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William Redmond: "The House will come to order. It appears that we do not have a quorum, so we'll have to stand at ease for perhaps ten minutes. The House will come to order. The member will please be in their seats. Will the doorkeeper make the announcement?"

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

William Redmond: "We will be lead in prayer by the Reverend Krueger, the House chaplain."

Krueger: "In the name of the Father, the Son, and the Holy Ghost, Amen. O Lord, bless this House, this day. Thomas Kempe wrote if you have anything good in yourself, leave still better things of others. Thus, you may preserve humility. It does not harm to value yourself the worst of all. But it hurts you very much to prefer yourself before even one other person. With the humble is continual peace. But in the hearts of the proud are envy and frequent anger. Let us pray. O Lord our heavenly Father, whose glory is in all the world. We commend this day to Thy merciful care to be guided by Thy providence to make all secure under Thy protection. Grant to this House of Representatives, unto all an authority, wisdom and strength to know and to do Thy will. Fill them with the love of truth and righteousness and make them ever mindful of their calling in Thy fear, through Jesus Christ, Thy Holy Spirit, One God without end. Amen."

William Redmond: "For what purpose does Representative Washburn arise?"

Washburn: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. First of all, I would like to report that Representative Epton is hospitalized and Representative Waddell... I'd like to have the record show that he has been released from the hospital but has continued to be ill at home. And I would also ask leave, Mr. Speaker, to recess until a quarter to one for the purpose of a Republican conference in Room 114.

William Redmond: "The Gentlemen will note the excused absences of the members. Any objections to the recess? Roll call for attendance. Representative Hudson, for what purpose do you

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rise?"

Hudson: "Mr. Speaker and Ladies and Gentlemen of the House, I rise on a point of personal privilege, Mr. Speaker."

William Redmond: "State your point."

Hudson: "My point is this. I think that our Speaker is trying to set a good example. He is here, I know, precisely on the hour when we are to commence our meetings. This has not been lost upon me. I'm inclined on occasion to slide, to be here, perhaps, five minutes afterwards, or ten minutes after, and perhaps some of our other members are too. But I think our Speaker Bill is trying to show us the way here in this regard and if we arrive promptly on time so that these meetings can start on time, I believe that we may be out of here by July 30, by a...let me see, by July 1, don't let me misstate my case. I think this is commendable. I think that he is to be commended. I think the members here are to be commended who make it a point to be at our meetings when they should be and on time. And if we keep this in mind, I think we'll move along in good shape this session."

William Redmond: "Mr. Speaker, thank you. Representative Washburn."

Washburn: "Thank you Mr. Speaker, I appreciate the remarks of Representative Hudson because I was going to make about the same thing right now. Compliment you on your attempt to get this House started on time and therefore, I again, ask all Republicans to rush down to Room 114 so that we can be back here in half an hour and we can get started at a quarter to one. Thank you."

William Redmond: "Appreciate it if the Republicans would streak down to Room 114 and be back on time. Representative Madigan for what purpose do you rise?"

Madigan: "Mr. Speaker, I would like to introduce a group in the gallery from the 35th legislative district. It's the Farm Bureau from Ogle County. This 35th district is represented by Representative Mulcahey, Brinkmeier, and Rigney, and we'd ask the people from the Farm Bureau to please stand and accept a round of applause from the assembly."

William Redmond: "Representative Madigan?"

Madigan: "I've been informed that the Farm Bureau from Macon

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County, also, which is represented by Representative  
Dunn, Tipsword, and Borchers. So welcome to all."

William Redmond: "The House will come to order, I think. Is  
everybody on the roll call that wants to be on the roll  
call. Take the record. There being 167 members answering  
the roll, the quorum of the House is present. Committee  
Reports."

Jack O'Brien: "Mrs. Chapman, from the Committee on Human Resources  
to which House Bill 209 was referred, reported same back with  
amendments thereto, with recommendation that the amendments  
be adopted and the bills as amended, do not pass. Mrs.  
Chapman from the Committee on Human Resources to which  
House Bill 250 was referred, reported same back with  
the recommendation with amendments thereto and the recom-  
mendation that the amendments be adopted and the bill, as  
amended do pass. Mrs. Chapman from the Committee on Human  
Resources to which House Bill 251 was referred same back  
with amendments thereto, with the recommendation that the  
amendments be adopted and the bill, as amended, do pass.  
Mrs. Chapman from the Committee on Human Resources, to which  
House Bill 323 was referred, reported same back with the  
recommendation that the bill do pass. Mrs. Chapman from  
the Committee on Human Resources to which House Bill 381  
was referred reported same back with amendments thereto,  
with the recommendation that the amendments be adopted  
and the bill, as amended, do pass. Mrs. Chapman from  
the Committee on Human Resources to which House Bill 510  
was referred reported same back with amendments thereto  
with the recommendation that the amendments be adopted  
and the bill, as amended do pass. Mrs. Chapman, from the  
committee on Human Resources, to which House Bill 584 was  
referred, reported same back with amendments thereto, and  
the recommendation the amendments be adopted and the bill,  
as amended, do pass. Mr. Fary from the Committee on Labor  
and Commerce, to which House Bill 323 was referred, recommended  
that the bill be assigned to Intern Study Commission. Mr.  
Pierce from the Committee on Environment Energy and Natural

Resources to which House Bill 338 was referred, reported same back with amendments thereto, with the recommendation the amendments be adopted and the bill, as amended, do pass. Mr. Pierce from the Committee on Environment, Energy and Natural Resources to which House Bill 339 was referred, reported the same back with recommendation that the bill do pass."

William Redmond: "Introduction of First Reading."

Jack O'Brien: "House Bill 809. Williams. A Bill for an Act to amend sections of the Illinois Highway Code. First Reading of the Bill. House Bill 810. Waddell. A Bill for an Act to amend the Election Code. First Reading of the Bill. House Bill 811. Waddell. A Bill for an Act concerning Plea Bargaining in Criminal Cases. First Reading of the Bill. House Bill 812. Waddell. A Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 813. Waddell. A Bill for an Act to amend the Illinois Food, Drug, and Cosmetic Act. First Reading of the Bill. House Bill 814. Mann, et al. A Bill for an Act to abolish the Death Penalty. First Reading of the Bill. House Bill 815. Mahar-Dauster. A Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 816. Mugalian. A Bill for an Act to provide for the ordinary and contingent expense for the Department of Financial Institutions. First Reading of the Bill. House Bill 817. Mugalian. A Bill for an Act to amend sections of the Hospital Licensing Act. First Reading of the Bill. House Bill 818. Washington, et al. A Bill for an Act to amend sections of the Illinois Small Purchases Act. First Reading of the Bill. House Bill 819. Hart. A Bill for an Act to amend sections of the Election Code. First Reading of the Bill. House Bill 820. Schraeder. A Bill for an Act to amend sections of the Illinois Physical Therapy Registration Act. First Reading of the Bill. House Bill 821. Schraeder. A Bill for an Act to amend sections of the Illinois Physical Therapy Act. First Reading of the Bill. House Bill 822. Schraeder. A Bill for an Act to amend Sections of the Illinois Physical Therapy

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Act. First Reading of the Bill, House Bill 823. Schraeder. A Bill for an Act to amend sections of the Illinois Physical Therapy Registration Act. First Reading of the Bill. House Bill 824. Lundy. A Bill for an Act to amend sections of the Nursing Home Shelter Care Home and Home for the Aged Act. First Reading of the Bill. House Bill 825. D'Arco. A Bill for an Act to amend sections of the Motor Fuel Tax Law. First Reading of the Bill. House Bill 826. Ron Hoffman. A Bill for an Act to amend sections of the Retail Installment Sales Act. First Reading of the Bill. House Bill 827. Ron Hoffman. A Bill for an act to amend sections of an Act in relation to the rate of interest and other charges in connection with sales on credit and lending of money. First Reading of the Bill. House Bill 828. Ron Hoffman. A Bill for an Act to amend sections of the Illinois Municipal Code. First Reading of the Bill. House Bill 829. Ron Hoffman. A Bill for an Act to amend sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 830. Totten. A Bill for an Act to amend sections of the Revenue Act. First Reading of the Bill. House Bill 831. Totten. A Bill for an Act in relation to certain transportation agencies. First Reading of the Bill. House Bill 832. Friedrich. A Bill for an Act to amend sections of an Act to provide into law in relation to township organization. First Reading of the Bill. House Bill 833. Getty. A Bill for an Act to amend sections of the Code of Criminal Procedure. First Reading of the Bill. House Bill 834. Getty. A Bill for an Act to amend sections of the Civil Practice Act. First Reading of the Bill. House Bill 835. Luft, et al. A Bill for an Act making appropriations for the ordinary and contingent expense to the Illinois Fire Personnel Standards and Education Commission. First Reading of the Bill. House Bill 836. Luft, et al. A Bill for an Act to provide for the ordinary and contingent expense for the Court of Claims. First Reading of the Bill. House Bill 837. Brinkmeier. A Bill for an Act to amend sections of the Game Code. First Reading of the Bill."

William Redmond: "The order of business is House Bill's Second Reading. Due to the late start and the early hour of the

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commission and the committee meetings, I hope that if we have anything too controversial, we'll be able to put it over. House Bill 20."

Jack O'Brien: "House Bill 20. Deuster."

William Redmond: "Take that one out of the record. House Bill 91. Representative Deuster, 91? House Bill 184?"

Jack O'Brien: "House Bill 184. Schlickman."

William Redmond: "Is Representative Schlickman in the chambers? Take it out of the record. House Bill 200. Representative Dunn?"

Jack O'Brien: "House Bill 200. A Bill for an Act to amend sections of the Election Code. Second Reading of the Bill, One Committee Amendment. Amends House Bill 200 on page 1, line 1 and 5, by deleting and so forth."

William Redmond: "Representative Dunn to explain the amendment."

Dunn: "Thank you sir. I'd like to explain Amendment No. 1. It's a Committee Amendment to say that in a vacancy this bill pertains only to commission counties. There are 17 commission counties, three member Board of Commissions counties. This says that in case of vacancy, the two remaining members will select someone to fill the unexpired term until the election from the same political party. That's the amendment and I'd like to move its adoption."

William Redmond: "Any discussion? Do you move the adoption of the amendment, Representative Dunn?"

Dunn: "I do."

William Redmond: "The Gentleman from, where ever he's from, has moved the adoption of Committee Amendment No. 1 to House Bill 200. The question is on the motion to adopt. All in favor indicate by saying aye, opposed no, the amendment is adopted. Any more amendments? Any amendments from the floor? Third Reading. House Bill 210."

Jack O'Brien: "House Bill 210. Kelly. A Bill for an Act to require legible price markings of food products. Second Reading of the Bill. No Committee Amendments."

William Redmond: "Any amendments from the floor? Third Reading. The Order of House Bill's Third Reading." House Bill 264.

Is Representative Van Duyne in the chambers? Take that one out of the record. House Bill 269. Representative Schraeder. Representative Schraeder in the chambers?"

Jack O'Brien: "House Bill 269. A Bill for an Act to amend sections of an Act making appropriations to the ordinary and contingent expense for the Department of Corrections. Third Reading of the Bill."

William Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker this is the supplemental and deficient appropriation to the Department of Corrections. The original bill was the deficiency appropriation, but consultation with the staff of Appropriations, we decided it would be better if we had the supplemental and deficiency and also the transfer bill and the committee passed it out without any opposition, and the supplemental and the transfer bill deficiency was 4.3 million dollars, and I would ask for the concurrence of the House in the passage of this House bill."

William Redmond: "Any discussion? The question is on the passage of House Bill 269. All those in favor, vote aye and the opposed, vote no. Have all voted who wished? The Clerk will take the record. On this question there are 111 ayes and 7 noes, and this bill having received the constitutional majority is hereby declared passed. House Bill 274."

Jack O'Brien: "House Bill 274."

William Redmond: "House Bill 274 out of the record? House Bill 276."

Jack O'Brien: "House Bill 276. Jaffe. A Bill for an Act to amend sections of the Unified Code of Corrections. Third Reading of the Bill."

William Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, House Bill 277 amends the Illinois Police Training Act and requires the Illinois Local Government Law Officers Training Board to include training of technics of rape investigation as a part of the..."

William Redmond: "Representative Matijevich, for what reason do you rise?"

Matijevich: "Mr. Speaker, I think the sponsor's got the wrong bill. We're on 276."

Jaffe: "I think there's a mis....I think that there's a mistake actually, Mr. Clerk. This should be 277 Mr. Speaker."

William Redmond: "277?"

Jaffe: "Well, 276, I was mistaken, Mr. Speaker. That is the bill that mandates that the corrections institutions within this State provide a formula for providing minimum security for the inmates so as to protect them against sexual abuse and other crimes of violence. I have to tell you that the Department of Corrections goes along with the bill. There is no opposition to the bill that I know of, and I would ask for a favorable roll call."

William Redmond: "Any discussion? Representative Marovitz:"

Marovitz: "Representative Jaffe, am I correct in saying that this bill does not apply to Cook County jail?"

Jaffe: "You are correct in saying that it does not apply to the Cook County jail. It just pertains to a...State institutions at the present time."

Marovitz: "Thank you very much. That was just for a point of clarification, Mr. Speaker."

William Redmond: "Any further...any further discussion? The question is shall House Bill ....Representative Lechowicz."

Lechowicz: "Thank you Mr. Speaker, will the sponsor yield to a question?"

William Redmond: "He indicates he will."

Lechowicz: "Aaron, we just passed a supplemental...supplemental appropriation of four million dollars to the Department of Corrections and I agree with the thrust of your bill, but in your hearings, did you find any penal institutions where this is not the case at the present time?"

Jaffe: "Well, let me say this to you. In our hearings we found, I think, that the Department of Corrections were not doing the things that we wanted them to do. We found in our hearings, unfortunately, that we were not satisfied with the Department of Corrections as we went from institution to institution. I think our Department of Corrections really is in a bad way. And I think that they need this in order to sort of give them a boost to let them try and implement some programs.



Lechowicz: "Well, what impact on the operations within the department will this Bill have?"

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

Lechowicz: "What impact upon the operations within the Department of Corrections will this Bill have?"

Jaffe: "Well, right now they are not mandated to have such a program and our Bill would mandate them to do something about the problem. I ah... I'm not satisfied nor are the members of the committee satisfied that they are in fact doing something about the problem and under this Bill they would be mandated to do something about it."

Lechowicz: "All right, thank you."

William Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, I too was present at the State Penitentiary when our Rape Study Committee went there to interview prisoners and the wardens attitude at that time about the protection of prisons from unwarranted assault was absolutely complete indifferent and all we're asking in this Bill is that the ..... there be a mandate of procedures and rules to follow which will protect prisoners from onslaught of prisoner ah.... there are quite a few of those. I don't think that it is going to hurt anyone and it will help try and reduce some of the crime that is going on in the prisons that we don't even hear about."

William Redmond: "Representative Ewell."

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

William Redmond: "He indicates that he will."

Ewell: "Ah.... Mr. Jaffe, if this is enacted into law will it infact mandate liability to ah... let's say the penal institutions of the Department of Corrections when and if there is an incident of assault or rape? In other words, once we give them the duty to protect inmates from this thing, ah.... to protect them from assault, as you have it or sexual assault ah... if an inmate is in fact assault, would this not automatically create liability to The Department of Corrections?"

Jaffe: "Ray, we discussed this in committee and it was our

feeling that it would not give them any additional liability and in any event ah... The Department of Corrections would not care even if it gave them additional liability. They would be guilty of negligence, which they are guilty of at the present time."

William Redmond: "Representative Macdonald."

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

William Redmond: "He indicates that he will."

McDonald: "Aaron, why have we eliminated Cook County from this Bill?"

Jaffe: "We have not eliminated Cook County from the Bill.

All we are doing is covering the State Institutions as of the present time. Ah.... I think that you'll find ah... for instance, ah... you know, that ah... County Jails usually have misdemeanor people and people waiving trial and of course the State Penitentiaries have the felons in them."

McDonald: "Thank you."

William Redmond: "Representative Meyer."

Meyer: "One brief question to the Sponsor, Mr. Speaker."

William Redmond: "Proceed."

Meyer: "Representative Jaffe, did you attempt to have the Department of Corrections solve this problem by their own administrative procedures?"

Jaffe: "Well, ah.... as you know I am not the Governor of this state and I can't....."

Meyer: "Did you request it?"

Jaffe: "Well, we have talked to them and they say that they are doing the things that should be done, but it was a feeling of the committee that they are not in fact doing the things that should be done and therefore we put this Bill in."

William: "Any further discussion? The question is shall House Bill 276 pass. All in favor vote 'aye' and opposed 'nay'. Have all voted who wish? Take the record. On this question there are 139 'ayes' and 2 'noes' and 2 voting 'present' and this Bill having received the constitutional majority is hereby declared passed. Representative Borchers, 'aye'. That

passes it. Repr...., House Bill 309."

Jack O'Brien: "House Bill 309, Leinenweber. A Bill for an Act to repeal the Fair Trade Act and to repeal Sections of the Illinois Anti Trust Act. Third Reading of the Bill."

William Redmond: "Representative Leinenweber."

Leinenweber: "Thank you Mr. Speaker and Members of the House, House Bill 309 does exactly what the Clerk said it does. It repeals the Illinois Fair Act and repeals the exemption in the Illinois Anti Trust Laws, which permit the Illinois Fair Trade Act. Ah... The Fair Trade Act ah... very simply allows agreements between manufacturers, distributors and their retailers to set minimum prices on their goods. In addition, these agreements between manufacturers and certain retailers bind every retailer in the state. This is the so called non-signer clause. Finally, The Illinois Fair Trade Act provides the mechanism to establish causes of action in our courts for enforcements of these ah... fair trade ah... minimum price agreements. Very simply, the Illinois Fair Trade Act permits and encourages price fixing. Although this is what we call vertical price fixing as opposed to horizontal price fixing. Nevertheless, it is price fixing and there is only one reason to have six prices and that is to artificially elevate prices. Now why should Illinois repeal its Fair Trade Law? Well, first of all, of course, in inflationary time it is very obvious that we do not need artificially high prices. Consequently, in times of inflation we do not need price fixing... we do not need fair trading. It is very important that the Illinois Fair Trade Law permits agreements to establish minimum prices, but not maximum prices. Maximum will continue to be a violation of our Anti Trust Laws. It is therefore ah... the number one reason why we should repeal the Illinois Fair Trade Law is because it violates the fundamental principle of the free market. In addition it violates all good principals of Anti Trust Laws. This is obvious because it needs an exemption in the Federal Anti Trust Laws in order to permit states such as Illinois even to enact Fair Trade Legislation. Thirdly, it violates due process. Historically,

under the common law; the right to establish a price for a commodity was a property right of the owner. The Illinois Fair Trade Act permits retailers and manufacturers to retake this right away from other retailers and finally the reason for repeal is because of the fact that there is a subtle subsidization by Illinois purchasers who by establishing artificially high prices and artificially high profit margins, enable manufacturers to sell their products at cheaper rates in free trade states who do not have Fair Trade Laws. For Illinois to continue to subsidize purchasers in states such as Missouri, who get along very well without a Fair Trade Law, is to me beyond comprehension. This is a consumers' Bill and in fact in my opinion, this is the consumer Bill of this Session. Ordinarily, consumer Bills have one major fault and that is that they cost consumers money. This Bill is different. This Bill actually saves consumers money and the consumers that elected us will love us for it. It passed The Executive Committee by a vote of 16 'aye' and 1 'no' and I therefore urge this legislature to push Illinois into the realm of free trade and enact House Bill 309."

William Redmond: "Representative Shea."

Shea: "Will the Sponsor yield for a question?"

William Redmond: "He indicates that he will."

Shea: "Representative, the Bill is two short paragraphs. It repeals all of the ah.... ah.... Fair Trade Act. Ah... how many paragraphs is that Fair Trade Act?"

Leinenweber: "Ah... I believe that it is three. One is that ah.... there is a paragraph that permits the agreement. Secondly, there is a paragraph, the so called non-signer paragraph and thirdly it establishes the cause of action in courts for enforcement."

Shea: "Can you tell me to what this Act applies?"

Leinenweber: "This Act.... The Illinois Fair Trade Act permits agreements between manufacturers and retailers to establish minimum prices for trade mark commodities or items."

Shea: "Well, in my town ah.... I live in a smaller town outside the city and we have ah... like eight hardwares

where they have certain fair traded items that they can compete with bigger stores and... because Korvettes and some of the discount stores are required to sell them at that price. Now is I understand this Bill correctly, those items that are presently fair traded ah... if Korvettes wants to run a special or a loss leader and try to attract traffic by taking something that is now fair traded, they can sell it below cost and attract traffic with that, ah... could they not?"

Leinenweber: "That is generally true, although there are some federal regulations which ah... in the Federal Anti Trust Laws, which would in some way prevent, perhaps, some ah... well, ah... however you are generally right ah... in store in the state could sell any product....."

William Redmond: "Representative Campbell advises me that he can't hear a word."

Leinenweber: "If we repeal the Fair Trade Act, it would permit any retailer in the state to sell any article that it purchases for resale at any price it wants subject to some possible limitations ah...due to Federal Anti Trust ah... Creditory Prohibitions."

Shea: "All right, so at the present time with these two laws on the book, The Anti Trust Laws and The Fair Trade Laws, this is what's preventing some of the big stores ah... from running loss leader sales, ah.. is that correct?"

Leinenweber: "Well, I would disagree with your assumption that the big stores are not running loss leaders. The big stores are generally running loss leaders on items that are not fair traded, but that compete with fair traded items."

Shea: "All right, but ah.. like at the present time there are certain G.E. products there are certain appliances that are fair traded..... my good friend, Representative Hill mentions Samsonite Luggage, ah.. I think he is a stock holder."

Leinenweber: "That's right. Samsonite is fair traded."

Shea: "Well, what provisions of the Anti Trust Law are you taking out?"

Leinenweber: "I'm taking the provision in the Anti Trust Law

that provides an exception to the Illinois Anti Trust Law which enable manufacturers and retailers to enter into fair trade agreement. There is a specific exemption in the Illinois Anti Trust Law which allows price maintenance agreement. That is being repealed ah... it obviously goes hand and glove because that provision exists only because of the Fair Trade Law."

Shea: "Thank you."

William Redmond: "Representative Flinn. Any further discussion? Representative Kosinski."

Kosinski: "Mr. Speaker, may I speak to the Bill?"

William Redmond: "Proceed."

Kosinski: "Mr. Speaker and Mr. Sponsor and Ladies and Gentlemen of the House, we have been in the retail business in Chicago for 71 years. In that period of time a law such as this Fair Trade ah...Law were a detriment to us. The good guys, like in gun legislation, the good guys adhered to fair trade. The bad guys did not. In consequences, those of us who attempted to maintain Fair Trade Prices were undercut by under the table action of a great majority of the people in my industry. Now I'd like to call a spade, a spade. If it is a law that can't be applied across the board, that has no teeth, then I feel that we should do away with it and let me compete also. Thank you."

William Redmond: "Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker. Would the Sponsor yield for a question?"

William Redmond: "He indicates that he will."

McGrew: "Thank you. Ah....currently there exist the practice where by some of the large dairy co-operatives etc. in Wisconsin and what not are sending down their surplus milk to be sold at a loss in the grocery stores ah... especially in the Metropolitan area in the Northeast. Would this Bill address this situation at all?"

Leinenweber: "No, it would not because you would be talking about interstate trade and ah... there already is a federal law which attempts to address itself to that and that's

the Robinson Patman Act and ah... I don't happen to agree with that, but that Bill is in effect and will continue regardless of what Illinois wants."

McGrew: "Are you saying that this would effect only commerce that is manufactured and sold in the State of Illinois?"

Leinenweber: "No, only trademark items."

McGrew: "Okay, thank you."

William Redmond: "Representative Grotberg."

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

William Redmond: "He indicates that he will."

Grotberg: "Representative Leinenweber, it is my understanding that the Illinois Retail Merchants Association took no position on this Bill, or a divided position?"

Leinenweber: "As I understand it, they took no positions, ah... they are divided as to whether they want it repealed or not want it repealed and no one appeared from there at the Committee Hearings."

Grotberg: "And on the division that was expressed to you by ah... an excellent staff that the big merchants were for it and the small merchants against it or are they like Representative Kosinski who is a small merchant ah... are the small merchants for it?"

Leinenweber: "They did not tell me the break down. I would suspect that the break down is general ah... the disagreements in all classes. They did not tell me though, the answer to your question."

Grotberg: "All right, thank you very much."

William Redmond: "Representative Collins."

Collins: "Mr. Speaker and ladies and gentlemen of the House, I rise in support of this Bill, which I consider an excellent Bill and perhaps one of the most significant Bills of this Session. I think that it's incomprehensible that we would vote to retain a Bill that retains artificial price fixing. Now we have heard alot about the laudable ah... purposes of protecting the small merchants, but I suggest that this is not the case in the case of the law that we have on the books today. It merely allows merchants or an industry to get together and fix artificially high prices. The thing that is being overlooked here is that this

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is a good consumers Bill and the consumer is the only one that suffers from the price fixing that goes on under the Fair Trade Bill. It is significant, I think, that during committee the Illinois Retail Merchants did not appear. They have not taken a position and as Representative Leinenweber said apparently they are divided as to whether to oppose or support this Bill. I would... I would suppose that most of the responsible ones are in support of the Bill. I think it also significant that the only ones who did come into the committee to oppose this Bill were the Liquor Industries and the liquor people came in with arguments that suggest to us that it was good to keep prices high on liquor because that promotes a temperance. Well, I think that was an insult to the Members of this Assembly and to the Members of that Committee that listened to such a ridiculous argument on that day and I think that the Committee in it's wisdom did see fit to object that argument and overwhelmingly support this Bill. I think that this Bill is one that will aid the people of the State of Illinois that is in the best interest of the consumers ah... of Illinois and I would urge every Member of this House to support this Bill."

William Redmond: "Representative Craig."

Craig: "Mr. Speaker and ladies and gentlemen of the House, I have to rise in opposition to this Bill because the dairy people have been trying..... the processors have been trying to get this very thing done in their particular field and when you say that you're going to benefit the consumers of Illinois, I say that you may for two or three or five years until these big, big.... ah..... people in the business of retailing....they get a hold of this and get every little man out of business because whether it be radios or liquor or whatever it is, these big retail merchants will start selling these items at a loss for a leader to get them in their store and they'll sell them at a loss until dooms day until they put all of the little merchants out of business. Then when you get down to the end and they all of the little



men out, there will be trouble in price fixing because they'll only have four or five big retail stores. They'll have to get their heads together and say, 'This is the price that you're going to pay.' They won't need any legislation at that particular time. It will be about like Ford and General Motors and Chrysler sitting down to set their prices on their automobiles. You don't have any other place to go or the other little small cars. They all get their heads together. Don't you think they don't. What I'm saying to you is that I think this is a bad Bill because they'll use one or two items to come in here and absolutely give them away to get you into their store until they put all of the little men out of business and I certainly urge you people to take a long look at this and vote 'no'."

William Redmond: "Representative Hoffman."

Hoffman: "Thank you Mr. Speaker and ladies and gentlemen of the House, I rise to oppose this proposition as I did in Committee and I think that one of the statements....."

William Redmond: "Will you give the gentleman some order, please?"

Hoffman: "Thank you, Mr. Speaker. I think one of the misstatements that we've been treated to here is artificial high price setting. That is not the intent of this proposition when it was put onto the books. It is to enable the small retailers to compete against the large wholesaler. What actually happens if we throw this off is all the various commodities that are under current Fair Trade Labels will no longer be within the grasp of the small retailer and it sounds fine to say, 'We're going to make it a floating market, we're going to have a competition in this market,' but actually what happens then, as the last speaker indicated, the large wholesalers will set the price and you the consumer then will be forced to pay the price that they set. Currently now there is a minimal profit that is set on Fair Trade Items. It's something that the small retailer can live with and the high wholesalers can also use to supplement their whole-sale items. I think that it is a bad process. I think

that it is something that we ought to take a close look at because for every Member that is down here they have many many small retailers in their district and this is exactly who it is going to hurt and to go back to them and say, 'Well, we didn't hear from you, we didn't hear from the small merchants back home as far as their attitude on this issue.' They don't have the lobby that that large business has. Large business right now is trying to compel this issue. So think before you vote on this. The issue was in behalf of the small retailer and that's why the issue is on the book and I would suggest a 'no' vote on this Bill."

William Redmond: "Any further discussion? Representative Leinenweber to close."

Leinenweber: "Thank you, Mr. Speaker. In answering the last Gentleman who calls for the protection of the small businessman, I would just say that the organization which is perhaps one of the most potent lobbys down here, which protects the small businessman choose not to take a position on this Bill because the small businessmen disagree among themselves whether or not they need price fixing protection. Now the gentleman also suggests that the purpose of this Bill was not to set artificially high prices. Well that is nonsense because the only purpose of this Bill.... of this Fair Trade Law, is to permit retailers and manufacturers to set arbitrarily high prices because of the fact that it doesn't say they can't set a maximum price it merely speaks of minimum prices and the only purpose for a minimum price is to raise prices. Consequently, this Act does cost the consumer money. If we are concerned about creditory price fixing, the use of loss leaders, etc. enact legislation to deal with these problems, but don't throw out the baby with the bath water to allow fair trade is like preventing bank robberies by outlawing withdrawals. It's absurd. This is a consumers Bill and therefore I urge all of you who campaign on the promise that you're going to do something for the consumer pass House Bill 309

and let's give them something in return in the term of lower prices. Thank you."

William Redmond: "The question is shall House Bill 309 pass. All those in favor vote 'aye' and those opposed vote 'no'. Representative Maragos."

Maragos: "Mr. Speaker and Members of the House, I speak on this Bill because I thought in its wisdom the House would vote for this Bill overwhelmingly, but you can see by the committee votes in the Executive Committee where this Bill was located and heard that there was an overwhelming vote and it was brought..... and I can say this also to many of you that many fascists of the liquor industry themselves to not want the present Fair Trade Laws. There is only one small segment of them. All the other retailers did not, I say did not care to support the present law and they want it amended as this Bill does. It is a good piece of legislation. It is in the best interest of the American economy by having Fair Trade on an open market rather than on a fixed market and therefore I ask all of you to give your 'aye' votes in support of this good piece of legislation."

William Redmond: "Representative Katz."

Katz: "Mr. Speaker and ladies and gentlemen of the House, ah... I've always believed that competition was part of the American system. All this Bill does is to say that competition will prevail as far as prices. It does not force any merchant to charge anything other than what he wants to charge. It simply says that a manufacturer can't say to every merchant, 'You got to set the prices exactly as I've set them,' and if we believe in free enterprise, which I happen to believe in, this Bill is a free enterprise Bill and that's what this system is all about that we live under and I think that we oughta practice what we preach. We say to the world, 'We're committed to free enterprise.' Well, let's show by making free enterprise a rule here in Illinois. That's what this Bill does."

William Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, I am voting 'yes' on this piece of legislation because I like to face the facts. In actuality there are no Fair Trade Laws in terms of competition in my business. It's something done on paper and occasionally in courts, but in the final effect, people are competitive. The problem, however it is, that those of us who wish to adhere to the law are held down in this competitive fear. Let's bring it out in the open. Let's have competition as it should be, no hypocritical of efforts through legislation that doesn't hold. Thank you."

William Redmond: "Representative Mann, do you desire recognition? Any further explanation of votes? Take the record. On this question there are 111 'ayes' and 19 'noes' and 9 voting 'present' and the Bill having received the constitutional majority is hereby declared passed. House Bill 368."

Jack O'Brien: "House Bill 368, Hirschfeld. A Bill....."

William Redmond: "Is Representative Hirschfeld in the Chamber? Take it out of the record. House Bill 392. Representative Schraeder."

Jack O'Brien: "House Bill 392, Schraeder. A Bill for an Act to amend Sections of an Act in relation to contests and exhibitions of various classes of pure bread and registered livestock at the Illinois State Fair. Third Reading of the Bill."

William Redmond: "Take that one out of the record." House Bill 210 that was on Second Reading was erroneously advanced to the order of Third Reading. There is to be an amendment introduced or offered, therefore we will return House Bill 210 to the order of Second Reading. Senate Bills, First Reading."

Jack O'Brien: "Senate Bill 35, Giorgi. A Bill for an Act to amend the School Code. Senate Bill 70, Berman. A Bill for an Act to amend the School Code, First Reading of the Bill. Senate Bill 86, Sharp. A Bill for an Act to amend Sections of an Act authorizing any town having the population of

less than 500,000 to establish, acquire and purchase ah...and maintain a public hospital. First Reading of the Bill. Senate Bill 123, McPartlin. A Bill for an Act in relation to state finance. First Reading of the Bill. Senate Bill 176, Berman. A Bill for an Act to amend Sections of the Public Community College Act. First Reading of the Bill. Senate Bill 187, Gene Hoffman. A Bill for an Act to amend Sections of the School Code. First Reading of the Bill. Senate Bill ah.... that was Senate Bill 178 and not Senate Bill 187. Senate Bill 181, Berman. A Bill for an Act to amend the State Employees Group Insurance Act. First Reading of the Bill."

William Redmond: "Those Senate Bills will go to a Committee on Assignment. I'd like to ah..... this is an important announcement. I'd like to again call the attention to the Membership that it appears that the last day to file Bills is April 12th. So again, I encourage you to make sure that you consult the Reference Bureau. They advised us that any inquiry in there by April 1st will be able to meet the deadline. I would also like to call your attention to the requirement that there is a 45 day rule ah.... any Bill that was introduced where that 45 day rule may set you off, I ah... think you ought to pay attention to that. Representative Maragos."

Maragos: "Mr. Speaker, I'd like to announce that the Revenue Committee will meet as scheduled and then the Sub-Committee on Inheritance Laws will meet right after that committee and it shall not be at 5:00 or 6:00 because we intend to have a very short meeting of the Revenue Committee. So those of you that want to appear on either of those committees, the Revenue or the Sub-Committee, please attend. The Sub-Committee on Assessments are going to have a short meeting before the Revenue Committee so those of you ah... Representative Farley, who is the Chairman of that Sub-Committee request all of the Members of that Sub-Committee to meet before we meet in the Revenue in Room 118. Thank you."

William Redmond: "Representative DiPrima do you desire to make

an announcement? Representative DiPrima?"

DiPrima: "A...Mr. Speaker, I'd like to notify the members of the Veterans Affairs Committee in Registration and Regulation that we'll meet on the House floor at 4 o'clock."

William Redmond: "The plan is to recess now for perfunctory to permit the introduction of bills and to adjourn until 10 o'clock tomorrow morning. Representative Shea."

Shea: "I'm sorry, Mr. Speaker."

William Redmond: "I say we stand in recess now is perfunctory now to introduce the bills and then recess."

Shea: "I have a few announcements if I might, Mr. Speaker.

On the calendar on today's hearing rooms, Banks and Savings and Loans will be heard in Room A-1 instead of D-1.

Elections is Room 122-B instead of 122-A. And the Veterans Registration and Regulation will be in Room A-1 instead of 122-A. And the Subcommittee on Banks will meet in A-1 instead of Room B-1. Let me go over those again, if I might. Banks and Savings and Loan, A-1 instead of D-1. Elections in 122-B. The Subcommittee on Banks in A-1 instead of D-1. And Veterans Affairs Registration and Regulation, A-1 instead of 122-A."

William Redmond: "Representative Capuzi?"

Capuzi: "Mr. Speaker, for purpose of announcement, we have quite a few tickets left for our St. Anthony's Dinner tomorrow night. We are about \$700 down right now and we are just not going to be able to make the nut, and I'd hope that even though a lot of you people who are a...are a....not gonna be there, you could at least donate the \$8 and buy a ticket at least for our welfare fund. Now you all know who, and that means you, Schneider, and I said I would mention his name, but I have some tickets left, there are some tickets in Georgi's office and I would appreciate it if you'd all get together and buy some tickets. Thank you,"

William Redmond: "Representative Giglio."

Giglio: "Yes, Mr. Speaker, as usual, Representative Capuzi made a mistake. Its not St. Anthony, its St. Joseph's."

William Redmond: "Resolutions."

Jack O'Brien: House Resolution 132. Williams, et al. Whereas the more than 800 Illinois basketball teams progressed to the selection of Class A and Class AA champions in the State of hysteria, which has become to be known as March madness in Illinois; and whereas this March madness has reached no higher a pitch than in the 5th Legislative District in Illinois, the home of the defending State Class AA basketball champion, the Proviso East Pirates of Maywood; and whereas the 5th Legislative District has once again proved to the home of the best highschool basketball program in Illinois by qualifying not only defending State champs, Proviso East Pirates, for the 1975 Sweet Sixteen Finals, but also the undefeated and currently top ranked East Leyden Eagles of Franklin Park, and also the highly ranked MaineSouth Hawks of Park Ridge; therefore be it resolved that House of Representatives of the 79th General Assembly of the State of Illinois offers its congratulations and best wishes to the unprecedented entry of the three basketball teams in the Class AA finals to the 5th Legislative District, namely East Leyden of Franklin Park, a record of 20 victories and no losses; Proviso East of Maywood with a record of 24 victories and 4 losses; and MaineSouth of Park Ridge with a record of 23 victories and 3 losses and to their outstanding coaches Norm Goodman of East Leyden, of Glen Wittenberg of Proviso East, and Quetlin Sollins of MaineSouth and their many fine players."

William Redmond: "Representative Williams."

Williams: "Mr. Speaker, Ladies and Gentlemen of the House. Just in case anybody didn't hear this, we just want to let you know that the 5th District has three teams here in the double A and Roscoe, take note, and all you people who think you have the basketball teams, we have three of them, and we wish them, of course, the greatest success, the big game's coming up tonight you know, between the Eagles and the Pirates and a..a...and I move the adoption of the Resolution."

William Redmond: "Representative Lucco."

Lucco: "Mr. Speaker, if I'm in order with your indulgence, I would

like to announce that the Venice Red Devils, of course, from the 56th District, are the State Champions in the Class 'A' highschool basketball playoffs and that next Monday, we hope to have the members of the squad here. We'll have a Resolution prepared at that time to present for them. The Venice Red Devils are a high school of 194, and picked up the mantel dropped by the Lawrenceville Indians over there, so we'll look forward to having them here next Monday with your indulgence. Thank you."

William Redmond: "We'll introduce them providing you send their stars up to Marquette. Representative Fary."

Fary: "Mr. Speaker and ladies and gentlemen of the House, I wish to remind you that tomorrow night, there will be no head table at the dinner and no speeches. So please come and please come hungry, and let's get rid of some more tickets. We've only got 700 left, that's all, between now and tomorrow."

William Redmond: "The question is on the adoption of Resolution 132. All in favor indicate by saying 'aye' and all opposed 'no'. The 'ayes' have it and the resolution is adopted. Introductions, First Reading."

Jack O'Brien: "House Bill 838, McGrew. A Bill for an Act to amend Sections of the Election Code. First Reading of the Bill. House Bill 839, McGrew. A Bill for an Act to amend Sections of the Illinois Purchasing Act. First Reading of the Bill. House Bill 840, D'Arco. A Bill for an Act to provide for the ordinary and contingent expenses of the Medical Center Commission. First Reading of the Bill. House Bill 841, Lundy. A Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. House Bill 842, Lundy. A Bill for an Act making appropriations for the Supreme Court of Illinois. First Reading of the Bill. House Bill 843, Keller. A Bill for an Act to amend Sections of an Act relating to public water districts. First Reading of the Bill. House Bill 844, Leverenz. Ah... excuse me, ah... Luft, that is. A Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 845, Washington. A Bill for an Act to provide for the loca-



tion of low and moderate income housing with certain communities of the state. First Reading of the Bill. House Bill 846, Mudd. A Bill for an Act to amend Sections of an Act in relation to practice of barbering. First Reading of the Bill. House Bill 847, Tipsword. A Bill for an Act exempting form chemicals from certain taxes. First Reading of the Bill. House Bill 848, Collins. A Bill for an Act to amend Sections of an Act in relation to judicial review. First Reading of the Bill. House Bill 849, Deavers. A Bill for an Act directing the Secretary's Transportation to convey certain lands in Marnard County. First Reading of the Bill. House Bill 850, Skinner. A Bill for an Act to amend Sections of an Act relating to alcholic liquors. First Reading of the Bill."

William Redmond: "Committees on Assignments. Representative Shea, this is an extremely important announcement."

Shea: "Mr. Speaker, I would now move with respect to all Bills which would expire that are now in Committee under the 45 day rule prior to April 7th; I now move to suspend that portion of Rule 23(d) to extend the time for those Bills to be alive in Committee until April 12th of this year. I discussed this with the Republican Leadership and we discussed it at Rules this morning and I know of no objection to it, but we must formally make it to keep those Bill alive. so I would now move for the adoption of the motion."

William Redmond: "Any discussion? Representative Houlihan."

Houlihan: "Mr. Speaker and ladies and gentlemen of the House, I wonder if the Sponsor of this motion would ah..yield for a question or an inquiry, Jerry? Ah... Jerry, last year we got involved with doing this one time after another in the ah... inevitable inertia was to ah... continue postponing those Bills ah... and it created quite a log-jam at the end. Has the Rules Committee given any consideration to ah... rules that would avoid this problem? Once we do it, ah... then everybody is going to say they want fair treatment and they oughta get some Bills postponed

and nobody is willing to stand up and say that we oughta set some guidelines and some deadlines and let's keep up to them."

William Redmond: "Representative Shea."

Shea: "I can only tell you, Mr. Houlihan, that Easter is extremely early this year and that there were a number of Bills that were not assigned until April 19th, ah... I mean February 19th, that would expire during the Easter Holiday. We're extending it one week. We also in the Rules Committee this morning looked at some Joint Rules which would provide dates by which Bills must be out of Committee. So nobody is starting an interminable delay but only trying to facilitate the orderly operation of the House during the next two weeks."

William Redmond: "Any other discussion? The question is on the adoption of the motion. All in favor indicate by saying 'aye' and the opposed 'no' and ah... something has happened to Representative Choate's voice. The 'ayes' have it and the motion is adopted. Representative Shea, do you desire recognition?"

Shea: "Mr. Speaker, I move that the House do now adjourn until 10:00 am. tomorrow morning."

William Redmond: "I move that the House do now adjourn until 10:00 tomorrow morning. All those in favor indicate by saying 'aye' and the opposed 'nay' and the 'ayes' have it and the House is now adjourned."

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

TWENTY-NINTH LEGISLATIVE DAY

MARCH 18, 1975



GENERAL ASSEMBLY  
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