issue is clear, now someone said something about adding about sixteen million dollars to the budget... well, boy if that was all that we were adding... then I would have pause for reflexion. But, when you take that into consideration and the very future educational needs of some of the kids in these districts that are going to be affected, it's a small and in its own and it's a pitance as far as equalizing the educational opportunities throughout the State of Illinois: The larger richer district in the northern part of the State, they have spoke out against this Amendment... let me make it adamantly and explicitly clear one more time... do not lose one single red iota penny... not one penny. The other districts throughout all of the State of Illinois that are in disparate need of this aid are going to realize added income to bring about more equality as far as the districts are concerned in education and yes, maybe even the very future of some of the kids that are attending school today, will be attending school tomorrow and weeks, months, and years to come. This is a good Amendment, Mr. Speaker, I urge an overwhelming vote of support from the Membership of this House. Be-

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Speaker Blair: "Take him off the record."

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cause primarily most Members districts at home are going to benefit from this Amendment. I wish that I had of had the print outs, Representative Beaupre, so that all of the Members could have seen it. In fact I lost... I probably should have done it, I would have probably got more support, I encourage your support on this Amendment."

Speaker Blair: "All right, the question is, shall Amendment #3, to Senate Bill 1397 be adopted. All those in favor will vote 'aye', the opposed 'no'. Mr. William Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House. We're certainly... the northern part of the State being led up the primrose path. The Gentleman from Cook, Mr. Berman, and the Sponsor of the Amendment said that this isn't going to cost the school districts in that part of the State anything... that they are still going to receive their benefits under the resource equalizer formula but that really isn't true. We are making a dramatic change in the formula with this Amendment and the effect of that is, to take more of the total pot that is available for education and distribute it to some of these districts on a basis that we've never tackled before and this is absurd. The fact is, the Governor has already said that he is not going to fully fund the formula, now that means that we're not to in any school district in the State get the money to which we're entitled under the formula. This is going to further... this is going to further louse up the system so that we will get less in the areas where we really need it, in the northern part of the State and they are going to get more in the, as they say, in the poor areas. This is totally unworkable to figure out what the per capita income is by school districts, is a major task to start with and then to implement this

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Mr. Speaker, is just going to be absurd and I would hope that if... it seems likely, this Amendment is adopted that whatever else this Bill does, the Sponsor see fit to Table this damn thing... until we don't have this place on it, it's a very bad mistake and I would urge the people to change their votes from green to red, especially those people in the north who have been fooled into thinking that this isn't going to affect their state aid to education benefits."

Speaker Blair: "Mr. Skinner."

Skinner: "Mr. Speaker and Members of the General Assembly.

When my Bill was up before it was tagged as one of the most far reaching Bills that was going to come before this General Assembly. Well, at least it was a House Bill that would have a chance to go through a Senate Committee and through the Senate floor. This is an absolutely incredible end run... what we have here is a Senate Bill on which we are going to attach a floor Amendment that has not been through the House Education Committee, will not get a chance to go through the Senate Education Committee, will end up going to a Conference Committee and it is going to tormently change the state aid education formula and nobody knows how except perhaps the Sponsor. And, knowing the Sponsor's desire to funnel money from northern Illinois to southern Illinois and not all of southern Illinois, I mind you, just remember those districts such as Belleville, that show up as losers under the Junior College apportionment formula will also show up losers under this formula, what we're going to end up with is an incredible rip-off of northern Illinois for southern and I would like everyone who could not hear what the Minority Leader said, when I said that... he said right. Now, I think... I didn't hear the on but I did hear the right. Now eventually those of us that are in dual districts and those

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Speaker Blair: "He's there."

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us who represent relative high assessed areas and relative high income areas are going to figure out, we've been ripped off. Now, I don't know if we're going to figure it out before we're ripped off or after we're ripped off... but I trust that it will be before."

Speaker Blair: "Mr. McGrew."

McGrew: "Thank you very much, Mr. Speaker. I would just like the previous speaker to note that central Illinois also gets part of this."

Speaker Blair: "Mr. Duff."

Duff: "Well, Mr. Speaker and Ladies and Gentlemen of the House. You know, I venture to say that 70% of us, maybe more, don't really even understand the new State school formula which is a very very complicated piece of work that came out of a lot of study through the Education Committee. Even our school boards and I think most of you will agree with this, are having a great deal of difficulty trying to determine the appropriateness or applicability to them and here we have, put before us now... an additional problem as relating to how we can figure out what's going to happen the monies available for education. The time when the Governor's people are trying to fool around with the multiplier, the equalizer excuse me, and we don't know what we're doing with this Amendment. I think that it's a matter of very serious responsibility that we should give it more time and perhaps ask the Sponsor to hold it. I hope it can't pass."

Speaker Blair: "Have all voted.... Mr. Roscoe Cunningham."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House. I've always found the Majority Leader invaluable in everything except his school matters but in school matters without exception he is suspect and contrary wise I've had many grave doubts about the Minority Leader but, on this particular Bill, the Minority Leader

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has scaled the pinnacle of statesmanship and I think that it is just marvelous that he has come up with this Bill that hurts no one and helps those who need it most. I'm willing to except the solemn assurances of Representative Berman, that it does no damage or harm whatever to the school children of Chicago and everyone recognizes from the figures that are available here... that it can be of incomparable good to all the other children in the State of Illinois. I urge each of you and particular the Republican on this side of the aisle, to give the vote of confidence to the Gentleman from Anna, to which he is richly entitled in this particular Bill. Vote green."

Speaker Blair: "Mr. Cannon Hoffman."

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

Apparently when I spoke before... I didn't really make clear the impact that this particular Amendment would have, a number of people have spoken on this... both pro and con, and the vote on the board hasn't changed. I'm not going to take the time to do it right now, however, I would like to say that this particular Amendment... at this particular time in... our affairs as I think are unfortunate, we have given consideration on this issue and rejected it.... I don't believe that the thoughts that have gone into this approach that should. We have counties with fifty or sixty school districts in them and we're going to use the district average to determine what should happen relative to their tax rates vice a vee, their.... the state average for per capita income... it just has a lot of factors in it that extremely.... detrimental to our present program and although the Amendment is going to be adopted, I'm inclined to think that the Bill won't be."

Speaker Blair: "Have all voted who wished? The Clerk will take the record. All right.... on this question there

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are 93 'ayes', and 63 'nays' and this Bill having received the Constitutional Majority is hereby declared passed... Oh, I'm sorry.... yeah, we'll undo that a little bit there, I almost got that passed for you. All right, the.... on this question there are 93 'ayes', 63 'nays' and Amendment #3, to Senate Bill 1397 is adopted. Further Amendments? Third Reading."

Clerk Selcke: "Senate Bill 1395, a Bill for an Act in relation to State Finance. Second Reading of the Bill, no Committee Amendments."

Speaker Blair: "Any from the floor?"

Clerk Selcke: "Amendment #1, Brinkmeier. Amends Senate Bill 1395...."

Speaker Blair: "The Gentleman from Ogle, Mr. Brinkmeier."

Brinkmeier: "Mr. Speaker and Members of the House. I would move at this time that we adopt and then Table Amendment #1, because it is improperly drafted."

Speaker Blair: "All right, the Gentleman offers to move the adoption of Amendment #1, to Senate Bill 1395 and then ask leave to Table. Objections? Hearing none, Tabled."

Clerk Selcke: "Amendment #2, Brinkmeier. Amends Senate Bill 1395, on page 1, line 12..."

Speaker Blair: "The Gentleman from Ogle, Mr. Brinkmeier."

Brinkmeier: "Mr. Speaker and Members of the House. As you know, Senate Bill 1395 mandates fall payment to our schools with the first payment scheduled in August and then a double payment in June. Now, I'm sure we all agree that this is good, however, in my opinion... we should go one step further and mandate that this double payment should be made in March, rather than June. Now, this would be... the reason that I'm asking for support on this is because it would be extremely helpful to our poor school districts in the State who are forced to borrow money each spring. I'm soliciting your help in making a good Bill a much better Bill and I move for the

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to take

verify the negative first."

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adoption of Amendment #2."

Speaker Blair: "Any.... Mr. Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Amendment. I certainly appreciate the good intentions of Representative Brinkmeier, I'm sure that they are well intended but... I think if the Bill stays in its original form, it represents... coming out of the Senate on a 51, to nothing vote. It represents a compromise. In the present form... on a part of the Committee on Education, the Sponsor, the Senate Sponsor of the Bill and also the Governor's office and the difference being as Representative proposes this Amendment, would be the double payment would be made in March as opposed to June... the double payment being made in June as the Bill now stands, would not cost the State of Illinois any interest whereas if it's move forward to the month of March for the double payment, the State would realize probably a million and a half to two million dollars loss of interest. As I have indicated, it was approved... 51 to nothing in the Senate in its present form and I think that if it needs amending after we live with this for a year, the basis objective is too assure each and every school district in this State that they will get all of their money each and every year within the given fiscal year. The Amendment would, as proposed by Representative Brinkmeier, will not affect that portion of the Legislation but, I would appreciate a 'no' vote in defeat of this Amendment. Thank you."

Speaker Blair: "Further discussion? The question is on the... Mr. Brinkmeier."

Brinkmeier: "I would like to close, if you.... have more of an argument, Mr. Speaker. Amendment #2, as I said a moment ago, would mandate that our school districts to receive that double payment in March, rather than

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Hunsicker, Huskey, Hyde, Jonison, Dave Jone, Juckett, Kempiners, Kent, Klosak, Kriegsmán, Kucharski, LaFleur,

Brinkmeier
Speaker T

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June. Now, again this would be extremely helpful to those school districts that are forced to issue anticipation warrants each year now, for example in fiscal 1973, of the one thousand, sixty school districts in the State, four hundred and ninety-eight were forced to borrow money and furthermore, of this four hundred and ninety-eight, fifteen of them had to go so far as to issue teacher warrants and I'm sure that you all realize that this would carry a very high interest rate. I point out to you that the four hundred and ninety-eight schools then were forced to pay approximately a hundred and ninety-eight million dollars in interest because of these anticipation warrants. They had to pay over six million dollars on these loans. I would remind you that we are talking about our poorest school districts in the State. School districts that can ill afford this added expenditure now, initially in House Bill 2750, I was attempted to use August as the catch up month and as Representative Ebbesen, mentioned a moment ago the loss of revenue to the State would have been quiet high, in that case it would have been approximately six million dollars. We're talking now about approximately million and a half dollars, additional money. Now, if adopted... this would cost the State then roughly about that amount. Now, I would like to point out too that the cash flow of the State as I have been informed, reaches its lowest probably in December, in January probably because of the increase the revenue from the sales tax because of the Christmas shoppers, it starts to increase again and then by March, when the State income tax revenue starts flowing in, the State's cash flow is in substantially good position again. I submit to you today, that the question before us is a very simple one... the question is simply this, do you believe that the State or the poorest school districts in the

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Brinkmeier: "Representative Neff."

Speaker Telecast: "Representative Neff."

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State deserve your priority in this matter. I would like to point out that the Illinois School Board Association, the IEA, the Illinois Federation of Teachers, the OSPI, all of these people are in support of this concept and I urge an 'aye' vote for Amendment #2, to Senate Bill 1395."

Speaker Blair: "All right, the question is, shall Amendment #2, to Senate Bill 1395 be adopted? All those in favor say 'aye', opposed 'no'. The 'no's' have it... Amendment fails. All those in favor will vote 'aye' and the opposed 'no'. Mr. Hoffman."

Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House. The Bill as it stands now has been worked out with the Bureau of the Budget, the Governor's Office, after considerable discussion and considerable negotiation. Now, if you want twelve payments to be made, inside the twelve month period, then you'll vote 'no' on this Amendment, if you want this Bill to go down because we have reasonable assurance that the Governor will not sign it, it costs the State additional money... we've got a cash flow problem that we're trying to deal with why then vote 'yes'. But, I'll tell you right now... the information that we have is that the Bill as it stands now, we have a reasonable chance of getting it signed. If it gets changed in this way we have no assurance to anything."

Speaker Blair: "Mr. Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I would like the House to.... some of these people that are voting red up there to give considerable thought to this as Representative Hoffman, has just indicated, the basis objective of the Legislation with or without the Amendment is to assure each and every school district in this State that they can be assured of getting the twelve monthly payments within the given

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and the Gentleman's Amendment #2, failed. Further

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fiscal year for which the money is appropriated. Now, if we amend this as he has indicated, it stands a very good chance of it being veto and we're faced with that problem again in the Veto Session in the fall. With the Bill as it exists coming out of the Senate, 51 to nothing, it represents this compromise as I indicated before when the Committee of Education in the Governor's Office and all the Senate Sponsors and I would appreciate it if all those who are not voting would get on the red side, and some of those on the green, get over on the other side and defeat this Amendment... an extremely important piece of Legislation for every school district in this State."

Speaker Blair: "Mr. Brinkmeier."

Brinkmeier: "Well, Mr. Speaker and Members of the House.

What Representative Ebbesen says is true, in so far as this is good Legislation and it mandates the Governor's Bill that he is morally committed to do anyway and that's the point that I'm trying to make here, he has given a moral commitment at least to make these payments. Now, the issue here again and I would like to reiterate, the issue is... whether or not the State needs that million and a half dollars more than these poor school districts in the State. And, I would remind you again that four hundred and ninety-eight... approximately one out of every two districts in the State are forced to borrow money each year. This Amendment would at least postpone by thirty days the time in which they would have to borrow and in some of the larger school districts it may eliminate the necessity of borrowing money at all. Now, the argument about the Governor vetoing it and I don't pretend to be a Constitutional lawyer, but everyone in this House, I'm sure is aware of the fact that the Government... Governor could use his prerogative of his big pen and veto out this double

100.

adoption on Senate Bill 1318... the Gentleman from St. Clair, Representative Flinn."

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Brinkmeier."

Brinkmeier: "I'm sorry, Mr. Speaker, but I feel this is a very important issue and I am going to ask for confirmation at the appropriate time."

Speaker Blair: "Peters, votes 'no'."

Clerk Selcke: "Peters, 'no'."

Speaker Blair: "Mr. Randolph..."

Clerk Selcke: "Randolph from 'aye' to 'no'."

Speaker Blair: "Randolph from 'aye' to 'no'. All right, are we going to poll the absent.... verify now? All right, the Clerk will proceed to... now, we are 81 'ayes', 85 'nays'...."

Clerk Selcke: "Anderson, Barnes, Barry, Beatty, Berman, Boyle, Brandt, Brinkmeier, Brunnet, Calvo, Capuzi, Chapman, Choate, Craig, D'Arco, Davis, Douglas, Epton, Ewell, Farley, Fary, Fennessey, Flinn, Garmisa, Geo-Karis, Getty, Giglio, Giorgi, Greiman, Hanahan, Harptrite, Hill, Jimmy Holloway, D. Houlihan, J. Houlihan, Jacobs, Jaffe, Emily Jones, Katz, Keller, Kelly, Kennedy, Kosinski, Kozubowski, Krause, Laurino, Lechovics, Lemke, Londrigan, Lundy, Madigan, Mann, Maragos, Martin, Matijevich, McAuliffe, McClain, McCraw, McLendon, McPartlin, Mugalian, Nardulli, Patrick, Pierce, Rayson, Rigney, Sangmeister, Schieler, Schneider, Schraeder, Sharp, Shea, Ike Sims, Stedelin, Taylor, Thompson, Tipsword, Von Boeckman, Washington, Williams, Yourell."

Speaker Blair: "Mr. Leon."

Leon: "Mr. Speaker, how am I recorded?"

Speaker Blair: "How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as being absent."

Leon: "Vote me 'aye', please."

Speaker Blair: "Record the Gentleman, 'aye'. Mr. Caldwell."

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

Clerk Selcke: "The Gentleman is recorded as being absent."

Caldwell: "Vote me 'aye', please."

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Clerk Selcke: "Senators Will 1940 - 1944 ..."

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Speaker Blair: "Record the Gentleman 'aye'. All right, the questions of the affirmative. Mr. Gene Hoffman."

Hoffman: "I would like to question the following names. Farley... okay, Simms... Flinn... Jack Hill."

Speaker Blair: "He's right here."

Hoffman: "Okay, Harpstrite."

Speaker Blair: "Harpstrite, is in his seat."

Hoffman: "He's in his seat?"

Speaker Blair: "Yeah, he's right here."

Hoffman: "Emil Jones."

Speaker Blair: "How is the Gentleman recorded?"

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

Speaker Blair: "Take him off the record."

Hoffman: "Keller."

Speaker Blair: "He's in his seat."

Hoffman: "Kozubowski."

Speaker Blair: "Kozubowski, there he is."

Hoffman: "Okay, Lechowicz."

Speaker Blair: "How is he recorded?"

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

Speaker Blair: "Take him off the record."

Hoffman: "Mann."

Speaker Blair: "He's here."

Hoffman: "DiPrima."

Speaker Blair: "How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'no'."

Speaker Blair: "Take him off the record."

Hoffman: "Mardulli."

Speaker Blair: "Mardulli, how is he recorded?"

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

Speaker Blair: "Take him off the record."

Hoffman: "Sangmeister."

Speaker Blair: "How is he recorded?"

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

Speaker Blair: "Take him off the record."

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Hill: "Mr. Speaker and Members of the House, what this does is to break the ten thousand dollar figure down for the

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Hoffman: "Schneider."
Speaker Blair: "Schneider, how is he recorded?"
Clerk Selcke: "The Gentleman is recorded as voting 'aye'."
Hoffman: "Here he is, coming in over here."
Speaker Blair: "Where?"
Hoffman: "He's over there."
Speaker Blair: "Okay, I see him."
Hoffman: "Taylor."
Speaker Blair: "Mr. Taylor, is back there. Mr. Huskey."
Huskey: "How am I recorded?"
Speaker Blair: "How is Mr. Huskey recorded?"
Clerk Selcke: "The Gentleman is recorded as voting 'present'."
Huskey: "Vote me 'no'."
Speaker Blair: "Vote Mr. Huskey, 'no'."
Hoffman: "Pierce."
Speaker Blair: "Mr. Pierce... he's there."
Hoffman: "Mr. McGrew is back there, yeah."
Speaker Blair: "How is the Gentleman... here he is."
Hoffman: "Yourell. No, he's back there."
Speaker Blair: "Buz is there. Mr. Capparelli..."
Hoffman: "Madigan."
Speaker Blair: "Who?"
Hoffman: "Mike Madigan."
Speaker Blair: "He's not in his seat... Take Madigan, off and put Lechovics back on. Now, Mr. Jake Wolf... how's..."
Clerk Selcke: "The Gentleman is recorded as being absent."
Speaker Blair: "He wants to vote 'no'. Jake Wolf, 'no'. Mr. Bradley... Mr. Bradley."
Bradley: "How am I recorded?"
Clerk Selcke: "The Gentleman is recorded as being absent."
Bradley: "Please vote me 'yes'."
Speaker Blair: "Record Bradley, 'yes'."
Hoffman: "McAuliffe."
Speaker Blair: "McAuliffe, how is the Gentleman recorded?"
Clerk Selcke: "The Gentleman is recorded as voting 'yes'."

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Speaker Telcers: "The Gentleman from Knox, Representative McMaster."

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Speaker Blair: "Take him off the record."

Hoffman: "Brandt."

Speaker Blair: "Who?"

Hoffman: "Mr. Brandt."

Speaker Blair: "Brandt, how is he recorded?"

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

Speaker Blair: "Take him off the record."

Hoffman: "Capparelli, did we get you?"

Speaker Blair: "Record Capparelli moves from 'no' to 'aye'."

Mr. Terrich, moves from 'no' to 'aye'."

Clerk Selcke: "Terrich?"

Speaker Blair: "Yes, Mr. Terrich. Now, Mr. Beaupre, moves from 'no' to 'aye'."

Hoffman: "Mr. Von Boeckman."

Speaker Blair: "Von Boeckman, how is he recorded?"

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

Speaker Blair: "Take him off the record."

Hoffman: "That's all the quesiton that I have, Mr. Speaker."

Speaker Blair: "All right, Mr. Clerk, where are we now?"

Oh, Mr. DiPrima is back and put him back on the record.

Mr. Nardulli, is back put him on the record. Mr. Merlo.

Merlo votes 'aye' and Mr. Von Boeckman, is back. Merle Anderson."

Anderson: "How am I recorded, Mr. Speaker."

Speaker Blair: "Merle Anderson... is recorded as 'aye'."

Clerk Selcke: "Yes, the Gentleman is recorded as voting 'aye'."

Speaker Blair: "Yeah, you're recorded as voting 'aye'."

Anderson: "Change it to 'no'."

Speaker Blair: "Change Mr. Anderson to 'no'. Mr. Barry..."

Mr. Barry goes from 'aye' to 'no'. What's Mr. Barry now?"

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

Speaker Blair: "Then Mr. Barry wants to stay there. Now, where are we? At the present time, 82 'ayes' 85 'no'."

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1974, fall Session."

Speaker Telcser: "Representative Shea, what appropriate

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Now, we have verified the affirmative and we will proceed to now to continue on the verification of the negative."

Clerk Selcker: "Anderson, Bluthardt, Borchers, Campbell, Catania, Clabaugh, Collins, Cunningham, Day, Deavers, Deuster, DiPrima, Duff, Ralph Dunn, R. L. Dunne, Dyer, Ebbesen, Fleck, Friedland, Gibbs, Griesheimer, Grotberg, Hart, Hirschfeld, Gene Hoffman, Ron Hoffman, Hudson, Hunsicker, Huskey, Hyde, Jenison, Dave Jones, Juckett, Kempiners, Kent, Klosak, Kriegsmann, Kucharski, LaFleur, Lauer, Leinenweber, Macdonald, Mahar, McAvoy, McCormick, McCourt, McGah, McMassey, Kenny Miller, Tom Miller, Molloy, Neff, North, Palmer, Pappas, Peters, Phillip, Polk, Porter, Randolph, Redmond, Rose, Ryan, Schlickman, Schoeberlein, Sevcik, Shurtz, Timothy Sims, Skinner, Soderstrom, Springer, Stiehl, Stone, Telcser, Totten, Tuerk, Waddell, Wall, Richard Walsh, William Walsh, Walters, Washburn, J.J. Wolf, and Mr. Speaker."

Speaker Blair: "All right, the questions of the negative. Mr. Hart."

Hart: "Change my vote to 'aye', please."

Speaker Blair: "Mr. Hart has gone from 'no' to 'aye'. Mr. Brinkmeier."

Brinkmeier: "Representative Campbell."

Speaker Blair: "Mr. Campbell, is there."

Brinkmeier: "Representative Catania."

Speaker Blair: "Catania, is there."

Brinkmeier: "Representative Deuster."

Speaker Blair: "Deuster, is there."

Brinkmeier: "Representative Ralph Dunn."

Speaker Blair: "He's there."

Brinkmeier: "Representative Huskey."

Speaker Blair: "Huskey, is there."

Brinkmeier: "Representative Kempiners."

Speaker Blair: "Kempiners, is there."

Brinkmeier: "Representative Klosak."

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... eventually those of us that are in dual districts and those

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Speaker Blair: "He's there."
 Brinkmeier: "Representative Leinenweber."
 Speaker Blair: "Leinenweber... how is the Gentleman recorded?"
 Clerk Selcher: "The Gentleman is recorded as voting 'no'."
 Speaker Blair: "Take him off the record."
 Brinkmeier: "Representative Molloy."
 Speaker Blair: "Molloy's there."
 Brinkmeier: "Representative Rose."
 Speaker Blair: "Rose... how is he recorded?"
 Clerk Selcher: "The Gentleman is recorded as voting 'no'."
 Speaker Blair: "Take him off the record."
 Brinkmeier: "Representative Soderstrom."
 Speaker Blair: "Mr. Soderstrom... how is he recorded?"
 Clerk Selcher: "The Gentleman is recorded as voting 'no'."
 Speaker Blair: "Take him off the record."
 Brinkmeier: "Representative Sevcik."
 Speaker Blair: "Sevcik, is there."
 Brinkmeier: "Representative Richard Walsh."
 Speaker Blair: "Richard Walsh... how is the Gentleman recorded?"
 Clerk Selcher: "The Gentleman is recorded as voting 'no'."
 Speaker Blair: "Mr. Brandt."
 Brandt: "How am I recorded?"
 Speaker Blair: "How is he recorded?"
 Clerk Selcher: "The Gentleman is recorded as voting 'aye' but was taken off on the verification."
 Brandt: "Vote me 'aye'."
 Speaker Blair: "Mr. Brandt on 'aye' and Mr. Rose, is back so put him back on."
 Brinkmeier: "Mr. Speaker, Representative Richard Walsh."
 Clerk Selcher: "Wait a minute..."
 Speaker Blair: "Richard Walsh..."
 Clerk Selcher: "Is Rose back? Okay, Richard Walsh..."
 Speaker Blair: "Richard Walsh... take Richard Walsh... how is he recorded?"
 Clerk Selcher: "The Gentleman is recorded as voting 'no'."

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Speaker Blair: "Take him off. Beaupre, is 'no' rather than 'yes'. All right... Mr. Maragos... Matijevich."
Matijevich: "I heard you say that Beaupre, was 'no'... he has changed to 'yes'... I had heard him change to 'yes'"
Clerk Selcke: "Changed twice."
Speaker Blair: "Who... twice."
Clerk Selcke: "On again, off again."
Speaker Blair: "Representative... Jones, is in the back."
Brinkmeier: "And one more, Representative Randolph."
Speaker Blair: "Who's questioning this... Representative William Walsh."
Walsh: "Representative Randolph is here, Mr. Speaker."
Speaker Blair: "Randolph is in his seat... right there."
Walsh: "Yes, and now on the affirmative, Representative Harptrite..."
Speaker Blair: "Representative Harptrite on the floor? Turn me off Howard."
Brinkmeier: "Mr. Speaker..."
Speaker Telcser: "Representative Brinkmeier, for what purpose do you rise?"
Brinkmeier: "Yes, Mr. Speaker, I thought that we had all ready confirmed the affirmative vote."
Clerk Selcke: "That's what I thought."
Speaker Telcser: "Well, I just walked up... I'm not quite sure where we are... but we're still putting people on the affirmative... We're going to have to establish that once we've done the affirmative that's it and if a Gentleman walks in who was taken off of the negative, they ought not get on, isn't that right?"
Brinkmeier: "Mr. Speaker..."
Speaker Telcser: "Harptrite wasn't taken off. Harptrite is on... he has been verified. Representative... he wasn't..."
Brinkmeier: "Mr. Speaker..."
Speaker Telcser: "Okay, we're going to take another Roll

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Speaker Blair: "Have all voted who wished? The Clerk will take the record. All right.... on this question there

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Call... Now, Ladies and Gentlemen... I going to take another Roll Call, I'm going to give you a couple of minutes to get at your switches and I'm going to announce it and we're going to move this House along... All of us I think... make up which way you want to vote and which way we don't want to vote. The Clerk wants another Roll Call... we'll be here for hours and hours and months. The Gentleman has offered to move the adoption of Amendment #2, to Senate Bill 1395. All in favor in favor of adoption, signify by voting 'aye' the opposed by voting 'no'. Have all voted who wished? Take the record. Let me get this... well, if he wants to verify it they have the right but let's do it quick and... All right, now... on this there are 64 'ayes', 83 'nays'. I'm sure a verification will be asked for... once we verify the affirmative then we're going to be done with it. Representative Brinkmeier, for what purpose do you rise?"

Brinkmeier: "We did verify the affirmative once, we're in the process of verifying the negative and you've called a halt. The affirmative has already been verified, it's the negative that hasn't been verified. I'm sorry this has become a political issue, it shouldn't be this is an education Bill."

Speaker Telcser: "Okay, Representative Geo-Karis, for what purpose do you rise? Are you seeking recognition, Representative Geo-Karis? No. Representative Clabaugh, for what purpose do you rise?"

Clabaugh: "Mr. Speaker, I'm so in the habit of voting 'aye' I guess, that I voted 'aye' this time, I want to be changed to 'no'."

Speaker Telcser: "Representative Clabaugh is voting 'no'. There are 83 'ayes', 84 'no'. Now, Representative Shea, for what purpose do you rise?"

Shea: "Now that it has changed from 83 to 84, you would

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borrow money each spring. I'm soliciting your help in making a good Bill a much better Bill and I move for the

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verify the negative first."

Speaker Telcser: "The affirmative Roll Call is verified, Sir."

Shea: "I thought it was the prevailing side."

Speaker Telcser: "No, the rules say the affirmative, Sir."

All right, there are currently 83 'ayes' and 84 'nays'

the affirmative Roll Call will be verified. Will the

Members please be in their seats... aisles cleared.

For those who are not entitled to the floor, please

leave the floor. Well, nobody wants to verify anything.

Nobody wants to verify anything, I'm going to announce

this Roll Call... well come now, let's get some work

done."

Brinkmeier: "All right, what is the count at this point."

Speaker Telcser: "Right now there are 83 'ayes' and 84 'nays'."

Nobody wants to verify the affirmative? Does someone

want to verify the negative?"

Brinkmeier: "Yes, I want to verify the negative."

Speaker Telcser: "The affirmative verification has now been

set aside and you won't get one. Representative

Brinkmeier on the negative verification. Would the

Clerk read the negative verification."

Clerk Selcke: "Anderson, Arnell, Beaupre, Bluthardt, Borchers,
Campbell..."

Speaker Telcser: "Representative Matijevich, for what purpose
do you rise?"

Matijevich: "Well, Mr. Speaker, I would like to put it in
the record that have waved the affirmative vote, so that
will be the recorded affirmative vote."

Speaker Telcser: "Yes, it will, Sir. The affirmative Roll

Call verification has been waved. All right, we're

going to do the negative and that will be it."

Clerk Selcke: "Capuzi, Catania, Clabaugh, Collins, Cunningham,
Day, Deavers, Deuster, DiPrima, Duff, Ralph Dunn, R.L.

Dunne, Dyer, Ebbesen, Fleck, Friedland, Gibbs, Griesheime,

Grotberg, Hirschfeld, Gene Hoffman, Ron Hoffman, Hudson,

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a moment ago, would mandate that our school districts
to receive that double payment in March, rather than

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Hunstcker, Huskey, Hyde, Jenison, Dave Jones, Juckett,
Kempiners, Kent, Klosak, Kriegsman, Kucharaki, LaFleur,
Lauer, Macdonald, Mahar, McAvoy, McCormick, McCourt,
McCah, McMaster, Kenny Miller, Tom Miller, Molloy,
Neff, North, Palmer, Pappas, Peters, Philip, Polk,
Porter, Randolph, Redmond, Rose, Ryan, Schlickman,
Schoerberlein, Sevcik, Shurtz, Timothy Simms, Skinner,
Springer, Stiehl, Stone, Telcser, Totten, Tuerk,
Waddell, Wall, Richard Walsh, William Walsh, Walters,
Washburn, J.J. Wolf, Mr. Speaker."

Speaker Telcser: "Questions of the negative Roll Call."

Brinkmeier: "Representative Collins."

Speaker Telcser: "Representative Collins on the floor? He's
standing right here."

Brinkmeier: "Representative Deuster."

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

Brinkmeier: "Representative DiPrima."

Speaker Telcser: "DiPrima... he's in his seat."

Brinkmeier: "Representative Duff."

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

Brinkmeier: "Representative Fleck."

Speaker Telcser: "He's standing right by you, Bob."

Brinkmeier: "Representative Jenison."

Speaker Telcser: "Who?"

Brinkmeier: "Jenison."

Speaker Telcser: "Jenison."

Brinkmeier: "Right."

Speaker Telcser: "Representative Jenison on the floor?
There he is, right next to Jenny."

Brinkmeier: "Okay, Representative McCormick."

Speaker Telcser: "Representative McCormick on the floor?
He's standing in the back."

Brinkmeier: "Representative Kenny Miller."

Speaker Telcser: "Kenny Miller, is in his seat."

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simple one... the question is simply this, do you believe
that the State or the poorest school districts in the

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Brinkmeier: "Representative Neff."
Speaker Telcser: "Representative Neff on the floor. Rep-
resentative Neff... there he is by Bill Walsh."
Brinkmeier: "Representative Polk."
Speaker Telcser: "Representative Polk on the floor? Represent-
ative Polk... he's right here."
Brinkmeier: "Representative Molloy."
Speaker Telcser: "Molloy is in his seat."
Brinkmeier: "Representative Randolph."
Speaker Telcser: "Representative Randolph on the... he's
in his seat."
Brinkmeier: "Representative Schlickman."
Speaker Telcser: "Representative Schlickman is in his seat."
Brinkmeier: "Sevcik."
Speaker Telcser: "Sevcik is in his seat."
Brinkmeier: "Representative Skinner."
Speaker Telcser: "Representative Skinner on the floor? He
standing right here."
Brinkmeier: "Representative Richard Walsh."
Speaker Telcser: "Representative Richard Walsh on the floor?
Richard Walsh... how is he recorded?"
Clerk Selcke: "The Gentleman is recorded as voting 'no'."
Speaker Telcser: "Take him off the Roll Call. Representative
Murphy, wants to be recorded as voting 'no'."
Clerk Selcke: "Whose that?"
Speaker Telcser: "Murphy, no."
Brinkmeier: "Representative Capuzi."
Speaker Telcser: "Capuzi... here he is, right here by the
Clerk."
Brinkmeier: "One more, Representative Walters."
Speaker Telcser: "Representative Walters is in his seat."
How many do you have, Mr. Clerk?"
Brinkmeier: "Thank you, Mr. Speaker. I'm sorry that this
had to take so much time."
Speaker Telcser: "On this question there 84 'nays', 83 'ayes'."

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school district in this State that they can be assured of getting the twelve monthly payments within the given

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and the Gentleman's Amendment #2, failed. Further Amendment. Representative Geo-Karis, for what purpose do you rise?"

Geo-Karis: "I wanted to be recorded, if I've..."

Speaker Telcser: "How do you wish to be recorded?"

Geo-Karis: "How am I recorded?"

Clerk Selcke: "The Lady is recorded as being absent."

Geo-Karis: "Vote me 'no', please."

Speaker Telcser: "Record the Lady as voting 'no' and we'll have to change the out come. Are there further Amendment?

Third Reading. Okay. Senate Bill... Mr. Clerk let's go back and pick up two Bills than I understand have been agreed nov. Senate Bill 1318."

Clerk Selcke: "1318. Senate Bill 1318..."

Speaker Telcser: "Representative Miller, for what purpose do you rise... Kenny Miller?"

Miller: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I've been asked to make an announcement and introduction... in the Speaker's gallery is the Mayor and Mrs. Philip Evert, the Mayor of Albion, Illinois and this is from the 54th district, represented here by Representative Shurtz, Keller and Cunningham."

Speaker Telcser: "Senate Bill 1318."

Clerk Selcke: "Senate Bill 1318, an Act to provide for the ordinary contingent expense of the General Assembly, Second Reading of the Bill, no Committee Amendments."

Speaker Telcser: "Amndments from the floor."

Clerk Selcke: "Amendment #1, Blair. Amends Senate Bill 1318 and so forth."

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

Hill: "Mr. Speaker and Members of the House, this Amendment provides a cost of living for the secretaries in the Senate. I would appreciate your vote."

Speaker Telcser: "Any discussion? The Gentleman offers the

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but everyone in this House, I'm sure is aware of the
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prerogative of his big pen and veto out this double

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adoption on Senate Bill 1318... the Gentleman from
St. Clair, Representative Flinn."

Flinn: "Would the Sponsor yield?"

Speaker Telcser: "He indicates that he will."

Flinn: "I heard you say Senate only, is there something
else coming on this?"

Hill: "Yes."

Flinn: "Thank you."

Speaker Telcser: "The Gentleman has offered to move the
adoption of Amendment #1, Senate Bill 1318. All in
favor 'aye', opposed 'no'. The Amendment is adopted.
Further Amendments?"

Clerk Selcke: "Amendment #2, J. Houlihan."

Hill: "I have talked to Representative Houlihan and he
has agreed with me to Table this Amendment but, I don't
see him on the floor now. But I do have an agreement
with him that he will move to Table."

Speaker Telcser: "The Gentleman moves to Table Amendment #2,
to Senate Bill 1318. All in favor 'aye', opposed 'no'.
The Amendment is Tabled. Further Amendments."

Clerk Selcke: "Amendment #3, Blair, Choate. Amendments
Senate Bill 1318, on page 2, and so forth."

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

Hill: "Mr. Speaker and Members of the House. This provides
for a cost of living and a minimum of... for the
secretaries for the House. I would appreciate your
support."

Speaker Telcser: "Any discussion? The Gentleman from St.
Clair, Representative Flinn."

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

Speaker Telcser: "He sure will."

Flinn: "Representative Hill, how much of a minimum... how
much is the minimum salary, please?"

Hill: "It's a 52 cost of living and a minimum of six ninety."

Simms: "Mr. Speaker, I would like to change my vote to 'no'."
Speaker Blair: "Mr. Simms, goes from 'aye' to 'no'. Mr.

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Flinn: "Thank you, Sir."

Speaker Telcser: "Further discussion? The Gentleman from Cook, Representative J.J. Wolf."

Wolf: "Does this include the Committee Clerks as well?"

Hill: "Yes."

Wolf: "Thank you."

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

Lundy: "Thank you; Mr. Speaker, Ladies and Gentlemen of the House. Would the Gentleman yield for a question?"

Speaker Telcser: "He indicates that he will."

Lundy: "Jack, how does the six ninety minimum compare with the minimum salary for Senate Secretaries?"

Hill: "It will either be six ninety or what the minimum is for the Senate."

Lundy: "So, if this Amendment is adopted the minimum for House Secretaries will be the same as for the Senate."

Hill: "That is correct."

Lundy: "Thank you, very much."

Speaker Telcser: "Is there further discussion? The Gentleman offers to move the adoption of Amendment #3, Senate Bill 1318. All in favor say 'aye', opposed 'no'. The Amendment is adopted. Further Amendments. No more."

Clerk Selcke: "Amendment #4, Ewell. Amendment Senate Bill 1318 and so forth."

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

Hill: "I have talked to Representative Ewell, he has agreed with me to Table this Amendment."

Speaker Telcser: "Any discussion? The Gentleman moves to Table Amendment #4, to Senate Bill 1318: All in favor say 'aye', opposed 'no'. The Amendment is Tabled. Further Amendments."

Clerk Selcke: "That's it."

Speaker Telcser: "Third Reading. Senate Bill 1519."

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"no",
fr.
Caldwell: "Vote me 'aye', please."

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Clerk Selcke: "Senate Bill 1319, a Bill for an Act making appropriations furnishing Legislative staff and so forth. Second Reading of the Bill, no Committee Amendments. Amendment #1, Giorgi. Amends Senate Bill 1319 on page 1, line 20 and so forth."

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

Hill: "Representative Fleck has an Amendment he wants to Table. Oh, pardon me, Representative Giorgi."

Speaker Telcser: "Representative Giorgi on the floor?"

Hill: "Mr. Speaker, I have talked to Representative Giorgi and he has agreed to Table his Amendment."

Speaker Telcser: "Okay, any discussion? Amendment #1, to Senate Bill 1319. All in favor say 'aye', opposed 'no' the Amendment is Tabled. Further Amendments. No more!"

Clerk Selcke: "Amendment #2, Giorgi. Amends Senate Bill 1319, on page 1, and so forth."

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

Hill: "The same with that Amendment, Mr. Speaker."

Speaker Telcser: "The Gentleman moves to Table Amendment #2, to Senate Bill 1319. All in favor say 'aye', opposed 'no', the Amendment is Tabled. Further Amendments."

Clerk Selcke: "Tabled 1 and 2?"

Speaker Telcser: "1 and 2, are Tabled, Sir."

Clerk Selcke: "Amendment #3, Fleck. Amends Senate Bill 1319, on page 1, and so forth."

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

Fleck: "Please Table that Amendment, Mr. Speaker."

Speaker Telcser: "The Gentleman moves to Table Amendment #3, to Senate Bill 1319. All in favor 'aye', opposed 'no'. The Amendment is Tabled. Further Amendments."

Clerk Selcke: "Amendment #4, Hill. Amends Senate Bill 1319, on page 1, and so forth."

Speaker Telcser: "The Gentleman from Kane, Representative Hill"

Speaker Blair: "How is he recorded?"

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

Speaker Blair: "Take him off the record."

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Hill: "Mr. Speaker and Members of the House, what this does is to break the ten thousand dollar figure down for the 78th General Assembly, down to five thousand and the 79th down to six thousand which will take care of it by law."

Speaker Telcser: "Is there any discussion? The Gentleman offers to move for the adoption of Amendment #4, to Senate Bill 1319. All in favor 'aye', opposed 'no'. The Amendment is adopted. Further Amendments... Third Reading. Okay, has 1227 been read yet, Mr. Clerk?"

Clerk Selcke: "Adopted... I don't know the last one, I guess."

Speaker Telcser: "We Tabled 1 and 2, adopted 3 and 4."

Clerk Selcke: "Senate Bill 12..."

Speaker Telcser: "We did... oh, 3, I'm sorry sir."

Clerk Selcke: "Senate Bill 1227, an Act to amend Section 3-B and so forth, Second Reading of the Bill, one Committee Amendment. Amends... Committee Amendment #1, amends Senate Bill 1227..."

Speaker Telcser: "The Gentleman from Knox, Representative McMasters."

McMaster: "Well, Mr. Speaker, it was my understanding that Committee Amendment #1, was Tabled by the Sponsor Sunday night."

Speaker Telcser: "Any discussion? The Gentleman moves to Table Amendment #1, to Senate Bill 1227. All in favor of Tabling signify by saying 'aye', the opposed 'no'. The Amendment is Tabled. Are there further Amendments."

Clerk Selcke: "That's all."

McMaster: "Mr. Speaker."

Speaker Telcser: "Those have been read a second time, you wish it called now, Sir? Would you read the Bill a third time, Mr. Clerk."

Clerk Selcke: "Senate Bill 1227, an Act to amend Section 3-B 3-D to add Section 3C, to Article III and so forth. Third Reading of the Bill."

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Hoffman: "McAuliffe."

Speaker Blair: "McAuliffe, how is the Gentleman recorded?"

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

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Speaker Telcser: "The Gentleman from Knox, Representative McMaster."

McMaster: "Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1227, has essentially two parts to it... the first part correct something that we did in the previous Session of the General Assembly as far as consolidation with townships. We made no provision of what would happen if two townships consolidated, we essentially have three sets of township officers at the same time. The first part of the Bill correct that, the second part of the Bill extends the term of supervisors and add the township to the State of Illinois to the 1977. election... this is a consolidation of township election Bills which would save the people of the State of Illinois some four million dollars. I will answer any questions and ask for a favorable Roll Call."

Speaker Telcser: "Any discussion? The question is, shall Senate Bill 1227, pass? All in favor will signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question there are 112 'ayes', 2 'nays' 1 answering 'present' this Bill receiving the Constitutional Majority is hereby declared passed. Representative Ryan, for what purpose do you rise, Sir? Change the Gentleman to 'aye'. Senate Bills, Second Reading. Senate Bill 1502. Representative Shea, for what purpose do you rise, Sir?"

Shea: "Mr. Speaker, I have a motion on the Clerks desk with regards to this Bill and several that follows."

Speaker Telcser: "Okay, you have a motion filed in writing at the Clerks desk. Would you read the motion, Mr. Clerk."

Clerk Selcke: "Motion, Mr. Speaker, I move to suspend the appropriate rule so that Senate Bill 1502 through 1527 and Senate Bill 1638, may be postponed until the

Clerk Selck: "The Gentleman is recorded as voting 'aye'."
Speaker Blair: "Then Mr. Barry wants to stay there. Now, where are we? At the present time, 82 'ayes' 85 'no'."

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1974, fall Session."

Speaker Telcser: "Representative Shea, what appropriate rule do you allude to, Sir?"

Shea: "Well, Mr. Speaker, I don't know... and you have the Parliamentarian there, but I'm asking to postpone these until we return in the fall Session. Now, I'm sure that your Parliamentarian can tell you where that appropriate rule is... the reason for my motion, is that there are approximately..."

Speaker Telcser: "One moment please, Representative Hirschfeld, what purpose do you rise, Sir?"

Hirschfeld: "On a point of order, Mr. Speaker. I don't think that the Chair has asked the distinguished Assistant Minority Leader to explain the reason for his motion. He hasn't explained under what rule he was making the motion, so I would like him to confine his remarks to that, please."

Speaker Telcser: "Your point is well taken, Sir. Pursuant to what rule... in order to save the time of the House, Representative Shea, there are no rules which we have adopted in this House that pursuant to which a Member would file a motion to take Bills off the Calendar and based upon the absents of such a rule, the Chair would be compelled to state that your motion is out of order, Sir."

Shea: "I don't ask to take them off the Calendar. I just asked..."

Speaker Telcser: "Well, you asked that they postponed."

Shea: "That's correct."

Speaker Telcser: "And there is no rule that the Chair can find in rules...."

Shea: "Mr. Speaker, can I read rule 62 (e) to you please."

Speaker Telcser: "Proceed, Sir."

Shea: "Subject to the provisions of rule 65, any question taken on consideration may be withdrawn, postponed or

Brinkmeier: "Representative Kempiners."

Speaker Blair: "Kempiners, is there."

Brinkmeier: "Representative Klosak."

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Tabled by unanimous consent or if unanimous consent is denied by a motion adopted by a Member of the Majority of the Members voting on the motion and I move to... that I will strike the part of the motion saying that I move to suspend the appropriate rule and I move that the Senate Bill 1502 through 1527, and Senate Bill 1638, be considered upon our return in the fall Session."

Speaker Telcser: "Well, Representative Shea, your motion has no reference to rule 62, Sir. So, your motion is out of order."

Shea: "Well, can I make a motion then pursuant to rule..."

Speaker Telcser: "The motion has to be in writing, Sir."

Shea: "Mr. Speaker, are you... are you stating that I must make it in writing or going to allow..."

Speaker Telcser: "I'm stating that the motion which you have before the House, right now, in writing is not in order since it was not filed pursuant to any specific rule. If you wish to put upon the Clerk's desk another motion which is more specific pursuant to a rule, the Chair will look at that motion at such time that it is filed, Sir."

Clerk Selcker: "Is Rose back? Okay, Richard Walsh..."
Speaker Blair: "Richard Walsh... take Richard Walsh... how
is he recorded?"
Clerk Selcker: "The Gentleman is recorded as voting 'no'."

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Arthur Telcser: "Senate Bill 1502. Read it a second time, Mr. Clerk."

Fredric B. Selcker: "Senate Bill 1502. A Bill for an act to amend the Real Estate Brokers and Salesmen Prices Act." Second Reading of the Bill. Committee Amendment #1. Amend Senate Bill 1502, page 1, line 1, and so forth."

Arthur Telcser: "Gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Mr. Speaker, I move that we adopt Committee Amendment #1. This is the amendment that gives the state the right to revoke licenses in cases of discrimination housing."

Arthur Telcser: "Gentleman from Cook, Representative Schlickman."

Schlickman: "I would question that this amendment is germane. As I read the Bill; it involves a matter of exclusive exercise and non-concurrence relative to the powers and functions in a specific act. What this amendment does, as I understand it, is to amend the act. And I would suggest that it is, this Amendment #1, is not germane."

Arthur Telcser: "Gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Mr. Speaker, I respectfully disagree with the gentleman from Cook. The amendment does deal with the general subject of the Bill, which is the relationship of the state and local regulatory authority of vis-a-vis Real Estate Business. In that it does strengthen the states ability to regulate certain practices. And it also amends the same act that the Bill does, and I believe that it is germane."

is on... he has been verified. Representative... he
wasn't..."
Brinkmeyer: "Mr. Speaker..."
Speaker Telcser: "Okay, we're going to take another Roll

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Arthur Telcser: "Well, in view of the fact, Representative Schlickman, that it deals with state licensing power and the ah... the circumstances upon which a license can be ah... granted or not granted ah... the Chair would rule that the amendment is germane and in order. Representative Schlickman, for what purpose do you rise?"
Schlickman: "Mr. Speaker, I don't desire to argue with you, but I do repeat, that Senate Bill 1502 refers specifically to two Constitutional Provisions. Sub-Section 8, and Sub-Section I, of Section 6, of Article 7 of the State Constitution. This Bill in it's original form, is simply intended to implement two Constitution Sub-Sections. Amendment #1, has nothing to do with Constitutional Implementation. Amendment #1, has it's purpose, to change the substance of a particular statutory act. And I respectfully suggest, Mr. Speaker, that there is no relationship between this Bill, as it was introduced, and Amendment #1. Therefore, I respectfully repeat, my suggestion, that Amendment #1, is not germane."
Arthur Telcser: "Well, Representative Schlickman, the Bill itself is not dealing with Constitutional Implementation, but simply state licensing powers, as of the amendment. And the Chair would then again be compelled to rule that it was germane. The gentleman from Champaign, Representative Hirschfeld. Representative Shea, for what purpose do you rise, sir?"
Shea: "Would you please reiterate you last ruling? I didn't hear it quite specifically. Would you please give me the



changed to 'no'.
Speaker Telcser: "Representative Clabaugh is voting 'no'.
There are 83 'ayes', 84 'no'. Now, Representative
Shea, for what purpose do you rise?"
Shea: "Now that it has changed from 83 to 84, you would

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ruling that you gave Mr. Schlickman, with regards to germaneness?"

Arthur Telcser: "The ruling is that the amendment is germane."

Shea: "Under what provision?"

Arthur Telcser: "The provisions that upon perusal of the Bill and the amendment, and the fact that they both deal with state licensing power, that the amendment is therefore germane. And that the Bill itself, does not deal with Constitutional Implementation."

Shea: "It deals with licensing. The Bill in question, or the amendment, the act that the gentleman wishes to amend or add to, is an act wherein the state issues Certificates of Registration. And they specifically call them Certificates of Registration, pursuant to an examination for competency, for a Real Estate Broker or a Real Estate Salesman. It specifically does not talk about licensing, and it talks about giving certificates for competency for two occupations. And it does not talk about regulating in any manner or means the business of Real Estate Sales."

Arthur Telcser: "Well, Representative Shea, ah... a rose by any other name; is still a rose and ah.... while the Bill deals with registration, as you term it, and registering of people, in the Chair's judgment, that is licensing."

Shea: "No, I'm saying the Bill does not....."

Arthur Telcser: "Wait a minute. Representative Hirschfeld, for what purpose do you rise?"

Hirschfeld: "A point of order, Mr. Speaker. It was just the other day that the distinguished gentleman, from the other

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going to do the negative and that will be it."
Clerk Selcke: "Capusi, Catania, Clebaugh, Collins, Cunningham,
Day, Deavers, Deuster, DiPrima, Duff, Ralph Dunn, R.L.
Dunne, Dyer, Ebbesen, Fleck, Friedland, Gibbs, Griesheimer,
Groberg, Hirschfeld, Gene Hoffman, Ron Hoffman, Hudson,

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side of the aisle, objected to the fact that people kept questioning the Chair's ruling. And I think that if the Chair's ruled, the Chair's ruled."
Arthur Telcser: "Point is well taken, sir. Representative Hirschfeld, on the amendment."
Hirschfeld: "I move to adopt Amendment #1."
Arthur Telcser: "Gentleman has offered to move the adoption of Amendment #1 of Senate Bill 1502... Gentleman from Cook, Representative Harold Washington."
Washington: "Mr. Speaker, I think.. Mr. Speaker, I think Representative Lundy preceded me, and I'll defer to him, if I may."
Arthur Telcser: "All right, ah... Gentleman from Cook, Representative Lundy."
Lundy: "Thank you, Mr. Speaker. Will the Sponsor of the amendment yield for some questions?"
Arthur Telcser: "He indicates that he will."
Lundy: "Representative Hirschfeld, Amendment #1 purports to broaden the basis on which Real Estate Brokers and Salesmen's licenses may be denied or revoked. Ah... in fact, it adds ah.. some grounds for denial or revocation of licenses ah.. which are pretty broad. My questions to you are... Number 1: What changes are made in the enforcement mechanism of the ah... state ah... Broker's and Salesmen's licensing act, that will make it possible to enforce these quite broad grounds for denial or revocation of a Broker's or Salesman's license?"
Hirschfeld: "Well, Representative, no changes in this. It would be the same way they enforce them now. And I might add, of course, ah... as your well aware, that this amend-



here he is, right next to Jenny."
Brinkmeier: "Okay, Representative McCormick."
Speaker Telser: "Representative McCormick on the floor?
He's standing in the back."
Brinkmeier: "Representative Kenny Miller."
Speaker Telser: "Kenny Miller, is in his seat."

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ment, while not put on at your specific request, it was certainly put on to accommodate yourself and others who were interested in this discrimination issue."

Lundy: "Thank you, Mr. Spe..... ah....Mr. Speaker, may I address myself to the Bill?"

Arthur Telser: "Proceed, sir."

Lundy: "To the amendment. Ladies and Gentlemen of the House, ah... what Representative Hirschfeld has said ah.. reflects my understanding of what this amendment does. That it.... it does not make any changes in the enforcement mechanisms available to the state or to the Examining Board to enforce the rather sweeping grounds for license revocation or denial which are being put into the act by this amendment. Now as anybody who has worked in the area of fair housing knows; enforcement is the guts of fair housing. It doesn't do any good to put down prohibitions on a peice of paper, if you haven't got an enforcement mechanism that's gonna make it work. And that is all we are doing with this amendment, is putting words on paper. I have here some recent figures from the Department of Registration and Education, the ah... Regulatory Division, relating to the enforcement ah... personnel, which are available to the Department. The Department of R&E now has a total of Professional Licensed Investigators of eight. Eight Professional Licensed Investigators. There are 24,000 licensed Brokers in Illinois. There are 22,000 licensed Salesmen. And yet we are adding broad grounds....."

Arthur Telser: "One moment. Representative Hirschfeld, for

Brinkmeier: "One more, Representative Walters."

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

How many do you have, Mr. Clerk?"

Brinkmeier: "Thank you, Mr. Speaker. I'm sorry that this had to take so much time."

Speaker Telcser: "On this question there 84 'nays', 83 'ayes'

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what purpose do your rise?"

Hirschfeld: "Mr. Speaker, I'm sorry to interrupt the Gentleman, but if he wants to put in a Bill to increase the number of Investigators and so forth, I have no objections to that, whatsoever. We're talking about Amendment #1, and not trying to change the prerogatives of the Department, as they now exist. We're talking about a state preemption Bill, and not the current existence of the Department, as far as it's staff is concerned."

Lundy: "Mr. Speaker, my remarks are relevant for this reason: If this amendment is adopted, without changes in the enforcement mechanism for the Department of R&E, then all we will be doing with this amendment is broadening the effect of the preemption, which is the primary purpose of this Bill. We will not be providing fair housing enforcement in Illinois. We certainly are not enacting a state wide fair housing act, which we still do not have in the State of Illinois. And I submit that without changes and improvements in the enforcement mechanism, the enactment of this amendment will no other effect then to broaden the preemption. And it will prevent local communities, from enforcing their own fair housing ordinances because they will be preempted from doing so, and I urge a 'no' vote on the amendment."

Arthur Telcser: "Gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Well, Mr. Speaker, to close let..... oh, I'm sorry, I didn't know that Representative Washington wanted

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

Hill: "Mr. Speaker and Members of the House, this Amendment provides a coat of living for the secretaries in the Senate. I would appreciate your vote."

Speaker Telcser: "Any discussion? The Gentleman offers the

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recognition."

Arthur Telcser: "Gentleman from Cook, Representative Harold Washington."

Washington: "Mr. Speaker, I subscribe completely to the remarks of Representative Lundy. And I find myself in this position of for the first time since I've been in the General Assembly, obstinately taking the position against a fair housing statement. And Amendment #1 to Senate Bill 1502, is a mere bare bone statement of public policy, relative to fair housing in the State of Illinois. As you know, for years we've attempted to get fair housing in this state, and unfortunately we haven't even gotten close because we've gotten out of this House, but the Senate consistently kills them. But while we were sitting on our haunchs, about 35 of the municipalities throughout this state, took the initiative to come up with various types of fair housing. Some of them, unfortunately, are not worth the paper they are written on. But many of them are very forceful statements supported by agencies and the machinery to enforce fair housing in their localities. The trouble with House..... Senate Bill 1502, is that we are afraid that it would preempt the right of those municipalities to carry on their fair housing programs. And these fair housing programs have come about through the collective wisdom of the people in these various municipalities. And we are of the opinion that if they want to pave the roads for the General Assembly to follow, and they should certainly have that right, then we should do nothing here, directly or indirectly, to strife or

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Speaker Telcser: "He sure will."

Flinn: "Representative Hill, how much of a minimum... how much is the minimum salary, please?"

Hill: "It's a 5% cost of living and a minimum of six ninety."

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frustrate the implementation of those fair housing programs. We are seriously afraid that Senate Bill 1502 will do that. Amendment #1 is a mere policy statement. As Representative Lundy was attempting to point out; the state does not have the wherewithal. The machinery to enforce fair housing is not in binding Amendment #1 to 1502. So what in effect you will have is a statement within this Bill, and the possible negation of these 30 some odd fair housing Bills. Now I'm not opposed to the statement. I think that we should state it and reiterate it as many times as we possibly can; that the public policy of this state is contrary to restriction on the alienation of property based on a race. However, since these municipalities have gone through the trouble of enacting these various ordinances, we want to do nothing to frustrate them. I'm saying simply this; I will support Amendment #1, but anybody who votes for Amendment #1, who is under the delusion that you're gonna get fair housing implementation, I stand here to tell you that you will not do it. I suggest to you that you do this. Vote for Amendment #1 if you will, but I implore you, I urge upon you, that when we get to Amendment #5, which is Representative Lundy's amendment, that you give that a resounding vote of approval. And all it will do in effect is guarantee that the various municipal ah.... municipalities who have moved against fair housing, their functions will not be negated."

Arthur Telcser: "Gentleman from ah.... Representative Shea, for what purpose do you rise?"

Shea: "Mr. Speaker, I think I have now filed the correct motion



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Further Amendments."

Clerk Selcer: "That's it."

Speaker Telcser: "Third Reading. Senate Bill 1519."

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with the Clerk pursuant to Rule 62."

Arthur Telcser: "Which one of the two Jerry, do you want to pick up first?"

Shea: "I would prefer to take the one up first that would extend or postpone the hearing on all of these bills in this series, till after November 15, 1974."

Arthur Telcser: "All right. do you wish.... Representative Hirschfeld, what purpose do you rise?"

Hirschfeld: "Point of order, Mr. Speaker. I don't object to arguing the gentleman's motions when the proper time comes, but we're on another order of business now, and I think we have the right to finish this amendment before the gentleman offers his next motion."

Arthur Telcser: "Ok, Representative Shea, ah... let's go back and consider the other motion you filed. In respect to 1502, if veiw of the fact that is the matter now in hand, and the other ones are not. And I think that the out come of our discussion on the ah... motion with respect to 1502 will probably be very very similar to the ah... discussion and ultimate rulings we would arrive at together ah... on all of the bills. Ok? Representative Shea, do-you wish to discuss the motion and address yourself to it? Before the Chair ah....."

Shea: "Is the motion before the Chair now?"

Arthur Telcser: "The motion is before the Chair.. Do you wish to discuss the motion in anyway before the Chair....."

Shea: "I do."

Arthur Telcser: "Proceed."

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Clerk Selcke: "Amendment #4, Hill. Amends Senate Bill 1319, on page 1, and so forth."

Speaker Telcser: "The Gentleman from Kane, Representative Hill"

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Shea: "Pursuant to Rule 62E, I've filed the motion to postpone consideration of this Bill, until after November 15, 1974."

Arthur Telcser: "Representative Duff, for what purpose do you rise, sir?"

Duff: "Well, Mr. Speaker, I'm not sure we got a ruling from the Chair on Representative's Hirschfeld's motion, but he said and ah... I heard it that we are on another order of business, we are in the middle of the consideration of an amendment and ah... consequently Representative Shea's motion is not timely at this time. Now if you haven't made a ruling of the Chair on Representative Hirschfeld's statement, I'd like to ask for the ruling of the Chair on it."

Arthur Telcser: "Well, Representative Duff, I think that technically the point which both you and Representative Hirschfeld make, are indeed correct. However, in the Chair's wish to always act fairly with the minority side of the aisle, ah... I think we'll let Representative Shea discuss his motion before the Chair has something to say about it."

Duff: "Mr. Speaker, I understand that difference that you so often show, but ah.. I suggest that some difference to the Sponsor of the Bill, might be in order at this time, since this motion is extraordinary and almost, I suppose unprecedented motion that Representative Shea wants to put."

Arthur Telcser: "Well, precedence to the Sponsor is always upper most in the mind of the Chair when it is possible to grant him that precedence. Representative Shea."

Shea: "Would the Chair feel more comfortable if I were to wait and have this motion heard after.... until after the amend-



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time, Mr. Clerk."

Clerk Selcke: "Senate Bill 1227, an Act to amend Section 3-B
3-D to add Section 3C, to Article III and so forth.
Third Reading of the Bill."

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ment was either adopted or voted up or down?"

Arthur Telcser: "If that's your wish, Sir."

Shea: "I will do... if ah... am I moving the motion now? Is the
motion proper and in order at this point?"

Arthur Telcser: "Well, ok... now you've asked the question,
Representative Shea, and the Chair is going to rule that
your motion is not in order, Sir. Your motion says: 'Pur-
suant to Rule 62F, I move that Senate Bill 1502, now under
consideration, be postponed until November 15, 1974.' In
the first place, you've set it for a date certain, which could
be in question, in view of the fact that adopted no adjourn-
ment resolution. And we don't even know if we're going to
be back here November 15, 1974. However, that may not be
ah... that substantive a flaw in the motion. However, the
motion very clearly states: 'Pursuant to Rule 62F, I move
that Senate Bill 1502, now under consideration, etc., etc.,
etc. The fact of the matter is, Sir, that we're not con-
sidering Senate Bill 1502 at the present time. We're con-
sidering Amendment #1. And that being the case, Sir, the
Chair would be compelled to move that your motion is out
of order. Representative Shea."

Shea: "Mr. Speaker, what is the Senate Bill that is under the
consideration in the amendment thereto now?"

Arthur Telcser: "Well, the amendment is under consideration,
as you know, the Bill itself ah.. is under consideration
under the order of Third Reading. The number on the board
is simply or simply... reference which the Members can use
so they know to what Bill the amendment is being offered."

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Clerk Selcke: "Motion, Mr. Speaker, I move to suspend the appropriate rule so that Senate Bill 1502 through 1527 and Senate Bill 1638, may be postponed until the

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Shea: "Is not the Bill.... is not the Bill being amended?"

Arthur Telcser: "The Bill is being amended indeed. But the amendment is under consideration, not the Bill."

Shea: "Does not the amendment refer to specific line and pages of the Bill, under consideration?"

Arthur Telcser: "Indeed it does, Sir."

Shea: "And if the Bill was not before the House, the amendment would be a useless task?"

Arthur Telcser: "All right. I think if you refer to Robert's Rules, you'll see that the amendment is a subsidiary type of situation where the main ah... the main question would be on Third Reading and that would be the Bill itself."

Shea: "Well, are you saying then, Mr. Speaker, so I have this perfectly clear for the records, that only amendments and not the Bill, is under consideration."

Arthur Telcser: "On the order of Second Reading."

Shea: "On the order of Second Reading and that the specific amendment do not pertain to specific lines and pages in a Bill filed with the Clerk of the House?"

Arthur Telcser: "Well, the amendment, of course, refers to various lines on the Bill. But it is the amendment that is the crux of the consideration."

Shea: "Without the Bill, Mr. Speaker, would not the amendment be a useless task?"

Arthur Telcser: "Without a main matter ah... subsidiary matter certainly is of no avail. However, one cannot deny the fact that it is the subsidiary matter which is under consideration at this time, and not the main one."



Shea: "Mr. Speaker, can I read rule 62 (e) to you please."
Speaker Telcser: Proceed, Sir."
Shea: "Subject to the provisions of rule 65, any question taken on consideration may be withdrawn, postponed or

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Shea: "But Mr. Speaker, I respectfully ask you, are you saying that the Bill that I refer to in my motion is not before this Body now?"

Arthur Telcser: "I say to you Sir, that the amendment is under consideration."

Shea: "But ah... so is the Bill, is it not because....."

Arthur Telcser: "The Bill will be under consideration under the order of Third Reading."

Shea: "Well, Mr. Speaker, I respectfully decent from your ruling....."

Arthur Telcser: "Your decent will be journalized, Sir."

Shea: "I would ask that it be journalized."

Arthur Telcser: "Would the Clerk see to it that the gentleman's decent is entered upon the daily journal? Gentleman from Champaign, Representative Hirschfeld to close the debate. Gentleman from Cook, Representative Porter."

Porter: "Ah... would the Sponsor yeild for some questions?"

Arthur Telcser: "He indicates that he will."

Porter: "Ah... John, it's been eluded to in debate, in Representative Lundy and Representative Washington's both; that the provisions of Amendment #1, would prevent the concurrent exercise of these same functions or powers by home rule units? Could you state whether that is actually correct or not?"

Hirschfeld: "Well, Mr. Speaker and ladies and gentlemen of the House, let me make the record perfectly clear. Now I have great respect for Representative Washington, I think I've tried to support him and others who have supported fair

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housing in the State of Illinois, from the very beginning and when I was down here. And I frankly agree with every single thing that Representative Washington said when he was on his feet. Not only do I agree with it, but when Representative Lundy offers to amend Amendment #5, in order to implement Amendment #1, I will support that amendment and recommend that it be adopted by this House. So that we do have these powers and so that we do have the right to implement these things at both the state and local level. So I don't find myself in disagreement with Representative Washington or Representative Lundy at all. I am totally, completely, and utterly in favor of fair housing and we're going to adopt Amendment #5, if I have anything whatsoever to say about it. And that will solve the objectives that have been raised by Amendment #1."

Porter: "All right ah...then I would agree with you that we should support this amendment, provided that we also support Amendment #5. Thank you."

Hirschfeld: "You have my word."

Arthur Telcsery: "Is there further discussion? Does the gentleman wish to close the debate? Gentleman offers to move the adoption of Amendment #1 to Senate Bill 1502. All in favor signify by saying 'aye', the opposed 'no', the amendment is adopted. Further amendments?"

Hirschfeld: "Amendments #2, #3, and #4, were tabled in Committee."

Arthur Telcsery: "Gentleman offers to table Amendments 2,3,and 4. All those in favor 'aye', the opposed 'no', the amendments are tabled. Are there further amendments?"





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J. O'Brien: "Amendment No. 5, Lundy. Amend Senate Bill 1502
A. Telcser: "Gentleman from Cook, Representative Lundy."
Lundy: "Thank you, Mr. Speaker and Ladies and Gentlemen of
the House. Amendment No. 5 raises what I take to be the
primary issue involved in Senate Bill 1502. To me the
primary issue raised by 1502 is not the issue of home rule
power versus local regulation, it is essentially a civil
rights issue. It is the issue of whether the local com-
munities throughout this state, which, in light of the
the default to enact a statewide fair housing law, have
enacted their own local fair housing ordinances, will be
permitted to continue to enforce those ordinances. Illinois
does not now have a statewide fair housing law. It is one
of seventeen states in the nation without such a law. It
is the only major industrial state in the country without
such a law. It is one of only six states outside the deep
south without such a law. But, in 1968, the General
Assembly did take a half step forward to enable local
communities, local municipalities, to enact their own
fair ordinances, although the General Assembly itself would
not do so. Now, my concern is that we not take a tragic
backward step that we not renege on that commitment to
human rights that was made in 1968 by disabling local com-
munities from enforcing their own fair housing ordinances.
And to accomplish that purpose, I am offering amendments
to both 1502 and to Senate Bill 1503, and I emphasize that
both amendments need to be adopted in order to protect the





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right of local communities to enforce their own fair housing
ordinances. Now, I think there are a number of reasons
that this is an appropriate area for local regulations if
we don't have state regulations. One is, as I mentioned
earlier, that enforcement is the guts of fair housing.
It does no good to have words on paper if you don't have
an enforcement mechanism. Enforcement can be done best
at the local level. Second, local regulation is appropriate
in this area because real estate practices, perhaps more
than anything else, affect such vital questions as the
stability of communities, as the ah.. the turnover of
communities, ah.. and that is par excellence the kind of
conduct that ought to be regulated at the local level.
Finally, as I indicated in connection with Amendment No. 1,
the Department of R & E simply does not have the personnel
to effectively enforce fair housing at the state level.
It's something.. if it's going to be done effectively it's
not to be done at the local level. I'm offering Amendment
No. 5 to Senate Bill 1502 which is a specific exemption
to the preemption in that bill for the State Fair Housing
Enabling Act and for local fair housing ordinances enacted
pursuant to that State Enabling Act. And the purpose of
this amendment is to preserve in their present form all
local fair housing ordinances so that those local muni-
cipalities which were authorized by the state in 1968 to
enact their own ordinances will be able to continue to
enforce them as they now enforce them, including special





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requirements on brokers, real estate brokers, and salesmen,
—if those ordinances contain such special requirements.

That is the purpose of the amendment. That will be the
purpose of the subsequent amendment to Senate Bill 1503.

I'm glad that the sponsor of this bill has seen fit to
adopt the amendment and ah.. I urge its' support ."

A. Telcser: "Gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Well, Mr. Speaker, I couldn't agree with the
gentleman more and I would support his motion to adopt
Amendment No. 5."

A: Telcser: "Gentleman from Cook, Representative Duff."

Duff: "Well, Mr. Speaker, Ladies and Gentlemen, I'll also
speak to support Amendment No. 5, but I think it's important
and it's extremely ah.. crucial consideration of the
extensions and limitations and definitions of home rule
not to accept the gentleman's proposition that this is
essentially a civil rights bill, because it is not. From
the inception of this subject matter it has been related
to entirely as a home rule issue. Now, I would only
mention to you that you can talk about enforcement if you
wish, and I am in favor of maintaining the status quo on
municipal home.. or municipal ordinances, I also feel that
perhaps we should have some better statutes at the state
level, but I would remind you that not.. since 1968 not
one single license in the State of Illinois has been
taken away under this so-called enforcement. There are
more creative and affective ways to approach this subject.



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This is a home rule issue. I support the amendment."

- A. Telcser: "Gentleman has offered to move the adoption of Amendment No. 5 to Senate Bill 1502. All in favor 'aye', opposed 'no'. Amendment is adopted. Further amendments. Third Reading. Senate Bill 1503. Representative Shea, for what purpose do you rise? Are there more amendments. Oh, I'm sorry, leave it on Second. I'm sorry, I didn't know that."
- J. O'Brien: "Amendment No. 6, Lundy. Amend Senate Bill 1502, on page 1, line 17.."
- A. Telcser: "Gentleman from Cook, Representative Lundy."
 Lundy: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, in light of the adoption of Amendment No. 5, I move the adoption of Amendment 6 and move to table."
- A. Telcser: "Gentleman has moved to table Amendment No. 6 to Senate Bill 1502. All those in favor signify by saying 'aye', the opposed 'no'. The amendment is tabled. Further amendments."
- J. O'Brien: "Amendment No. 7, Lundy. Amend Senate Bill 1502 on page 1, line 17.."
- A. Telcser: "Gentleman from Cook, Representative Lundy."
 Lundy: "I move to table Amendment No.7."
- A. Telcser: "Gentleman has moved to table Amendment No. 7 to Senate Bill 1502. All in favor 'aye', opposed 'no'. The amendment is tabled. Further amendments."
- J. O'Brien: "Amendment No. 8, Lundy. Amend Senate Bill 1502.."
- A. Telcser: "Gentleman from Cook, Representative Lundy."



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Lundy: "I move to table Amendment No. 8"

A. Telcser: "Gentleman has moved to table Amendment No. 8 to Senate Bill 1502. All in favor 'aye', opposed 'no'. The amendment is tabled. Further amendments."

J. O'Brien: "Amendment No. 9, Shea. Amend. Senate Bill 1502, as amended, on page.."

A. Telcser: "Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, this amendment was put in by myself and Representative Bluthardt."

A. Telcser: "Jerry, can't hear you too well."

Shea: "This amendment was put in by myself and Representative Bluthardt and I respectfully ask that if the Chair would call upon him first."

A. Telcser: "Alright, Gentleman from Cook, Representative Bluthardt."

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

Jerry Shea's joinder with me in this amendment and several others I think comes about from his genuine desire to try to protect the ah.. rights of the city, the home rule communities to allow to continue to govern as a municipality ought to. We may differ in the philosophies because I do, generally, support the concept of preemption by the state over occupations and professions. I am genuinely concerned though about the affect of the bills as they are written. The Senate Bills. Preemptions bills. If you have any doubt about the sincerity of how I feel about preemption, let me remind you that last session I supported Duff's

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House Bill 36. And I supported it because it did not raise the questions that these bills do. These raise questions in my mind and in many municipal attorneys minds and most municipal official's minds ah.. as to how stringent and how restricted the ah.. powers of local government under their so-called inherent police powers, how stringent those powers or those restrictions are. The amendment that I have proposed is the one that would spell out that nothing in this act, let me read it... shall be construed to limit the powers of municipalities and home rule units to regulate the professions or occupations in matters relating to public health, safety, welfare and morals. Now, ladies and gentlemen, there is a question as to whether or not local government may enforce its zoning ordinances once a certificate of.. or license is granted by the state to say a real estate broker, or an insurance broker. There is nothing to prevent him from opening a real estate office in his home in a residential neighborhood and there's nothing that the local government can do about it, in my opinion, because all powers of local government in this regard are preempted. If we could add, if we could spell out, that local power.. local government does not have the power to license or to regulate the standards by which real estate brokers operate, fine. I think we could accept that. And that's all that this amendment tries to do. I would sincerely ask your support of this amendment that would make the bills more acceptable. And I think in the



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long run I could then support most of the bills."

A. Telcser: "Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, Members of the House, I arise in

support of Amendment No. 9 to Senate Bill 1502. And to appreciate the importance of this amendment, it's necessary to refer or to direct our attention to the act by which the state licenses and regulates real estate sales brokers and salesmen. You find in there the basis for the concern of the gentleman who is offering this amendment. That act not only deals with who is qualified to operate as real estate sales brokers and licenses, but deals furthermore as to where they are to be located. That is a matter that could be construed as land use. And subsequently, with the language that is in the bill as it was introduced, the phrase 'directly and indirectly' the gentleman who is offering this amendment does have, in my opinion, sufficient concern, thereby warranting this amendment. All he's attempting to do is to insure that our municipalities, our front line if you will, can exercise the traditional police powers relative to the health, welfare, safety and morals of the citizens lying within the various municipalities and home rule units of the state. Therefore, I join with him in soliciting your support of Amendment No. 9."

A. Telcser: "Is there further discussion. Gentleman from Champaign, Representative Hirschfeld. Was he first? Gentleman from Cook, Representative Shea."

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





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I think I would like to join my last two colleagues and ask that we think back a little bit to 1970 when the Constitutional Convention met in this chambers and they enacted what has been known as the Constitution in 1970 that became effective July 1 of 1971. Since that date, which is some three years, home rule municipalities have had what is commonly referred to as home rule powers under Article VII of the Constitution. We specifically asked the sponsor of this series of legislation if he could point out specifically anything that a home rule unit had done to justify taking away not only the powers granted to them under the Constitution of 1970, but to take an immense step backwards and to remove from local government any regulatory powers that they might have. I think my colleague, Representative Bluthardt, read to you the first section of the Constitution of 6-A, where it specifically, and you'll excuse me for one minute, where it specifically under Article VII, Section 6-A, except as otherwise limited by this section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs including, not limited to, the power to regulate for the protection of the public health, safety, morals and welfare. Now, if you read the act, these are commonly referred to as police powers of a local government and if you specifically read the Real Estate Act you'll find that the police powers for the regulation of that Act is given to the department. So, what we would do without this



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amendment would remove from local government any possibility of regulating for their health, safety, welfare or public morals, anything to do with the occupation of real estate broker or real estate salesman. We would find ourselves in a position, I think, where we not only are trying to take away certain home rule powers, but we would take a giant step backward where we would remove from our local communities any kind of regulatory power whatsoever over the occupation of real estate salesmen or real estate broker. I would earnestly ask my colleagues to look at the bills, the far reaching implications of these bills, particularly in the second sentence of the bill where, as it is now, it would prohibit a local community from taking any action that would directly or indirectly affect the regulation, the power or the function under this act. I would earnestly solicit the support of the House in Amendment No. 9."

A. Telcser: "Gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Well, Mr. Speaker and Ladies and Gentlemen of the House, now we've finally got to the heart of the matter for the rest of the afternoon and on the 180 other amendments that are going to be handled by somebody from the other side of the aisle and apparently by somebody from this side of the aisle. And so, we might as well take a little time on this particular amendment and maybe we can get the issue solved once and for all and dispense with



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most of the other 180 amendments. Now, first of all, with regard to the last comment made by the Distinguished Assistant Minority Leader that he asked me about any reasons for these bills, I want to assure the members of this General Assembly that at no time did he ever ask me whether there had been any abuses whatsoever. Statements were made, however, during the committee hearings by certain gentlemen that there had not been any abuses that would bring about the necessity for these bills. Now, in my own district, for example, the abuses were so bad against the real estate people that we had to go into court and get an injunction to stop some of the unfair licensing. As the Distinguished Assistant Minority Leader is well aware, the Supreme Court case is now finalized on House Bill 3636, and, as a matter of fact, licensing is going on right now in the State of Illinois. And in some cases the brokers are going to be charged as much as a \$1000 or \$350 or some other sum to be licensed. And so there is a distinct need for preemption and I would say to the Distinguished Minority Leader, yes there has been abuses, yes there is a need for these bills, and yes the bills must stay in the condition that they are in now. Now, with regard to the Distinguished Mayor, I certainly understand his genuine concern for this bill as well as the concern of Representative Schlickman. I would like to point out that these bills were handled in the Senate and drafted by Senator Weaver, the former Mayor of Urbana, who is the



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former head of the Municipal League and who is well aware of the problems that the Municipal League faces. But there are more important fish that have to be fried in this case. And, one of them was raised by all three of these gentlemen, namely, the question of police power. There have been some serious misconceptions with the respect to the impact on home rule units of these preemption bills. These bills are considerably more limited in scope than either the proposed constitutional amendment that was offered by Representative Walsh earlier this year or Representative Duff's fine bill, House Bill 3636, of a year ago. Both of which passed this House. That is, and I think this is the key, the exclusive power to regulate and license is limited by the terms of these bills to powers and functions that are already set forth in each of the acts to which the bill applies. For example, if we are talking about the Medical Practices Act, which we will be shortly, I hope, only the powers and functions set forth under that act are declared to be the exclusive state powers. And there is nothing in that act which prevents a home rule unit or municipality from exerting its usual police powers."

A. Telser: "One minute, Representative Shea, for what purpose do you rise, sir."

Shea: "I wished he'd keep his remarks to this bill. If he's saying the last statement he made applied to the occupations covered under this act I'd agree with the gentleman. But I'd like him to get to the specific act we're dealing with



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namely the Certificate of Registration for Real Estate Salesmen and Real Estate Brokers."

A. Telcser: "Representative Hirschfeld."

Hirschfeld: "I apologize, Mr. Speaker, I was just trying to give an example. As typical, I'll just go back and rephrase it. For example, only the powers and functions set forth under the act applying to realtors et al. would be declared to be the exclusive state powers. And there is nothing in that act which prevents the home rule unit or municipality from exerting its usual police powers. It's important, I think, to recognize that the purpose of these bills is to prevent unnecessary and burdensome dual regulation. Home rule units are free to fill gaps in regulations if the state fails to act, but when the state is properly regulating and licensing, there is no need for a duplication of powers. Now, I can appreciate the legitimate concern of Representative Bluthardt about the words 'directly and indirectly'. But let me say to you, ladies and gentlemen of the House, these bills have been carefully drafted by legal counsel who studied the case, that went up to the Supreme Court on House Bill 3636, and the reason the word 'indirectly' is in there is we do not want, for example, home rule units using evasive tactics in order to license and regulate these professions when they could not do so directly. I don't think we're asking for anything extraordinary and if you will look at the amendment the amendment itself is so defective and so broad we could not



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possibly accept it. It says that home rule units are still to have the right in regard to the public health, safety, welfare and morals. Now, ladies and gentlemen, as a practicing attorney in the State of Illinois, I can tell you that there is not one thing that the Supreme Court of the State of Illinois cannot find under public health, safety, welfare and morals. And were we to adopt this amendment, what we would do, in effect, is to emasculate the bill because on the one side we would say only the State of Illinois has the right to regulate and we would turn around and say with the exception of public health, safety, welfare and morals, which is so broad it means that the home rule unit can still legislate in this area and it would destroy the bill and I urge a resounding defeat for this amendment and all subsequent amendments that are going to be filed that are of a like manner on each of the remaining 30 bills."

A. Tolson: "Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, I have spoken once, and I rise on a point of order."

A. Tolson: "State your point, sir."

Schlickman: "The distinguished sponsor of this bill at one time said that this bill was drafted by the Senate sponsor, who I know to be a mortician, on another occasion he said that this bill was drafted by able counsel, now I'd like to know who did draft this bill."

A. Tolson: "Representative Hirschfeld."



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Hirschfeld: "Well, Representative.. Representative, let me say to you, I think what I meant to say, and if I did not say it correctly I apologize, the bills.. ah.. the bills .. the bills were handled by Senator Weaver who worked very closely with legal counsel to draft the bills in light of the Supreme Court decision. Now, Senator Weaver is a mortician and there will be a mortician's bill later and I think your point would be more relevant at that time, but I was trying to point out that he was the former Mayor of Urbana, served there very ably in a distinguished manner and I think he is just as well aware of the problems pointed out by the Municipal League as those who are mayors in opposition to this legislation."

A. Telser: "Gentleman from ah.. Cook, Representative Duff."

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

I think that perhaps this is one of the most important amendments for us to consider on this whole subject, because of the knowledge and experience of the sponsor of the amendment, the respected mayor. Consequently, I think it's one of the ones we should be most clear on as we ah.. go through this legislation. It should come as no surprise to many members of this House that a number of people have said that these debates, to some extent, are being made to put on record in verbatim transcript what might later be used in future litigation. There's no question that the problem of definition and limitation of home rule powers will be a struggle, both by case and statute, over the next



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10 or 20 years under our new Constitution. So, I'd just like to point to a couple of matters that were raised by the respected Assistant Minority Leader so that we can get on the record ah.. on the clarification of this subject. The words 'directly or indirectly' are carefully crafted words in drafting the statutes. The statutes will relate to the problems primarily of competency of regulation and licensing uniformity of regulation and licensing and the potential of local political abuse and as the respected sponsor of this bill has pointed out that is the thrust to which the words 'directly and indirectly' are aimed. The basic police powers are defined by statute and by home rule powers. The vaguely drafted amendment which uses the words 'welfare and morals' is not vague in the Constitution as was referred to by the respected Assistant Minority Leader because the Constitution is essentially a statement of guidelines and principles. Cases and statutes, however, must be much more specific. When you take words like 'welfare' and 'morals' and seek through the cases or the laws of Illinois to try to find a definition of morality, you have a great deal of difficulty. For example, our difficulty with the problems of obscenity and pornography. There is no change here and other statutes by reference. There is no direction in the bills to the problems of zoning. To the problems of police power and so forth as is understood to be so by the sponsor of the amendment. I do recognize his great experience in this area, but I



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10 or 20 years under our new Constitution. So, I'd just like to point to a couple of matters that were raised by the respected Assistant Minority Leader so that we can get on the record ah... on the clarification of this subject. The words 'directly or indirectly' are carefully crafted words in drafting the statutes. The statutes will relate to the problems primarily of competency of regulation and licensing uniformity of regulation and licensing and the potential of local political abuse and as the respected sponsor of this bill has pointed out that is the thrust to which the words 'directly and indirectly' are aimed. The basic police powers are defined by statute and by home rule powers. The vaguely drafted amendment which uses the words 'welfare and morals' is not vague in the Constitution as was referred to by the respected Assistant Minority Leader because the Constitution is essentially a statement of guidelines and principles. Cases and statutes, however, must be much more specific. When you take words like 'welfare' and 'morals' and seek through the cases or the laws of Illinois to try to find a definition of morality, you have a great deal of difficulty. For example, our difficulty with the problems of obscenity and pornography. There is no change here and other statutes by reference. There is no direction in the bills to the problems of zoning. To the problems of police power and so forth as is understood to be so by the sponsor of the amendment. I do recognize his great experience in this area, but I



also have a great deal of respect for the people who have put their time and thought into this bill in response to the court decisions on 1636."

A. Telcser: "Gentleman from Macon, Representative Borchers."

Borchers: "Would the sponsor yield to a question?"

A. Telcser: "He indicates he will."

Borchers: "I would like to know if this is a bill, or amendment that will open up the door for licensing of the various professions, for example, the real estate profession, by a municipality. Is it possible under this amendment?"

Hirschfeld: "That's exactly the point I'm trying to make, Representative, that if this amendment is adopted it will destroy the preemption bill and all municipalities can then license and regulate and so there's no sense in having the preemption bill that we adopted if we adopt this amendment."

Borchers: "Well then, on that kind of a basis, I would feel that we should vote 'no' against this amendment, because simply, I for one, do not want to see the various professions ah.. controlled by the municipalities. That's the obligation and the practical way for a state to handle it."

A. Telcser: "Gentleman.. Representative Shea, for what purpose do you rise."

Shea: "With the permission of the Chair, I'd like to ask the gentleman a question about his statement. And as Representative Duff said, we are probably making a record that will end up in a court someplace. Mr. Hirschfeld, is there anything in this bill or this amendment that would prohibit



a local municipality from licensing the business of real estate sales."

Hirschfeld: "Well, if you want to issue a general business license, it would apply to businesses across the board ah.. Representative Shea, I would say you could do that, but if you want to specifically try and license real estate brokers and salesmen then you would be prohibited ah.. in applying anything to that particular occupation under this bill. Yes, that's the purpose behind this bill."

Shea: "Alright, now you say, and again I'll ask you, you talked about real estate brokers and real estate sales.."

Hirschfeld: "Jerry, I can't hear you."

Shea: "Your answer with regards to real estate salesmen and real estate brokers which get a certificate of competency from the state, but one of the powers of a home rule unit is to license. They're prohibited by the Constitution of licensing for revenue unless specifically authorized by this General Assembly. That is why you were able to get your injunction in the Champaign-Urbana area because they construed that act or ordinance to license for revenue. But, specifically, under 6-A, one of the rights given to a local unit of government is to license. My question was to license the business of real estate sales which is not covered by this act. This act only covers certificates of competency for real estate brokers and real estate salesmen."



Hirschfeld: "Well, let me say this to you, Representative Shea, I have the Constitution in front of me and if you'll read 6-A very closely as I'm certain you have it says 'except as limited by this section, a home rule unit may exercise any power' and when you get that down under quotation (1), that's where we're working and that's where we're imposing the limitations."

Shea: "But as I read the act that you are asking to limit, you are asking the limitation to go to real estate brokers and real estate salesmen. That is what the act concerns. If you have the act in front of you, you'll find that it specifically deals, as a matter of public policy, to evaluate the competency of brokers and salesmen engaged in the business of real estate sales for the protection of the public. And again I ask you, since the act only deals with brokers and salesmen and does not deal with the business of real estate sales, might a home rule of government or another unit of local government require a license of those people engaged in the business of real estate sales."

Hirschfeld: "Well, representative, let me answer this this way. I fully understand your sincere desire to preserve the best possible record for the court and I appreciate that, but I think the bill is quite clear and we went into this at great detail in the committee. What we are talking about is those powers and functions set forth in the act and if you want to go into specifics I would have to tell



you that I think some of these are going to have to be left up to judicial interpretation and that is exactly the way I would answer this and any other question when you want to go into the specifics of these particular professions."

Shea: "Well, are you saying that the certificate of competency for real estate salesmen and real estate brokers is that a profession or an occupation?"

Hirschfeld: "I'm saying that this particular legislation deals with the powers and functions that are set forth in that act and that is all that we are preempting. Now, if there is something that is not set forth in that act, such as police powers, we are not preempting those powers."

Shea: "But the police powers are specifically set forth in the real estate act."

Hirschfeld: "Well, I disagree with your definition of police powers under those circumstances and ah... so we just aren't going to see eye to eye on that one at all."

Shea: "Okay, do you have a copy of the act in front of you there?"

Hirschfeld: "I've got the statute book."

Shea: "Alright, would you read Section 29, I believe, where it specifically delegates to the state the police powers of enforcement under that act."

Hirschfeld: "Just a minute and I'll get to the statute book."

Shea: "It's the last section, Mr. Hirschfeld."

Hirschfeld: "And which one of the 129 Sections of that act do you want?"



Shea: "No, I think this is the new act. It's toward the end, Mr. Hirschfeld. I had a small copy on my desk, but evidently I've misplaced it."

A. Telser: "Have you concluded, Representative Shea?"

Shea: "I am waiting for..."

A. Telser: "He indicates that he has found the section to which you refer. Mr. Hirschfeld."

Hirschfeld: "Well, Representative, there's 123 sections and I don't know which section you're referring to."

Shea: "Well, if you will wait one minute, I will attempt to find it, sir."

A. Telser: "Representative Philip, for what purpose do you rise?"

Philip: "Mr. Speaker, I would like to respectfully move the previous question."

A. Telser: "Okay, the gentleman moves the previous question. Are you still on your questioning?"

Shea: "I am, Mr. Speaker."

A. Telser: "As soon as Representative Shea concludes."

Shea: "I'm sorry, Mr. Hirschfeld, I don't seem to be able..."

Hirschfeld: "Well, let me just say, I'm not trying to put words in your mouth, believe me, because if I do I'll hear about it, but the specific violations that were referred to in this act are much too narrow to be considered police powers, Representative, and we provide for violations and punishments under this act. Now, that is not anything to do with police powers whatsoever. The municipalities will



will have the right to enforce and punish any violations of their ordinances."

Shea: "Any ordinances."

Hirschfeld: "Of any ordinances that would not be preempted by this act."

Shea: "Well, what ordinances would be preempted."

Hirschfeld: "Well, now, Representative Shea, I'm sure you're well aware there's no way I can talk about the many ordinances that are in each municipality in the state."

A. Teleaer: "Is there further discussion. Representative Bluthardt to close the debate."

Bluthardt: "Thank you Mr. Speaker. How much time do I have?"

A. Teleaer: "Ten minutes, sir."

Bluthardt: "Thank you. First, I want to give the sponsor of the bill ah.. would answer a question. John, I asked you the other day ah.. whether or not you thought that ah.. that these bills and this bill in particular affected the police powers of municipalities and I think your answer then was no."

Hirschfeld: "That's correct."

Bluthardt: "It's your understanding that this does not affect the police powers of a municipality. Seems to me the definition of police powers, and I think I've found this in McCuellen on Municipal Corporations is the power of local government to govern and exclude the power to regulate for reasons of health, welfare, public morals, just about the way that this amendment is written. Now, to the



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gentlemen and ladies of this General Assembly, I want you to... to point out to you something that hasn't been brought out and that is this is a bill, this one, 1503, and I think 1521, are bills that amend the Municipal Code of Illinois. This is a bill that was not made necessary by the adoption of the 1970 Constitution and the provisions for home rule. This is a bill that attempts to take away powers that have long been exercised by local government. Not only home rule government bodies, but non-home rule. This is a bill, that if there were abuses prior to the 1970 Constitution, certainly we didn't hear about them. Suddenly after a 1970 Constitution is adopted and home rule powers are spelled out we find out that there are so-called abuses of the real estate brokerage. Now, in my opinion, ladies and gentlemen, the real estate brokers, and while I intended in the past to vote for them, the real estate brokers are getting a free ride. They're jumping on this and saying, 'include me in' 'include us in'. Now, while we can't have... we can have very few doubts in our mind as to the propriety of state government to preempt the licensing of doctors and nurses and other professional people, we certainly could raise a reasonable doubt as to the propriety of including real estate agents and insurance brokers in preemption statutes. And in answer to Mr. Borchers, let me say that yesterday there was a preemption bill over here for consideration on a conference committee report, that's the one of Getty's,



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I believe on dangerous drugs. And an amendment tacked on in the Senate, reads as follows: "That the powers and functions set forth in this act, and this is a preemption act, and expressly delegated to the Dangerous Drug Commission, are exclusively state powers and functions. Nothing in herein prohibits the exercise of any power or performance of any function, including the power to regulate for the protection of the public health, safety and morals, and welfare, by any unit of local government including a home rule unit. Other than the powers and functions set forth in this act especially delegated to the Dangerous Drugs Commission." Now that is exactly, almost exactly, very close to being, the same provision as this amendment. Now this House yesterday unanimously adopted that Conference Committee Report. I'd like to point out also that it's mighty strange that we would adopt the Bill and make a law, that would prohibit local government from even registering Brokers and Agents doing business in their community. That I would think would be an indirect regulation of the function of a Broker. And that Community, Police Department, Public Health Department, General Administration, wouldn't even know how many people were located in the town doing business as Brokers. I think that the adoption of this amendment is essential for local government. If you want local government to function as the people back home in the local communities expect them to function, I would ask that you put this amendment on the Bill."



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Arthur Teleser: "Gentleman offers to move the adoption of Amendment #9, to House Bill.... Senate Bill 1502. All in favor of the adoption signify by voting 'aye', the opposed by voting 'no'. Getty....have all voted who wish? Ok, now have all voted who wish? Let them all get on now. Everybody on now? Have all voted who wish? Take the record. On this question there are 67 'ayes', 90 'nays' 1 answering present. The gentleman's motion to adopt Amendment #9 to Senate Bill 1502 fails. Further amendments?"

Jack O'Brien: "Amendment #10, Bluthardt. Amend Senate Bill 1502....."

Arthur Teleser: "Gentleman from Cook, Representative Bluthardt."

Bluthardt: "Well Mr. Speaker, and Members of the House, this amendment may seem picayunish, but I'm concerned again by the wording of the proposed act, just about all of the act ah.... In this series. I'm concerned because the act provides that such power or functions shall not be exercised concurrently; either directly or indirectly by any unit of local government, including a home rule unit, exceptives otherwise provided in this act. This act. My amendment merely changes that.... and adds the words 'or by acts of the General Assembly'. I think that if.. if nothing else has erased and negated the powers of local government, the function under their so called police powers, the fact that the ah.. wording of this Bill that says 'exceptives provided in this act', certainly does negate all other statutes on the books today and all other powers in this regard that are presently exercised by local government. Let me point





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too, that you are, by adopting this act, if it is adopted, and I'm afraid it will be; that you are not only taking away home rule powers and home rule units of government, you are taking away powers that have been exercised by non home ruled governments for many many years, forty years probably or maybe more. And you are penalizing non home ruled units of government by this Bill. Yes, and you penalize in the absense of any evidence that there has been any abuse of those powers. If local government wanted to regulate, local government wanted to adopt an ordinance that would charge \$10.00 or \$50.00 for a license, they would be prohibited from doing it. Save this General Assembly until a later date and it's wisdom decides to grant local government that power. Say a reasonable power to license up to \$50.00 and only to license where the business is situated in that municipality. The only way, in my opinion, that that could be done would be by amending this specific act. You could not do by amending or providing a separate act. And for that reason ladies and gentlemen, I would ask that you adopt this amendment."

Arthur Telcser: "Gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Mr. Speaker and ladies and gentlemen of the House, ah... in trying to answer the distinguished gentleman from Cook; first of all, ah... these Bills don't take away any none home rule powers ah...we never have taken away any none home rule powers, and we not taking away none home rule powers now. And as far as abuses are concerned, we



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could show abuses a plenty right now, if we had to, as I mentioned earlier. Cases where people being licensed in one after another municipality, all that are financial detriment. But the real reason why we don't need this amendment is it says that we can change this by acts of the General Assembly. And we can always change these Bills, by acts of the General Assembly, this is just a superfluous amendment, and it should be defeated."

Arthur Telser: "Is there further discussion? Does the gentleman wish to close? Gentleman offers to..... Gentleman from Cook, Representative Bluthardt."

Bluthardt: "Certainly, ah... Mr. Speaker, this is not a superfluous act. It ah.. it's an act that it offered to you in all seriousness and ah.. with great concern over the difficulty in tryin to amend or change the laws in this regard in the future. I think it's a necessary amendment and I would appreciate it's adoption."

Arthur Telser: "Gentleman offer to move the adoption of Amendment #10 to Senate Bill 1502. All those in favor of the adoption signify by saying 'aye', want a Roll Call... by voting 'aye', the opposed by voting 'no'. Getty. The wrong one, Getty. Vote me 'no' would you? Ok, have all voted who wish? Take the record. This question there are 60 'ayes', 93 'nays', none answering present. The gentleman's motion to adopt Amendment #10 to Senate Bill 1502 fails. Further amendments?"

Jack O'Brien: "Amendment #11, Shea. Amend Senate Bill 1502 on page 1, line 17, by inserting needily for the period of



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by law."

Arthur Tolcser: "Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker and ladies and gentlemen of the House, this is a very simple amendment. In the Bill itself, on line 17, exceptives as otherwise provided in this act or by law, which would keep in the General Assembly ah.. the right to amend this by amending other laws. And would leave.... it would insure units of local would be able to operate and pass ordinances, which are laws to regulate this industry in their local community. I can see no reason why anybody would object to that, and I'd ask for the support of the House."

Arthur Tolcser: "Gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Well, to quote Representative Collins from a few days ago, it the last amendment was bad this is catastrophic. Plus it's very vague. The last amendment said 'or by acts of the General Assembly' this one just says 'or by law'. As the distinguished sponsor himself said that could apply to ordinances and if you allow ordinances to come back in you, in effect, have gutted the bill and you're saying the home rule units can license and regulate. And so, once again, I'd have to move that we have a no vote on this amendment."

A. Tolcser: "Further discussion. Representative Shea to close."

Shea: "Mr. Speaker, I would respectfully ask for the support of the House in Amendment No. 11."



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A. Telcser: "Gentleman moves to offer the adoption of Amendment No. 11 to Senate Bill 1502. All in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish. Take the record. On this question there are 60 'ayes' and 88 'nays', one answering 'present'. Gentleman's motion to adopt Amendment No. 11 to Senate Bill 1502 fails. Representative Giorgi, for what purpose do you rise."

Giorgi: "Mr. Speaker, I have a suggestion for my Distinguished Minority Leader, ah.. the Assistant, I wonder if he could take that same roll call for all the amendments because that's the third identical roll call on the third identical amendment."

A. Telcser: "Representative Shea, do you wish to respond, sir."

Shea: "Well, Mr. Speaker, I would respectfully like to get roll calls on these amendments and I think that if Mr. Giorgi's actions were taken it might put Mr. Hirschfeld's bill in jeopardy as he knows. And if he'd like to get it in that shape, because this is one of the reasons the Supreme Court throw 3636 out."

A. Telcser: "Gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Well, Mr. Speaker, that last remark was certainly very enlightening. I had the Feirmeler decision in front of me and there's certainly nothing in that decision whatsoever that refers to the possibility of taking the same roll call. What that particular decision said was this, that the bill that was struck down as unconstitutional

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failed to set forth completely the sections that were amended in violation of Article IV, Section A-d, which states that a bill expressly amending a law shall set forth completely the sections amended. And, also, because the Bill contained more than 71 subject matters. Now, I appreciate the generosity of Representative Giorai and I would certainly advise that the Distinguished Minority Leader accept the offer of Representative Giorai and I can assure the ladies and gentlemen of the House I will not worry at all about the bills being put in a compromising position in the court. So, if he's willing to accept that same roll call on all further amendments, I'll be very happy to take this into court on that basis."

A. Teleser: "Are there further amendments."

F. Selcke: "Amendment No. 12, Shea. Amendment Senate Bill 1502, page 1, and so forth."

A. Teleser: "Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, Amendment No. 12 adds after the period on line 17, 'this amendatory act of 1974 shall not be construed to repeal any ordinances adopted prior to the effective date of the act'. Now, Mr. Hirschfeld has stood on the floor of the House here and said that this would not take any powers away from local government to regulate the trades or occupations or whatever he wants to call here. Now, if he's sincere in that, I'm sure he would have no objection to this amendment and I would so move for the adoption."



A. Telcser: "Gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Well, I feel very embarrassed to keep trying to correct what I said earlier, but at no time did I say that this would take away no powers of the municipalities. What I said was it would take away none of the police powers. And I think we've got to keep that record very, very straight for the courts, Representative Shea. Now, what this particular amendment does, of course, it says if there's any ordinance enacted prior to the effective date of this act, the ordinance remains effective. And I have no idea of what municipalities might already have engaged in licensing and regulation and I certainly cannot accept this amendment because it would gut the bill in any municipality where they are already licensing and regulating this particular profession. So, once again, I would appreciate the same negative roll call."

A. Telcser: "Gentleman from Cook, Representative Shea, to close."

Shea: "Mr. Speaker, I would respectfully ask the support of the House for this amendment."

A. Telcser: "Gentleman has offered to move the adoption of Amendment No. 12 to Senate Bill 1502. All in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish. Gentleman from Cook, Representative Duff."

Duff: "Well, Mr. Speaker, I had my ah.. lights lighted before ah.. so just quickly for the record which Mr. Shea is



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working so ably to create, I'd like to explain my vote to say that ah.. that one of the reasons.. one of the reasons that this amendment would not be appropriate is that these bills to a very large extent are, as reflected under subparagraph h, referred to in the bill, an assertion of the exclusivity of the state's power, an assertion."

A. Telser: "Have all voted who wish. Take the record. This question there are 62 'ayes', 94 'nays', none answering 'present'. Gentleman's motion to adopt Amendment No. 12 fails. Further amendments."

F. Seelke: "Amendment No. 13, Shea. Amend Senate Bill 1502, page 1, and so forth."

A. Telser: "Gentleman from Cook, Representative Shea."

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

Amendment No. 13 would remove from the bill the statement in the second sentence 'either directly or indirectly'.

Now, I think this is one of the things Representative

Bluthardt so ably pointed out that you talk about directly

and indirectly, what in goodness name are you talking about.

How many powers are you taking away from a unit of local

government. And I would just stop and ask you to think

about this statement. If you say directly, you can under-

stand it, but I think either directly or indirectly is

an extremely base statement and I would ask for the support

of the House in this Amendment No. 13."

A. Telser: "Gentleman from Champaign, Representative Hirschfeld."



Hirschfeld: "Well, Mr. Speaker and Ladies and Gentlemen of the House, we're getting down to the crux of the matter once again because they want to remove the language either directly or indirectly. And if we take away the word indirectly what we have really done is allow the municipalities to use some evasive means in order to license and regulate. So, once again, I would respectfully request a negative roll call."

A. Telser: "Gentleman has offered to move the adoption of Amendment No. 13 to Senate Bill 1502. All those in favor signify by voting 'aye', the opposed by voting 'ne'. Have all voted who wish. Take the record. On this question there are 51 'ayes'. Bluthardt.. Representative Bluthardt, for what purpose do you rise."

Bluthardt: "I feel almost like saying 'stop the train I want to get off', but ah.. I want to point out that the words 'directly and indirectly' ah.. have created great consternation with many of us. I'd point out that in the dram shop that it prohibits anyone holding a liquor license from contributing to a political candidate or party either directly or indirectly and that's been interpreted now as meaning that a person who has a liquor license is prohibited from purchasing a ticket to a dinner dance honoring a political party or person. That's an indirect ah.. contribution. The words bother me. Again, I think you're strapping local government. You're making it difficult for them to operate and I think you'll rue the

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day if you don't at least remove this ah.. these words from this act. I would urge you to adopt the amendment."

A. Telcser: "On this question there are 51 'ayes', 95 'nays', none answering 'present'. Gentleman's motion to offer the adoption of Amendment No. 13 fails. Further amendments."

F. Selcker: "Amendment 14, Washington. Amend House Bill 1502.. ah.. Senate Bill 1502, page 1, and so forth."

A. Telcser: "Representative Schraeder, for what purpose do you rise, sir."

Schraeder: "Mr. Speaker, I'd just like to suggest that the.. we now have, or at least I have on my desk, some 19 amendments and I think we're going to get the same roll call. And I'd like to say now that it would save a lot of time, we have a lot of important business, this is important to the City of Chicago and Jerry. I would like to say that maybe we could take 6 more roll calls identical and we could get on with the business of the House."

A. Telcser: "Gentleman from Cook, Representative Washington."

Washington: "Mr. Speaker, Members of the House, in light of the acceptance of Amendment No. 1 and Mr. Lundy's Amendment No. 5, Amendment No. 14 is unnecessary and I move to table it."

W. Robert Blair: "Alright, the gentleman's moved to table Amendment No. 14. All of those in favor of the gentleman's motion say 'aye', opposed 'no'. The 'ayes' have it, the motion to table prevails. Next amendment."



F. Selcke: "Amendment 15, Rayson. Amend Senate Bill 1502.."

W. Robert Blair: "Gentleman from Cook, Mr. Rayson."

Rayson: "Mr. Speaker and Members of the House, this amendment purports to do what Representative Hirschfeld and proponents have said have said..purported the bill does in fact do. It purports, to also soften the ah.."

W. Robert Blair: "Wait a minute. For what purpose does the Gentleman from ah.. Champaign, Mr. Hirschfeld, rise."

Hirschfeld: "Well, Mr. Speaker, ah.. I'm sorry to interrupt the proponent's amendment and I certainly want to give the proponents of these bills their due time, but this is almost identical with the exception of one or two words which are 'ifs' 'ands' or 'buts' to Amendment No. 9 and I really feel, Mr. Speaker, that if we're going to argue the amendments let's argue the ones that have some merit, but these that are dilatory I think should be ruled dilatory."

W. Robert Blair: "Mr. Rayson."

Rayson: "Well, that is nice debate, but I haven't finished arguing the amendment, Mr. Speaker, and it's not dilatory nor is it intended to ah.. I'm trying to explain the difference from the Shea-Bluthardt amendment at this point.."

W. Robert Blair: "Right, I agree that you're not dilatory, yet. Go ahead."

Rayson: "It just suggests that ah.. municipalities would have concurrent powers in the area to enforce laws relating to



public health, safety, welfare and morals. That's all. Nothing about regulation. No implications with regard to collateral matters regarding licensing and professions and I suggest that this is what Representative Hirschfeld and others said the bill actually does do. But I want to clarify it and that's the purpose of this amendment and I so move the adoption of of this Amendment No. 15."

W. Robert Blair: "Ah.. alright, the question.. ah.. Mr. Hirschfeld."

Hirschfeld: "I'll respect the negative roll call, Mr. Speaker."

W. Robert Blair: "Alright, all those in favor of the adoption of the amendment say 'aye', opposed 'no'. The 'nays' have it and the amendment fails. Next amendment."

J. O'Brien: "Amendment 16, Shea. Amend Senate Bill 1502, as amended on page 1.."

W. Robert Blair: "Mr. Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, after talking to Representative Lundy on 16, he said there was some question where this fitted in the bills. So, with the permission of the sponsor, I would like to withdraw 16 now and there will be No. 20 that Mr. Lundy has written where it will fit in the bill. If that's alright with you."

W. Robert Blair: "Alright, the gentleman moves to offers to move the adoption of 16 and asks leave to table. 16 is tabled. 17."

J. O'Brien: "Amendment 17, Shea. Amend Senate Bill 1502.."

W. Robert Blair: "Mr. Shea."



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

Amendment No. 17 adds after the last line 'the power or function to be exercised by the state is the issuance of registration to real estate brokers and salesmen'. The purpose of this amendment is offered to correct a constitutional defect of this bill. The constitution requires that any preemption be with specificity. This amendment provides the required specificity. Now, we've talked, or Mr. Hirschfeld, the sponsor of the bill, has talked that the purpose of this series of bills or of this bill is to make sure that units of local government do not require any examination for competency of real estate salesmen and brokers. And I would know of no reason why you would not accept this and I would appreciate ah.. the support of the House."

W. Robert Blair: "Mr. Hirschfeld."

Hirschfeld: "Mr. Speaker, this a very cleverly drafted amendment, but what Representative Shea has really done is limit it almost to just examinations. And if you'll check the act which he asked me to check a few minutes ago, you'll find the state is doing much more than just giving examinations. And, therefore, I'd have to ask again for a no vote."

W. Robert Blair: "Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, ah.. I would like to speak in support of this amendment because it seems to me it remedies what is really





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a very fundamental defect in House Bill 1502, even with Amendment No. 5 and that is that the bill does not say precisely what it is preempting. It ah.. talks about preemption only by referring to the powers and functions set forth in the Real Estate Brokers and Salesmen's Licensing Act. Now there are explicit powers and functions in that act and there are some that are implicit in that act and the preemption which we are asked to enact here really does not tell us which of those powers and functions are to be exclusive state powers and functions. The Amendment No. 17 would cure that defect by making explicit in the preemption clause what it is that's being preempted. And I submit that this amendment is really a service to the sponsor of the bill because without it it seems to me that 1502 is a very vague effort at preemption. Vague enough perhaps that it would not stand up in a court of law.

And I would urge an affirmative vote for this amendment."

W. Robert Blair: "Alright. Mr. Shea, you want to close."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I've heard the sponsor of this bill state what the purpose was. I thought the purpose was to insure that many units of local government would not examine for competency the brokers and salesmen and issue licenses based on competency and I would respectfully ask for an aye vote on this amendment."

W. Robert Blair: "Alright. Ah.. is this one you wanted a roll call on."





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Shea: "I would like roll calls on Amendments through No. 20, I believe is the last one."

W. Robert Blair: "Alright. All those in favor of the gentleman's amendment vote 'aye' and the opposed 'no'. Mr. McGrew? Alright, have all voted who wish. Clerk will take the record. On this question there are 87 'nays' and 67 'yeas' and Amendment 17 fails. Next amendment."

J. O'Brien: "Amendment 18, Shea. Amend Senate Bill 1502 on page 1; line 12, by deleting 'act' and inserting in lieu thereof 'section' and so forth."

W. Robert Blair: "Mr. Shea."

Shea: "Mr. Speaker and Ladies and Gentlemen of the House, this would add after line 17 the following: 'the power of function to be exercised by the state is the giving of an examination to prove an applicant's knowledge relevant to the business or occupation of real estate broker or salesman'. This amendment is offered to limit the preemption to the examination to prove an applicant's knowledge of the business or occupation involved. This amendment also meets the constitutional specificity requirement. John, don't laugh, I have a hard time on some words."

W. Robert Blair: "Mr. Hirschfeld."

Hirschfeld: "May I only respond to that, Representative Shea, by saying I hope you continue to have a hard time on some amendments. Ah, what this particular amendment does, of course, it once again limits the act and says that preemption in this case applies only to the giving of examina-





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and, therefore, I would have to ask for a negative roll
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W. Robert Blair: "All right. ah.. the.. all right. Mr. Ewell..
on this question.."

Ewell: "No, no, I have a question of the sponsor."

W. Robert Blair: "Okay."

Ewell: "All right."

W. Robert Blair: "Go ahead."

Ewell: "I.. I keep looking at those red lights and somehow
it seems sort of futile. ah.. well I'll.. I'll.. there's
no point in really asking much. I didn't understand the
amendment. I'll just vote 'present'. That's alright."

W. Robert Blair: "The question is shall Amendment No. 18 be
adopted. All those in favor vote 'aye' the opposed 'no'.
Have all voted who wish. Clerk will take the record.
On this question there are 92 'nays', 47 'yeas', and
Amendment 18 fails. Read 19."

J. O'Brien: "Amendment No. 19, Shea. Amend Senate Bill 1502
on page 1, line 12, by deleting 'act' and inserting in
lieu thereof 'section' and so forth."

W. Robert Blair: "Hirschfeld.. oh, Shea, Mr. Shea."

Shea: "Mr. Speaker, Members of the House, Amendment No. 19
adds after line 17 'the power or function to be exercised
by the state is the charging of a fee in relation to
certificates of registration of a real estate broker or
salesman'. This amendment is offered to limit the pre-



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emption to the charging of a fee for the governmental action involved. This amendment also meets the constitutional specificity requirement. I would ask for the adoption of Amendment No. 19."

Blair: "Mr. Hirschfeld."

Hirschfeld: "Mr. Speaker and Ladies and Gentlemen of the House, this amendment is really a classic because what this does is say that we can license and regulate, but the only thing we can't do is charge a fee and so therefore I would have to ask for a negative roll call on this one for sure."

W. Robert Blair: "Ah.. Mr. Shea, to close."

Shea: "Mr. Speaker, I would respectfully ask for a vote and I would ask for the support of the House."

W. Robert Blair: "All right. the question is shall Amendment No. 19 be adopted to House Bill 15.. Senate Bill 1502. All those in favor vote 'aye' the opposed 'no'. Have all voted who wish. Have all voted who wish. On this question there are.. Take the record. There are 95 'nays', 48 'yeas', 3 'present', and Amendment 19 loses. Next amendment."

F. Selcke: "Amendment No. 20, Shea. Amend Senate Bill 1502 as amended and so forth."

W. Robert Blair: "Mr. Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment No. 17 would add a new section.. 20, I'm sorry, 20. Now, last night this House voted overwhelmingly and unanimously on a bill of Mr. Getty's to come up with a



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policy statement with regards to preemption bills. And I'd like very much to read this statement, or have you look at Amendment.. the amendment that deals with this. And, in case there's any question, I might help the state save some printing costs, this is the exact language of Amendment No. 16, but changed where it's inserted in the act to protect Mr. Lundy's amendment No. 5. And if Mr. Hirschfeld or any member ah.. doesn't mind I'd like to proceed with it. John, do you see any reason.. Amendment No. 20 reads as follows: 'it is declared to be the public policy of this state, pursuant to paragraph h and i of Section 6 of Article VII of the Constitution that the powers and functions set forth in this act and expressly delegated to the State of Illinois are exclusive state powers and functions. Nothing herein prohibits the exercise of any power or the performance of any function including the power to regulate for the protection of the public health, safety, morals, and welfare by any unit of local government, including a home rule unit, other than the powers and functions set forth in this act and expressly delegated to the State of Illinois to be exclusive state powers and functions'. Now, ladies and gentlemen, I ask you to look at this statement and ask you to think back to last evening when you adopted this overwhelmingly to the drug abuse act of Mr. Getty. This amendment was hammered out. It was talked about and it seems that this would do what Mr. Hirschfeld and the



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sponsors of these bills want done. And that would delegate to the State of Illinois the powers of this Real Estate Registration Act that are expressly delegated to the state and would preserve to units of local government those powers that are not expressly delegated to the State of Illinois. Now, we've talked and I'm sorry to take up the time of the House, but I think that these are extremely important issues and I ask you to stop and think what action we're taking here today because I think you will find out when this bill gets to Third Reading that you are going to be asked to take away from units of local government not only what has been talked about as home rule powers, but these bills are far-reaching and are going to remove from units of local government all the powers that this General Assembly has given them over the years prior to the 1970 Constitution. And I would earnestly and honestly ask you to look at what this amendment says and I can see where it does nothing to interfere with what Mr. Hirschfeld, Mr. Duff, and other members have said this evening that they wished to do with these preemption bills."

W. Robert Blair: "Mr. ah.. Hirschfeld."

Hirschfeld: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I have no idea of any conversation that the distinguished Assistant Minority Leader may have had with Mr. Getty regarding his particular bill. I certainly was not privy to it and as far as I'm concerned Mr. Getty's



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bills do not fall in the preemption package, so that to me is really extraneous. But what.. I have no idea, also, what this particular bill means when it uses the terms expressly delegated. I don't find that in the act and I find it to be very circular and round reasoning in this because he inserts the term exclusivity which, of course, is not in the act itself. I might also say to the distinguished Assistant Minority Leader while I admire his valor in the heat of battle, I am loathe to accept an amendment that has been drafted to us in five minutes on a bill as important as this. And so, therefore, I would ask for a negative roll call."

W. Robert Blair: "Ah.. Mr. Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, I've been sitting here very patiently listening to my Minority Leader try to cast some lights upon these bills to the House and it seems somehow or another that he's talking to a non-attentive audience. Now, it's not that the noise level is so high, but I think that we ought to go over and reiterate some of the points that he's trying to make. Ah.. it's not a very complex amendment. It's very simple. All we're trying to do is reserve certain things to the state that belong to the state. And there's nothing unreasonable about this. In fact, if the ah.. chief sponsor of the bill would really read the amendment, ah.. and study it a little, it might help. Ah.. on first blush, when you





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glance over this amendment, you say 'oh, well, it's just some words we've heard before', but it's not. This is really and truly a meaningful amendment that my sponsor would like adopted to this bill. Now, he has tried many amendments without much success, but this, I believe, is the best of all the amendments that he has. Is that correct, Mr. Shea."

Shea: "Yeah."

Bwell: "And since it's the best amendment that he has, I'm certain that if we would just read the amendment, study it a little and consider it. Don't think of it in just your minds, but think of it with your hearts. This.. no really, it's a good amendment. All we're trying to do is preserve certain powers for the home rule units, because I've been here year after year and now I've heard the gentleman from the other side of the aisle rise up and extoll the virtues of local government and extoll the virtues of home rule units and I know that there's nothing like home rule. And we feel that if home rule is good enough for the small counties, Polk, etc., it's good enough for the big counties and we feel that Cook ought to have its home rule. All we're simply doing with this amendment is retaining for the state.. or giving to the state those powers which it justly and rightfully should have, but allowing, say Cook County, to handle its own affairs. We've been a county for a large number of years now and we feel that we've grown up in the state and we feel that



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we're aware of the needs of the people and the needs of the community. And, as such, we feel that we can do a very good job of handling our own affairs if this body would just allow us to do so. Now, we're asking you in all sincerity to look at the amendment, to study it, to digest it and think not just with your hearts and emotions, but with your minds. Consider it and I'm sure you'll give it a big 'aye' vote. Not just because your minds tell you to, but because you deserve it.. because the amendment deserves it. Now, there are a few questions in my mind about the amendment because it was rather lengthy when I first read it and, well, where's the sponsor? Okay. Right. And I was really concerned about it. So having read the amendment, studied it and become aware of what's necessary, I urge the members of this body to consider Cook County as a competent unit, able to run its own affairs. You know, much like the RTA in the other counties. We feel that we can do it if you just give us a chance. So if you gentlemen will give us a big green light in this matter, ah.. I'm not going to take any more time of the House now and ask you to give us a big rousing vote of approval for our amendment and our leader, Mr. Shea. Thank you."

W. Robert Blair: "Ah... Mr. Totten."

Totten: "Thank you, Mr. Speaker. I think that Representative Ewell has shown enough light on this and I move the previous question."





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W. Robert W. Blair: "All those in favor say 'aye', opposed 'no', the 'ayes' have it. Previous question has been moved. Mr. Shea."

Shea: "Mr. Speaker, I think that there were some other people that wanted to talk, but... the hour is getting late as you say. I think that we approved this type of language overwhelmingly last night in this House and in the Chamber across the rotunda. I think that this amendment does everything that the Sponsor wants to do with these Bills, and I would ask for the support of the House."

W. Robert Blair: "All right, the ah...question is shall Amendment #20 be adopted to Senate Bill 1502. All those in favor will vote 'aye', the opposed 'no'. Mr. Duff."

Duff: "Mr. Speaker, before I address myself an explanation of vote; may I ask, does the verbatim transcript include the explanations of vote?"

W. Robert Blair: "Ya...verbatim is verbatim."

Duff: "All right. Well then Mr. Speaker, I had my light on during the debate because I did want to answer an important point that the Assistant.....respected Assistant Minority Leader made in respect to this issue. He said that last night in reference to a concurrence vote, ah... that this amendment..... words of this amendment that he proposed were put on Representative Getty's Drug Commission Bill, in order to try and state the public policy of this state as regards to these Bills. Now that is not accurate. The ah... that concurrence amendment was related to that Bill,





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which had nothing to do with the existing licensing problems of the State of Illinois. And I think that it is important that that be pointed out. And further, he said that ah.. this will expressly delegate to the state. This is a complete turn around of the concept of 'H', which says you assert the state power and then expressly delegate to the communities. I think if we are as the respected Assistant Minority Leader said, trying to make a record for legislation. It's important occasionally to pick up these points which might confuse the otherwise very clear debate."

W. Robert Blair: "Mr. Epton."

Mr. Epton: "Mr. Speaker and ladies and gentlemen of the House, I had no intention of rising on this question. I was quite pleased with the hope that Representative Shea, and Representative Hirschfeld had indicated that their arguments would be similar on all amendments, and we could proceed with dispatch. But since some individuals have decided to plead with us to change our mind, I can't help but reflect that someone is in error. I come from a large county. I come from the City of Chicago. And with all due apologies to my colleagues, who were at the Convention, I can't think of a greater disaster that happened to this state, than the Constitutional Convention. And as far as home rule is concerned; I come from Cook County, and the last thing I would want to do is give them home rule. I'm sorry that they got it, I'm sorry that the City of Chicago has it. So if your trying to get me to vote for some of these amendments, some of which I have voted, it's not be-



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cause I want to give to that great city or that great county home rule based on their past record. No, the Constitutional Convention gave it to them, and I, who voted for the Constitutional Convention, am ashamed of that vote. Thank you."

W. Robert Blair: "Ah... Mr. ah... Ralph Dunn."

Dunn: "Ah... Sir, I rise on matter of personal privilege. I always turn off Representative Epton, and I didn't hear what he said about the Constitutional Convention, but I gather that it was no good. And I'm sorry, but I'm kinda glad I turned him off. Thank you."

W. Robert Blair: "Ah... Mr. ah... Bluthardt."

Bluthardt: "Mr. Speaker and ladies and gentlemen of the House, again I want to point out that ah... this attempt to preempt the powers of licensing and regulating real estate brokers, is not one dealing with home rule, as such. It is a power that has existed for many, many years. The others may well be preemption Bills; but if you doubt me, look at 1503 that amends and strikes out the power of local government to license brokers. That amends the Municipal Code of Illinois. It has nothing to do with home rule, as such. It has nothing to do with the provisions of home rule, that were put in the 1970 Constitution. You are removing powers long exercised by, not only home rule communities of today, but non-home rule communities for many many years."

W. Robert Blair: "Have all voted who wish? The Clerk will take the record. On this question there are 95 'nays', 61 'yeas', Amendment #20, fails. Further amendments? That's it."



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Third Reading. Next Bill."

Fredric B. Seelker: "Senate Bill 1503. A Bill for an act to amend the Illinois Municipal Code. Second Reading of the Bill. Amendment #1, Lundy. Amend Senate Bill 1503, page 1, and so forth."

W. Robert Blair: "Ah... Mr. Lundy."

Lundy: "Thank you Mr. Speaker and ladies and gentlemen of the House. Let me hasten to assure the members of this House, that ah... because I think their patience might be running thin with amendments to these bills, that I am offering amendments only to the Real Estate Licensing Preemption Bill. These are the only two bills that concern me, and these are the only two bills that I will be offering any amendments. I said when the Sponsor of 1502 accepted Amendment #5 to that Bill, that there was a companion amendment to House Bill 1503, which it is essential we adopt if we are to protect the ability of local municipalities to enforce their fair housing ordinances. Amendment #1 to House Bill 1503 is that amendment. For those of you that don't have it on your desks, let me read it. 'Real Estate Brokers..... ah... 1503, by the way, is a Bill that removes from the Municipal Code the existing general authority of municipalities to regulate brokers. Ah... and what Amendment #1 would do would be to add at the end of that Section, 'Real Estate Brokers may be licensed and regulated by municipalities under ordinances inactive pursuant to the State Fair Housing Enabling Act, and then very important limitation. But only for purposes specified in that act. So this is not a broad



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general grant of municipal regulatory authority. It is limited only to the purposes of enforcing local fair housing ordinances enacted pursuant to the State Fair Housing Enabling Act. And I ask your support for the amendment."

W. Robert Blair: "Mr. Collins."

Collins: "Mr. Speaker, I move that the amendment lie upon the table."

W. Robert Blair: "All right, the gentleman has moved to table Amendment #1 to Senate Bill 1501. We will hear one side's motion to table if not debatable. We listen to one side on the other side. Now you want to do that Mr. Washington, ah... or Mr. Lundy? Mr. Washington. Ok."

Washington: "I have a point of order, Mr. Speaker. I was on my feet, I wanted to ask the Sponsor of this amendment a question. I'm not adverse to cutting off the state, but I would just take one moment, I would ask the maker of the motion to defer just one moment until I ask this question."

W. Robert Blair: "Ya, well go ahead. I said we'll let one thing go there.... I ah... Mr. Collins was asking for recognition the same time you were and I just happened to be looking to the left instead of the right."

Washington: "Thank you very much."

W. Robert Blair: "Go ahead."

Washington: "Representative Lundy, Amendment #1 to 1503 actually supplements, am I correct, Amendment #5 which we adopted overwhelmingly to House Bill.... or Senate Bill 1502, is that correct?"

Lundy: "Yes, that is absolutely the intention. And Amendment



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"5, in my judgment, will not do the job of protecting local fair housing ordinances unless this amendment or one of the other amendments to 1503 is adopted as well."

Washington: "So, in effect, unless the House adopts this amendment, they will be defeating or negating the overwhelming votes for Amendment #5?"

Lundy: "That is correct."

Washington: "Thank you. I urge the adoption of this amendment."

W. Robert Blair: "Mr. Hirschfeld."

Hirschfeld: "Mr. Speaker, if this is the last amendment we're gonna take, I'll ask Representative Collins to withdraw his motion on this one. But I want to point out several things to this House. Now first of all, I was in complete agreement with Representative Lundy on accepting Amendment #5, because as I've said to this House and I mean from the bottom of my heart, I do not want any discrimination in housing. But this amendment is not the same as Amendment #5. As a matter of fact, what this amendment says is that real estate brokers may be licensed and regulated under that particular act. And I have that act in front of me and it does not deal at all with the right of real estate brokers to be licensed and regulated whatsoever. So he is really adding something that we cannot tolerate if we are going to have preemption. Secondly, it is not necessary. When we adopted Amendment #5, we put everything in that we could put in to protect the fair housing and avoid discrimination. Thirdly, and I apologize to Representative Lundy, I do not mean this personally. I want him to understand this, but



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this amendment is so badly drafted that it violates to firm our decision because he's referring to an amendment by... to a Bill by incorporation and that's exactly one of the points that was decided in the firm our decision. Were we to put this amendment on this Bill, we would face the same constitutional crisis we faced in the Supreme Court last time. And so therefore, while I'm more than willing to accept Amendment #5, and preserve fair housing, I cannot accept this amendment and say I ask for a negative Roll Call."

W. Robert Blair: "All right, Mr. Collins has ah.. has withdrawn his ah... motion to table, I guess. Do you want to do that? All right.. ah.. Joe, do you want to say anything now? No. Ok. The question is the motion to table. Well, we had a Hirschfeld to Collins request there and I ah... where are we? He's ready to renew it, I guess. Mr. Collins renewed his motion to table. Va, Ok.... now Joe, do you want a Roll Call? Guess not. All those.... it's a motion to table. Motion to table Mr. Lundy's amendment. Mr. Collins.... now I asked.... but he renewed. All those in favor say 'aye', the opposed 'no'. The 'ayes' ha..... Roll Call. All those in favor will vote 'aye', the opposed will vote 'no'. Ah.... Mr. Hirschfeld."

Hirschfeld: "Since the.... the supporters of my Bills have been voting in the negative ah... for so long a period of time, I would like just to point out that if you're supporting me, and therefore Representative Collins, we are voting green this time."

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W. Robert Blair: "Have all voted who wish. The clerk will take the record. Mr. Washington?"

Washington: "I'm not Lundy, I'm Washington."

W. Robert Blair: "Huh? No, I said Washington."

Washington: "Oh, ah.. a point of parliamentary inquiry. Exactly. What are we voting on."

W. Robert Blair: "On the motion to table. Now, Mr. Collins motioned to table Mr. Lundy's Amendment No. 1. Neff, now, 'aye'. Yeah. All right. on this question there are 85 'ayes' and 72 'nays' and the gentleman's motion to table prevails. Now, are there further amendments, Mr. Clerk?"

F. Selcke: "Amendment No. 2, Lundy. Amend Senate Bill 1503, page 1, and so forth."

W. Robert Blair: "Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendments 2, 3 and 4, to Senate Bill 1503, were intended to be companion amendments to ah.. Amendments 6, 7 and 8 to ah.. 1502, and I would move to table Amendments 2, 3 and 4 to ah.. 1503."

W. Robert Blair: "Gentleman has offered to move the adoption and asks leave to table 2, 3 and 4. Ah.. leave to ah.. table those then. Offer is made to move to table. No objections. Tabled, 2, 3 and 4. Any other ones."

F. Selcke: "Amendment No. 5, Lundy. Amend Senate Bill 1503, page 1, and so forth."

W. Robert Blair: "Mr. Lundy."



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Landy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment No. 5 is really the last resort for those of us who hope to protect the ability of local municipalities to ah.. to regulate ah.. real estate practices in the fair housing area. It is different from Amendment No. 1 to 1503 because it specifically excludes the right to license. It would not give to home rule municipalities or other municipalities the right to regulate real estate brokers and salesmen for the purpose of enforcing fair housing. But it would specifically retain their right to regulate for that limited purpose. And, again, I say that if we do not adopt this amendment to specifically preserve the rights of local communities to regulate unfair real estate practices, we really have done nothing by adopting Amendment 5 to House Bill 1502. I think we've.. we've.. this is limited. It provides only for regulation, not for licensing and it provides for regulations only for the limited purposes specified in the State's Fair Housing Enabling Act. I really would hope that we would do no less for the 30 to 40 communities in the State of Illinois, whose populations total close to half the people in the State of Illinois, hope we would do no less than to preserve for them the ability to regulate unscrupulous real estate practices in their local communities. And, I ask for a favorable vote."

W. Robert Blair: "Mr. Collins."

Collins: "Mr. Speaker, I move that Amendment No. 5 lie upon the table. That means a green vote for Hirschfeld."



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W. Robert Blair: "All those in favor of the gentleman's motion to table say 'aye!'"

Members: "Aye."

W. Robert Blair: "Opposed 'no!'"

Members: "No."

W. Robert Blair: "The 'ayes' have it and the motion. All right, question is shall Amendment No. 5 be adopted. All those in favor will vote 'aye' and the opposed 'no'. I'm sorry, it is the motion to table. The question is shall the gentleman's motion to table Amendment No. 5 to Senate Bill 1503 a. pass. All those in favor vote 'aye'.. vote 'no'. Mr. Hirschfeld to explain. Okay. Not yet? Okay. Have all voted who wish. Mr. Mugalian. Mr. Mugalian."

Mugalian: "Mr. Speaker, in explaining my vote, I can understand how Representative Hirschfeld a. opposed the amendment a. that Mr. Lundy offered previously because that amendment included the power to license. As I understand it, this amendment would require Mr. Hirschfeld's support. I would like to see us have it."

W. Robert Blair: "Mr. Davis."

Davis: "I a. I hope we're not going back. I don't know. I. I'm a little mixed up myself. I'd like to take the word of my distinguished friend, but if we're going back and going to take the power away from the cities, especially Chicago, to handle these real estate brokers, we're certainly going back. And, what we'll need to do is somebody put in a resolution to call a new constitutional convention that we



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are going to take all the powers away from our cities. In the big cities where concentration of large minorities is the place where we can put the heat on and where we can get some justice. But when you get out to these little towns where they don't hear the voices of the minorities, we're lost. Now, I hope that Amendment No. 5 will take care of this. This is what I'm told. I just hope it will. If it doesn't, then we're going to have to get a new constitutional convention."

W. Robert Blair: "Mr. Hirschfeld."

Hirschfeld: "Well, well, Mr. Speaker and Ladies and Gentlemen of the House, let me reassure Representative Davis, because I've spoken with Representative Washington and Representative Katz and Representative Lundy on this at great length, the last thing I will ever do is do anything to gut this act on fair housing."

Davis: "God Bless you."

Hirschfeld: "Thank you. Now, Representative Lundy's Amendment No. 5 preserves that entire act and that is already in the law and this particular amendment does nothing to that. What it does do, however, and this is what I object to, is that whereas the act includes everybody, which is the way I think it should be, this particular amendment talks about real estate brokers and I think it's far too definitive. It's referring only to one profession. And, as far as I'm personally concerned, what could happen is real estate brokers could no longer engage in unfair housing discrimination,



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but lets take the private citizen that's going to sell his home. You've got a problem there and I don't think anybody should be allowed to engage in unfair discrimination in housing. And this is a problem. Secondly, I am opposed to any amendment that delineates a particular profession for trying to get away from.. from licensing and regulating a profession. We want this across the board for all citizens. The most fatal part of this amendment, very frankly, is that it violates the express language of Ceremi vs. Chicago, where it says that the bill failed to set forth completely the sections amended in violation of Article IV, Section 8(d). And while I respect Representative Lundy's attempt to put this amendment on, if it goes on, we, in effect, on this one bill only, out of the package, have violated the Premier decision, and that means when the cases go up, as they will, because I think Representative Shea is implying very seriously that they are going to go up, this particular bill will be struck down and we'll go through this same routine again. So, I would sincerely appreciate an 'aye' vote."

W. Robert Blair: "Mr. Washington."

Washington: "Very briefly, Mr. Speaker, I couldn't disagree with my distinguished colleague across the aisle more than by his last statement of two features. In the first place, we don't know what the Supreme Court would say so there's no point in indicating that we do know, but the first part of his argument against this amendment is what disturbs me. He said that the amendment is definitive and is zeroed in on



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the brokers only. And, God forsake us, that is exactly why I'm supporting the amendment. Because, let's face it, the history of discriminatory housing in the City of Chicago, County of Cook, the State of Illinois, and throughout the entire country has centered around the real estate brokers. I know it and everybody who's been engaged in this field knows, they are not only the perpetrators of discrimination in fair housing, but they are the instigators of it. And in many cases they instill fear in the minds and hearts of people when new groups want to move in when such fear didn't exist before. Why do you think we passed a block busting bill? Why? Because of arrogant, ruthless, money-grabbing real estate brokers. I'm not trying to indict the entire profession, but too many of the profession, my dear fellow -- you'll know who I'm talking to, too many of that profession, too many in that profession have promoted and fermented discrimination in housing. You know it, I know it, and that's why we're zeroing in on that industry by this amendment. Let's don't play games with people. There is a pattern of conspiracy and discrimination on the part of the real estate brokers in Cook County which has existed there throughout my entire lifetime and I'm afraid it's going to continue unless this legislature makes it abundantly clear to them that the.. this House is contrary to that. I support this amendment."

W. Robert Blair: "Mr. Duff. Have all voted who wish."

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Duff: "Mr. Speaker, I'd like to point out to the sponsor of this amendment who comes from the City of Evanston, that in his own town three weeks ago I had a person come to me, a real estate agent, and ask me to sue a client, a person, a individual person, who had a six-flat, who would not sell one of the units to one ah.. a nationally known black athlete. Now, with this amendment, we couldn't do anything in your municipality, Representative Lundy, against that personal discrimination of a non-realtor. And it was a realtor who came to me and asked me to bring action against the individual. Now, Representative Hirschfeld has made it clear that this bill already provides for the kind of thing that you want to do and, Representative Lundy, I respectfully suggest that your amendment goes backwards."

W. Robert Blair: "Alright, the ah.. Mr. ah.. Porter."

Porter: "Mr. Speaker, Ladies and Gentlemen of the House, seems to me that Representative Duff is in error when he says that Amendment No. 5 would not take care of a problem of discrimination by any person. Seems to me that that's exactly what 5 is designed to do. I see no reason why we cannot leave to the municipalities powers to regulate real estate brokers in this area while we are giving up the right to exclusive licensing. That seemed to me that that was the entire purpose of this series of bills was to put exclusive licensing in the hands of the states and leave to the municipalities some power to regulate the occupations and professions that we are considering. So, I would urge a no vote."



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W. Robert Blair: "Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Very briefly, because the House and the Speaker have been very patient allowing us to explain votes on a motion to table. Number one, I wish we had not had a motion to table and that we had had the chance to debate this amendment at more length. It is.. the issues involved are extremely complex. I ask you to vote no. Let us.. let the members of this House debate the amendment so they understand what is really at stake here. Number two, the sponsor of the bill has argued that Amendment No. 5 to 1502 would preserve fair housing ordinances of general applicability. And I agree with that. I went further when I sponsored that amendment and said that I intended it to preserve fair housing ordinances as they presently exist in all municipalities and I would hope that's the way the courts would interpret that amendment. But why do we need the power he asks to regulate brokers only.. for fair housing purposes? The answer is very simple when you're talking about housing, real estate brokers and salesmen are in the business of selling housing and if you can't regulate them specifically then you haven't got fair housing. You haven't got enforceable fair housing because that's their business. Yes, the ordinances ought to apply to private sellers as well, but if we enact Amendment 5 to 1502, and on the same day at the same time withdraw from municipalities to regulate brokers, it may very well be that the courts will say 'you've approved fair housing



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ordinances that apply to everyone except real estate brokers'. And that is my fear and that is why I ask you to vote against this amendment to table. Finally, if any of you are hung up on the Fermeier decision, let me tell you that I've got it right here and there's nothing in this amendment that violates that decision. That decision says you can't amend an act by reference. We only make a reference to the State Fair Housing Enabling Act and we're not trying to amend it. So, there's nothing that violates that decision in this ah.. in this amendment. And, Mr. Speaker, if I may, I would ask at the appropriate time for a verification of the affirmative vote."

W. Robert Blair: "Mr. Schlickman."

Schlickman: "Mr. Speaker and Members of the House, the sponsor of Senate Bill 1503 suggested that Amendment No. 5 flew in the face of the Fermeier decision ah.. which has been referred to. I would suggest, Mr. Speaker and Members of the House, that Senate Bill 1503, in its original form, violates that recent Illinois Supreme Court Decision. Because if you'll note Section 11-42-1, as amended by this act, would exempt other than real estate... ah.. would exempt real estate brokers from regulation. And that's exactly what Section 11-11.1-1 does. So that this bill in its present form is an attempt at amending another section of the Municipal Code. Amendment by reference. If he wants Senate Bill 1503, if he wants to maintain its constitutionality. And if he's acting in good faith and



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wants to maintain the integrity of that regulatory provision that's contained in another section relative to fair housing, he will accept this amendment. It will serve his purpose as he has expressed it. And, I would suggest a 'no' vote on this motion to table."

W. Robert Blair: "All right, have all voted who wish? The Clerk will take er.. Mr. Douglas."

Douglas: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House. We are apparently going to have verification of the vote on this and I would respectfully urge those of you voting to table this amendment, which is the wrong place to make this point, to please make sure that those who are up there as voting green at least are sitting in their seats so we don't have to waste an extra 15 minutes."

W. Robert Blair: "All right, ah.. the Clerk will take the record. We are.. 88 'ayes' and 78 'nays'. On the ah.. motion to table. Now, the gentleman has requested ah.. verification. All right, Mr. Maher goes from red to green. That's ah.. 89 'ayes' and 77 'nays'."

F. Selcke: "Poll the absentees, Mr. Speaker?"

W. Robert Blair: "Yes, we want to poll the absentees. I'll tell you.. so you'll know what our game plan is ah.. for this evening, ah.. when Mr. Choate and I met with Mr. Harris and Mr. Partee, we agreed that we would adjourn the House at 6:30 so the ball game could start at 7:00. And, as you know that's a charitable event. Now, the only reason I mention that is if you could be in your seats and if we can



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proceed as quickly as possible ah.. with this verification
ah.. I think it would assist Mr. Choate and me in keeping
our commitment. All right."

F. Selcke: "Rap for order, Mr. Speaker. Poll the absentees."

J. O'Brien: "Do you want the absentees polled?"

W. Robert Blair: "Yeah. All right. Poll the absentees."

F. Selcke: "Alsup. Bradley. Brummet. Capuzi."

W. Robert Blair: "Capuzi votes 'no'."

F. Selcke: "Carter. Dec. Robert Holloway. Dave Jones.
Keller. Klosak. "

W. Robert Blair: "Dave Jones 'aye'."

F. Selcke: "Schoerberlein. That's it."

W. Robert Blair: "All right, now, let's verify. All the affirma-
tive."

F. Selcke: "They ought to all be in their seats, Mr. Speaker."

W. Robert Blair: "Lets everybody get in their seats, now."

F. Selcke: "Anderson. Arnell. Barry. Borchers. Boyle.
Brinkmeier. Campbell. Clabaugh. Collins. Cunningham.
Day. Deavers. Deuster. Duff. Ralph Dunn. R. L. Dunne.
Ebbesen."

W. Robert Blair: "Mr. Lundy."

Lundy: "Yes, thank you, Mr. Speaker. Could the Clerk go a
little more slowly. I appreciate that we're pressed
for time, but it..."

W. Robert Blair: "Now, I don't.. I didn't want what I said to
be misunderstood, Mr. Lundy. Ah.. the reason I made.. I'm
not pressing you at all. I just was asking the membership



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if they would do all that they could do about getting to their seats and that sort of thing so I'd be able to proceed with the verification with dispatch. That's all."

Lundy: "Thank you, Mr. Speaker."

W. Robert Blair: "Clerk will slow it down a little."

F. Selcke: "Fleck. Flinn. Friedland. Gibbs. Giglio. Giorgi. Griesheimer."

W. Robert Blair: "Giorgi. Wait a minute. Mr. Giorgi."

Giorgi: "Mr. Speaker, change my vote from 'aye' to 'nay'."

W. Robert Blair: "Change the gentleman from 'aye' to 'no'."

Mr. Von Boeckman, did you.. Mr. Von Boeckman wants to go from 'aye' to 'no'. Okay. Change those. Von Boeckman from 'aye' to 'no' and Giorgi from 'aye' to 'no'. Deuster, what did you want to do?"

Deuster: "Mr. Speaker, how am I recorded?"

W. Robert Blair: "You're recorded as voting 'aye'."

Deuster: "Ah.. change that to 'no', please."

W. Robert Blair: "Change it to 'no'. Mrs. Geo-Karis."

Geo-Karis: "Ah.. would you change my vote to 'aye'?"

W. Robert Blair: "Change Mr. Geo-Karis from 'no' to 'aye'."

F. Selcke: "Griesheimer. Grotberg. Hanahan. Harpstrite.

Hill. Hirschfeld. Gene Hoffman. Ron Hoffman. Hudson.

Hunsicker. Huskey. Hyde. Jacobs. Jenison. Dave Jones.

Juckett. Kempiners. Kent. Kriegsman. Kucharski. LaFleur.

Lauer. Leinenweber. Londrigan. Macdonald. Mahar.

McAuliffe. McAvoy. McCormick. McCourt. McGrew.

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Timothy Simms. Skinner. Soderstrom. Springer. Stiehl.
Telcsor. Tipsword. Totten. Tuerk. Waddell. Wall.
R. Walsh. W. Walsh. Walters. Washburn. J. J. Wolf.
and Mr. Speaker."

W. Robert Blair: "Allright. Questions of the affirmative."

Lundy: "Where do we stand, Mr. Clerk?"

W. Robert Blair: "Ah.. what's the number? 88 'yeas' and 80
'nays'. Okay. Do we have questions now of the affirmative?"

Lundy: "Yes, Mr. Speaker, Representative Boyle."

W. Robert Blair: "Ah.. he's back there."

Lundy: "Representative Brinkmeier. Did you verify Mr.
Brinkmeier?"

W. Robert Blair: "Mr. Brinkmeier's there."

Lundy: "Representative Day."

W. Robert Blair: "Ah.. Mr. Day. He's here."

Lundy: "Representative Deuster."

W. Robert Blair: "Deuster went from 'yes' to 'no'. He's
there, though."

Lundy: "Representative Flock. Representative Grotberg."

W. Robert Blair: "Who?"

Lundy: "Grotberg."

W. Robert Blair: "Grotberg. There he is in the back."

Lundy: "Representative Friedland. I see him. Representative
Gibbs."

W. Robert Blair: "He's there."



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ve Harpstrite."

Lundy: "Representative McMaster."

W. Robert Blair: "He's back there."

Lundy: "Representative Murphy."

W. Robert Blair: "Who's that?"

Lundy: "Representative Murphy."

W. Robert Blair: "Murph is there."

Lundy: "Representative North."

W. Robert Blair: "North. He's back there."

Lundy: "Representative Philip."

W. Robert Blair: "How is he recorded?"

F. Selcke: "The gentleman is recorded as voting 'aye'."

W. Robert Blair: "All right, take him off the record."

Lundy: "Representative Pappas."

W. Robert Blair: "he's back there."

Lundy: "Thank you. Representative Polk."

W. Robert Blair: "Polk. Here he is. Who. Turn him back on."

Lundy: "Representative Rose."

W. Robert Blair: "Rose is there."

Lundy: "I'm sorry, could you verify him?"

W. Robert Blair: "Yeah."

Lundy: "Okay. Representative Stiehl."

W. Robert Blair: "She's there. The lady is there."

Lundy: "Representative Telcser."

W. Robert Blair: "Mr. Telcser. Would you go get Mr. Telcser, please? Take him off 'til we get him out here."

Lundy: "What happened to Mr. Telcser?"

W. Robert Blair: "I took him off until he gets on the floor."

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Lundy: "Representative Tuerk."

W. Robert Blair: "Tuerk is there."

Lundy: "Representative Wall."

W. Robert Blair: "He's there."

Lundy: "Representative Walters."

W. Robert Blair: "Walters is there."

Lundy: "No further questions, Mr. Speaker."

W. Robert Blair: "All right, ah.. on this question there are 84 'ayes', 80 'nays', and the gentleman's motion to table prevails. Further amendments?"

F. Selcke: "That's all."

W. Robert Blair: "Third Reading. All right, now.. Mr. McCourt. All right, now, what we would like to do with leave of the House and by agreement with the leadership is to go ahead and read ah.. 1504 through 1527 and also 1638 a second time and leave them on Second ah.. so that tomorrow then we can come back to this order of business early and get right to Motions to Table. Is that agreeable? All right, read the bills."

F. Selcke: "Ah.. House.. ah.. Senate Bill 1504, Amends the Medical Practice Act, Second Reading of the Bill. Senate Bill 1505, amends an Act relating to Dental Surgery, Second Reading of the Bill. Senate Bill 1506, amends the Pharmacy Act, Second Reading of the Bill. 1507 amends the Optometric Practice Act, Second Reading of the Bill. 1508 amends the Physical Therapy Act, Second Reading of the Bill. 1509, amends An Act relating to the Practice of Podiatry, Second



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Reading of the Bill. 1510, Amends the Veterinary Medicine and Surgery Practice Act. Second Reading of the Bill. 1511, amends the Psychologist Registration Act. Second Reading of the Bill. 1512, amends the Nursing Act. Second Reading of the Bill. 1513, amends Social Workers Registration Act. Second Reading of the Bill. 1514, amends an Act to regulat public accounting. Second Reading of the Bill. 1515, amends Certified Shorthand Reporters Act. Second Reading of the Bill. 1516, amends an Act relating to business vocational schools. Second Reading of the Bill. 1517, amends Beauty Culture Act. Second Reading of the Bill. 1518, amends an Act relating to detection of deception examiners. Second Reading of the Bill. 1519, Amends an Act relating to funeral directing. Second Reading of the Bill. 1520, amends the Insurance Code. Second Reading of the Bill. 1521, amends the Municipal Code. Second Reading of the Bill. 1522, amends the Architectural Act. Second Reading of the Bill. 1523, amends the Professional Engineering Act. Second Reading of the Bill. 1524 amends the Structural Engineering Act. Second Reading of the Bill. 1525, amends Land Surveyors Act. Second Reading of the Bill. 1526, amends Nursing Home Administrators Act. Second Rading of the Bill. 1527, amends Sanitarian Registration Act. Second Reading of the Bill. 1638, amends an Act relating to Detective Agencies. Second Reading of the Bill. 1638, yeah, I read that."

Speaker Blair: "So that tomorrow then we can come back to this order of business early... get right to motions to table. Is that agreeable? Messages."

Clerk Selcke: "Messages from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I am directed to Inform the House of Representatives that the Senate passed the Bill of the following title in the passage of which I am instructed to ask the concurrence of the House."

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Senate Bill 1646, passed by the Senate June 26, 1974, Edward E. Fernandes. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a Bill of the following title, House Bill 2369, together with the following Amendment in adoption of which I am instructed to ask the concurrence of the House. Passed the Senate as amended June 26, 1974. Edward E. Fernandes, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Conference Committee Report, Senate Bill 638, adopted by the Senate June 25, 1974. Edward E. Fernandes, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following preamble and Joint Resolution the adoption which I am instructed to ask the concurrence of the House, Senate Joint Resolution 79, adopted by the Senate June 25, 1974. Edward E. Fernandes, Secretary. Committee Reports, Mr. Schouberlein, from public Utilities, to which Senate Bill 1644 was referred, reported the same back with the recommendation that the Bill do pass. Mr. Washburn, from the Appropriation to which Senate Bill 1481, 1620 and 1656 were referred, reported the same back with the recommendation that the Bills do pass. Mr. Wolf, from Veterans Affairs, Personnel and Pension, to which was referred House Resolution 1038, was referred, reported the same back with the recommendation that the Resolution be adopted. Mr. Blair, from Rules, to which Senate Bill 1538, 1553 and 1675, were referred, reported the same back with the recommendation that the Bills be referred to the Committee on Assignment of Bills."

Speaker Blair: "Mr. Collins."

Collins: "Yes, Mr. Speaker, I would like to remind Members of the Executive Committee, we're meeting immediately after adjournment in room 212."

Speaker Blair: "Mr. Cunningham."

Cunningham: "Mr. Speaker, it is now abundantly clear that we're going to be in Session for several more days, including Sunday and I hope it wasn't officious of me to try to make a motion at this time to bring life to a Bill, a very fine Bill that the Honorable Harold Katz and I are sponsoring together. It's House Bill 2587, now if any of the Members have any doubt about my own judgment, I ask them to rely on Harold and give us 107 votes, that that good Bill might appear on tomorrow's Calendar under Second Reading, Second Legislative Day and we'll have a chance to bring to success. Last Friday, this House very kindly revived the Bill and each.... even the Majority Leader has passed a motion... are you listening? Each evening the House has passed a motion to keep it alive and to make that meaningful let's have an 'aye' vote on the wall there and.... we would pass a very good Bill about workmens compensation."

Speaker Blair: "Mr...."

Cunningham: "... time for that."

Speaker Blair: "Mr. William Walsh."

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House.

It seem to me that if we're going to do this for one, we're going to have to do it for all and we are running a little late tonight. It seem appropriate to us that maybe we would undertake a motion that would free all of these Bills, Roscoe, perhaps sometime tomorrow. For Lord knows what, Roscoe, we are kinda anxious to adjourn tonight and so it sure would be appreciated if you would sit down and relax."

Speaker Blair: "All right, Senate Bills first."

Clerk Selcke: "Senate Bill, First Reading. Senate Bill 1280,

an Act to provide for the ordinary and contingent expense of the Illinois Mental Health Planning Board.

First Reading of the Bill. Senate Bill 1145, an Act

to provide for the ordinary contingent expense of the Department of Transportation. First Reading of the Bill. Senate Bill 1554, an Act to amend the Finance Franchise Disclosure Act. First Reading of the Bill. Senate Bill 1551, an Act to amend the Air Carriers Act. First Reading of the Bill. Senate Bill 1659, an Act to Coal Development Bond Act. First Reading of the Bill. Senate Bill 1660, appropriations to the Coal Development Fund. First Reading of the Bill. Senate Bill 1661, an Act relating to Joint Legislative Commission on energy. First Reading of the Bill. Senate Bill 1662, an Act making appropriations to the Joint Legislation Commission on energy. First Reading of the Bill. Senate Bill 1667, an Act to provide for the exercise right of eminent domain. First Reading of the Bill. Senate Bill 1669, an Act to create the Illinois Government Information Service and so forth. First Reading of the Bill."

Speaker Blair: "Mr. Washburn."

Washburn: "Thank you, Mr. Speaker... thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Appropriations Committee will meet tomorrow morning at 9:00 o'clock, in room 400, and we're going to hear the Department of Transportation and the EPA appropriation Bills. I would hope that the Membership and the Sponsors and the Secretary of Transportation, Director of the EPA, would be there at 9:00 o'clock promptly in room 400."

Speaker Blair: "All right. Mr. Neff."

Neff: "Mr. Speaker, I would like to have permission to make a motion to not have the seven and a half day posting..."

Speaker Blair: "That's right, you don't need the motion, it's automatic. Just announce that you're going to have the meeting."

Neff: "We will have a meeting here on the House floor and I would like all of the Members of the Transportation Committee... immediately following this session on

Senate Bill 1452, Senate Bill 1326 and Senate Bill 1492.

It will be on the House floor here."

Speaker Blair: "All right, Transportation on the floor as soon as we adjourn. Now, Mr. Calvo."

Calvo: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I would like consent of the House to waive the provision of the Rule 50 (c) and on behalf of myself and the following Legislators... Representatives to be shown as casting an affirmative vote for House Bill 2599, which was passed late yesterday evening, it will not change the result the Members of Mr. Lendrigan..."

Speaker Blair: "Now, wait a minute... wait a minute now..."

Calvo: "Can't I do that?"

Speaker Blair: "No... you can ask for yourself but you know, you're not going to..."

Calvo: "All right, I just thought that we might save a little time, Mr. Speaker. I would ask on behalf... for myself then."

Speaker Blair: "All right, Mr. Walsh."

Walsh: "Mr. Speaker, I object to the Gentlemen's motion and would ask him if he would have any objection to holding this tomorrow. I will object tomorrow also, but in the interest of getting out... because we are under the gun and avoiding the possible Roll Call, I would..."

Speaker Blair: "Mr. Calvo."

Calvo: "In view of that, I would have to ask for a Roll Call."

This has been done for six years since I've been here in the House and I have to do it, as I understand the rules within 24 hours, so holding it until tomorrow would mean that it would be futile and useless and therefore I would ask for a Roll Call."

Speaker Blair: "Well, let's explain the Rules, there is no such 24 hour..."

Calvo: "Sir?"

Speaker Blair: "There's no such 24 hour provision in the rules."

Calvo: "Well all right, then I'll take it tomorrow, Mr.

Speaker if that's..."

Speaker Blair: "There is none..."

Calvo: "I would ask for unanimous consent in the event that is a 24 hour provision in one of the rules. I would ask unanimous consent of the House to extend the provision you know, to waive that so it can be taken up tomorrow."

Speaker Blair: "No, there's no such... give me the rules, there's no such... in our rule book."

Calvo: "Well, 50 (c) relative to the information about Roll Call votes, says no Member may... okay, it doesn't say anything about 24 hours. Sorry about that."

Speaker Blair: "Okay, are we agreed we'll entertain these motions tomorrow then, I don't see where you lose anything, it's going to take 89 votes tonight, it's going to take the 89 votes tomorrow. Okay, you don't have to suspend the provision of rule 50 (c)... Okay, I'll recognize you for those motions. All right are we about there now? All right the Gentleman from Cook, Mr. William Walsh."

Walsh: "Mr. Speaker, there will be a Rules Committee meeting tomorrow morning at 11:00 o'clock in room N-5."

Speaker Blair: "All right."

Walsh: "And now, Mr. Speaker, I move that the House stand adjourned until the hour of 11:30 A.M. tomorrow."

Speaker Blair: "All right, the Gentleman... Mr. Shea, did you want to... be heard."

Shea: "Mr. Walsh, do we have to make any motions with any of the Bills that are on the Calendar today?"

Walsh: "No, we thought we would do that tomorrow, get together and decide what can be agreed upon. If you recall..."

Shea: "As I understand your motion yesterday, it was through June 27."

Walsh: "You check the tape on that, Jerry and we were unsuccessful in carrying. I thought we had managed to do that for

MR. SHEA

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...orrow, Mr.

...the event that
...les, I would
...tend the provision
...n up tomorrow."
...e the rules,

...tion about Roll
...It doesn't say
...at."

...ertain these
...you lose
...night, it's
...ay, you don't
...l (r)... Okay,
...All right are
...eman from Cook,

...mmittee meeting
...m N-5."

...House stand
...morrow."
...r. Shea, did you

...ons with any
...day?"
...row, get together
...you recall..."
...it was through

...We were unsuccessful
...do that for

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...the Bills that expired May 25, House Bills in the House.
...We were unsuccessful in doing that the tape tells us.
...So, we can get together tomorrow and decide what Bills
...can be brought back and what Bills prefer to keep. Okay?"
Speaker Blair: "Okay, the Gentleman from Cook, Mr. William
Walsh, moves that the House do now stand adjourned and
all those in favor say 'aye', opposed 'no'. The 'ayes'
have it and House is adjourned until 11:30 A.M. tomorrow.
Now, the ball game... House, Senate ball game is
schedule to start at 7... for those of you who are
interested in athlete events. First Special Session
is convened, is there leave to use the attendance Roll
Call from the Regular Session as the Roll Call for
the Special. Leave has been granted. The Gentleman
from... what did we agree on, Mr... All right, Mr.
Katz, has been persuasive... we are going to bring in
the First Special Session at 11:25, there is a Bill in
there that he is interested in, so we can have an
opportunity to have that Bill read a third time. And
the... the motion is that the First Special Session
stand adjourned until the hour of 11:25, tomorrow.
All those in favor say 'aye', opposed 'no'. The 'ayes'
have it and First Special Session is adjourned."

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| 61 | | Speaker Telcser) | Rules amend. not germane |
| 62 | | Tuerk) | Explain it. |
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| 66 | | Beaupre | Leave to table |
| 66 | | Speaker Telcser | |
| 67 | | Clerk Selcke | Amendment #3 |
| 67 | | Speaker Telcser | |
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| 81 | | Cunningham | |
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| 81 | | Hoffman, G. | |
| 82 | | Speaker Blair | Amendment #3, adopted. 3rd. |
| 82 | | Clerk Selcke | S.B. 1395-2nd-No Com. Amen. |
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| 82 | | Clerk Selcke | Floor Amendment #1 |
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| 82 | | Brinkmeier | Move to table |
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| 87 | | Brinkmeier | |
| 87 | | Speaker Blair | |
| 87 | | Brinkmeier | Poll absentees |
| 87 | | Speaker Blair | |
| 87 | | Simms | Change to 'no' |
| 87 | | Speaker Blair | |
| 88 | | Brinkmeier | Asks for verification |
| 88 | | Speaker Blair | |
| 88 | | Clerk Selcke | Affirmative Roll Call |
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| 88 | | Leon) | Vote me 'aye' |
| | |) | |
| 88 | | Speaker Blair) | |
| 88 | | Clerk Selcke) | |
| 88 | | Caldwell) | Vote me 'aye' |
| | |) | |
| 89 | | Speaker Blair) | |
| 90 | | Hoffman) | Questions affirmative roll |
| 90 | | Speaker Blair) | |
| 90 | | Clerk Selcke) | Continues questions |
| 90 | |) | |
| 90 | | Bradley) | Vote me 'yes' |
| | |) | |
| 91 | | Hoffman) | Questioning continues |
| | |) | |
| 91 | | Speaker Blair) | |
| 91 | | Anderson) | |



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| 92 | | Clerk Selcke | Negative Roll Call |
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| 92 | | Hart | Change to 'aye' |
| 92 | | Speaker Blair | |
| 93 | | Brinkmeier | Questions negative roll |
| 93 | | Speaker Blair | |
| 93 | | Clerk Selcke | |
| 93 | | Brandt | Vote me 'aye' |
| 93 | | Speaker Blair | |
| 93 | | Brinkmeier | Questions |
| 94 | | Speaker Blair) | |
| 94 | | Matijevich) | |
| 94 | | Clerk Selcke) | |
| 94 | | Brinkmeier | |
| 95 | | Telcser in the Chair | |
| 95 | | Matijevich | Turn me off |
| 94 | | Speaker Telcser | |
| 94 | | Wm. Walsh | |
| 94 | | Speaker Telcser) | |
| 94 | | Brinkmeier) | |
| 95 | | Speaker Telcser | New Roll Call |
| 95 | | Brinkmeier | |
| 95 | | Speaker Telcser | |
| 95 | | Clabaugh | Change to 'no' |
| 95 | | Speaker Telcser) | 83 'aye' 84 'no' |
| 96 | | Shea) | Verify negative |



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| 99 | | Geo-Karis | Vote me no |
| 99 | | Speaker Telcser | Third Reading |
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| 100 | | Flinn | Question |
| 100 | | Speaker Telcser | Amendment adopted |
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| 101 | | Speaker Telcser | |
| 101 | | J. J. Wolf) | |
| | |) | |
| 101 | | Hill) | |
| 101 | | Speaker Telcser | |
| 101 | | Lundy) | |
| | |) | |
| 101 | | Hill) | |
| 101 | | Speaker Telcser | Amendment adopted |
| 101 | | Clerk Selcke | Amendment #4 |
| 101 | | Speaker Telcser | |
| 101 | | Hill | Ewell agrees to table |
| 101 | | Speaker Telcser | Tabled. Third Reading |
| 102 | | Clerk Selcke | S.B. 1319-2nd-No Com. Amen. |
| 102 | | Clerk Selcke | Amendment #1-floor |
| 102 | | Speaker Telcser) | |
| | |) | |
| 102 | | Hill) | Giorgi wants to table |
| 102 | | Speaker Telcser | Tabled |
| 102 | | Clerk Selcke | Amendment #2 |
| 102 | | Speaker Telcser | |
| 102 | | Hill | Same |
| 102 | | Speaker Telcser | Tabled |
| 102 | | Clerk Selcke | Amendment #3 |
| 102 | | Speaker Telcser | |
| 103 | | Fleck | Table it |



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| 102 | | Speaker Telcser | Tabled. Third Reading. |
| 103 | | Hill | Amendment #4 |
| 103 | | Speaker Telcser | |
| 103 | | Clerk Selcke | S.B. 1227-2nd-1 Com. Amen. |
| 103 | | Speaker Telcser | |
| 103 | | McMaster | Amendment #1 tabled |
| 103 | | Speaker Telcser) | Tabled - Third Reading |
| 103 | | McMaster) | Mr. Speaker |
| 103 | | Clerk Selcke | S.B. 1227-Third Reading |
| 104 | | Speaker Telcser | |
| 104 | | McMaster | |
| 104 | | Speaker Telcser | Passed |
| 104 | | Clerk Selcke | |
| 104 | | Speaker Telcser | |
| 104 | | Shea | Motion |
| 104 | | Speaker Telcser | |
| 105 | | Clerk Selcke | Reads motion |
| 105 | | Speaker Telcser) | |
| 105 | | Shea) | |
| 105 | | Speaker Telcser | |
| 105 | | Hirschfeld | Point of order |
| 105 | | Speaker Telcser) | |
| 106 | | Shea) | |
| 107 | | Clerk Selcke | S.B. 1502-2nd Reading |
| 107 | | Speaker Telcser | |
| 107 | | Hirschfeld | Amendment #1 |
| 107 | | Speaker Telcser | |



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| 107 | | Schlickman | Point of order |
| 107 | | Speaker Telcser | |
| 107 | | Hirschfeld | Disagree |
| 108 | | Speaker Telcser | |
| 108 | | Schlickman | |
| 108 | | Speaker Telcser | Chair rules-germane |
| 109 | | Shea) | |
| | |) | |
| 109 | | Speaker Telcser) | |
| 110 | | Hirschfeld | Point of order |
| 110 | | Speaker Telcser | |
| 110 | | Hirschfeld | Amendment #1 |
| 110 | | Speaker Telcser | |
| 110 | | Washington | Defer to Lundy |
| 110 | | Speaker Telcser | |
| 110 | | Lundy) | |
| | |) | |
| 111 | | Hirschfeld) | |
| 111 | | Speaker Telcser | |
| 111 | | Lundy | Speaks on Amendment #1 |
| 112 | | Speaker Telcser | |
| 112 | | Hirschfeld | Interupts |
| 112 | | Lundy | Continues |
| 112 | | Speaker Telcser | |
| 113 | | Hirschfeld | |
| 113 | | Speaker Telcser | |
| 114 | | Washington | |
| 114 | | Speaker Telcser) | |
| | |) | |
| 115 | | Shea) | Re: Motion |



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| 115 | | Speaker Telcser | |
| 115 | | Hirschfeld | Point of order |
| 115 | | Speaker Telcser | |
| 115 | | Shea) | |
| 115 | | Speaker Telcser) | |
| 116 | | Shea | Motion |
| 116 | | Speaker Telcser) | |
| 116 | | Duff) | |
| 116 | | Speaker Telcser) | |
| 117 | | Shea) | |
| 117 | | Speaker Telcser | Motion out of order |
| 118 | | Shea) | |
| 118 | | Speaker Telcser) | Question Re: S.B. |
| 119 | | Shea | Dissents from ruling |
| 119 | | Speaker Telcser | |
| 119 | | Porter) | |
| 120 | | Hirschfeld) | |
| 120 | | Speaker Telcser | Amendment #1 adopted |
| 120 | | Clerk O'Brien | Amendments 2, 3, 4 tabled |
| 120 | | Speaker Telcser | |
| 121 | | Clerk O'Brien | Amendment #5 |
| 121 | | Speaker Telcser | |
| 122, 123 | | Lundy | Amendment #5 |
| 123 | | Speaker Telcser | |
| 123 | | Hirschfeld | Support |
| 123 | | Speaker Telcser | |
| 124 | | Duff | Support |



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| 124 | | Speaker Telcser | Amendment adopted |
| 124 | | Clerk O'Brien | Amendment #6 |
| 124 | | Speaker Telcser | |
| 124 | | Lundy | Move to table |
| 124 | | Speaker Telcser | Tabled |
| 124 | | Clerk O'Brien | Amendment #7 |
| 124 | | Lundy | Move to table |
| 124 | | Speaker Telcser | Tabled |
| 124 | | Clerk O'Brien | Amendment #8 |
| 125 | | Lundy | Move to table |
| 125 | | Speaker Telcser | Tabled |
| 125 | | Clerk O'Brien | Amendment #9 |
| 125 | | Speaker Telcser | |
| 125 | | Shea | Defer to Bluthardt |
| 125 | | Speaker Telcser | |
| 126, 127 | | Bluthardt | Amendment #9 |
| 127 | | Speaker Telcser | |
| 128, 129 | | Shea | |
| 129 | | Speaker Telcser | |
| 130, 131, 132, 133 | | Hirschfeld | |
| 133 | | Speaker Telcser | |
| 133 | | Schlickman | Point of order |
| 133 | | Speaker Telcser | |
| 134 | | Hirschfeld | |
| 134 | | Speaker Telcser | |
| 135, 136 | | Duff | Support |
| 136 | | Speaker Telcser | |



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| 136 | | Borchers) | |
| | |) | |
| 137 | | Hirschfeld) | |
| 137 | | Shea) | Question |
| | |) | |
| 138, 139, 140 | | Hirschfeld) | |
| 140 | | Speaker Telcser | |
| 140 | | Phillips | Move previous question |
| 140 | | Speaker Telcser | |
| 140 | | Shea) | |
| | |) | |
| 141 | | Hirschfeld) | |
| 141 | | Speaker Telcser | |
| 142, 143 | | Bluthardt) | To close/question |
| | |) | |
| 143 | | Hirschfeld) | |
| | |) | |
| 144 | | Speaker Telcser) | Amendment #9 fails |
| 144 | | Clerk O'Brien | Amendment #10 |
| 144 | | Speaker Telcser | |
| 145 | | Bluthardt | |
| 145 | | Speaker Telcser | |
| 146 | | Hirschfeld | |
| 146 | | Speaker Telcser | |
| 146 | | Bluthardt | To close |
| 146 | | Speaker Telcser | Amendment #10 fails |
| 147 | | Clerk O'Brien | Amendment #11 |
| 147 | | Speaker Telcser | |
| 147 | | Shea | |
| 147 | | Speaker Telcser | |
| 147 | | Hirschfeld | Against |
| 147 | | Speaker Telcser | |



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| 147 | | Shea | To close |
| 148 | | Speaker Telcser | Amendment #11 fails |
| 148 | | Giorgi) | Suggestion |
| 148 | | Shea) | |
| 148 | | Speaker Telcser | |
| 149 | | Hirschfeld | |
| 149 | | Speaker Telcser | |
| 149 | | Clerk Selcke | Amendment #12 |
| 149 | | Shea | |
| 150 | | Speaker Telcser | |
| 150 | | Hirschfeld | Against |
| 150 | | Speaker Telcser | |
| 150 | | Shea | To close |
| 150 | | Speaker Telcser | |
| 151 | | Duff | |
| 151 | | Speaker Telcser | Amendment #12 fails |
| 151 | | Clerk Selcke | Amendment #13 |
| 151 | | Speaker Telcser | |
| 151 | | Shea | |
| 151 | | Speaker Telcser | |
| 152 | | Hirschfeld | Oppose |
| 152 | | Speaker Telcser | |
| 153 | | Bluthardt | |
| 153 | | Speaker Telcser | Amendment 13 fails |
| 153 | | Clerk Selcke | Amendment #14 |
| 153 | | Speaker Telcser | |
| 153 | | Schraeder | |



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| 153 | | Speaker Telcser | |
| 153 | | Washington | Move to table #14 |
| 153 | | Speaker Blair in the Chair | Tabled |
| 154 | | Clerk Selcke | Amendment #15 |
| 154 | | Speaker Blair | |
| 154 | | Rayson | |
| 154 | | Speaker Blair | |
| 154 | | Hirschfeld | Dilatory |
| 154 | | Speaker Blair | |
| 155 | | Rayson | |
| 155 | | Speaker Blair | |
| 155 | | Hirschfeld | Oppose |
| 155 | | Speaker Blair | Amendment #15 fails |
| 155 | | Clerk O'Brien | Amendment #16 |
| 155 | | Shea | Withdraw |
| 155 | | Speaker Blair | Tabled |
| 155 | | Clerk O'Brien | Amendment #17 |
| 155 | | Speaker Blair | |
| 156 | | Shea | |
| 156 | | Speaker Blair | |
| 156 | | Hirschfeld | Oppose |
| 156 | | Speaker Blair | |
| 157 | | Lundy | Support |
| 157 | | Speaker Blair) | |
| 157 | | Shea) | To close |
| 158 | | Speaker Blair | Amendment #17 fails |
| 158 | | Clerk O'Brien | Amendment #18 |



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| 158 | | Speaker Blair | |
| 158 | | Shea | |
| 158 | | Speaker Blair | |
| 159 | | Hirschfeld | Oppose |
| 159 | | Speaker Blair | |
| 159 | | Ewell | |
| 159 | | Speaker Blair | Amendment #18 fails |
| 159 | | Clerk O'Brien | Amendment #19 |
| 159 | | Speaker Blair | |
| 160 | | Shea | |
| 160 | | Speaker Blair | |
| 160 | | Hirschfeld | Oppose |
| 160 | | Speaker Blair | |
| 160 | | Shea | To close |
| 160 | | Speaker Blair | Amendment #19 fails |
| 160 | | Clerk Selcke | Amendment #20 |
| 160 | | Speaker Blair | |
| 161, 162 | | Shea | |
| 162 | | Speaker Blair | |
| 163 | | Hirschfeld | |
| 163 | | Speaker Blair | |
| 164, 165 | | Ewell | |
| 165 | | Speaker Blair | |
| 165 | | Totten | Move previous question |
| 166 | | Speaker Blair | |
| 166 | | Shea | To close |
| 166 | | Speaker Blair | Amendment #20 |



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| 166 | | Duff) | Explain vote/question |
| 166 | | Speaker Blair) | |
| 167 | | Duff | |
| 167 | | Speaker Blair | |
| 168 | | Epton | |
| 168 | | Speaker Blair | |
| 168 | | Dunne, Ralph | Point of personal privilege |
| 168 | | Speaker Blair | |
| 168 | | Bluthardt | |
| 169 | | Speaker Blair | Amendment #20 fails, Third. |
| 169 | | Clerk Selcke | S.B. 1503-2nd Reading |
| 169 | | Speaker Blair | |
| 170 | | Lundy | Amendment #1 |
| 170 | | Speaker Blair | |
| 170 | | Collins | Move to table |
| 170 | | Speaker Blair | |
| 170 | | Washington) | |
| 171 | | Lundy) | |
| 171 | | Speaker Blair | |
| 172 | | Hirschfeld | |
| 172 | | Speaker Blair | |
| 172 | | Hirschfeld | |
| 173 | | Speaker Blair | Collin's motion to table |
| 173 | | Washington | |
| 173 | | Speaker Blair | Motion carries |
| 173 | | Clerk Selcke | Amendment #2 |
| 173 | | Lundy | Moves to table #2, 3, 4 |



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| 173 | | Speaker Blair | Tabled |
| 173 | | Clerk Selcke | Amendment #5 |
| 173 | | Speaker Blair | |
| 174 | | Lundy | Amendment #5 |
| 174 | | Speaker Blair | |
| 174 | | Collins | Move to table #5 |
| 175 | | Speaker Blair | |
| 175 | | Mugalian | |
| 175 | | Speaker Blair | |
| 176 | | Davis | |
| 176 | | Speaker Blair | |
| 177 | | Hirschfeld | Oppose Amendment #5 |
| 177 | | Speaker Blair | |
| 178 | | Washington | Disagree |
| 178 | | Speaker Blair | |
| 179 | | Duff | |
| 179 | | Speaker Blair | |
| 179 | | Porter | |
| 180 | | Speaker Blair | |
| 181 | | Lundy | Verification at app. time |
| 182 | | Schlickman | |
| 182 | | Speaker Blair | |
| 182 | | Douglas | |
| 182 | | Speaker Blair | |
| 182 | | Clerk Selcke | Polls absentees |
| 183 | | Speaker Blair) | |
| | |) | |
| 183 | | Lundy) | Asks slow down |



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| 184 | | Speaker Blair | |
| 184 | | Giorgi | Change to 'no' |
| 184 | | Speaker Blair | |
| 184 | | Deuster | Change to 'no' |
| 184 | | Speaker Blair | |
| 184 | | Geo-Karis | Change to 'aye' |
| 185 | | Clerk Selcke | Affirmative Roll Call |
| 186, 187 | | Speaker Blair) | |
| 188 | | Lundy) | Question affirmative roll |
| 188 | | Speaker Blair | |
| 189 | | Clerk Selcke | Reads Bills 1504-1527-1638. 2nd |
| 189 | | Speaker Blair | |
| 190 | | Clerk Selcke | Message from Senate |
| 190 | | Speaker Blair | |
| 190 | | Collins | Announcemert |
| 191 | | Speaker Blair | |
| 191 | | Cunningham | Motion-H.B. 2587 |
| 191 | | Speaker Blair | |
| 191 | | Walsh, Wm. | |
| 191 | | Speaker Blair | |
| 192 | | Clerk Selcke | S.B. First Reading |
| 192 | | Speaker Blair | |
| 192 | | Washburn | Announcement |
| 192 | | Speaker Blair | |
| 193 | | Neff | Motion |
| 193 | | Speaker Blair | Don't need motion |
| 193 | | Calvo | |



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| 193 | | Speaker Blair | |
| 193 | | Walsh | |
| 193 | | Speaker Blair) | |
| | |) | |
| 194 | | Calvo) | Asks for Roll Call |
| 194 | | Speaker Blair | |
| 194 | | Walsh, Wm. | Announcement |
| 194 | | Speaker Blair | |
| 194 | | Shea) | |
| | |) | |
| 195 | | Walsh) | |
| | |) | |
| 195 | | Speaker Blair | House adjourned. |

FIRST SPECIAL SESSION

| | | | |
|-----|--|---------------|---------------------------------|
| 195 | | Speaker Blair | First Special Session to order. |
| | | Speaker Blair | First Special Session adjourned |

